

TOWN BOARD SPECIAL MEETING
TOWN HALL, MAHOPAC, N.Y.

A Special Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Kenneth Schmitt on the 28th day of August 2019 at 7:09 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Barile, Councilman Lupinacci, Councilwoman McDonough and Supervisor Schmitt. Councilman Schneider was absent.

The Pledge of Allegiance to the Flag was observed prior to the start of official business. A moment of silence was held to honor those serving in the United States Armed Forces.

Supervisor Schmitt announced that the Town Board met at 6:00 p.m. in Executive Session with Town Engineer Richard Franzetti, P.E. and Engineering Consultant John Folchetti, P.E. for an update on the New York City Department of Environmental Protection’s waste water treatment plant in Carmel Sewer District #1 and then at 6:30 p.m. for updates in connection with the progress of projects in Carmel Water District #2.

PUBLIC HEARING HELD - PROPOSED LOCAL LAW AMENDING CHAPTER 156 OF THE CODE OF THE TOWN OF CARMEL, ENTITLED “ZONING” AND ADOPTING AN AMENDED ZONING MAP IN CONNECTION HEREWITH

Supervisor Schmitt asked the Town Clerk to read the following Notice of Public Hearing as published in the Town’s official newspapers:

LEGAL NOTICE		
NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, August 28, 2019 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed Local Law amending Chapter 156 of the Code of the Town of Carmel, entitled "Zoning" and adopting an amended zoning map in connection therewith as follows: (P R O P O S E D) R E S O L U T I O N ADOPTING LOCAL LAW NO. 5 OF 2019 WHEREAS, the Town Board of the Town of Carmel has received a Petition pursuant to New York State Town Law Sections 264 and 265 seeking amendments to the Zoning Map of the Town of Carmel in order to re-zone as "C" (Commercial) certain parcels owned by Petitioners Top Cat Realty Corp and 1841 Park Avenue Realty Corp.(the "Petitioners"); and WHEREAS, the Petitioners are the respective owners of three parcels of adjoining real property located on Stillwater Road, Mahopac, Town of Carmel, NY such parcels being known and designated on the Tax Assessment Map of the Town of Carmel as Map 86.5 Block 1 Lot 25; Map 86.5 Block 1 Lot 26 (owned by Petitioner 1841 Park Ave. Realty Corp); and Map 75.17 Block 1 Lot 53 (owned by Petitioner Top Cat Realty Corp.), each of which currently zoned "R" (Residential); and hereinafter collectively referred to as the "parcels;" and WHEREAS, the Petitioners seek to have the Town of CARMEL re-zone the parcels as "C" (Commercial); and WHEREAS, an amendment of Chapter 156 of the Town Code of the Town of Carmel Specifically §156-5, entitled "Zoning Map," of the Code of the Town of Carmel has been proposed, in order to amend the Zoning Map of the Town of CARMEL, which amendment will re-zone as "C" (Commercial) the	parcels of real property in the Town of Carmel located on Stillwater Road, Mahopac, Town of Carmel, NY such parcels being known and designated on the Tax Assessment Map of the Town of Carmel as Map 86.5 Block 1 Lot 25; Map 86.5 Block 1 Lot 26 and Map 75.17 Block 1 Lot 53, which three aforementioned parcels are hereinafter collectively referred to as the "parcels;" and WHEREAS, a public hearing was held on August 28, 2019, upon notice duly published and posted, and WHEREAS, public discussion was heard at such hearing concerning the merits of said local law, and WHEREAS, in accordance with Article 8 of the Environmental Conservation Law (the State Environmental Quality Review Act) and 6 NYCRR Part 617 of the implementing regulations, the proposed action has been determined to be an UNLISTED Action; and WHEREAS, the Town Board of the Town of Carmel has reviewed the Environmental Assessment Form submitted for the project, and has completed review of the project; and WHEREAS, the Town Board of the Town of CARMEL has issued a negative declaration of significance pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, and has determined that the proposed action will not have a significant environmental impact and that a Draft Environmental Impact Statement will not be prepared; and WHEREAS, the Town Board of the Town of Carmel wishes to amend Town Code Chapter 156, §156-5, entitled "Zoning Map," in order to amend the Zoning Map of the Town of Carmel, which amendment will re-zone as "C" (Commercial) the three adjoining parcels of real property in the Town of CARMEL located upon Stillwater Road, Mahopac, Town of Carmel, NY such parcels being known and designated on the Tax Assessment Map of the Town of Carmel as Map 86.5 Block 1 Lot 25; Map 86.5 Block 1 Lot 26 and Map 75.17 Block 1 Lot 53; and	THEREFORE BE IT RESOLVED that the Town Board of the Town of CARMEL hereby amends Town Code Chapter 156, §156-5, entitled "Zoning Map," of the Code of the Town of CARMEL, to amend the Zoning Map of the Town of Carmel to re-zone as "C" (Commercial) the three adjoining parcels of real property located upon Stillwater Road, Mahopac, Town of Carmel, NY such parcels being known and designated on the Tax Assessment Map of the Town of Carmel as Map 86.5 Block 1 Lot 25; Map 86.5 Block 1 Lot 26; and Map 75.17 Block 1 Lot 53; and BE IT FURTHER RESOLVED that this local law is hereby enacted by the Town Board of the Town of CARMEL as Local Law No. 5 of 2019 of the Town of CARMEL; and BE IT FURTHER RESOLVED that the Zoning Map of the Town of CARMEL is to be amended to reflect that the tree parcels of real property previously described herein are located in the "C" (Commercial) District. At said Public Hearing, all interested persons shall be heard on the subject thereof. The Town Board will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk. By Order of the Town Board of the Town of Carmel Ann Spofford, Town Clerk August 13, 2019

