

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



60 McAlpin Avenue
Mahopac, New York 10541
Tel. (845) 628-1500 – Ext.190
www.ci.carmelny.ny.us

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

MARCH 29, 2017

PRESENT: CHAIRMAN, HAROLD GARY, VICE-CHAIR, CRAIG PAEPRER, ANTHONY GIANNICO,
DAVE FURFARO, KIM KUGLER, RAYMOND COTE

ABSENT: CARL STONE

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>TYPE</u>	<u>ACTION OF THE BOARD</u>
20 Day Road, LLC.	55.6-1-41	1	A. Site Plan	Public Hearing Scheduled.
Lincks, Joseph & Lynda & Colonial Park Assoc.	75.42-1-46 & 47	1-2	Lot Line	No Board Action.
Stoneleigh Woods at Carmel	55.15-1-36	2	P.H.	Public Hearing Closed & Full Return of Bond Recommended to Town Board.
Baldwin Subdivision	86.11-1-1	3-13	P.H.	Public Hearing Closed.
Putnam County Savings Bank	86.11-1-1	13	P.H.	Public Hearing Closed.
Minutes – 03/08/17		13		Approved.

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Rose Trombetta

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

Mr. Carnazza stated all zoning comments have been addressed.

Mr. Franzetti read his memo which stated the application involves the construction of a 7,200 ± sf building to be constructed on a 4.2 Acre Parcel with an existing 7500 +/- building. The building is planned to be utilized as a construction equipment storage facility. The property is located within Carmel Sewer District #2 and Carmel Water District #2 which have sufficient capacity and flow to accommodate this proposed application. The Engineering Department comments have been addressed and this Department does not have an objection to a public hearing. The following should be noted:

1. The applicant will need to execute and file with the Putnam County Clerk a “Stormwater Control Facility Maintenance Agreement” (as specified in Town Code §156-85) to assure long-term maintenance of the on-site treatment devices proposed.
2. The applicant must provide a water and wastewater use report.

Mr. Cleary stated this is for the construction of an additional building on the property and because NYCDEP is involved in this, your board as the lead agency had to complete the environmental review for this which you did several months ago. That allowed the DEP to issue the stormwater permit for this application on March 7, 2017. All the outstanding and planning issues have been addressed and we are now in position to move this to a public hearing.

Chairman Gary said to schedule a public hearing.

LINCKS, JOSEPH & LYNDY & COLONIAL PARK ASSOC. – 771 & 775 SOUTH LAKE BLVD – TM – 75.42-1-46 & 47 – LOT LINE ADJUSTMENT

Mr. Carnazza read his memo which stated the applicant proposes to exchange 77 square feet of lot area with an adjoining neighbor. Are there any restrictions or easements on the property? It's required by code. Is the existing dock legal on the small parcel? I'd like to meet at the site with the Applicant or Architect. Variance is required for the one section of the code because he is changing more than 20% of the small lot.

Mr. Franzetti stated the Engineering Department does not have any comments regarding the lot line adjustment being proposed. He stated owners' approval should be signed by both parties.

Mr. Cleary stated with the current improvements on the property we need to find out if all of it is done in accordance with permits. These are both significantly undersized properties existing non-conforming lots. He said the only thing that is an issue is once we transfer the 77 square foot parcel from one piece to the other, the piece of fence on the other property needs to be transferred to the new owner.

Mr. Joel Greenberg of Architectural Visions, representing the applicants stated he has all the comments and will take care of them.

STONELEIGH WOODS AT CARMEL – STONELEIGH AVE – TM – 55.15-1-36,37 – PUBLIC HEARING

Mr. Carnazza stated all of the zoning is in compliance with code.

Mr. Franzetti stated all Engineering comments have been addressed. We have no objection to returning the bond.

Mr. Cleary stated I have no objection to the bond return.

Chairman Gary asked if anyone in the audience wished to be heard on this application.

Mr. Bill Fassiolla, Vice President of Stoneleigh Woods asked if this was in regards to the stormwater facility maintenance?

Mr. Franzetti replied no. This is in regards to a performance bond that the developer put up in order to build the project.

Mr. Fassiolla stated I was under the influence that this had to do with storm drains that they put up a bond for.

Mr. Franzetti stated the performance bond includes stormwater features on the site, but it is different from the maintenance bond.

