

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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Town Planner*

VINCENT FRANZE
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PLANNING BOARD MINUTES

JULY 12, 2017

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

ABSENT: ANTHONY GIANNICO, KIM KUGLER, RAYMOND COTE

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>TYPE</u>	<u>ACTION OF THE BOARD</u>
NY Fuel Distributors (Coco Farms)	55.11-1-40	1-10	A. Site Plan	No Board Action.
ShopRite Carmel	44.9-1-9	11-15	A. Site Plan	No Board Action.
John Sanserva	55.5-1-4	15-17	Regrading	No Board Action.
Minutes – 05/24/17		17		Approved.

The meeting was adjourned at 8:43 p.m.

Respectfully submitted,

Rose Trombetta

**NY FUEL DISTRIBUTORS (COCO FARMS) – 1923 ROUTE 6 – TM – 55.11-1-40 –
AMENDED SITE PLAN**

Mr. Carnazza stated all the zoning comments have been addressed and all the necessary variances were granted by the Zoning Board of Appeals.

Mr. Cleary indicated that Mr. Franzetti would be late but he had his memo and cited from the memo indicating that Mr. Franzetti repeats the number of referrals and permits that are required for this application. The applicant provided a traffic analysis that has been forwarded to the D.O.T./Putnam County Highway for review and he indicates that those agencies should provide their findings to your Board. He's asking for all regrading to accomplish the improvements be provided including areas outside of disturbance areas that are being planted. He's noting that a storm water maintenance agreement is required & should any public improvements be necessary as part of the development, a performance bond would be required. He then a series of six detailed comments that relate to construction drawing and details.

Mr. Cleary stated that the applicant has already addressed all the site planning issues.

Mr. Leo Napior addressed the board and stated I apologize that we had not responded to the Engineer's comments. There was some kind of communication breakdown. The memo was issued several months ago but following the last meeting, we never received it. My design team did get a response to Mr. Franzetti earlier today and I understand he's not here but I don't know if he had a chance to look at it. I would say most of his comments were nothing significant and we have addressed each on the most recent submission back to Mr. Franzetti. Again, I don't know if he's had a chance to review that or not but I think the next step in your process would be to schedule a public hearing unless there's any other outstanding issues that you'd like us to address. Just a brief recap; we did, in the intervening six to seven month period while we've been gone, receive approval from the DEP. In addition, we received tentative approval from the DOT. We don't have a highway work permit yet. That's in the process but they've given us conceptual approval.

Chairman Gary stated I think we went over a lot of detail on that traffic map – correct? Did the Engineer address the traffic situation at the site?

Mr. Cleary replied Mr. Franzetti didn't comment on that but John Collins is here tonight, from Maser Consulting, and he may be able to speak to those issues on our behalf.

Mr. Napior stated if I may recap, I believe there was one outstanding question. This was in one of our prior submissions. It was about the egress out of the driveway on Stoneleigh Ave. There was a question whether the County would allow us to do a "don't block the box" paint job in front of the curb cut. The County was not in favor of that concept and basically told us they would not allow us to do so. But; if you'd like, I'd be happy to turn it over to Mr. Collins.

Chairman Gary said I'm just a little confused on this and I want to ask a couple questions. Nobody else is confused?

Vice Chairman Paepreer stated I think we ought to go through that whole traffic flow.

Mr. Furfaro agreed also.

Mr. Frank Filliciotto, applicant's traffic engineer addressed the board and stated as Mr. Napier explained in the intervening months we have coordinated with DOT to extensive period and we've obtained their conceptual approval for the curb cuts on Route 6. At which time, Mr. Filliciotto points to map to show the proposed right in only driveway on the west end of the site and one right turn egress only driveway at the east end of the site. So no left turns into or out of the site from Route 6. We have discussed this with DOT and they have given us the green light to apply for a highway work permit which we are in the processing of doing now. With respect to Stoneleigh Ave, which is a County road we have been in front of Putnam County Highways and they have provided a letter of no objection associated with the current plans. So in essence they have approved this plan that is before you this evening as a full access driveway on Stoneleigh Ave. He said we've approached them in November of last year regarding the "do not block the box markings" that was discussed at a previous meeting. He said we have no objection to doing that, but it's not something they would like to consider. They have replied and said that would not be acceptable at this time. He said regarding Mr. Collins' comments, we performed a traffic analysis of the queuing on southbound Stoneleigh Avenue, because there was a traffic concern of waiting to make a left turn into the site. He said there is approximately 380 feet from the driveway north to the traffic signal. We performed a traffic simulation analysis that showed that the resulting queuing from a vehicle waiting to make a left turn would be about 70 feet which is about 3 or 4 vehicles depending on how long they are. Based on our analysis, we concluded that that queuing would not back out to the intersection and adversely affect operations there. In terms of onsite operations, just to refresh the Board's memory, the convenience store is located toward the east end of the site with the fueling islands near the center and we've provided the Board with some circulation paths that show how a tractor trailer can maneuver on and off the property as well as various passenger vehicles throughout the property. We've also reviewed Mr. Collins' letter. He had a number of comments about the technical analysis. We've made those changes and provided that. At this point, we feel that we've addressed everything regarding traffic and transportation and we welcome the Board's further feedback.

