TOWN OF PAWLING July 07, 2025 PLANNING BOARD Page 1

PRESENT: Aaron Cioppa, Chairman Vice Chairman Jay Erickson Vice Chairman, Gregory Bernard, Brittany Boalt Dr. Thomas Bloom, Mark Friedman and Jennifer Colman.

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

CONTENTS: Daryl’s House Site Plan, Jennifer Colman Special Use Permit for an Accessory Apartment, Chamber of Commerce Signage, Craig Wallace Environmental Permit, Dylan & Regina Pignatelli Environmental Permit and Minutes

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

DARYL’S HOUSE Public Hearing / Site Plan

130 Route 22

Pawling, NY 12564

Grid Number: 134089-7055-00-9496975

Mr. Jeff Moore from JPL Group Design was present, representing Daryl’s House.

Chairman Cioppa said Daryl’s House is located at 130 NYS Route 22, in the Highway Business “HB” Zoning district. The Board is in receipt of the 239gml referral from Dutchess County Planning and a letter from the fire marshal.

Chairman Cioppa ask Jeff Moore to provide a brief presentation on the improvements for the public

Mr. Moore said the current proposal is to construct a one-story addition to the front of the existing restaurant/music venue facility. The purpose of the addition is to provide relocated, dedicated table seating for the use. Currently, there are two approved occupancy plans on file with the building department. These occupancy plans are based on either table seating and/or standing directly in front of the performance stage. For standing, the table seating needs to be removed, which is impractical. Therefore, the relocated table seating to this new space will allow dedicated standing space in front of the performance stage. Note, that the previously approved patron occupancy of 334 will not be expanded with this proposed 700 square foot addition. The new space allows for ticket holders to view the performance at close proximity. Other than minor exterior modifications, such as maintaining the same siding facade and roofing to blend into new addition, no other site changes are proposed.

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.

Ms. Boalt read the Public Notice and the Chairman Cioppa opened the public hearing.

There were no comments from the audience.

Chairman Cioppa closed the Public Hearing.

Motion by Mr. Bernard to close the verbal portion of the public hearing and leave the written comment period opened until August 04, 2025.

Second by Ms. Boalt. Chairman Cioppa asked for discussion.

All in favor and the Motion carried.

Chairman Cioppa asked Mr. Gainer to prepare a resolution for the August 04, 2025 Board meeting

JENNIFER COLMAN Special Use Permit for an Accessory Apartment

101 Hurds Corner Road

Pawling, NY 12564

Grid Number: 134089-6855-02-716583

Ms. Jennifer Colman recused herself.

Chairman Cioppa introduces Ms. Colman’s request from a temporary to a permanent Special Use Permit for an Accessory Apartment located at 101 Hurds Corner Road in an Residential 2 “R2” Zoning district. Chairman Cioppa said Mrs. Daley had confirmed with the building department that no complaints on the accessory apartment have been received to the Town of Pawling.

Chairman Cioppa said the Board is in receipt of two letters supporting Ms. Colman’s Permanent SUP for an accessory apartment. These letters are as follows:

1. Mr. Mark Chipkin- President of Hurds Corner Association

2. Ms. Christine Feighan – Renter

Ms. Colman presented her request to the Board for a permanent Special Use Permit for an accessory apartment.

Mr. Freidman said basically this is a matter of moving from a temporary to a permanent Special Use Permit.

Ms. Colman responded, yes.

Motion by Vice Chairman Erickson to grant Ms. Jennifer Colman located at 101 Hurds Corner Road a permanent Special use Permit for an accessory Apartment.

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

All were in favor and the Motion carried.

CHAMBER OF COMMERCE New Application/ Signage

Dutcher Avenue

Pawling, NY 12564

Grid Number: 134089-6956-00-952587

Mrs. Nicole Furlong, member of the Chamber was present, representing the Chamber of Commerce.

Chairman Cioppa explains the Chamber of Commerce has submitted illustrated drawings to reface the signage located at the intersection of Dutcher Avenue and NYS Route 55. The Board is in receipt of the application and illustrated drawing. Chairman Cioppa said it has been a standard practice that In the past the Board has always written a letter to the Town Board requesting the fees are waived for Chamber of Commerce.