Mr. Fassiolla said our concern is every five years the drainage has to be inspected. We would like to know when it was last inspected, because the last date that I have is April of 2006 when they started the project. He said we do not want to get stuck with the liability of now having to perform the drainage inspection. He said if this is overdue we would like to have assurances that it was taken care of within the last five years.

Mr. Franzetti stated the design engineer is sitting behind you, but the Engineering Department for the Town of Carmel did inspect those sites within the past year as part of this whole project in order to give the performance bond back. We inspected those stormwater features.

Mr. Fassiolla stated if that's the case we have no problem.

Hearing no further comments from the audience, Mr. Giannico moved to close the public hearing. The motion was seconded by Mr. Cote with all in favor.

Vice Chairman Paepre moved to return the bond to the Town Board. The motion was seconded by Mr. Furfaro with all in favor.

BALDWIN SUBDIVISION- 150 ROUTE 6 - TM - 86.11-1-1 - PUBLIC HEARING

Chairman Gary stated before we open the public hearing, he asked Mr. Contelmo to go over the project.

Mr. Jeff Contelmo of Insite Engineering, representing the applicant addressed the board and stated we are proposing to subdivide the 13 acres into 2 parcels, one is approximately 3 acres and the other is approximately 10 acres. At which time, Mr. Contelmo displayed the maps and said he highlighted the maps because there were some questions by the board that I thought were pertinent. The pink highlighted section is the future potential road extension to access what is a large piece of commercial property to the west. I have also highlighted the access that was brought up by the board at the last meeting. Mr. Contelmo stated as the board is aware we currently have approval of the subdivision of this exact property in 3 acres and 10 acres, but a slightly different configuration. That was most recently renewed for approval at the end of 2016. To reiterate, the current 2 lot subdivision of 3 acres and 10 acres was previously approved in a similar breakdown but a different configuration where we had 10 acres on the south end of the property and 3 acres to the north. He said subsequent to that there were some planning issues that were identified and it was felt that there was a better arrangement of the subdivision that could achieve potential future planning initiatives including access to the Koehler Center, the potential rail trail, bikeway that Putnam County has been planning for some time as well as a preservation of wetland and a potential pond amenity. He said this particular subdivision, the 2 acre lot and 1 acre lot was the subject of variances that were unanimously granted by the zoning board, but subsequent to that approval there was a legal proceeding, so the applicant decided not to pursue that and come back to a conforming subdivision in a slightly different configuration with a 3 acre lot and a 10 acre lot. He said for the record this evening, we are here for a 2 lot subdivision, both complying lots in the commercial zone, 1 lot is approximately 10 acres and one lot of approximately 3 acres.

Mr. Paul Camarda, the property owner, addressed the board and stated we specifically took all three plans and labeled them with road. He said we wanted to clearly show the board, the road is going to the same place, no matter if it was the original plan, the plan that was granted the variances by the zoning board or the new plan. The road does not change. He said on every plan the road goes to the same exact place. He said what is different, the plan where we received the variances, the bank is in the same location, it's almost finished. He said the difference here (points to the pond) is that D.O.T. has decided that they would like the bikeway to come in here (points to map) and the County has \$1,909,000.00 already put aside for this. So by going to two acres at the zoning board we were able to bring the bikeway across the road and get it on dry land (points to map). That was the main objective of being able to fulfill that plus we felt there could be a walking trail and maybe a fishing dock. We went to the zoning board and a ligation was filed, so we had a choice to go back to the original approved plan which puts the bank on the entire 10 acre parcel. He said when you give the bank that land they don't want the liability of a bikeway, pond, etc. He said with liability comes less marketability. So we decided not to pursue the variances, and decided to do two conforming lots which we now have (points to bank, pond on the map).