(Cont.)

Supervisor Schmitt opened the Public Hearing for public comment at 7:17 p.m. Ten (10) people were in attendance.

With no one present wishing to be heard on the subject of the Public Hearing, on motion by Councilwoman McDonough, seconded by Councilman Lupinacci, with all members of the Town Board present in agreement, the Public Hearing was closed at 7:17 p.m.

SEQR REVIEW - PROPOSED LOCAL LAW AMENDING CHAPTER 156 OF THE CODE OF THE TOWN OF CARMEL, ENTITLED “ZONING” AND ADOPTING AN AMENDED ZONING MAP IN CONNECTION HEREWITH

Special Legal Counsel Joseph Charbonneau led the Town Board through their completion of Part 2 - Impact Assessment of the following Short Environmental Assessment Form.

***Short Environmental Assessment Form
Part 1 - Project Information***

Instructions for Completing

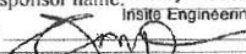
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Stillwater Business Park			
Project Location (describe, and attach a location map): Stillwater Road, Mahopac, New York			
Brief Description of Proposed Action: A zone change back to previous commercial zoning to permit business park to continue to operate as a commercial campus.			
Name of Applicant or Sponsor: 1841 Park Ave Realty Corp.		Telephone: 212-410-3500 E-Mail:	
Address: 121 Stillwater Road			
City/PO: Mahopac		State: New York	Zip Code: 10541
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. See petition submitted.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Planning Board Site Plan Approval			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		5.8 acres	
b. Total acreage to be physically disturbed?		0.5 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		9.5 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): <input type="checkbox"/> Parkland			

(Cont.)

5. Is the proposed action, a. A permitted use under the zoning regulations? Based on proposed zone change	NO	YES	N/A
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Private wells	NO	YES	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Private septic systems	NO	YES	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Jeffrey J. Contelmo, P.E. Signature:  Date: 8/6/19 Insite Engineering, Surveying & Landscape Architecture, P.C.		

(Cont.)

Agency Use Only [If applicable]

Project:Top Cat Realty Corp Zoning Change

Date:August 28, 2019

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

Agency Use Only [If applicable]


Project:

Date:

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

(Cont.)