Mrs. Furlong said the Chamber of Commerce is refacing the sign at the intersection of Dutcher Avenue and Route 55. The updating of the sign is a community effort for the reason that the Pawling Community Foundation gave a grant, George Apap and JPL are donating their time on the updates to clean up the sign. Mayor Lori Taylor recently redid all the flowers.

Motion by Ms. Colman to grant the refacing of the sign as presented for the Chamber of Commerce located at intersection of Dutcher Avenue and NYS Route 55, subject to:

* Authorizing Chairman Cioppa to sign a letter to the Town Board waiving the fee for the Chamber of Commerce.

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

All were in favor and the Motion carried.

CRAIG WALLACE Further Discussion/Environmental Permit

8 Lakeview Drive LLC.

Lakeview Drive

Holmes, NY 12531

Grid Number: 134089-6856-13-231469

Chairman Cioppa will recuse himself from discussion.

Vice Chairman Erickson said the property is located at Lakeview Drive. The applicant is before the Board for an Environmental Permit. The Board is in receipt of Mr. Artus and Mr. Gainers memorandum.

Mr. Lapine began by updating the Board. The parcel is a pre-existing non-conforming lot in one (1) acre zoning district. The applicant appeared before the Zoning Board of Appeals on August 26, 2024 for area variances that were granted. The majority of the proposed improvements, including the proposed residence and portions of the proposed driveway are located on slopes.

Vice Chairman Erickson asked when the property was purchased.

Mr. Lapine said the property was purchased in 2024.

Vice Chairman said the property as it exists today does not conform to the Code of the Town of Pawling. Pursuant to the current code this lot would not have been subdivided today..

Mr. Freidman said under the former code the lots were allowed to be subdivided, per the current Code of the Town of Pawling code as it reads today, this lot would not have been allowed to be created.

Vice Chairman said the Code of the Town of Pawling does not allow construction on slopes in excess grade of 30%.

Dr. Bloom said the applicant could be eligible for a referral to the Zoning Board of appeals.

Vice Chairman said there is a reason why these environmental codes exists. There is many unbuildable lots. This lot was not purchased at the time of subdivision. He felt the Board should perform a site inspection.

Mr. Lapine said he is confused on the process as they met with the Zoning Board of Appeals and then work with the environmental director.

Vice Chairman Erickson and Mr. Liquori esp. discussed building on slopes greater than 30%. It a big leap from 10% to 30%. He felt the Board should hold a site inspection to understand the topography of the property.

Mr. Liquori Esq. said the code reads as per §171-20 B. of the Code of the Town of Pawling, Permit Standards, “Excavation, filling, grading and stripping shall be permitted to be undertaken only in such locations and in such a manner as to minimize the potential of erosion and sediment to the threat to the health, safety and general welfare of neighboring property owners and the general public. Alterations of grade or disturbances to the natural vegetative cover on slopes greater than 30% shall be avoided”

Mr. Lapine said significant areas of regulated slopes (≥25%) exist throughout the entire tract, which slopes downward from the road way to the shore of Whaley Lake and will essentially all be disturbed to develop the property. The property will be served by the community water system and an on site pump up SSTS. The SSTS will be in the front yard of the tract, the only location on the lot that meets permitted slope requirements, is not to be occupied by the building and does not lie within the 100 feet of the Whaley Lake. They have developed a storm water infrastructure to pick up shore haven run off to benefit the beach number #3.

The Board scheduled a site inspection for Saturday July 12th at 12:00p.m.

DYLAN & REGINA PIGNATELLI Further Discussion/Environmental Permit

Old Route 22

Pawling, NY 12564

Grid Number: 134089-7057-00-352685

Jim, Dylan and Regina Pignatelli, landowner, Mr. Timothy Allen P.E. from Bibbo Associates was present.

Chairman Cioppa said the property is located along Old Route 22 in an Residential 1 “R!” Zoning district. The applicant can obtain frontage along Prospect Street. They are before the Board seeking an environmental permit.

