

APPROVED

HAROLD GARY
Chairman

CRAIG PAEPRER
Vice-Chair

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

TOWN OF CARMEL PLANNING BOARD



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MICHAEL CARNAZZA
*Director of Code
Enforcement*

RICHARD FRANZETTI, P.E.
Town Engineer

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

VINCENT FRANZE
Architectural Consultant

PLANNING BOARD MINUTES

NOVEMBER 8, 2017

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

ABSENT: DAVE FURFARO

| <u>APPLICANT</u> | <u>TAX MAP #</u> | <u>PAGE</u> | <u>TYPE</u> | <u>ACTION OF THE BOARD</u> |
|------------------------------------|--------------------------|--------------------|--------------------|--|
| Central Hudson Gas & Electric Corp | 53.17-1-38 | 1 | P.H. | Public Hearing Closed & SEQR Neg Dec Resolution Adopted. |
| NY Fuel Distributors (Coco Farms) | 55.11-1-40 | 1-2 | Resolution | Resolutions Adopted. |
| Easter Seals New York | 55.11-1-23,24 25 & 27 | 2-3 | A. Site Plan | Public Hearing Scheduled. |
| Charry Subdivision | 54.19-1-1 | 3 | Re-Approval | Re-Approval Granted for 6 Months. |
| The Hamlet at Carmel | 66.-2-58 | 4 | Re-Approval | Re-Approval Granted for 1 Year. |
| Hillcrest Commons – Lot E-2.2 | 44.10-2-4.2 | 4-5 | Extension | Extension Granted for 1 Year. |
| McDonald's USA, LLC | 55.11-1-41 | 5-6 | Bond Return | Public Hearing Scheduled. |
| Ronin Property Group | 74.11-1-20 | 6 | Bond Reduct. | Public Hearing Scheduled. |
| Minutes – 09/27/17 | | 6 | | Approved. |

The meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Rose Trombetta

CENTRAL HUDSON GAS & ELECTRIC CORP – 340 BULLET HOLE ROAD – TM – 53.17-1-38 – PUBLIC HEARING & SEQR NEG DEC RESOLUTION

Mr. Carnazza had no comments.

Mr. Franzetti had no comments.

Mr. Cleary stated he had no additional comments. He stated he has a draft resolution for SEQR Neg Dec before the board for consideration of adopting it.

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

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

Mr. Cote moved to adopt Resolution #17-21, dated November 8, 2017; Tax Map #53.17-1-38 entitled Central Hudson Gas & Electric Pressure Regulator Station and Carmel Hudson Gas Distribution Line SEQR Negative Declaration. The motion was seconded by Vice Chairman Paepre with all in favor.

NY FUEL DISTRIBUTORS (COCO FARMS) – 1923 ROUTE 6 – TM – 55.11-1-40 – RESOLUTION

Mr. Carnazza had no comments.

Mr. Franzetti stated all engineering comments have been addressed.

Mr. Cleary stated all planning comments have been addressed. He stated you have draft resolutions before you tonight for consideration of adopting them.

Mr. Giannico asked if there was a resolution with the walkway.

Mr. Napier stated the final curb process with the D.O.T. will straighten out the walkway so it will not loop around the utility pole. He said there is enough room in the right of way to make a straight line.

Chairman Gary said the D.O.T. will never sign off on that crosswalk.

Mr. Napier said the potential crosswalk will be a future D.O.T. improvement down the road if they ever decided to do it.

Chairman Gary asked Mr. Cleary if everything is approved, the D.O.T. is holding the cards because if something happens at that intersection, they are going to close that entrance and then the owner will come back to the town to seek relief.

Mr. Cleary replied yes that's correct. He said I don't think the owner would do that without the knowledge of the tenant on the property. He said it's a fair point and the applicant should be aware of that, but it's a DOT issue, it's not our issue.

Vice Chairman Paepre moved to adopt Resolution #17-20, dated November 8, 2017; Tax Map #55.11-1-40 entitled NY Fuel Distributors (Coco Farms) Amended Final Site Plan Approval. The motion was seconded by Mr. Cote with all in favor.

Mr. Giannico moved to adopt Resolution #17-19, dated November 8, 2017; Tax Map #55.11-1-40 entitled NY Fuel Distributors (Coco Farms) SEQR Negative Declaration. The motion was seconded by Vice Chairman Paepre with all in favor.

