

# **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**

**FEBRUARY 14, 2018**

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

**ABSENT:** CHAIRMAN, HAROLD GARY, CARL STONE

<b><u>APPLICANT</u></b>	<b><u>TAX MAP #</u></b>	<b><u>PAGE</u></b>	<b><u>TYPE</u></b>	<b><u>ACTION OF THE BOARD</u></b>
ShopRite Carmel	44.9-1-9	1	Reso.	Resolutions Adopted.
Baldwin Subdivision	86.11-1-1	1-2	Reso.	Resolutions Adopted.
31 Tamarack Road, LLC	75.8-2-14	2-5	Site Plan	Denied to ZBA.
Yankee Development	76.15-1-12	6	Extension	Extension Granted for 180 Days.
Minutes – 12/13/17		6		Approved.

The meeting was adjourned at 7:33 p.m.

Respectfully submitted,

Rose Trombetta

## **SHOPRITE CARMEL – 184 ROUTE 52 – TM – 44.9-1-9 – RESOLUTION**

Mr. Carnazza had no comments.

Mr. Franzetti had no comments.

Mr. Cleary has a draft resolution for the board to vote on.

Vice Chairman Paepfer stated the applicant agreed to adjust some parking spaces and asked Mr. Peveraro to go over it.

Mr. Dan Peveraro of the Lauro Group, representing the applicant addressed the board and stated the plans that were re-submitted have eight (8) additional parking stalls that are now reserved for expectant mothers; senior parking and Purple Heart parking and they are located immediately behind the ADA stalls (points to map).

Mr. Furfaro asked those spaces are just regular stalls, they're not handicapped, correct?

Mr. Peveraro replied that's correct. He said the ADA stalls are in addition to this.

At which time, the board members and applicant continued to discuss the parking situation in the shopping center and how they did all they could do with what they have as far as parking is concerned.

Mrs. Kugler moved to adopt Resolution #18-02, dated February 14, 2018; Tax Map #44.9-1-9 entitled ShopRite SEQR Negative Declaration. The motion was seconded by Mr. Furfaro with all in favor.

Mr. Cote moved to adopt Resolution #18-03, dated February 14, 2018; Tax Map #44.9-1-9 entitled ShopRite Amended Final Site Plan Approval. The motion was seconded by Mr. Furfaro with all in favor.

## **BALDWIN SUBDIVISION – 150 ROUTE 6 – TM - 86.11-1-1 & 86.6-1-4 – RESOLUTION**

Mr. Carnazza had no comments.

Mr. Franzetti had no comments.

Mr. Cleary has draft resolutions for the board to vote on.

Mr. Cote moved to adopt Resolution #18-04, dated February 14, 2018; Tax Map #86.11-1-1 & 86.6-1-4 entitled Baldwin Subdivision SEQR Negative Declaration. The motion was seconded by Mr. Furfaro with all in favor.

Mr. Cote moved to adopt Resolution #18-05, dated February 14, 2018; Tax Map #86.11-1-1 & 86.6-1-4 entitled Baldwin Subdivision. The motion was seconded by Mr. Furfaro with all in favor.

**31 TAMARACK ROAD LLC – 31 TAMARACK ROAD – TM – 75.8-2-14 – SITE PLAN (BOATHOUSE)**

Mr. Carnazza read his memo which stated the applicant proposes to add 6 feet to the length of the existing boathouse over Lake Mahopac. Project should be referred to the ECB for comments. He said I need to know where the higher water is, so it could be determined the total length of the existing dock. They are not changing the dock. Variances are required for 25 feet is allowed for the boathouse over the water. It's 30 feet. Side yard variance is also required.

Mr. Franzetti read his memo which stated the application involves the construction of a 72 square foot addition to an existing boathouse at the referenced site. Based upon review of the plans provided the Engineering Department offers the following preliminary comments:

1. The drawing should provide a legend which contains all significant features on the drawing.
2. Additional details should be provided regarding:
  - How the proposed features will be installed (construction sequence);
  - A note should be added to the drawing stating that no water or sewer will be utilized at the boat house.
  - Provide location of silt fence (detail is provided but located on drawing)
  - The plan must show the location of erosion and sediment control measures being used during construction.
3. Various plan information required pursuant to §156-27 ("Site Plans") is currently lacking. These include, but are not limited to:
  - High-water mark;
  - It is unclear if the boat house will be equipped with sanitary facilities. If so the sanitary facilities must be approved by the County of Putnam.
4. The project is located in 100 year flood plain (flood elevation is 660). A Town of Carmel Flood Plain permit is required.
5. The project is located on Lake Mahopac, wetlands and associated buffer zone should be delineated and provided on the drawings and should be referred to the Town of Carmel Environmental Conservation Board.