This potentially allows the bikeway to still have a life, because we could still cross Route 6 here, (points to map to show direction). He said we decided to flip it, instead of 10 and 3 acres, we'll go to 3 and 10 acres and we hope the County will reconfigure and go in this direction (points to map). He said the other retail lot that's already approved will go in the same spot. The road will go in the same spot as it does on all three plans, because when I was in front of the zoning board there was a misconception that without these variances the road won't go in. He said the bank is built already and this plan it will go to 3 acres with a conforming lot and maybe the County will still get their trail way and we will work with the Koehler Center by bringing the access (points to map) from the new road. He said there will be a traffic signal (points to map). He said we didn't dictate where the traffic signal goes, the State controls that road. He said if you look at D.O.T. records the town has been petitioning D.O.T. since the 1990's to get a light there. In fact, the former Supervisor, Mr. DelCampo was very aggressive trying to get a light there in 1996 and wasn't able to, but we were able to do it. He said we wished we could have done this with the two acre configuration with the variances because that would have left us a nice strip. It just wasn't in the cards. He said this land has no development potential, but there is a pond, walkway and bikeway and I think it is worth saving. He said it does have some amenity value coming into the town. He said if the board approves this we would love to go with it. If there is litigation we will just move to the original plan.

Chairman Gary stated years ago I was involved with the bikeway, and I thought it was a good thing and I still think it's a good thing.

At which time, Chairman Gary addressed the audience and said this is an open public hearing and asked Mr. Cleary to go over what is involved with the public hearing.

Mr. Cleary stated the purpose of the public hearing is to provide the board with the issues and concerns you may have with respect to this application. He said to direct all comments to the board and the board will provide you answers to every comment or question you may have this evening.

Mr. Frank DelCampo, Mahopac resident for 49 years and a former Town of Carmel Supervisor addressed the board and stated as you are aware I have been bringing to your attention either by correspondence or by coming to several meetings over the last 18 months. I have been telling you how its been documented the intentions of Mr. Camarda regarding this property. It's not just 12 acres or 13 or 2 or 10 acres, it goes all the way up to the back and around and down by the Post Office in Mahopac, about 250 plus acres. He has indicated that he plans to go to the Town Board for a zoning change. He wants to get a zoning change to residential even though this is commercial business park and what he intends to do is to put at least 150 to 200 townhouses or millennials or not age restricted housing. This has never been shown on the maps. It's not before you tonight. He said at the November 2010 public hearing during the Draft Environmental Review, I came and explained to you the whole master plan that took us 3 full years 1999 to 2003. We looked at every undeveloped land and because there is no water, no municipal sewer, the traffic. These corridors would be commercial business. We reviewed the septic issues, traffic issues, discharge issues, lakes being completely destroyed by charges piling into our lakes.

We also met with the DOT and asked if they were going to widen Route 6 and they said absolutely not. He said I never wanted the light coming out of McDonald's; I was only helping you and Mr. Bondi in the 1990s to get a light for the nutrition center area. He said my disappointment with your review for these 18 months; it seems that you are not looking carefully at the master plan which is so important in guiding you in your decision making. You are witnessing a developer fragment and piece meal his proposals hoping that he could come back again with a zoning change from the Town Board to put his residential townhouses in the back. He said the problem is he is giving you a moving target. He keeps submitting different maps, obtaining approvals and re-approvals and giving you all kinds of excuses. Then he changes lot lines, side yards and lot size and frontage, etc. The board should require the applicant to withdraw all of these previous approvals and start from scratch. He started with a rectangular 12 acre parcel with 1,094.8 front feet on a state highway. It could have been subdivided, as of right, into two or three conforming rectangular 3 acre commercial lots. He could have done that, but the applicant elected to subdivide into conforming lots obtaining a site plan approval and a building permit and erected the bank in the middle. Now that he has the building he wants, he submits a 3rd subdivision map creating two commercial lots. However, since the bank branch is already built, he wants the planning board to approve an irregular "horseshoe" shaped lot #2 that surrounds the bank branch. Just because the "horseshoe" conforms to the area/setback/frontage, the requirements do not mean he is entitled to the approval. He said code (131-24) requires lots to be arranged so that there will "no foreseeable difficulties in locating a building..." Just because the applicant meets the necessary dimensions, he could get an approval from a computer, he doesn't need you. The new lot #2 has entrance way on one side, a huge pond in the middle and steep slopes on the other end. Where is the building going to go? In the pond? It must be shown on the plan. Why have a planning board? Where is the planning? The applicant's poor planning and hasty decision to build a bank branch does not constrain you the planning board on making decisions on these. Again, based on the applicant's own representation, the proposal is segmented and ignores the rear acreage. You don't have a clue of what he is going to do once that road goes through. He doesn't have to tell you that, but you should be asking him. We have gone from a pristine 12 acre lot subdivision to a host of different maps for the same area that should give you pause and conclude that these lots, as now submitted does not represent sound planning, nobody puts three configurations of the same two lots in 18 months. It's not the way planning is done. He said it should be obvious to you who are commissioned to speak for the community in your deliberation with these developers that the residents expect you to hold the developer accountable for their project submissions given the significant issues that we have there, such as water, sewer, traffic, etc. He said that corridor is full of issues, it does not have municipal sewers, municipal water, it is a situation where every year you seen Evans or Montovi running around Lake Baldwin, Rolling Greens and down Baldwin Place Road. It used to be you had your septic cleaned every seven years. You should see what Somers has done to Lake Baldwin. No one took care of the drainage and the lake has very little depth to it. He said I have not been able to attend every meeting on these properties, but the one I've attended I never heard a board member ask the applicant what his attentions are for all of his properties as you reviewed his piece meal subdivision request since 2015. Have you ever asked him what do you intend to do? Is DelCampo crazy? Are 500 residents who have contacted him in the last 17 months are they

