

APPROVED

HAROLD GARY
Chairman

CRAIG PAEPRER
Vice-Chair

BOARD MEMBERS
ANTHONY GIANNICO
DAVE FURFARO
CARL STONE
KIM KUGLER
RAYMOND COTE

TOWN OF CARMEL PLANNING BOARD



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MICHAEL CARNAZZA
*Director of Code
Enforcement*

RICHARD FRANZETTI, P.E.
Town Engineer

PATRICK CLEARY
*AICP, CEP, PP, LEED AP
Town Planner*

VINCENT FRANZE
Architectural Consultant

PLANNING BOARD MINUTES

OCTOBER 26, 2016

PRESENT: CHAIRMAN, HAROLD GARY, VICE-CHAIR, CRAIG PAEPRER, DAVE FURFARO, CARL STONE, KIM KUGLER

ABSENT: ANTHONY GIANNICO, RAYMOND COTE

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>TYPE</u>	<u>ACTION OF THE BOARD</u>
Smajlaj, Zef	75.42-1-39	1	Resolution	Resolution Adopted.
Lake Plaza Shopping Center LLC(Proposed Stop & Shop)	65.10-1-45&46	1	Resolution	Resolution Adopted.
Day Road, LLC.	55.6-1-41	1	A. Site Plan	Planner to Prepare Resolution.
Meadowland Extension	55.15-1-20	2	Site Plan	Planner to Prepare Resolution.
Baldwin Subdivision	86.11-1-1& 86.6-1-4	2-3	Lot Line	Denied to ZBA.
Town Board Zoning Amendment Referral		4-5	Discussion	Positive Recommendation to Town Board.
Minutes – 09/14/16		5		Approved.

The meeting was adjourned at 7:53 p.m.

Respectfully submitted,

Rose Trombetta

SMAJLAJ, ZEF – 803 SOUTH LAKE BLVD – TM – 75.42-1-39 – RESOLUTION

The consultants had no comments.

Mr. Cleary stated you have resolution for approval before you and item # 8 where it says a permit from the NYSDEC, it should say Office of General Service which needs to be amended.

Mrs. Kugler moved to adopt Resolution #16-25, dated October 26, 2016 Tax Map # 75.42-1-39 entitled Smajlaj Bathhouse and Dock Final Site Plan Approval. The motion was seconded by Mr. Paepre with all in favor.

LAKE PLAZA SHOPPING CENTER LLC. (PROPOSED STOP & SHOP) – 983-1005 ROUTE 6 – TM – 65.10-1-45 & 46 – RESOLUTION

Mr. Carnazza stated all his comments have been addressed.

Mr. Franzetti stated comments from the engineering department are acceptable for this resolution, but there are still permits from outside agencies that are needed from the applicant.

Mr. Cleary stated you have the final site approval resolution before you for consideration.

Mr. Paepre moved to adopt Resolution #16-26; dated October 26, 2016 Tax Map # 65.10-1-45 & 46 entitled Lake Plaza Shopping Center Final Site Plan Approval. The motion was seconded by Mr. Furfaro with all in favor.

DAY ROAD, LLC – 20 DAY ROAD – TM – 55.6-1-41 – AMENDED SITE PLAN

Mr. Carnazza stated all his zoning comments have been addressed.

Mr. Franzetti stated all his comments have been addressed. The applicant needs outside agencies permits for the project.

Mr. Cleary stated this application requires NYCDEP approval. He said DEP will no longer consider preliminary applications until we completed our SEQR review. He said last month the board designated lead agency and the 30 days has expired and you could now in the position to direct the preparation of a NEG DEC so they could proceed with their review.

Chairman Gary asked the Planner to prepare a NEG DEC resolution.

MEADOWLAND EXTENSION – 1979 ROUTE 6 – TM 55.15-1-20 – SITE PLAN

Mr. Cleary stated this is similar to Day Road; they need the SEQR Neg Dec for NYCDEP.

Mr. Furfaro moved to prepare a Neg Dec Resolution for Meadowland Extension. The motion was seconded by Mr. Paepre with all in favor.

BALDWIN SUBDIVISION – 150 ROUTE 6 – 86.11-1-1 & 86.6-1-4 – LOT LINE ADJUSTMENT

Mr. Carnazza read his memo which stated the applicant proposes to amend the previous approved subdivision to two non-conforming lots and merge the remainder of the lot with the adjacent lot to the rear. The two existing site plans need to be amended as the lots no longer exist the way they were filed. Variances are needed from the ZBA.

A note must be included that the remainder of the lot MUST be merged with parcel 86.6-1-4 simultaneously with the signing/filing of the map.

Mr. Franzetti stated the engineering department has no comments on the lot line adjustment.

Mr. Cleary stated as you may recall this was two parcels, the bank on one side and Route 6 Retail is on the another parcel. There is an easement for the access roadway going through. He said the applicant is proposing to reduce the size of both lots and the bigger rear portion which is primarily a DEC wetland gets included into the Union Place parcel in the rear. The issue with that it creates non-conforming lots. His question is who's going to be responsible for the improvement and maintenance of the site access driveway, now that it would no longer be on the retail site?

