

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
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RICHARD FRANZETTI, P.E.
Town Engineer

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

VINCENT FRANZE
Architectural Consultant

PLANNING BOARD MINUTES

JUNE 28, 2017

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

ABSENT: KIM KUGLER

| <u>APPLICANT</u> | <u>TAX MAP #</u> | <u>PAGE</u> | <u>TYPE</u> | <u>ACTION OF THE BOARD</u> |
|---|-------------------------|--------------------|--------------------|---|
| Jan-El Properties, Inc. | 86.7-1-25 | 1 | P.H & Reso. | Public Hearing Closed & Resolution Adopted. |
| Putnam Hospital Center/ Emergency Dept. Addition | 66.-2-57 | 1 | Reso. | Resolutions Adopted. |
| Hilltop Manor Realty Corp | 76.22-1-5 | 2-3 | Site Plan | Referred to the ECB. |
| Kamala Associates LLC. | 44.15-1-37 | 3-5 | Site Plan | No Board Action. |
| Central Hudson Gas & Electric Corp. | 53.17-1-38 | 5-9 | Site Plan | Lead Agency Declared & Referred to ECB. |
| Minutes – 05/24/17 | | 9 | | Heldover. |
| 06/14/17 | | 9 | | Approved. |

The meeting was adjourned at 8:08 p.m.

Respectfully submitted,

Rose Trombetta

JAN-EL PROPERTIES, INC – 7 LUPI PLAZA – TM – 86.7-1-25 – PUBLIC HEARING & RESOLUTION

Mr. Carnazza stated as requested the architect submitted a landscape plan with one 4' blue spruce in front of each of the containers. Provide a note that there will be no advertisements or signs on the containers. Variances were granted by the Zoning Board and they were noted on the plat.

Mr. Franzetti had no comments.

Mr. Cleary said all site planning issues have been addressed and you have a draft approval resolution before you this evening.

Chairman Gary said this is an open public hearing and asked if anyone in the audience wished to be heard on this application.

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

Mr. Cote moved to adopt Resolution #17-11, dated June 28, 2017; Tax Map #86.7-1-25 entitled JAN-EL Properties Amended Final Site Plan Approval. The motion was seconded by Mr. Furfaro with all in favor.

PUTNAM HOSPITAL CENTER – EMERGENCY DEPARTMENT ADDITION – 670 STONELEIGH AVE – TM – 66.-2-57 – RESOLUTION

Mr. Carnazza had no comments.

Mr. Franzetti had no comments.

Mr. Cleary stated all site planning issues have been addressed. He said you have two resolutions before you tonight, the SEQR negative declaration and amended file site plan.

Chairman Gary stated this is an open public hearing and asked if anyone in the audience wished to be heard on the application.

Vice Chairman Paepre moved to adopt Resolution #17-09, dated June 28, 2017; Tax Map #66.-2-57 entitled Putnam Hospital Center/Emergency Department Expansion SEQR Negative Declaration. The motion was seconded by Mr. Giannico with all in favor.

Mr. Giannico moved to adopt Resolution #17-10, dated June 28, 2017; Tax Map #66.-2-57 entitled Putnam Hospital Center/Emergency Department Expansion Final Amended Site Plan Approval. The motion was seconded by Mr. Cote with all in favor.

HILLTOP MANOR REALTY CORP – 164 EAST LAKE BLVD – TM – 76.22-1-5 – SITE PLAN (BOATHOUSE)

Mr. Carnazza read his memo which stated provide a north point. Submit FEMA floodplain application to Engineering. Provide a detail of the Boathouse. Include Measurements. Need to verify compliance with 156-27D. The provided details are not complete. What are the two
The zoning table still needs to be corrected. 15 ft side yard is required per section 156-27C. This project needs to be referred to the ECB for comments.

Mr. Franzetti stated all engineering comments have been addressed. He said the applicant should be aware that they are located in the floodplain and a permit is required and they need to go to the ECB.

