TOWN OF PAWLING June 16, 2025 PLANNING BOARD Page 1

PRESENT: Aaron Cioppa, Chairman Vice Chairman Jay Erickson Vice Chairman, Gregory Bernard and Brittany Boalt.

EXCUSED: Dr. Thomas Bloom, Mark Friedman and Jennifer Colman.

ASO PRESENT: Ron Gainer P.E. and Brendan Liberati Esq. from Hogan, Rossi and Liquori Law Firm.

CONTENTS: Getaway LLC Performance Bond, Daryl’s House Site Plan, Ricardo Cordova Special Use Permit for an Accessory Apartment and Minutes.

Vice Chairman Jay Erickson opened the meeting at 7:00p.m. and then led the salute to the flag.

GETAWAY LLC Administrative/Release of Performance Bond

Quaker Valley Farm Timber Harvesting

996 North Quaker Hill Road

Pawling, NY 12564

Grid Number: 134089-7158-00-994494

Vice Chairman Erickson said the Board is in receipt of a letter from Getaway LLC. requesting the release of the Timber Harvesting performance bond in the amount of $7,500.00. Mr. Artus performed a final inspection and recommended release of the Performance Bond.

Motion by Chairman Cioppa that the Planning Board recommends to the Town Board release of Getaway LLC., Quaker Valley Farms Performance Bond in the amount of $7,500.00

Second by Mr. Bernard. Chairman Cioppa asked for discussion.

All in favor and the Motion carried.

DARYL’S HOUSE Further Discussion/ Site Plan

130 Route 22

Pawling, NY 12564

Grid Number: 134089-7055-00-9496975

Mr. Curt Johnson from JP Group Design was present representing the applicant.

Vice Chairman Erickson said the property is located 130 Route 22 in the Highway Business, Zoning business. The Board members are in receipt of Mr. Gainer’s memorandum.

Mr. Johnson began by saying there has been no changes to the Site Plans. The lease agreement for the offsite parking has been updated and then submitted for the records.

Vice Chairman Erickson asked if there is any forthcoming proposed changes to the business operations or parking layout.

Mr. Johnson responded, there are no proposed changes to the parking layout. The table and standing areas proposed is an alternate table layout and standing room arrangement for patrons.

Mr. Gainer said the proposal involves the existing Daryl’s House restaurant /entertainment venue. The site Plan for the building was original approved in 1982. The Town and applicant have been involved in litigation in the past over various issues such as parking and occupancy. This was addressed in a 2017 stipulation as ordered by the Court, which permitted the occupancy not to exceed 334 patrons, and authorized alternative seating plans concerning both table layout and a standing room arrangements for patrons. Both seating plans have been filed with and have been approved by the Town Building Department. Under the amended Site Plan application a small one story addition is proposed along the front of the existing building, to be used as patron table seating in the area used as an entrance area, walkways and plantings beds currently exist. The purpose of the addition is to open an area in front of the performance stage for standing space during music performances. There will be no change in the maximum building occupancy, which will comply with the numbers currently approved by the Town of Pawling Building Department. As a result, there will be no impact to either the onsite parking or utility systems. Mr. Gainer explained the specified SERQA code section 617.5 (c) (9) that cognized with the present use of the property with limited new site improvements that falls under a Type II action.

Mr. Bernard asked if the stipulation differentiation between the seating and standing plans.

Mr. Gainer said there is no changes to the patron counts, only a slight increase in the building size. Other site modifications are minor exterior façade updates associated with the addition, (i.e. siding and roofing).

Mr. Johnson said the main reason is the new space offers table seating for patrons who wish to dine at the venue, while the standing area allows for ticket holders to view performance at close proximity.

Vice Chairman Erickson said the rearranging of the seating and standing makes sense.

Vice Chairman Erickson said the Board should evaluate the following procedural issues this evening to move this application forward. He first is Chairman Cioppa, states as per Mr. Gainer memorandum the Board can declare a Type II Seqra action. Furthermore, the Board requires a review by the Fire Marshall and referral to Dutchess County Planning 239GML. He would feel more comfortable to have these responses before the Public Hearing.

Motion by Mr. Bernard to declare Daryl’s House application as a Type II SEQRA action.

Second by Chairman Cioppa. Vice Chairman Erickson asked for discussion.

All were in favor and the Motion carried.

Motion by Chairman Cioppa as part of the Planning Boards review of the project application, the Board request Mrs. Daley to make the required referrals to the following agencies:

* Dutchess County Dept. of Planning 239 GML
* Town Fire Marshal.

Second by Vice Chairman Erickson. Vice Chairman Erickson asked for discussion.