nuts? They are not just in my backyard; they're from central Mahopac and from the Hamlet of Carmel. If you could do this here, you could do it Carmel. There is no such thing as spot zoning when that Town Board decides to make their decision. He said it would be important to hear for the record tonight what his intentions are for the nearly 180 acres. You have the right to ask that and that should be stated in the record. You should also be reminded that the developer in question tonight attempted to get final approval on a previous lot submission for these same properties, as well as an area variance for the same lots knowing he had not received a sign off by the Commissioner of Finance and nor was it registered with the County Clerk. Also, his taxes weren't paid. State law requires that there could be no final approval of any applicant's submission without full taxes paid on that property. That's the law. What does this show you when the developer continues to request movement of his approvals without acknowledging that he intends to go to the Town Board for a zoning change. Why not be up front? You should also know that the property in question has no municipal water and sewer and in one meeting the applicant had the nerve to scare everyone and say I could put 55 and over housing there. That's in the commercial business park zone, but he forgot to tell you it's a permitted use. You must have municipal water and sewer. He said millennials will not live in this particular corridor. It's a commercial zone and that's what it should remain. Again, I repeat my request that you ask the applicant tonight for the record, what his intentions are. If these lots are to be approved, you can easily see that the current entrance road for the bank will give easy access to the back of his property. Perhaps you might ask the applicant, have you paid your taxes yet? That's not a bad thing to ask. Does that have anything to do with planning? Yes, because the State says you can't give final approval. Why aren't the taxes paid? Please show the people of Mahopac/Carmel that you do share their concerns and some of them are here tonight. I didn't bring 500 people here tonight. These people have families; they have 2 to 3 jobs. They will come to the Town Board and we will hold the Town Board accountable, but that's not your responsibility and I know that. But, you do have a responsibility tonight, to re-visit this. It's not a simple 2 lots. I just told you some of the inconsistencies that have constantly come up. This will be used, if passed to show the Town Board; well the planning board had no problem. He said I've spoken to several land use lawyers, there isn't a china men's chance in hell that this Town Board will be sued by any developer because of the kinds of things you could do in this commercial business park. It's incredible! You have a beautiful looking bank, maybe a restaurant on the side, why 150 – 200 homes. I hope when it comes to you, because he intends to go to the Town Board and wish for a zoning change. He said we hope the Town Board is listening tonight, as for your responsibilities; please think of the community, it's not my backyard. I had a meeting at the library with people from the Mahopac/Carmel area. They want accountability. Please be vigilant, please don't rubber stamp anything. And if you can't do anything tonight, think about what I said because I guarantee you, he'll be back to do something in the back with that property. There are over 200 acres in the back. At which time, Mr. DelCampo thanked the board.