Mr. Cleary stated this is the construction of a roof over an existing boat slip, no enclosure, and no walls to the side of it. All the site planning issues have been addressed and they need a referral to the ECB.

Chairman Gary said he is putting a roof on top of a deck, correct?

Mr. Carnazza said it's really over water, but yes.

Chairman Gary asked will the deck be able to sustain whatever he is putting over it?

Mr. Cleary replied yes.

Chairman Gary said at the last meeting I asked for elevation plans. Do you have it?

At which time, Mr. Greenberg pointed to the drawing showing the six columns. He said two of them will be on an existing reinforced concrete sea wall. The other four will be in sonic tubes which are engineered designed. He said we have a low sloping roof for the wind, since there will be no walls.

Chairman Gary asked what is the size of the posts?

Mr. Greenberg replied they are 6 x 6 posts. The sonic tubes are 16" diameter which will go right down to the bedrock at the bottom of the lake.

Mr. Carnazza asked how deep is it?

Mr. Greenberg replied it's approximately 4' and the engineer has required us to have our reinforcing rods embedded into the rock.

Mr. Stone asked is that when the lake is drained down in the winter and at frost depth?

Mr. Greenberg replied yes, it will be below frost depth.

Mr. Stone asked when is the work going to occur?

Mr. Greenberg replied hopefully sometime in August or September.

At which time a discussion ensued regarding the elevation drawing.

Mr. Furfaro asked what's next?

Mr. Cleary said he goes to ECB next.

Mr. Giannico asked about snow load on the roof.

Mr. Greenberg stated the structure itself has been designed for 50 pound snow load.

Chairman Gary asked if any of the board members had a problem with sending the applicant to the ECB.

The board members were fine with it.

KAMALA ASSOCIATES LLC – 87 FAIR STREET – TM – 44.15-1-37 – RESIDENTIAL SITE PLAN

Mr. Carnazza read his memo which stated the applicant proposes to legalize a two-family dwelling, a cottage, and convert a legal Real Estate Office into a studio. The property legally has a one family dwelling, real estate office, and a barn. Provide a north point. The zoning table is incorrect. Pre-existing non-conforming is fine but variances are required to legalize all non-conformities. Variance is required for the expansion of a non-conforming use. Provide a window detail. The Emergency Escape and Rescue Opening and natural light/ventilation portion of the State Building Code must be met.

Mr. Cleary read Mr. Franzetti's memo which stated the applicant must provide a water/sewer use report for review. No site improvements are proposed for this project. This Department does not have any additional comments related to this project as long as there are no changes being made to the site.

Mr. Cleary stated this is a conversion of a non-conforming use to another non-conforming use of the property from the commercial office use to another residential use. He said this is a single family dwelling residential zone. The site plan notes the provision of 4 existing parking spaces. It is unclear if the single-family parking requirement – or the multi-family

parking requirement would apply to this project. A determination by the Director of Code Enforcement is required. It appears that a portion of the site's parking area may encroach into Glenna Drive. Clarification is required.

Mr. Joel Greenberg of Architectural Visions, representing the applicant addressed the board and stated no site work is proposed. He said with regards to the parking we had discussed it with Mr. Carnazza as far as the number of cars per unit. With regard to the blacktop, my client hasn't done anything on this property, but apparently the blacktop does veer off onto Glenna Drive slightly, however, the parking that we are proposing is fully on the property and conforms to the 10' x 20' parking spaces that are required plus the 24' backup. He said if the board feels that the blacktop should come off over the property line we could certainly do that. With regards to the non-conformities when my client bought this property, this was a two family house (points to map), a one family and office. He said the previous owner had gotten variances that stipulated as soon as that owner sold the property the variance became null and void, so the new owner went to the Zoning Board and the board changed because a variance goes with the property not with a particular owner. He said all the previous variances are still valid. He said the reason we have to go back to the Zoning Board is because Mr. Carnazza said this lot does not conform to today's standard, but when it was subdivided it did. He said we want to keep the two family, the one family and convert the office into a studio apartment making a total of four apartments on the property. He said there is town water and sewer. So we need to go to the Zoning Board, even though we are not doing anything to the site, we need a use variance to convert a non-conforming use which is an office into a studio apartment. Our goal today is to go to the Zoning Board.