Mr. Jeff Contelmo of Insite Engineering, representing the applicant addressed the board and stated the old Baldwin Subdivision was 13 acres and Baldwin Hills which is the same owner owns 172 acres. The plan was to develop two commercial pads on the 13 acre parcel while reserving the potential to extend a roadway through to the back larger property and also the possibility to utilize some of the amenities of the pond. He said fast forward to today the applicant has different business drivers that the users and potential users of the two lots have indicated a willingness to own the land in lieu of having a lease on a bigger parcel. The driver became creating parcels that would hold the improvements associated with each of the lots, but then take the residual of the property which was always intended to be used as part of the bigger project in the future and basically merge that land with the rest of the property to the rear. He said in summary we started with three lots, one with 172 acres and the two that we had discussed prior which were 10 acres and 3 acres. Instead we are proposing to move the lot line to end up with a 2 acre lot, a 1 acre lot and a 187 acre lot instead of a 172 acre lot and still three lots. He said the one driver for the property lines was the possibility of the extension of the roadway through two different alignments

depending on if this property stays in play or not. He said the second driver was an easement for the road construction to the County which the County has now become very interested because they realize it would be a safety improvement to the Koehler Senior Center. And also, the ability to keep the potential amenity of the pond to be incorporated into the future project. He reiterated this is a lot line adjustment starting with three lots and ending with three lots and it's really the business end of it that is driving it and we recognize the fact that the lots need variances.

Mr. Paepre asked if the entrance road remains the same.

Mr. Contelmo replied that's correct.

Chairman Gary asked the road would ever become a town road.

Mr. Contelmo replied part of the plan for Union Place contemplated a bypass. He said instead of traffic all going down Baldwin Place Road, this intersection was contemplated with a signal and it would be a shortcut back to Baldwin Place.

Chairman Gary asked if it is still in contract.

Mr. Contelmo stated the Union Place project has been on hold, but the plan would be to continue that through.

Chairman Gary asked what is the major change with this plan from 3 months ago.

Mr. Cleary stated they are reducing the size of the two lots, fairly significantly to point where they are non-conforming and undersized.

Chairman Gary stated so they have to go to the ZBA.

Mr. Cleary stated yes they do. He said while those lots were larger before most of the territory was state regulated wetlands and they weren't doing anything to those portions of the lots.

Mr. Paepre stated most of the issues or concerns right now would be with the Zoning Board.

Mr. Cleary replied yes.

At which time, a discussion ensued regarding what happens after the Zoning Board as it relates to the submission of amended site plans for PCSB and Route 6 Retail lots.

Mr. Furfaro moved to deny the application to the Zoning Board. The motion was seconded by Mrs. Kugler with all in favor.

TOWN BOARD ZONING AMENDMENT REFERRAL - DISCUSSION

Mr. Cleary addressed the board and stated the Town Board has sent you a referral involving the creation of zoning provision to accommodate multi-family housing. He said this came about as a result of inquiries that have been coming to the town over a period of time regarding the possibility of developing non-age restricted multi-family housing. He said when the town went through its comprehensive re-zoning in 2002; all the zoning districts were abandoned resulting in one residential zone and the only provision for multi-family we had at the time was just for senior housing. He said non-age restricted multi-family housing is currently prohibited in the town. He said this use has become very popular in all of the communities around us, particularly in Westchester County. He said in 2002 when the town abandoned those zoning districts the provision in the code for multi-family housing was never eliminated even though it's prohibited in every zone. He said we have to do something with that, either eliminate it or consider it. He said the Town Board is giving this consideration and the memo before you has suggested modifications to the multi-family zoning and to bring it up to today's standards. He said if the board is comfortable with the concept of non-age restricted multi-family housing and with the general provisions in the suggested ordinance, the Town Board is looking for a recommendation and that would start the formal review and process. At this point, the Town Board is looking for your thoughts and potential recommendation back to them for the re-zoning.

Mr. Paepre asked Mr. Carnazza what is considered a multi-family housing.

Mr. Carnazza replied three or more units.

Mr. Cleary stated right now, our multi-family units are for seniors.

At which time, the board members discussed the eligibility requirements for the re-zoning. Some areas this would involve are Route 6, Stoneleigh Ave and Route 52 and the minimum acreage is 10 acres.

Mr. Charbonneau asked what is the time frame that the Town Board wants feedback on this.

Mr. Cleary stated procedurally we have 30 days to get a response back to the Town Board. He said a referral back to the Town Board tonight could simply be the idea is okay and we may want to participate in the public hearing process in the future.

Chairman Gary stated basically the Town Board is looking for a recommendation from us on the concept of the re-zoning so they could move forward and hold a public hearing.

Mr. Cleary stated in his opinion there are probably 6 sites that might meet the eligibility requirements within the town.

Mr. Charbonneau addressed the board and stated at this point if you are conceptually okay with the concept of having multi-family non-age restricted language in the code, you should direct Mr. Cleary provide those comments to the Town Board and advise them that you would like to be involved in the process with the SEQR review and public hearing.

Mr. Furfaro moved to send this to the Town Board with a positive recommendation. The motion was seconded by Mr. Paepre.

A roll call vote was taken as follows:

Mr. Furfaro	For the motion
Mrs. Kugler	For the motion
Mr. Paepre	For the motion
Chairman Gary	For the motion

MINUTES – 09/14/16

Mrs. Kugler moved to accept the minutes of September 14, 2016. The motion was seconded by Mr. Furfaro with all in favor.

Mr. Stone moved to adjourn the meeting. The motion was seconded by Mrs. Kugler with all in favor.

The meeting was adjourned at 7:53 p.m.

Respectfully submitted,

Rose Trombetta