Mr. Mike Barile addressed the board and stated I have to disagree with Mr. DelCampo on two major points. There is no doubt in my mind or anybody's mind here, that the back property is on the agenda tonight and no one is going to look me in face and tell me it's not. Secondly, Mr. DelCampo keeps referring to 150 units, I don't believe that. I believe it will be in excess of 200 units. No question about it. He said I've stood in front of this planning

board numerous times over the last 30 years, some members I've never dealt with because they're new, but I've dealt with Mr. Gary for over 30 years. I personally have had subdivisions, commercial, non-commercial and I know exactly know what you look for. I know exactly what our Town Planner looks for and I am actually shocked by the letter I read from the Town Planner to the Town Board on adding things to the zoning code. But, what you should be aware of since the last reval over 20 years ago only \$67,000 of increased commercial taxes has been brought to this town. That's beyond disgraceful and to be very honest with you that falls on the Planning Board, the Town Engineer and Town Board. He said I like Paul Camarda as a person, but there are differences. He is a developer that doesn't live in Mahopac, I do. That's a big difference. He said I'm in favor of Union Place, I'm in favor of commercial development and I'm in favor of tax revenue. I live here. The last reval is a disgrace. If you give this land up the way we give up all our land to New York City, you are putting every single person that lives in this town in a worse hole then they are now. He said Mr. Camarda made several comments, the first one being the crossing where the bike path is going, is right where geniuses from the DOT increased from one lane to two lanes up the hill in front of the Verizon store which I am the landlord to. In the first 3 weeks of that opening my mailboxes were hit twice, we moved the mailboxes down by the Verizon store now, so somebody doesn't get killed. You want to put a bike crossing there, are you going to build a million dollar bridge over Route 6 for bicycles? Just because the subdivision meets the code requirements doesn't mean the planning board has to approve it. You could review it, area requirements are one factor, I know that from experience. Town code Section 131-2 says your job is the orderly efficient and desirable development of the town. The land to be subdivided shall be of such character that it would produce building sites of such good quality and dimensions that would permit their development without danger to health or peril from fire, flooding or other deleterious conditions. It's in your town code, it's your job. He said the applicant that made these irregular lots; it's not your problem to fix it. Three times in 18 months for the record, I'm the person that did the Article 78 and to be very honest with you if you approve this at 9:01 tomorrow morning my attorney will Article 78 it again and send it back to you to do the job the correct way. It was the applicant that violated the previous conditional subdivision approval. He failed to file the map and pay the taxes, but he pulled the building permit and built the bank there. I believe the bank is on a land lease, I don't think there is any concern at all about liability on anything surrounding off of their maintained green area. I could be wrong, but that's what I think. He owns the surrounding land, he has the ability to re-draw the map and eliminate the horseshoe. This is all for a bike path when there is one right across the street on level ground. How many senior citizens are going to ride up there to the Koehler Center? It's insulting to people's intelligence that we are sitting here for the third time in 18 months looking at this. This subdivision ignores every sound planning and zoning principle that there is. It's clearly a part of a larger subdivision of continuous land that he owns. This is a SEQR Type 1 action. At which time, Mr. Barile, asked the Planner, Building Inspector and Town Engineer to tell the public if this is a good design. There are several hundred acres attached to this, do not insult me, do not insult anybody in this audience, and do not insult any taxpayer. He reiterated since the last reval this town has increased its commercial tax base by \$67,000. \$51,000 is on my building. It's disgraceful! He said Mr. Cleary has put it in writing that he would like to see multi-family or some type of residential housing allowed on the other piece of property that it touches. It's all documented. Again, he said

don't insult the people. This is obviously SEQR Type 1 action. The bank could open; they could get a temporary certificate of occupancy. This stinks and we all know it.

Chairman Gary said before we move on I feel it's imperative that I answer a couple of questions. He said I have no problem with anything derogatory until you question the way the planning board works. As Mr. Barile said, I have dealt with him for 30 years, 18 of them, I didn't agree with a thing he did, but that wasn't my job. It's not the planning board's job. The planning board does not make ordinances or rules, the Town Board does that. We cannot bring into this town commercial property, that's not our job and for somebody of Mr. Barile's to stand up and make a statement like that, I feel that he's been disrespectful to the board and I have to defend that.

At which time, Mr. Barile apologized to the board.

Chairman Gary said when it comes to Mr. DelCampo, I've known him from when I got on the board in the 1970's and 80's and he knows most of the time I try to do things in an orderly and correct manner. He said I don't want anybody to get up tonight and try to condemn this board. This board's job is to do one thing, to carry out those ordinances and regulations that have been set forth in writing by the town and I can honestly say we will diligently do that.