Mr. Cote said you referenced the main house as a two family house, but legally it's a one family house. He said it's presently an illegal two family house.

Mr. Greenberg replied that's correct.

Mr. Carnazza said this property was purchased at a foreclosure without doing a title search.

Mr. Greenberg said I understand that.

Mr. Carnazza said if you make the one family dwelling into a barn, the front into a one family dwelling and the office back to a real estate office, you don't have to be here.

Mr. Greenberg said correct.

Mr. Carnazza said if you bring it back to what's legal I don't need you here at all. You want that to be a two family, an apartment in the front and back that's why you're here.

Vice Chairman Paepre stated there seems to be an opportunity to correct a lot non-conformities; I don't think we should make it any worse.

Chairman Gary asked Mr. Carnazza what is legal right now.

Mr. Carnazza said a one family dwelling in the big building, mother-in-law apartment in the back and then Dorsey real estate which can now be any real estate.

The board and applicant continued to discuss what was and wasn't legal on the property.

Mr. Charbonneau said the single family house, the accessory and real estate is what's legal now.

Chairman Gary said and what are they asking for?

Mr. Carnazza said a two family house in the front, an accessory apartment in the back and the real estate office to be converted into another apartment.

Mr. Cleary said making it a total of four dwelling units on an undersized single family lot.

Chairman Gary stated we need the consultants to give us a detail of what's there, what he intends to do and what is required of this board to do.

Everyone was in agreement with the Chairman.

Mr. Charbonneau stated I'm not sure if you want to do this now or when they come back on this application, but I think it would be a good idea for the applicant to explain to the board how they purchased this property, what they thought it was from what it actually is and what they want it to be.

Mr. Greenberg said we will do that when we come back to the board.

CENTRAL HUDSON GAS & ELECTRIC CORP – 340 BULLET HOLE ROAD - TM – 53.17-1-38 – SITE PLAN

Mr. Carnazza read his memo which stated the applicant proposes to run a gas line along the ROW from Bullet Hole Road (at Fredrick Lane) to Route 6 via Bullet Hole Rd, Hill St. aka Long Pond Rd., along Wixon Pond Rd, Cooney Road and ending at Route 6 by Dunkin Donuts. I have no zoning comments as all work is being done in the ROW. The project should be referred to the ECB for review.

Mr. Cleary read Mr. Franzetti's memo which stated the project encompasses the installation of a pressure regulator system at 340 Bullet Hole and a ~3.75 miles of new gas mains. The Engineering Department offers the following preliminary comments: Permits from the following would appear necessary:

- a. New York State Department of Transportation
- b. Putnam County Highway (Highway work permit)

c. New York State Department of Environmental Conservation (wetlands and, stormwater)

d. Town of Carmel Highway (Driveway and work within right of way)

e. Town of Carmel Environmental Conservation Board (wetlands)

2. Should any public improvements be deemed necessary as part of the development of the tract, a Performance Bond and associated Engineering Fee must eventually be established for the work. This includes erosion and sediment control and permanent stormwater management practices.

Pressure Regulator System – 340 Bullet Hole Road:

1. Additional silt fence should be provided along the west and south sides of the property.

2. The applicant does not address stormwater runoff from the site. There is concern about additional runoff entering onto Bullet Hole Road.

3. The applicant now proposes work in the Town of Carmel Right of Way (R.O.W.) and therefore, approval is required from the Town of Carmel Highway Department.

4. Available sight distances at each driveway location should be specified on plan. Any clearing along the edge of the roadway R.O.W. that may be necessary to assure appropriate sight distances are provided, should be identified.