Vice-Chairman Paepreer said so if you're coming down Route 6 and you can't make a left in then you have to make a left onto Stoneleigh, then come down Stoneleigh and make a left into the site.

Mr. Filliciotto replied that would be the only legal way – correct.

Chairman Gary said let's stay on that point a while. You know people are not going to do that. If they see the gas station, they need gas and they're coming north, they're going to turn into that station there. I can say that because when they were doing McDonalds,

(DOT is a fantastic organization and they do the best they can) we asked them to put a turning lane for McDonalds and this facility at the same time. We don't have the Engineer here to talk about that but that's a big concern that I have. People are going to turn in there.

Mr. Stone asked can you clarify that for me. You mentioned Route 6; are we saying there is one way traffic in each of those two accesses – one way in and out the other direction.

Mr. Filliciotto confirmed right turn in only; right turn out only.

Mr. Stone continued so there's no two way traffic in those openings.

Mr. Filliciotto stated what the DOT requires in those instances is A) for the driver is to be channel accesses so that you're directed in that direction and B) that you have the appropriate signage as per the Manual on Uniform Traffic Control Devices (MUTCD) which is an industry standard – stops, one ways, do not enters, etc. and that's all being required as part of the permit.

Mr. Stone replied okay; fair enough.

Mr. Napior added to the Chairman's comment, this driveway someone can make a left from Route 6, they'd be making a very irregular left turn to try and get through.

Chairman Gary said my point is this: this is a business. This is a business that we hope, as a town, thrives. You're cutting off your main point of business when you cut the people heading north to get into that facility. *(Chairman Gary looked around and said, nobody thinks that?)*

Mr. Filliciotto replied it's something that the operator and the owner had to weigh pretty heavily when we started this process with DOT because we knew that in order to establish a left turn lane, there would probably be a road widening required among other things that would make that project that much more infeasible. It's really not just the property in front of your site. You have implications to the east and west. That was a business decision and if you think about gasoline service stations and convenience markets, you're really hinging upon the traffic that is flowing right directly in front of your property which is the east bound flow. That's really the traffic that it's looking to harness. There's enough traffic on Route 6 for the station to subside without that traffic. They hope to pick up some of that traffic onto Stoneleigh but that's a business decision that was made and they're comfortable moving forward with just right in and right out.

Chairman Gary asked if Mr. Collins has something to do with this.

Mr. Napior started to respond but Mr. Cleary interjected that Mr. Collins is our consultant.

Mr. Napior then said let me speak to one other point. Not to promote another party's business but to the extent there are northbound motorists, there is a Mobil station with a

convenience mart and a Dunkin Donuts not that far up the road with a left turn into the site.

Chairman Gary said there are only two businesses that don't have a left turn, that's the gas station up the road there and this one right here. I think up by Dunkin Donuts they don't have a left turn.

Mr. Carnazza interjected they don't have one but the cars do anyway. It's a solid yellow I believe.

Chairman Gary added and you can get a little traffic build up there. It can take you a while to get in there. That's my only concern there. Is Mr. Collins going to address that?

Mr. Cleary replied I think he can speak to it, yes.

Mr. Stone asked what is the mechanism that is going to stop a northbound motorist on Route 6 from trying to make that left.

Mr. Filliciotto replied you have a no left turn sign, you have a one way sign and you have other markers in the driveway.

Mr. Stone interjected I'm sorry; where is the "no left turn sign"?

Mr. Filliciotto pointed on the map the various points of signage. The "no left turn sign" will face westbound traffic. You have to have two to be MUTCD compliant so there will be two "no left turn" signs facing you as well as the fact that this driveway will cause you to make a negative turn. Is it possible – sure? Of course it is but will it deter the overwhelming majority of traffic? We believe so and that's how the DOT weighed in on it as well.