Mr. Camarda said that's why I don't like to come to these meetings, but when someone says things that are false, it's very hard to sit there. He said this board could ask me about the back property. I have owned it since 1995 for 22 years and yes I want to develop that property and yes I put a plan in front of the town that went through a 3 to 4 year approval process. It was a mixed use development of offices, retail and housing. I have also said on record that we have never asked for a zoning change. We will develop this property according to the zoning that is in place. If that means it's senior housing, it will be senior housing if there is a market. If it's retail, it will be retail. There is a reason why we haven't done anything in 5 to 6 years, because unless Mr. DelCampo knows this market better than I do, I quite frankly don't know what we are going to do back there. The market for housing is now starting to come back and there was talk about millennials housing. Retail is not very strong right now. So, if you ask me what we are going to do back there, I would love to know that. I would tell you. I showed you the road where it's going to go, but we don't know if the retail market or housing market will support that. There is no market right now for offices. Maybe the market will get clearer in a year or two. He said over the last couple of years the biggest movement of real estate has been to faith based organizations. He said I can't tell you about millennial housing. He said if Target was ready to come to the table, guess what I would be in front of your board. They would demand it. He said if Mr. DelCampo has some good ideas of what I should do then he should talk to me. My office is always open and Mr. DelCampo has been there numerous times. We will develop the property according to the code, whatever that code is, we will develop it and what year we do it, well that's a good question. I don't know what the economy will be next year or the year after. There are only two lots that you could build here and I don't care how we do the lines, it's a two lot subdivision (points to map to show the two lots). He said both site plans have been approved. The bank has been approved by this board. The site plan for the retail on

lot 2 is approved by this board. They are going in the same exact spot contrary to what Mr. Barile said. We are not moving any of the buildings. He said we understand we can't file the map until the taxes are paid. We understand that and we will pay the taxes and the map will be filed according to law. He said Mr. Barile stated we are going to put over 200 units back there, maybe? Maybe 250, maybe 150 we don't know the market. He said the fact that there is \$67,000 coming into this town for commercial development and he is a supporter of commercial development and a friend why would you try and stop a road that goes directly into commercial property. Let's be honest, if he was looking to promote and get this done, he wouldn't be telling the zoning board to stop that access. He said you can't have both ways where you tell the public you support Union Place and then try to stop the light from going in. He said as far as the bike way is concerned, they are looking at going under the road or over the road. I would prefer to go over the road; it would make a great entrance into Mahopac. It would be a great look for this community, so would that lake. He said lot 1 is approved for 2700 square feet, lot 2 is approved for 5000 square feet and I hope to back in front of your board this summer with my second occupant, so Mr. Barile and Mr. DelCampo should be very happy because we will have two new commercial buildings in the Town of Carmel. We should be applauding that if we are so needy of commercial development. He said as far as the bikeway, we have gone through this with the zoning board, it's flat land not a hill. He said we just want to move on with these two commercial lots. I'm already defending one lawsuit by Mr. Barile and now he's going to sue me again on a 3 acre lot and a 10 acre lot!

Chairman Gary stated with all this going back and forth, I almost forgot what we are here for, no one is saying what they are objecting to. Let's get that on the record. What are your objections, how do you suggest this board take a look at some things that concern you. That's what we are looking for. He said we could all insult one another, but we are not getting anywhere.

Ms. Elizabeth George approached the podium and asked the board for clarification of division of the parcels. She said if the bank is already built and there is a concern about pond liability, I would assume if they purchased the land, they have already purchased a 10 acre parcel with the bank on it, so how is that deal going to be shrunk back to 3 acres. She said if you bring it back to 3 acres, you now have this other 10 acre parcel with the second commercial parcel; wouldn't they have the same concern about the lake and the walking trail or will there be some other division of this property? With that not being clear, I can't really say what I am in favor of or not in favor of.

Mr. Cleary said I don't think we are privy to who owns the property yet. He said I believe the developer is building the bank for a potential buyer, so right now there is no subdivision; it's the 13 acre parcel, so there is one building being built on one property. The subdivision hasn't been filed so the subdivision hasn't been created yet.

Ms. George said I thought there was already a 10 acre parcel and 3 acre parcel and the applicant is looking to change that.