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Town of Carmel Town Board	August 28, 2019
Name of Lead Agency	Date
Kenneth R. Schmitt	Town Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

NEGATIVE DETERMINATION MADE UNDER SEQR IN REGARD TO PROPOSED LOCAL LAW AMENDING CHAPTER 156 OF THE CODE OF THE TOWN OF CARMEL, ENTITLED “ZONING” AND ADOPTING AN AMENDED ZONING MAP IN CONNECTION HERewith

WHEREAS the Town Board of the Town of Carmel has reviewed the short environmental assessment form in regard to the proposed adoption of Local Law No. 5 of 2019 granting the petition for rezoning of three parcels of real property on Stillwater Road, Mahopac, NY; and

WHEREAS, the adoption of said local law is being proposed to promote the health, safety and general welfare of the persons and property of the Town of Carmel; and

WHEREAS, the project is defined as an Unlisted Action; and

WHEREAS the Town Board has reviewed the Full Environmental Assessment form and assessed the projected impacts and their magnitude on the environment in accordance with the SEQR regulations and given due consideration thereto;

NOW THEREFORE BE IT RESOLVED, that pursuant to Part 617 of the SEQR Regulations, the Town of Carmel Town Board hereby designates its intention to serve as Lead Agency for the SEQR Review of this Unlisted Action, and in this capacity will conduct an Uncoordinated Review.

BE IT FURTHER RESOLVED, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Unlisted Action will not have a significant effect on the environment; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel, hereby determines that, based on the information contained in the Full Environmental Assessment Form and their analysis thereof, the proposed Project will not result in any significant adverse environmental impacts under the SEQR regulations and for the reasons enumerated in the attached Negative Declaration Form hereby adopts a Negative Declaration in regard to the proposed action.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Michael Barile	<u>X</u>	<u> </u>	
Jonathan Schneider	<u> </u>	<u> </u>	Absent
John Lupinacci	<u>X</u>	<u> </u>	
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

(Cont.)

SEQR
617.21
Appendix F
State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number _____ Date August 28, 2019
This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.
The Town of Carmel, Town Board as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action:
Amendment of Chapter 156 of the Town Code of the Town of Carmel Specifically §156-5, entitled “Zoning Map” of the Code of the Town of Carmel.

SEQR Status:
Type I ☐ Unlisted ☒
Conditioned Negative Declaration: Yes ☐ No ☒

Description of Action:
Amendment of Chapter 156 of the Town Code of the Town of Carmel Specifically §156-5, entitled “Zoning Map,” of the Code of the Town of Carmel in order to amend the Zoning Map of the Town of CARMEL, which amendment will re-zone as “C” (Commercial) the three parcels of real property in the Town of Carmel located on Stillwater Road, Mahopac, Town of Carmel, NY currently known and designated on the Tax Assessment Map of the Town of Carmel as Map 86.5 Block 1 Lot 25; Map 86.5 Block 1 Lot 26 and Map 75.17

Block 1 Lot 53.
SEQR Negative Declaration
Page 2

Location: Stillwater Road, Mahopac, NY.

REASONS SUPPORTING THIS DETERMINATION:
The purpose of the action is to protect and enhance the public health and welfare of the residents of the Town of Carmel by permitting the Commercial zoning of the three parcels of real property in the Town of Carmel located on Stillwater Road, Mahopac, Town of Carmel, NY currently known and designated on the Tax Assessment Map of the Town of Carmel as Map 86.5 Block 1 Lot 25; Map 86.5 Block 1 Lot 26 and Map 75.17 Block 1 Lot 53.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

For Further Information:

Contact Person: Kenneth Schmitt, Supervisor

28 AUGUST 2019
TOWN BOARD SPECIAL MEETING

LOCAL LAW #5 OF THE YEAR 2019 - A LOCAL LAW AMENDING CHAPTER 156 OF THE CODE OF THE TOWN OF CARMEL, ENTITLED "ZONING" AND ADOPTING AN AMENDED ZONING MAP IN CONNECTION HERewith - ADOPTED AS NOTICED AND PUBLISHED

LOCAL LAW #5 OF THE YEAR 2019
A LOCAL LAW AMENDING CHAPTER 156 OF THE CODE
OF THE TOWN OF CARMEL, ENTITLED "ZONING"
AND ADOPTING AN AMENDED ZONING MAP IN CONNECTION HERewith

WHEREAS, the Town Board of the Town of Carmel has received a Petition pursuant to New York State Town Law Sections 264 and 265 seeking amendments to the Zoning Map of the Town of Carmel in order to re-zone as "C" (Commercial) certain parcels owned by Petitioners Top Cat Realty Corp and 1841 Park Avenue Realty Corp.(the "Petitioners"); and