Mr. Furfaro said and on your exit, you'll have 'do not enters' and 'one ways' I assume?

Mr. Filliciotto replied that's right.

Vice-Chairman Paepreer yes; because that would be the easy way for them to zip right in.

Mr. Stone added I think you may be a little optimistic on the number of people that may attempt that but even a few.....that's a really bad spot.

Mr. Carnazza stated the only open left turn is at Kentucky Fried Chicken – into that shopping center. The rest of it is a solid double all the way up.

Mr. Furfaro said but there's no signage that says 'no left turn' into the Mobil or anything is there? Not that I recall anyway.

Mr. Stone said so the only way in, making a left turn, is on Stoneleigh. That's tight and it seems to me with the way the pump layout, on site coordination is going to be a nightmare.

Someone backing out of one of those spots in front of the store while people are queued at the pumps – if there's someone on the southernmost pump..... presumably they'll pull forward into the spots in front; they'll be backing out while the other guy is trying to pull out to go off to Route 6 taking a right which he's able to do out of that entrance. With all 6 pumps there, they're going to have a problem I think. Someone making a left or a right into that station from Stoneleigh – talk about a negative turn – to get to a pump from that turn, that's a pretty negative turn – that's 180 degrees to come around to those pumps from Stoneleigh Avenue through that entrance.

Mr. Filliciotto replied that's why we've provided the double rows. If someone is making a right turn their most optimum location is probably not this pump but we've provided two closer to Route 6.

Mr. Stone interjected and those are the optimum ones for the guy coming off of Route 6 on a normal right hand turn.

Mr. Filliciotto replied that's correct but you need to remember this is a very normal site layout for a gasoline service station.

Mr. Stone interjected I understand that; general layout, six pumps, etc. I get it and that's a conventional type of thing but this shape and the specifics of this site do not look all that conducive to it.

Mr. Filliciotto replied quite frankly, there's nothing we can do about the shape of the site.

Mr. Stone said I understand that but couldn't the convenience store, without any other changes, be pulled back to put more clearance between the canopy and the gas pumps and the store without..... just shift it back. It looks like there's about 10 feet before it would hit the setback line.

Mr. Filliciotto replied unfortunately we're pretty maxed out with the setback variance situation there so we've placed it pretty much where it needs to be in terms of that building location.

Mr. Carnazza said because that's a front yard.

Mr. Stone said I did look at the plans here and it does appear that if you simply took that building and slid it straight to its rear until that upper right corner hits the setback line, you'd pick up 10 feet clearance between those parking spaces – if everything moved back from that point.

Mr. Napier said one of the potential issues is the direction we were given by the DEP is to not increase impervious surfaces on the site.

Mr. Stone said okay; I get that. I'm sure DEP has that desire but I think, frankly and in my opinion, public safety should trump the DEP in some ways. They're talking about stormwater. There's already enough pavement in there – another 10 feet of pavement isn't going to change the inundation analysis downstream by any significant fraction. I'm not trying to usurp the DEP. Granted they're not moving quickly and all that but there are going to be fender-benders.

Mr. Filliciotto said we provide, in excess, of 24 feet from the back of these stalls to the back of that fueling island. There's more than enough room for that person to back out and negotiate a turn. It's not tight. Perhaps the plan appears tight but there's really nothing here that's atypical gasoline store convenience layout other than the fact that it looks like it's on a slice of pizza. When you think about it, you have the convenience store, parking, gasoline service area. It's very typical and there's clear line of sight. There's nothing in between those two operations and people generally know how to navigate gasoline stations. We do it every single week. If you see someone's rear lights on, you're a little bit more ginger with your exit maneuver. I agree with you. We're working with a challenging site but I think that we tried to locate the activity where the site is the widest so that we'd be able to provide as much area as we can. There is nothing here that is really atypical from a gasoline station site layout standpoint.

Vice-Chairman Paepre asked what is that gray structure that seems to be touching up against the pumps.

Mr. Stone said garbage enclosure then corrected himself to say sub-surface tanks.

Mr. Filliciotto indicated that they were underground tanks.

Mr. Stone said they would have to have concrete over the top – right?

Mr. Filliciotto replied right.

Mr. Carnazza asked if you moved the building back, what would that achieve?

Mr. Stone said if I'm parked in those spaces – nose in – in front of that convenience store which are couple of ADA compliant spots and I have to back up and turn to go out onto Route 6 and someone is coming off of one of those three pumps on the bottom or a landscaper pulls in to gas up all his rigs on his trailer, his car is right there.