EASTER SEALS NEW YORK – 97 OLD ROUTE 6 – TM – 55.11-1-23,24,25&27 – AMENDED SITE PLAN

Mr. Carnazza stated the necessary variances were granted by the ZBA. He said all the variances that were granted need to be put on the map.

Mr. Franzetti stated all engineering comments have been addressed. The Planning Board should note the following:

1. The applicant has submitted information to the Putnam County Department of Planning and the Carmel Fire Department.
2. Permits from the following would appear necessary:
 - a. New York State Department of Environmental Conservation – Coverage under General Permit GP-0-15-002 - The applicant acknowledged they will submit for this permit.

Mr. Cleary read his memo which stated the applicant has revised the site plan to indicate a 5' deep landscaped buffer between the bike path and a new 6' tall solid wooden fence along the rear of the play area. A 4' tall wooden picket fence is now proposed around the sides and front of the play area. Additionally, the applicant has responded to the initial comments as follows:

The required variances were granted by the ZBA on October 26th. The applicant has submitted a sketch of the floor plan for the childcare facility, which demonstrates compliance with the applicable requirements. Architectural floor plans will be submitted with the building permit. The site plan has been revised to clarify off-street parking compliance. The applicant has indicated that plans for the proposed sign are forthcoming, and that it will be consistent with the existing sign. The applicant has indicated that obtaining the necessary license from the New York State Department of Social Services is dependent upon first obtaining all local approvals. The applicant has documented that once approval is obtained from the Town of Carmel, all State licensing requirement can be met. Planning Board approval can be conditioned upon the issuance of the State license. The site plan now notes a new dumpster enclosure area in the rear of the parking lot. The applicant has certified that the existing utility infrastructure serving the site is adequate to accommodate the proposed use.

Mr. Stephen Spina of JMC, representing the applicant addressed the board and stated we provided some additional details on the fencing and provided some landscaping between the two fences at the request of Mr. Franzetti and the Zoning Board. He said the rear portion of the outdoor play area will be a solid wood cedar stockade fence, 6' high and the other three sides will be 4' high wooden cedar picket style fence. He said the details of the fences were added to the plans.

Mr. Carnazza asked how tall with the trees grow to?

Mr. Spina replied they will probably grow to 6' tall.

Mr. Carnazza asked if the slope going up to the play area will meet the accessibility requirements.

Mr. Spina replied yes.

Chairman Gary said to schedule a public hearing.

CHARRY SUBDIVISION – 85 WASHINGTON ROAD – TM – 54.19-1-1 – RE-APPROVAL OF FINAL SUBDIVISION APPROVAL

Mr. Carnazza stated nothing has changed on the map, so he has no comments or objection to the re-approval.

Mr. Franzetti stated the engineering department does not have an objection to the re-approval of the final subdivision as long as there are no changes being made to the site.

Mr. Cleary had no objection to the re-approval. He said this involves a sale of the property to NYCDEP that's why there has been a delay.

Vice Chairman Paepre asked what the delay was.

Mr. Jonathan Charry stated in order to affect the sale we had to negotiate an easement with our neighbor and that took some time. Secondly, the DEP is working very slowly. We are prepared to sign off, we are waiting for DEP and we are hoping this is the final step.

Mr. Giannico move to grant re-approval of final subdivision approval for 6 months. The motion was seconded by Mr. Stone with all in favor.

**THE HAMLET AT CARMEL (FORMERLY PUTNAM COMMUNITY FOUNDATION) –
STONELEIGH AVE – TM – 66.-2-58 – RE-APPROVAL OF FINAL SITE PLAN APPROVAL**

Mr. Carnazza had no objection to the re-approval of final site plan.

Mr. Franzetti stated the engineering department does not have an objection to the re-approval of the final site plan as long as there are no changes being made to the site.

Mr. Cleary had no objection to the re-approval of final site plan. He stated for the record the applicant should give the reason for the re-approval.

Ms. Dawn McKenzie of Insite Engineering, representing the applicant addressed the board and stated basically market and business arrangement did not align yet to allow the applicant to move forward. She said they are waiting for the market to be right.

Mr. Carnazza stated it's actually part of our code that they have to do a market analysis before they build. Back when they did the market analysis the first time, it was sellable, now they are not moving like they were.

Vice Chairman moved to grant re-approval of final site plan for 1 year. The motion was seconded by Mr. Giannico with all in favor.

Chairman Gary stated this project has been out there for a long, long time. Something has to be done with this property. He asked that the applicant take another look at this property.

Ms. McKenzie stated the applicant wants to build this project. If he thought the timing was right he would be doing it. She said there is still a future for it; otherwise he would do something different with it. He believes in this project.