Mr. Allen presented illustrated plans of the site. The entire site is wooded, with many significant, mature trees within the proposed area of disturbance. Due to the topography along Old Route 22 side of the property, the applicant wishes to extend a driveway into the parcel across a paper street to derive access from prospect Street. The proposed driveway is approximately 1200 feet long in order to reach the house site. Two (2) deep ravines will be crossed to access the dwelling. This will require crossing two deep ravines which convey to Town regulated watercourses from the school property westerly towards NYS Route 22 and ultimately the Great Swamp. While the current proposal involves only access to a single dwelling at present, the applicant has advised the Planning Board that they have plans to possibly create two additional lots in the future, so family members may also reside on the overall tract.

He explained that Mr. Gainers memorandum discusses segmentation under SEQRA. The two important issues are crossing the two ravines, with the significant r=tree removal and steep slope for consideration to illustrate whether a more reasonable driveway layout can be established to minimize site disturbance. and steep slopes. Currently, they are not in front of the Board for a subdivision. He would like to schedule a site inspection with the Board.

Mr. Bernard said the Board should have a clear understanding of the future proposed subdivision layout. As this does fall under SEQRA segmentation, and potential a common driveway with multiple families over many years accessing this property.

Mr. Allen said their goal is to extend the driveway to a second lot.

Vice Chairman Erickson asked if Pignatelli driveway access is proposed from a paper road (undeveloped) extension of Prospect street, which extends to the applicants property line. This un improved section of Prospect street, is already being utilized by an adjoining parcel for access to their property that lies on the east side of the right of way. Does the applicant need to receive approvals from the Town Board to access the paper road.

Mr. Allen said they do not believe they require approvals by the Town Board. Their goal is to install a common driveway near the neighbors parcel. If the Board seeks two separate driveway, that could be accomplished.

Mr. Bernard asked if the bridges or installation of culverts be installed.

Mr. Allen said a cost analysis can be completed, to identify the best approach.

Mr. Bernard asked if the storm water infrastructure has been analysis to determine how the discharge to the Town wetlands could be mitigated. He asked if the material from the site would be removed.

Mr. Allen said they would use the fill from the site to construct the common driveway.

Mr. Gainer said the Board should discuss the issue of segmentation under SEQRA, alternative access point. They have completed a title search of the access, and that should be reviewed by the Town attorney. The Board can hold a site inspection to review all the environmental considerations of the site.

Mr. Freidman asked if the applicant will be constructing on steep slopes?

Mr. Allen responded mostly in the two ravine crossing.

Vice Chairman Erickson said the analysis for the ravine pipes are approximately 24 inches?

Mr. Allen said they will have to further develop plans for the pipes and or perform a cost analysis of the bridges versus pipes.

Chairman Cioppa aid the Board can schedule a site inspection.

The Board scheduled a site inspection Sunday July 13, 2025 at 9:00a.m. The Board will notify the Conservation advisory Board on the inspection.

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Motion by Vice Chairman Erickson to request Ms. Daley to refer the application to the Fire Marshall and Highway Superintendent.

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

All were in favor and the Motion carried.

APPROVAL OF MINUTES:

Motion by Chairman Cioppa to approve the minutes of June 16, 2025 as read.

Second by Vice Chairman Erickson. Chairman Cioppa 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 #6 of 2025

Motion by Mr. Bernard. Second by Mr. Freidman.

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| Girls Scouts of Greater New York | Site Plan | $1,796.98 |
| Kimberly Curtis-Ramsey | Environmental Permit | $100.00 |

NEW BUSINESS

i. STARKDALE FARMS PARK

Chairman Cioppa said that the Board will be expecting a submission from Starkdale Farms / Park. Due to several members being on vacation for the August 04 meeting, Starkdale Farms / Park will not be placed on the agenda until August 18, 2025. He suggested the Board add Starkdale Farms / Park to the September 02, 2025 Planning Board agenda.

Once the material is submitted the subcommittee will schedule a meeting with the Town of dover subcommittee.

ii. TREMSON WOODS PRODUCTS LLC.

Mr. Liquori Esq updated the Board by explaining to the Board that a site inspection was held with the Everett White and Ken Clair Code Enforcement Officers and Mr. Liberati Esq at the Tremson site. He has spoken with Todd Atkinson, Tremson engineer on the items that were required to be submitted.

Mr. Liquori Esq is awaiting feedback from the Town Board to identify what is the Towns next steps.

ADJOURNMENT

On a Motion by Vice Chairman Erickson and seconded by Mr. Freidman 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