Mr. Carnazza said I didn't know what you were trying to achieve – that's all. I wasn't sure of what you were saying.

Mr. Stone continued that proximity creates a bottleneck there. It seems to me a potential cause of confusion for folks. It's going to be fender-bender stuff probably because nobody is going 60 mph but it just seems really tight because of the site. I'm not disagreeing that you haven't tried. I know you've tried. I just wondered if it could be backed up a little more and if that was a better overall solution albeit a little more impervious.

Mr. Filliciotto responded I don't want to speak for DEP but I imagine that that could very well be a non-starter with them given the length of time that we've spent trying to get an approval to maintain an existing gasoline station on this property.

Mr. Napier said just an additional issue, I don't know if the Board recalls but there was actually a different variation of this plan before you some time ago. He said he wasn't involved with that application, but between that application and this one, there were significant meetings with DEP on the site as to the parameters that we could redevelop the site within the existing footprint and impervious surfaces.

Mr. Stone interjected I deal with the DEP with a lot on these issues myself and I understand that but I guess the question is: has the issue of safety and concern been discussed with them. Which one rises to the higher level of concern and consideration?

Mr. Filliciotto replied to Mr. Stone: I think if we had an atypical situation, we would provide 15' back-up area and parking spaces were non-compliant from a width or a length standpoint, I might agree with you that we were squeezing it a little, but we're really not. The parking spaces are all adequately sized. There's adequate back-up space for someone to do that. Is there a natural yielding the right of way to someone when that happens – absolutely. I'm not trying to deny that you could back out of here without looking. That has to happen as it does everywhere else but there's nothing here that strikes me as really unusual from a gas station layout, and I've seen some pretty gnarly ones.

Mr. Stone asked what is the distance from the back – the closest point of the parking stall in the corner there to the corner of the canopy. I couldn't quite read it on the drawing that we had.

Mr. Filliciotto replied it's about 20 feet to the corner of the canopy. The canopy is a head.

Mr. Stone said I understand that but I'm gaging that as the edge of a vehicle that may be parked under that canopy or close to it.

Mr. Filliciotto responded with sure; to a vehicle parked underneath it, you probably have more like 25 – 27 feet depending on where that vehicle falls in that process. If a person pulls all the way up, past the canopy. You may have to communicate with that person, 'hey, can you back up – I need to get out' or something like that.

Mr. Stone responded given this configuration of access, it seems to me that the side of the lower 3 pumps is going to be little used because it's going to be almost impossible to get to. If someone is coming in from Stoneleigh and from Route 6, the guy from Stoneleigh is not going to use those pumps – ever. I don't think you can turn that arc and even get in there.

Mr. Filliciotto said I think this trend is going to be on that probably and end up in one of these. But, certainly, if you're coming off Route 6, there's nothing prohibiting you from pulling up, depending on what side your fuel tank is on, into one of these. Even if you were

to make a left, you could also park in one of these fueling locations. I think it's going to depend on where people fall but.....

Mr. Stone interjected if somebody comes in from Stoneleigh and tries to pull back out on Stoneleigh – *wanting to head* east, they're going to have to queue around and come back out if they wanted to come back out on Stoneleigh?

Mr. Filliciotto replied if they wanted to come back out on Stoneleigh, they'd have to do something like this (*referring to map*). We do have a 24 foot aisle so.....

Mr. Stone interjected yes; I saw that. So it's two lanes – sure.

Mr. Filliciotto continued if you're familiar with it today, both of these driveways are uncontrolled. There's no traffic control there. There are no 'one ways', 'do not enters' so you could, technically and legally enter here and have two way traffic in both of these.

Mr. Stone said I understand but there's only one row of pumps today so it's a little bit different.

Mr. Filliciotto replied true.

Mr. Stone stated I don't know if we can change that but it still concerns me a little bit; on site flow and control.

Chairman Gary asked Mr. Cleary: can we talk Mr. Collins?

Mr. Cleary responded absolutely.

Mr. Filliciotto added I yield to Mr. Collins.

Mr. Collins addressed the board and stated I'm here for a completely different manner and I don't think I've looked at this project in 4 – 6 months.

Chairman Gary interjected can I make a short little speech about this area here and then I want to get your comments on it.