**HILLCREST COMMONS – LOT E-2.2 – ROUTE 52 – TM – 44.10-2-4.2 – EXTENSION OF
FINAL AMENDED SITE PLAN.**

Mr. Carnazza had no objection to the extension of final amended site plan.

Mr. Franzetti stated the engineering department does not have an objection to the extension of final amended site plan as long as there are no changes being made to the site.

Mr. Cleary had no objection to the extension of final amended site plan.

Ms. Dawn McKenzie of Insite Engineering, representing the applicant addressed the board and stated we did go through the potential concerns of the board last year when we got our re-approval. She said we are now looking for an extension at this point.

Mr. Cleary asked is there a public funding component to this project.

Ms. McKenzie yes there is. This is affordable housing.

Mr. Cleary asked what is the status of that.

Ms. McKenzie said the applicant is actively seeking funding for this project and they have not gotten an award for it yet.

Vice Chairman Paerprer asked when did this project originate.

Ms. McKenzie said this is lot 2 the second phase of the project. They built lot 1 which has 76 units out of the 150 units that were approved. They are looking for funding for phase 2 for the remainder of the 74 units.

Mr. Cleary stated as you know by virtue of the provisions of our code for extensions, the applicant is entitled to the first extension, beyond that then you have some discretion as to whether or not to grant a re-approval.

Mr. Charbonneau addressed the board and stated in this case it would be advisable to grant the extension, but when they come back for the re-approval, the applicant will have to answer the board's query relative to the public funding aspect of this and why it has dried up.

Mr. Cote moved to grant an extension for amended site plan for 1 year. The motion was seconded by Mr. Giannico with all in favor.

MCDONALD'S USA, LLC – 1931 ROUTE 6 – TM – 55.11-1-41 – BOND RETURN

Mr. Carnazza has no objection to the bond return.

Mr. Franzetti read his memo which stated a representative of the Engineering Department performed a field inspection of the referenced property on August 8, 2017 to evaluate the current status of the site construction, for the purpose of determining whether a bond return was warranted. The results of our investigation are presented below. The original bond amount of \$320,000.00 was posted on June 19, 2013. Based upon our inspection all the site improvements required pursuant to the Board's Site Plan approval have now been completed. On this basis, this Department recommends that the remainder of the bond, \$320,000.00, be released.

Mr. Cleary had no issues with the bond return.

A discussion ensued amongst the board members regarding the traffic situation in the area of the McDonald's on Route 6 in Carmel. They also discussed the proposed new gas station (Coco Farms) that was recently approved and how it may affect traffic since it's right next

door to McDonald's. Chairman Gary made a recommendation to the board members for them to go out and do site visits instead of relying on engineers advising us, especially in an area where it's notorious for traffic problems.

Mr. Charbonneau stated it would be good practice to do it with every application.

Chairman Gary stated back 15 years ago the board was able to hire an engineer and nobody complained. He asked Mr. Charbonneau to consult with the Town Board that it is a necessity to hire an engineer.

Mr. Charbonneau stated he will look into that.

Chairman Gary said to schedule a public hearing.

RONIN PROPERTY GROUP – SECOR ROAD – TM 74.11-1-20 – BOND REDUCTION

Mr. Carnazza said he had no objection to the bond reduction.

Mr. Franzetti read his memo which stated in response to a request by the above applicant, a representative of the Engineering Department performed a field inspection of the referenced property on October 19, 2017 to evaluate the current status of the site construction, for the purpose of determining whether a bond reduction was warranted. The results of our investigation are presented below. The original bond amount posted, which is currently being held, is \$189,000.00. Based upon our inspection, the following work is not completed:

| | |
|--|------------|
| 1. Traffic Control signs | \$350.00 |
| 2. Handicapped parking signs | \$250.00 |
| 3. Business sign | \$1,000.00 |
| 4. Refuse enclosure | \$500.00 |
| 5. Landscaping. The landscaping identified for the south and west sides of the property are not installed. | \$3000.00 |
| Total | \$5,100.00 |

Mr. Cleary had no comments.

Chairman Gary said to schedule a public hearing.

MINUTES – 09/27/17

Mr. Cote moved to approve the September 27, 2017 minutes. The motion was seconded by Vice Chairman Paepre with all in favor.

Vice Chairman Paeprer moved to adjourn the meeting at 7:55 p.m. The motion was seconded by Mr. Cote with all in favor.

Respectfully submitted,

Rose Trombetta