5. Driveway cross-sections should be added to the plan.

6. It is recommended that a gate be provided at the entrance to deter unwanted vehicle access to the site.

7. All re-grading required to accomplish the intended development must be shown.

8. Additional screening plants should be provided along the west side of the property.

9. All plantings shall be installed per §142 of the Town of Carmel Town Code.

Gas Line Installation

1. A detailed traffic safety plan should be provided for the project. Copies should be provided to the Putnam County and Town of Carmel Highway Departments for review/approval.

Mr. Cleary read his memo which stated Central Hudson Gas & Electric is proposing to reinforce the natural gas distribution system on the Carmel-Mahopac Gas Distribution Line (SM Line), The project consists of two elements:

Pressure Regulator Station – A new fenced enclosure is proposed containing pressure regulation equipment and associated piping. No structures are proposed within the enclosure. New landscaping is proposed along the site's Bullet Hole Road frontage.

Gas Line Distribution Reinforcement Project – Approximately 3.9 miles of new 10" steel gas distribution main is proposed within the right-of-way along Bullet Hole Road, east to the intersection with Hill Street (CR 32) then north on Hill Street, which becomes Long Pond Road to the intersection of Wixon Pond Road, then south along Wixon Pond Road to

the intersection of Cooney Road, then along Cooney Road to Route 6 Highway work permits will be required for the gas line installation from the NYSDOT, Putnam County Highway Dept. and Town Highway Dept. Details of the proposed evergreen landscaping at the regulator station is required. It is recommended that vinyl slating be installed in the chain link fence to screen the equipment. What type of gate is proposed? It appears that razor ribbon or barbed wire is proposed along the top of the fence. As the site is located within a residential area, are other less menacing security measures available? Is any site lighting proposed? Clarify if the operation of the regulator station will routinely produce odor, noise or emissions of any type.

Mr. Cote stated he has had a lot of dealings with Con Edison in the city, for instance you could no longer get a diagram that shows where the lines are for safety reasons. He asked if the applicant considered safety for this site and how do they protect it. He said you may not be in favor of barb wire but it may be something that is necessary.

Mr. Cleary said most utility companies security requirements built into their contracts for work they do. They are non-negotiable sorts of things, but what we try to do and we have done it with DEP, to find out without spilling the beans, what issues are security related and non-negotiable. They will let us know what those are and stay away from them and other issues such as screening we could deal with those things. He said that's not a conversation we should have in public.

Mr. Giannico said I would like a lot of security information for the regulation station.

Mr. Brian Dimisko, Project Manager and Dan Farnan of Maser Consulting were present before the board.

Mr. Dimisko addressed the board and stated we currently have a natural gas distribution system in the Town of Carmel. The town line is called the SM line. That line was built predominately between 1989 and 1992. It has a connection to a natural gas regulator station on Stillwater Road know as Stillwater Road Gas Regulator Station. That station is tied into the gas transmission line. It is a 750 pound line. The gas regulator station steps down that pressure to 220 pounds for the SM line. That line is approximately 32 miles in total length. He said the central portion of that line is a six inch plastic. The whole line consisting of 32 miles is a 6 inch polyethylene plastic. He said over the years since that line has been constructed we have had a lot of success. Customer interest in natural gas has been strong over the years, most effectively in the last five to seven years. We have approximately 800 residential accounts that are drawing natural gas from Central Hudson and we have approximately 500 non-residential, such as commercial or industrial accounts.

That amounts to about 75% of the brick and mortar capability along that line. He said that gas line has been reaching near capacity with its ability to keep up with the load and demand for natural gas for customers. He said it's becoming very challenging to serve our existing and future customers especially during the winter time. He said we need to consider the options. One of the options is to do nothing, put a moratorium on that gas line. No more gas customers whatsoever. He said that's not really a good plan