Chairman Gary continued we're speaking about traffic getting into this spot here. What he's saying is on Stoneleigh Avenue, you can make a right turn and you can get in there. From Stoneleigh Avenue you can make a left turn and go in there. But you go out on Route 6, which is the main road, coming north; you cannot get into this project at all. The only way you can get into it is going south. The reason that I'm talking about this is because I travel this every day. Everyday I'm sitting there. When you pull up on Stoneleigh Avenue and get just past McDonalds there, the traffic is backed up from the red light all the way past there. Nobody's going to get in nowhere. You're expecting traffic to come off of Route 6, make that turn at that red light, come in there and buck this traffic to go in there. Do you think they're going to do it?

Mr. Collins stated the reason we recommended this to the Board was for “Do Not Block the Box” on Stoneleigh Avenue is exactly for that reason. The queueing does extend past the driveway that we’re showing in the analysis. The only way to cure it with respect to Stoneleigh Avenue as it exists today in that queueing is to stop traffic from blocking the driveway during that particular interval. The standing process is “Do Not Block the Box”. I can’t control what the County has decided. I haven’t spoken with the County.

Chairman Gary said can I just stop you a minute. Let me just make a suggestion to you. What’s this green section here in the point? Who owns that? See those yellow lines? Your lines will not stop anybody from making a left turn in there if they want to make one in there. In fact; they’ll convince themselves that you put it there so they could make a left turn. If you move that entrance 20 feet, you could make a turning lane. Is that possible? You would alleviate some mess on Stoneleigh Avenue. Let’s go back to Stoneleigh Avenue again. Notice these two entrances coming out of here; the one right in front of you – that entrance has got more traffic than Stoneleigh Avenue. What are you going to do with all that traffic through there? Are you going to add more to it? You’re going to let them come off of Route 6, turn in there – along with this traffic – who is going to move?

Chairman Gary directed to Mr. Cleary: have you looked at that intersection there? You must know that. You travel as I do – everyday. We seem to forget these two little outlets there coming out on the west side. We seem to forget that those guys are there. A lot of people go in and out of that – especially the one right in front of us here.

Mr. Collins replied that was the reason why I was concerned about the location of driveway

Chairman Gary interjected let’s go back to that little green section again. Let’s see if we can solve one problem. Can we come in up there?

Mr. Napior replied there are two issues with that. The first, again, is with the DEP. He said we are operating under the assumption that we have an existing impervious footprint.

Chairman Gary said you are not adding to the footprint. You are only moving the footprint. He said to move it 20 feet.

Mr. Carnazza reiterated shift the whole thing 20 feet up the road.

Mr. Collins stated there are two issues that I see and it’s the DOT and DEP.

At which time, a discussion ensued regarding permitting from DOT and DEP and by shifting the impervious would it be considered more of a disturbance.

Chairman Gary asked if it’s worth a try to check with DOT & DEP.

Mr. Collins said it's always worth a try.

The board members and applicant continued to discuss the traffic flow at the site.

Chairman Gary stated it's not only this board's responsibility to see if they could get in that facility legally, it's also our duty to see that the welfare and the care of all the traffic and all the people that use that facility is protected to the best of our ability. He said we have to try to straighten some of that.....

Mr. Collins stated the only way to address the Chairman's concern is to go back to DOT and see if they would allow you to use part of the striped aisle to create a left turn stacking for two vehicles to make a left turn into the site at that particular location, closing the existing right turn in driveway. And depending upon the outcome of that, as the board says, you can't control DOT.

Chairman Gary said to give it a shot. He said all we are trying to do, is to move the yellow lines a little bit, so that we could get one car to turn in there. He said to call DOT and we'll go out to talk to them.

Vice Chairman Paepre stated we shouldn't add to an already bad condition.

Mr. Napier stated we will be happy to approach the DOT with minimal changes with striping and turning lane.

Chairman Gary said you are going to approach the DOT, that's not going to work. Let us talk to them out there. Sometimes, we could see things better on the ground than we can sitting at a desk.

Mr. Collins stated so what I'm hearing is a suggestion to have a representative from DOT visit the site to meet someone from the board.....

Chairman Gary said and we go there and take a look and see what we could do, before that intersection gets worse. He said I think it's a reasonable request. He asked Mr. Napier and Mr. Collins if they could also be there for the meeting.

They both said yes.

Mr. Stone stated would it make any sense to have a representative from DEP be out there at the same time.....

Chairman Gary said I will deal with the DOT and you could deal with the DEP. He stated to the applicant I am not trying to hold you up, but that area is a death trap and we have to try and do something with it. And I think it can be done, if we take a good look at it.