All were in favor and the Motion carried.

Motion by Chairman Cioppa to schedule Daryl’s House Public Hearing on Monday July 07, 2025 at 7:00p.m.

Second by Ms. Boalt. Vice Chairman Erickson asked for discussion.

All were in favor and the Motion carried.

RICARDO CORDOVA New Application

27 Holmes Road Special Use Permit for an Accessory Apartment

Holmes, NY 12564

Grid Number: 134089-6855-02-716583

Mr. Ricardo Cordova landowner and Ms. Stephanie Fox Architect P.C. was present.

Vice Chairman Erickson said the property is located at 27 Holmes Road, in a R4 Residential Zoning District. The property was purchased in very poor conditions. The applicant is in the process of renovating the main house and seeks to legalize an illegal accessory apartment.

Ms. Fox began by giving a presentation to the Board. Ms. Fox provided a history of the property. The house was built in 1900, she went through prior certificates of occupancy, and there is records of an illegal accessory apartment in 2010. There has been no action by the Town Building Department on the illegal apartment, therefore, it is still illegal. The house is listed as a five bedroom with one bathroom, and the accessory is a one bedroom, 1 bath illegal accessory apartment. In 2023 the Building department deemed these structures as unsafe. The accessory apartment does not meet the allowable 30% of the main dwelling therefore an area variance would be required. There were a few serious violation corrected, which allowed the sales of the property. Squatters were living onsite. They were evicted in January 2025. A building permit was issued to allow the landowner to get an idea of what’s behind the walls, to begin to develop renovation plans. An Environmental Permit has been submitted for reconstruction of a driveway, front and side porch, along with potential Sanitary Sewer Disposal System SSDS repairs.

Site improvements include removal of three (3) sheds, paving the existing driveway, a new fence along the East property line, and repair / replacement of the existing septic system for both the primary residence and accessory apartment.

Renovations to the existing garage structure include removal of the existing stairs, a new 8’ x 12’ covered porch, new siding, roofing, doors and windows, and a complete interior renovation to the second floor to provide a new 929 square foot, one bedroom accessory apartment. The back of the house will require a fire rated wall due to its close proximity of the side yard lot line.

Vice Chairman Erickson asked what the main dwelling and accessory apartment square footage is.

Ms. Fox responded that the main residence is 1652 square feet and the accessory building is 1644 for two stories, the top floor is 929 square feet for the proposed accessory apartment. It is 47.3% above the allowable 30% per code for accessory apartments.

Mr. Bernard said there is always potential that the landowner would try to install a second apartment within the garage building.

Ms. Fox said they are being upfront with the Board on potential uses for this property.

Vice Chairman Erickson discuss with the Board the procedural steps for this application, as area variance would be required for the non-conforming bulk regulations. He explained that when new application come before the Board, the Board seeks to conform to the Code of the Town of Pawling. He suggested the accessory apartment be designed pursuant to Code of the Town of Pawling Accessory Apartment regulations that the square footage conform to the 1200 square feet.

Ms. Fox said we could design storage, nonetheless, we are trying to be up front with the square footage within the building. She asked if it’s a function of the Zoning Board of Appeals or Planning Board to grant the additional square footage for the accessory apartment.

Vice Chairman Erickson said the accessory apartment square footage that does not conform to Code falls under the jurisdiction of the Zoning Board of Appeals. Mr. Gainer can review the application pursuant to Code of the Town of Pawling, providing to the Planning Board an outline all non-conformities within this parcel.

Motion by Chairman Cioppa to appoint Mr. Ronald J. Gainer P.E. as engineer to the 27 Holmes Road Special Use Permit for an Accessory Apartment and to allow Mr. Gainer and Ms. Stephanie Fox Architect to work together subject to:

* The Planning Board is kept informed of all correspondence.

Second by Mr. Bernard. Vice Chairman Erickson asked for discussion.

All were in favor and the Motion carried.

ESCROW REIMBURSEMENTS]

Town of Pawling Planning Board Recommendation for Escrow Balances Reimbursement Town Code Chapter 95.

Resolution #5 of 2025

Motion by Vice Chairman Erickson.

Second by Chairman Cioppa.

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| Victoria Davis | Environmental Permit | $225.00 |
| Cullum Jones | Environmental Permit | $131.25 |

NEW BUSINESS

No new business discussed this evening.

ADJOURNMENT

On a Motion by Chairman Cioppa and seconded by Ms. Boalt to adjourn the meeting at 7:45 p.m. All were in favor and the Motion carried.

Respectfully submitted,

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JoAnne Daley

Recording Secretary

non-approved minutes