WHEREAS, the Petitioners are the respective owners of three parcels of adjoining real property located on Stillwater Road, Mahopac, Town of Carmel, NY such parcels being known and designated on the Tax Assessment Map of the Town of Carmel as Map 86.5 Block 1 Lot 25; Map 86.5 Block 1 Lot 26 (owned by Petitioner 1841 Park Ave. Realty Corp); and Map 75.17 Block 1 Lot 53 (owned by Petitioner Top Cat Realty Corp.), each of which currently zoned "R" (Residential); and hereinafter collectively referred to as the "parcels;" and

WHEREAS, the Petitioners seek to have the Town of Carmel re-zone the parcels as "C" (Commercial); and

WHEREAS, an amendment of Chapter 156 of the Town Code of the Town of Carmel specifically §156-5, entitled "Zoning Map," of the Code of the Town of Carmel has been proposed, in order to amend the Zoning Map of the Town of Carmel, which amendment will re-zone as "C" (Commercial) the parcels of real property in the Town of Carmel located on Stillwater Road, Mahopac, Town of Carmel, NY such parcels being known and designated on the Tax Assessment Map of the Town of Carmel as Map 86.5 Block 1 Lot 25; Map 86.5 Block 1 Lot 26 and Map 75.17 Block 1 Lot 53, which three aforementioned parcels are hereinafter collectively referred to as the "parcels;" and

WHEREAS, a public hearing was held on August 28, 2019, upon notice duly published and posted, and

WHEREAS, public discussion was heard at such hearing concerning the merits of said local law, and

WHEREAS, in accordance with Article 8 of the Environmental Conservation Law (the State Environmental Quality Review Act) and 6 NYCRR Part 617 of the implementing regulations, the proposed action has been determined to be an UNLISTED Action; and

WHEREAS, the Town Board of the Town of Carmel has reviewed the Environmental Assessment Form submitted for the project, and has completed review of the project; and

WHEREAS, the Town Board of the Town of CARMEL has issued a negative declaration of significance pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, and has determined that the proposed action will not have a significant environmental impact and that a Draft Environmental Impact Statement will not be prepared; and

WHEREAS, the Town Board of the Town of Carmel wishes to amend Town Code Chapter 156, §156-5, entitled "Zoning Map," in order to amend the Zoning Map of the Town of Carmel, which amendment will re-zone as "C" (Commercial) the three adjoining parcels of real property in the Town of Carmel located upon Stillwater Road, Mahopac, Town of Carmel, NY such parcels being known and designated on the Tax Assessment Map of the Town of Carmel as Map 86.5 Block 1 Lot 25; Map 86.5 Block 1 Lot 26 and Map 75.17 Block 1 Lot 53; and

28 AUGUST 2019
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(Cont.)

THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby amends Town Code Chapter 156, §156-5, entitled “Zoning Map,” of the Code of the Town of CARMEL, to amend the Zoning Map of the Town of Carmel to re-zone as “C” (Commercial) the three adjoining parcels of real property located upon Stillwater Road, Mahopac, Town of Carmel, NY such parcels being known and designated on the Tax Assessment Map of the Town of Carmel as Map 86.5 Block 1 Lot 25; Map 86.5 Block 1 Lot 26; and Map 75.17 Block 1 Lot 53; and

BE IT FURTHER RESOLVED that this local law is hereby enacted by the Town Board of the Town of Carmel as Local Law No. 5 of 2019 of the Town of Carmel; and

BE IT FURTHER RESOLVED that the Zoning Map of the Town of Carmel is to be amended to reflect that the three parcels of real property previously described herein are located in the “C” (Commercial) District.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilman Barile and Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Michael Barile	<u>X</u>	<u> </u>	
Jonathan Schneider	<u> </u>	<u> </u>	Absent
John Lupinacci	<u>X</u>	<u> </u>	
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

Special Legal Counsel Charbonneau noted that the required General Municipal Law §239-m referral was submitted to Putnam County in connection with the matter.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilwoman McDonough, seconded by Councilman Barile, with all Town Board members present in agreement, the meeting was adjourned at 7:23 p.m.to the scheduled Work Session.

Respectfully submitted,

Ann Spofford, Town Clerk