SHOPRITE CARMEL – 184 ROUTE 52 – TM – 44.9-1-9 – AMENDED SITE PLAN

Mr. Carnazza read his memo which stated the architectural consultant needs to review this plan and submit comments. He said as of yesterday, the applicant paid their escrow for the architectural consultant to review the plans. The bulk requirement table is incorrect. **It appears that the engineer only included the information for ShopRite. The entire lot and building(s) needs to be included in the bulk requirements.** The truck template shows the trucks entering a parking space. This does not comply. Provide a list of all variances granted for this site. Variance is required for parking. The plan appears to provide 215 parking spaces less than required. Once I know how many spaces were required by previous variance, I will be able to provide the number required for variance.

Mr. Cleary stated that Mr. Franzetti's memo has some fairly detailed comments. He said the applicant would require a SWPPP for this application. Some of the parking space dimensions don't comply. They need to show a water infiltration system that meets the NYSDEC requirements. He said there are comments about load calculations, traffic islands, retaining wall, fencing, calculations for the wall, truck movements, who will own the sewer water lines and they need easements.

Mr. Cleary stated as Mr. Carnazza indicated there will be additional variances required for a number of parking spaces. The applicant has submitted a revised submittal that clarified a number of issues, such as the intensity of the use of the operation, so the expansion of the facility is providing breathing room, they are not adding facilities to the supermarket like a café or some of the those facilities that other supermarkets are providing. As Mr. Carnazza indicated there is a truck access plan that has been submitted, but it requires some clarification. He said as the applicant described to you at the last meeting, there were concerns about the area as the vehicles came around the back of the building, they demonstrated they there is technically enough area, but it is tight. It is adequate. The applicant has provided a landscaping plan between the edge of the loading area and the driveway up to Hillcrest Commons that we talked about. They have added additional plantings in the end islands in certain areas. They have clarified the location of the dumpsters as well as the compactor in the back of the building.

Mr. Dan Peveraro of Lauro Group, representing the applicant addressed the board and stated we re-submitted our plans with a number of modifications per our previous meeting and comment letters from the consultants. He said many of the comments were technical in nature and we are working with Mr. Franzetti. The major changes that we made in terms of site layout is we added ten stalls in front of ShopRite (points to map), by basically re-striping them from 11 feet to 9 feet to match what is currently in the ShopRite area. He said we were able to offset additional parking with additional landscaping area, so there is no net change to imperviousness in the front part of ShopRite. He said we provided truck turning template as was requested. The only place where the trucks come close to a stall is in this area here (points to map). He said it does not impede on the parking there. He said at the previous meeting there was a lengthy discussion as to the intensity of the use, but we have provided pictures and samples of other stores that we have done so that you could get a feel of the new ShopRites.

Vice Chairman Paepre asked do other stores have narrow parking spaces like the 9' x 18'.

Mr. Peveraro said 9' x 18' is pretty typical parking stall and they are existing on the site also.

Mr. Carnazza said that was one of the variances, but I wasn't sure if the variance for the 9' x 18' for all the spots or some of the spots. He said that was what I was trying to clear up about my question on the variances.

Mr. Furfaro stated you will require a parking variance anyway, correct?

Mr. Carnazza said for the number and size. He asked are you doing the smaller size on the new spaces too.

Mr. Peveraro replied yes.

Chairman Gary stated I still don't know why you want a bigger store. You said you want to spread things out, that's not a good enough answer.

At which time, Mr. Peveraro displayed photos to the board of a recently remodeled store. As you could see, it is a lot nicer presentation of products in the store.

Chairman Gary said so you want to make it bigger and the displays are more open for the people to see. He asked what about the elderly people that can't walk, what are you going to do for them?

Mr. Peveraro said by offering more options you could enter the store and have a reasonable expectation of finding what you want and not have to go to another store to find it.

Chairman Gary asked Mr. Collins to come to the podium.

Mr. John Collins, applicant's traffic engineer addressed the board and stated the parking at the supermarket site is very heavy, and the other side is almost empty. So, when you do an analysis you take square footage of the overall site and all the spaces that are there today and the ratio is less than 3 spaces. The town requires 6; the site was approved for 5.25 spaces. He said what we can do is to get as many spaces in the area of the supermarket. He said we can't take all the parking we would like and put it on the side of the supermarket because the site just can't do it. But, from the overall site it works and what we could do was to maximize the number of spaces. He said we could add about another 10 spaces in that area, because we could take the striping out and make smaller stalls which is basically the industry standard today. He said it won't cause an unsafe condition. He said that is our recommendation based upon zoning and that would be our argument to the zoning board when we get there.