and it doesn't solve the challenge that we have because customers that are taking natural gas will continue to use natural gas. He said the better option is to reinforce the SM gas line with a second gas line and that will still be part of the SM line. It will also be tapped off of the MP gas transmission line. It would use a gas regulator station similar to what is on Stillwater Road and that would be off of Bullet Hole Road where Central Hudson owns property. We own the corridor where that MP line currently traverses and we own the gas transmission line as well and what we would like to do is build a gas regulator station that will perform similar duty to Stillwater Road regulator, drop the pressure from 750 to 120 pounds. We would put a new line in that would traverse approximately 3.9 miles. It would be a 10 inch steel for more capacity. It would traverse eastward on Bullet Hole Road and come to County Route 32, go north on County Route 32 and then travel southeast on Wixon Pond Road and it would traverse until it hits Cooney Road and then down to Route 6 where we have an existing SM gas line traverse. The MP line will tie in with SM line. He said it also provides a second backup for the system, because right now all we have is one regulator station feeding the bulk SM line. By putting in a second regulator station here we have redundancy now so that we could provide source gas from both sides and that creates an optimum solution for us and for our customers.

Vice Chairman Paepre asked if the new 10 inch steel line will run parallel with the old 6 inch plastic line. It doesn't replace it, correct? It's in addition to?

Mr. Dimisko replied that's correct.

Vice Chairman Paepre asked what is the life expectancy of 6 inch plastic line?

Mr. Dimisko replied currently 80 years.

Mr. Carnazza asked would the people along that line have access to the gas.

Mr. Dimisko replied yes.

Mr. Furfaro asked Mr. Dimisko to show the yellow path on the drawing one more time.

At which time, Mr. Dimisko points to the MP 12" gas transmission line on the map. He then points to the yellow line indicating Bullet Hole Road. We are recommending that we put a natural gas regulator station in own corridor that we own, from that station we would bring a 10 inch steel natural gas line along Bullet Hole Road going east until it comes into the intersection of County Route 32 (Hill Street). We would then head northeast on Hill Street which becomes Long Pond Road and it will traverse on that until the intersection which connects to Wixon Pond Road. It would then head southeast on Wixon Pond Road and tie into Cooney Road and tie into the existing 6 inch plastic line.

Mr. Furfaro stated Wixon Pond Road is a very windy road.

Mr. Dimisko said we are very aware of that. We have performed assessments and we have done all kinds of analysis on various routes and plans and we feel that this gives us the best opportunity, though we do recognize what the challenges are.

Chairman Gary said they have been studying this for a long time, so they picked the most feasible and economical route for the company.

Mr. Dimisko replied that is correct. He said there is no great route; there is no silver bullet that really gets us to do what we need to do.

Mr. Stone asked Mr. Cleary if this is under SEQR and would it require a coordinated review.

Mr. Cleary said that's correct. They will be dealing with multiple agencies.

Mr. Stone said there are wetlands almost the entire way. You would need DEP approval.

Mr. Farnan addressed the board and stated we are under the threshold for their jurisdiction and being a utility. He said we are also in the permitting process with NYSDEC.

Mr. Cote asked if this project will involve cuts into the blacktop or on the side.

Mr. Farnan replied both depending on where it is.

Mr. Furfaro asked what happens now.

Mr. Cleary said we have to have a public hearing, but more importantly we need to hear from the other agencies that are involved in this.

Mr. Giannico asked where the proposed line passes an intersection are you going to leave it tap at each street.

Mr. Dimisko replied yes.

Mr. Stone moved to designate the Town of Carmel Planning Board as lead agency. The motion was seconded by Mr. Furfaro with all in favor.

Mr. Farnan asked about the ECB. He asked if it's automatic.

Mr. Cleary said to coordinate with the secretary.

MINUTES – 05/24/17 & 06/14/17

The May 24, 2017 minutes were heldover.

Mr. Cote moved to approve the June 14, 2017 minutes. The motion was seconded by Vice Chairman Paerprer with all in favor.

Mr. Giannico moved to adjourn the meeting at 8:08 p.m. The motion was seconded by Vice Chairman Paerprer with all in favor.

Respectfully submitted,

Rose Trombetta