Mr. Cleary stated there is an approval for that, but there are conditions associated with that approval one of which is the taxes have to be paid for the property, the conditions haven't been satisfied so the subdivision of the land hasn't happened yet. At the moment, one bank is being built on one parcel and I don't believe the bank owns that parcel yet. Mr. Camarda is building it for the bank that wants to buy the property and the bank is probably telling him we don't like the pond. He said we as a board do not get involved in the real estate transactions. He said it's either the bank or the other building that will have the liability of the pond.

Ms. George asked will he back later and want to subdivide the 10 acre parcel.....

Mr. Cleary said he can't do that because of the remaining property. It is environmentally constrained. It's either a pond or a state regulated wetland, so there is no potential development left on the rest of the property.

Mr. Camarda stated under the new situation, I would control the 10 acres. I have a lot more flexibility than a publicly traded bank or retailer. The only way a piece would be taken off that is if the County wants to take it for the pond and bikeway. He said this acreage would be dedicated to recreation and how the County does that we will talk to them about it.

Ms. George asked so you would own the full 10 acres.

Mr. Camarda replied yes.

Ms. George asked would you also own the 3 acres that the bank is on.

Mr. Camarda replied we do not intend to own long term, short term yes.

Ms. George asked if this subdivision is done, will that impact the ability for the road to be put in.

Chairman Gary said that road is there.

Ms. George stated so the division of the acreage at this point really doesn't affect anything, except to give Mr. Camarda the ability to sell that bank parcel.

Mr. Camarda said and to work with the County regarding the amenities because it will be on my property.

Mr. Robert Buckley addressed the board and stated he has been following this for a while. I am very pro with moving this town forward. School enrollment is down substantially and it's projected that when 2nd and 3rd graders get to their graduation class we will have only 275 graduates, right now we are at about 400 graduates. He said I'm concerned about the future of this town. We do need positive development in this town. I'm happy about the Stop & Shop going in. He stated the topic should only be related to the 13 acres, because that's what's on the agenda today. He said I fully support the project and the traffic light is

really needed, it's been needed for years. He said I was at a recent event at the library which was held by a former Town of Carmel Supervisor and he proudly stood up and talked about how he tried to get the traffic light and was unable to get it. With regards to the bike path, I chair the recreation committee in town and Mr. Camarda called me to discuss the bike path. He said he spoke to the County Executive and John Pilner from the County and they had 1.9 million dollars from the federal government. He spoke to the recreation committee and we supported it and thought it was a great idea. He said when the Town of Carmel can get a influx of federal money worth almost 2 million dollars at no cost to us and we don't think seriously about that, shame on us, this is a great opportunity for us. I would love to see that bike path. He said Westchester County, by Baldwin Meadows, Route 6, they have housing, commercial development going on right now. You go into Putnam and it's dying, we need some economic growth in this community, we need to widen the tax base. We are going through a re-evaluation in this town, and everyone is complaining about their taxes, but the same people that are complaining about taxes, are the same people that are saying they don't want more development. You can't have it both ways. He said we need some good development. He said the Chamber of Commerce is trying to move in a positive way. He said fear is one of the most motivating factors in life. People in life use fear to scare others and talk about things that are not real. He said I think you should move forward with this and it is beneficial to the town.

A resident from Westchester County addressed the board and stated he lives on Mahopac Ave which is 100 feet from Putnam County. He asked what are you going to do with the traffic? He said they want to put a light there, when we have four lights now. He said he was instrumental in getting a light put in at Mahopac Ave and Route 6 in Somers. He said by putting in the traffic light at McDonald's will cause more traffic on Route 6. He said something needs to be done with Route 6; they need to widen the road.

Mr. Jerry Ravnitzky resident of Mahopac addressed the board and stated he was concerned about what's good for the town. One of the concerns I have heard from many people that I have spoken to recently is traffic, especially with what's being built on the Somers side. He said my other concern is people in that area have had problems with their water. He said to consider the idea that there might be 240 homes will create a problem not only for the people that live in that area, but for the people buying those units. They don't have access to town water. He said property values would go down if there are water problems and you need to consider that.

Chairman Gary said this is not about 250 homes, this is about 2 lots, a bank and another commercial lot. He said when those 250 homes come in front of the board, it is a whole new application, we are not there. He said we need to stay as close to the issue as possible, we are talking two lots right now, that's it.