Chairman Gary asked where will the employees park?

Mr. Collins stated they park wherever they can. He said being it's a union the management can't tell the employees where to park. They could ask the employees to park elsewhere, but they can't demand it.

Chairman Gary asked what is in the back?

Mr. Carnazza said it's the driving lane.

Mr. Peveraro said it's a drive aisle backed by a rock wall and a steep hill.

Chairman Gary asked if they could put parking back there.

Mr. Peveraro replied no, and if we did the parking would likely just be stalls on a piece of paper, I'm not sure anyone would park back there.

At which time, the board members and Mr. Collins continued to discuss the parking spaces and whether they could put some spaces in the back.

Chairman Gary asked Mr. Carnazza how many spaces are they lacking?

Mr. Carnazza said 215 according to the drawing, but they already got a variance for some, I don't know the exact number.

Mr. Stone stated he was very concerned with the new vestibule concept. He said parking in those islands between the two door entrances now, according to this that vestibule is coming right out to the column line. There is no sidewalk for them to walk on. They have to walk along the asphalt travel way to get to those doors.

Mr. Peveraro stated if you look at sheet C-1.1 there is a 4 foot concrete sidewalk up on a curb in front of the vestibule.

Mr. Mole stated part of the reason for the design of the front of the building is for safety. They have designed a number of their ShopRites in a similar manner. It provides an unobstructed sidewalk in addition to an interior vestibule.

Mr. Stone said I understand that, but when you come in or out with a cart, people do not want to travel in the right of way. He said I think this will result in people closer to the traffic. He said you are getting so much more floor space with the addition, could you push the front of the building face back and gain more parking that way as well.

Mr. Peveraro said by doing that you would have to reset all of your footings. That would be significantly more costly.

Mr. Stone said it would likely be an enormous change. Because, right now the face of the remainder of the structure sits back at least two lanes. He said if the façade was in the

same line as the adjacent stores you would pick up probably 12 feet maybe more, maybe three or four sets of spaces.

Mr. Peveraro said it currently does bump out from the face of the other stores and there is a jog there. He said for every 10 feet that you bump the building back you gain about 10 stalls which is what we just added to the front.....

Mr. Stone said I recognize that the structural modification will dramatically change the budget for the applicant, but it's certainly doable. He said the standing traffic always congregates there and people walking in and out and now you are directing people even more coming out of the building.

Mr. Peveraro said the existing area in the elbow (points to map) is very odd and you feel it when you walk it and we are obligated to fix it under ADA. That's getting fixed with a proper curb with a real ramp instead of the existing conditions.

Mr. Furfaro asked what's the next step for them.

Mr. Carnazza stated the applicant is getting me the information or you could decide if you want to send them to zoning.

Mr. Molé stated based upon the parking we have and as we discussed at length tonight and it will fit, and with respect to the size and some of the spaces we will have to go to the ZBA at some point. He said if there were any further changes based upon this board's comments that affected the parking that required us to go back to the ZBA it would be at the applicant's risk.

Chairman Gary stated looking at this, there is sufficient parking, but not sufficient for the store. He said but there will be as they utilize the whole parking area so what they need to do is to get to the ZBA to get variances to allow them to reduce those parking spaces to 9'x18'. He said that is something this board will have to agree on.

Mr. Furfaro said I don't think there is much else they could do. He said I'm certainly interested in the architectural component to this. He said in the meantime, I don't have any problems with sending them to the ZBA.

Chairman Gary said I would like to see an elevation view of the building, showing the sidewalk and everything else.

Mr. Stone stated I would like to see that also.

Chairman Gary asked Mr. Cleary if he had a problem with them going to the ZBA.

Mr. Cleary stated the only issue is that the plan before you does not have the parking count properly established. He said this is not the plan that would go to the ZBA.

Chairman Gary where is the plan now.

Mr. Peveraro stated what needs to be added to the plan is the number of the overall area.

Chairman Gary said so they need to have that before they go to the ZBA.

Mr. Carnazza said to Mr. Peveraro to call him because it is a little confusing.

Mr. Cleary said you might be able to do is refer them to the ZBA subject to Mr. Carnazza and the applicant clarifying that number to be added to that particular drawing.

Mr. Carnazza said and I will verify the numbers. He can't go without my initials.

Chairman Gary said I don't want to hold them up, but they have a lot of work to do. I would rather stamp a map that is all correct.

Mr. Stone asked the applicant if the architect could provide an expanded section of the front area out to the first 3 or 4 parking spaces, pointing out from the checkout counters out to the 3rd parking space piece of the front of that building. Whatever you could do to expand that entire area.

JOHN SANSEVERA - 47 GLENEIDA RIDGE ROAD - TM - 55.5-1-4 - REGRADING APPLICATION

Mr. Carnazza read him memo which stated provide a key map of the area. The key map must show the disturbed area and its relation to neighboring properties, together with buildings, roads and natural watercourses, if any, within 300 feet of the boundaries of said portion of said premises herein referred to shall be shown. Provide the location of any well and the depth thereof, and the location of natural watercourses, if any, located within 300 feet of the proposed disturbed area. The location of any sewage disposal system, any part of which is within 300 feet of the proposed disturbed area. Provide details of any drainage system proposed to be installed and maintained by the applicant, designed to provide for proper surface drainage of the land, both during the performance of the work applied for and after the completion thereof.

Mr. Cleary stated he has not site planning comments on this, it's really grading application.

Mr. Cleary read Mr. Franzetti's memo which stated this application involves the regrading and leveling of the backyard. The Planning Board should be aware that the applicant has already had approximately 75 cubic yards of solid delivered to the site and has a received a stop work order. The applicant did perform testing of the soils testing and the results show that they we below the NYS Residential Use criteria. Based upon review of the plans provided the Engineering Department offers the following preliminary comments:

1. It is unclear from the information provided if any additional soils are to be brought on site, this should be clarified, as there are restrictions regarding truck deliveries and soil sampling.
2. The plan should specify the total area to be disturbed so that applicable SWPPP requirements can be defined. There is insufficient detail provided to determine to if the applicant is required to develop a stormwater pollution prevention plan in accordance with the New York State Department of Environmental Conservation criteria.
3. Additional details should be provided on how the proposed work will take place (construction sequence);
4. Various plan information required pursuant to §156-43 ("Landfills, grading and excavations ") is currently lacking. These include, but are not limited to:
 - Location of buildings, roads, watercourses, wells, sewers/septic within 300 feet of the proposed work;
 - Assessment of runoff from the site so as not cause erosion, landslides or increased runoff to abutting properties.

Chairman Gary asked why was the dirt delivered there in the first place.

Mr. Carnazza said the applicant didn't know he needed permits to do this.

Mr. Cleary stated this board has to approve the regrading permit.

Mr. Hernane De'Almeida, applicant's engineer appeared before the board and stated my applicant didn't know he had to follow certain protocols when it came to leveling out his backyard.

At which time, Mr. De'Almeida displayed the map showing the topography of his property.

Mr. Carnazza asked if the plan being displayed if different from the original submission.

Mr. De'Almeida replied yes it has been updated and a lot of the updates include Mr. Franzetti's comments.

Mr. Stone asked what is behind the property on the other side. He asked if the property was backing on Lake Gleneida.

Mr. De'Almeida replied no. He said there is a roughly 8 to 10% grade pre-construction. He brought in some soil before he could put it down he was advised what he needed to do. He stopped all the work and sort me out. I advised him to put erosion control in such as a silt fence, which he did. Within 24 hours it was done. And then we started the process of soil testing. He said we sampled the soil above and beyond DEC regulations. The number of sample sets we took was more then what was required just to be sure.

Mr. Carnazza stated we have the report on the samples. He said it was part of the submission.

Mr. Stone asked if you know where the soil was sourced from.

Mr. De'Almeida said it was a sole source, it came from the city of Rye, they were doing an excavation project and the applicant had access to that soil.

Vice Chairman Paepre asked if the 75 yard of fill will get you there.....

Mr. De'Almeida replied yes, we are talking about 3 feet towards the back.

Vice Chairman said so this is all the fill you need, correct?

Mr. De'Almeida replied yes. He is going to take the pile, knock it down and grade it back. After that, although it's clean from contamination, it's dead soil, so he will get top soil to re-seed the lawn. He stated as far as stormwater, since we are flattening it out, we are slowing the amount of stormwater coming off the site. He said we are not increasing the run-off towards the neighbor and

Chairman Gary asked Mr. Cleary what does the applicant need to do.

Mr. Cleary said the applicant needs to respond to Mr. Franzetti's memo.

MINUTES – 05/24/17

Vice Chairman Paepre moved to accept the May 24, 2017 minutes. The motion was seconded Mr. Furfaro with all in favor.

Vice Chairman Paepre moved to adjourn the meeting at 8:43 p.m. The motion was seconded by Mr. Furfaro with all in favor.

Respectfully submitted,

Rose Trombetta