Mr. Mike Dunbar a resident of Mahopac addressed the board and stated he was concerned about the traffic light. He said the other residents spoke about traffic congestion and waiting at lights but no one has spoken about pollution which will be a big concern with cars idling in place.

Mr. Camarda said there simply isn't a market to do many things right now. There is no market to build a hundred homes. Houses here are not selling. What are selling are re-sales because people want to get out badly and they drop their prices just to get out and I don't blame them. He said I am here to do this, but if Mr. Barile or someone else were to file suit, we will simply go back to the other plan, the original plan and the Town of Carmel don't blame Paul Camarda, but the bikeway is gone. I went for variances and got sued. I changed the plan to a conforming plan. People are coming in now and saying I'll sue you again. If I get sued, we will go forward with the original plan and the bikeway and pond is gone. He said I can't control this, but I don't want to be involved in political games, and that's what it is and this community will lose the opportunity.

Ms. George approached the podium again and asked Mr. Camarda to explain what he meant by not going forward with the bike path and pond if he didn't get this approved.

Mr. Camarda stated I was asked about 10 minutes ago if I owned lot 1 where the Putnam County Savings bank is going. I answered yes, I own it now, but I do not have long term plans to continue to own that. So once I give up ownership, the next person may be an investing type of person who views it as an investment, not as doing something good for the community. He is looking at it, I don't want the liability. I'm almost definite I will not own that property long term.

Ms. George asked if the new lot includes the road. Is that the determining factor? Or is the road separate.

At which time, Mr. Camarda points to the map to show where the road is and what they are proposing on the original plan which is on lot 2. He said I will owe the parcel with the road whether we go with the original plan or with the new plan.

A resident of Mahopac addressed the board and stated the gentleman that stated the town is dying, where does he get these statistics, because I don't see it. My neighbors don't see it. We just see more congestion, more traffic, I see development. He said I am going to try and get as many neighbors as I can to come to these meetings, because I have a terrible feeling just listening to what's going on here.

Mr. DelCampo addressed the board again and said to stick to the facts. He said I am here to protect the people. Mr. DelCampo stated the bikeway is there and you don't a zoning change to get the bikeway. He said as long as he owns the property and willing to give that easement or whatever it takes, you don't need residential to get that.

Mr. Buckley stated I went a step higher and spoke to the County Executive and she verified that. With the reference of the dying town, I gave you some statistics such as with the school system of 450 graduates going down to 275 graduates in maybe 10 years. We are slowing dying, our school budget is at \$140,000,000.00 right now. We don't have the bodies in the schools and we need some development. He said I try and do the best that I can for the community I live in.

Chairman Gary stated this board has nothing to do with the advancement of development of this town. The Town Board makes those changes. This board follows the directions they put before us.

Mr. Furfaro stated I take exception at some of the comments made, such as we are falling on deaf ears and saying we're apathetic I think is unfounded. For me personally, I have been here for 30 years, and I have 12 grandkids in this community. I am very much vested in this community, and I care a lot about what's going on. I think the re-assessment in this town has a lot to do with things. He said one of the questions I would ask is how much commercial tax will we get from these two lots. Those are dollars coming in. That will help us a little bit. What's going to happen in the back, whatever happens it's going to get vetted. He said but this little development in the front I think in the end it won't hurt anything personally. I think it's a good thing, and I do believe that the bike path is a good asset to the town.

Mr. Cote moved to close the public hearing. The motion was seconded by Mr. Giannico with all in favor.

PUTNAM COUNTY SAVINGS BANK – 150 ROUTE 6 – TM – 86.11-1-1 – PUBLIC HEARING

Vice Chairman Paepreer moved to open the public hearing. The motion was seconded by Mr. Giannico with all in favor.

Mr. Cleary said this is being amended because the lot lines are being amended. The plan remains the same except for a septic easement.

Mr. Carnazza had no comments.

Mr. Franzetti had no comments.

Vice Chairman Paepreer moved to close the public hearing. The motion was seconded by Mr. Cote with all in favor.

MINUTES – 03/08/17

Mr. Cote moved to accept the minutes of March 8, 2017. The motion was seconded by Mr. Giannico with all in favor.

Mrs. Kugler moved to adjourn the meeting at 8:50 p.m. The motion was seconded by Vice Chairman Paepreer with all in favor.

Respectfully submitted,

Rose Trombetta