Mr. Franzetti read Mr. Cleary's memo which stated this application involves the construction of single-story cantilevered 72 square foot boathouse addition utilizing an existing foundation.

**1. Proposed Use:**

The site is located in the R - Residential zoning district. The proposed boathouse is permitted as a "private water related facility" subject to Special Permit approval as set forth in 156-27.

**2. Private Water Related Facilities:**

The following regulations apply for private water related facilities:

*§ A private beach, wharf, dock, boathouse or bathhouse, when not located on a parcel improved by at least one residential dwelling unit, shall require a minimum lake frontage of at least 50 feet, a minimum depth of at least 30 feet and a minimum area of at least 3,000 square feet.*

The site is improved with a residence, has approximately 75 feet of frontage on Lake Mahopac, is an average of 227 feet in depth and is 17,059 square feet in lot area. As such, it complies with the applicable requirements.

*The use of this site shall be limited to the owner or lessee and the immediate family or bona fide guests of such owner or lessee of the parcel.*

The owner must clarify how the site will be used.

*No boathouse, wharf or dock, or such similar improvement, which is physically attached to any lakefront property shall extend into or over the surface of any lake for a distance of more than 25 feet from the highwater mark. Boathouses shall not exceed 10 feet in height. A side yard of at least 15 feet shall be provided adjoining a boathouse.*

The existing boathouse extends 25' into the lake. The proposed addition extends an addition 6' into the lake. **A variance is required.**

The elevation indicates that the height to the top of the existing pitched roof is 11'. **A determination is required by the Director of Codes Enforcement to verify that the maximum 10' height is complied with.**

The boathouse addition sits along the site's northeastern property line. The 15' side yard is not provided. **A variance is required.**

*No bathhouse shall be designed and/or used for cooking, sleeping or other functions generally occurring in a dwelling, and it shall be erected at least 15 feet from any property line. Such bathhouse shall be no more than 10 feet in height and may be equipped with appropriate sanitary facilities approved by the County of Putnam and subject to any other standards of the Town's Environmental Conservation Board. It does not appear that any bathhouse facilities are located within the boathouse. Clarification is required.*

*One off-street parking space shall be provided for each 750 square feet of lot area or major portion thereof for any parcel not improved by at least one residential dwelling unit.*

The parcel supports an existing residence. Therefore, this parking requirement does not apply.

*Fencing or screening of any such parcel shall not exceed four feet in height.*

No new permanent fencing is proposed.

**3. Boathouse:**

§ What utilities will be provided to the boathouse? New utility connections should be indicated on the site plan. Is exterior lighting proposed at the boathouse? If so, details are required.

#### **4. Other Permits:**

It is unclear if a NYSDEC permit will be required for this application. The applicant should verify this with the DEC. The site is located within the 100 year floodplain. A Town of Carmel Floodplain Permit is required. ECB approval is required.

Mr. Michael Najdzin, applicant addressed the board and stated we're extending the length of the boathouse by cantilevering it out 6 feet with steel beams, so we could get the boat in closer. He said nothing would be touching the water or ground. No electrical will be added on. Just what's existing. No bathroom will be installed. This is just storage for the boat.

Mr. Americo Serino, applicant's contractor points to map to show the existing boathouse and the 6 foot extension. He said we will there will be steel beams. We are going to cut into the wood on the bottom. He said we are not touching water or any concrete.

Mr. Furfaro asked if there is any change in the roof height?

Mr. Serino replied no. He said we are replacing a single door with a double door. All the utilities will remain the same of what's there now. There is just electricity. No water or bathrooms.

Mr. Carnazza asked do you know what the length of the actual dock is from the highwater mark.

Mr. Serino replied it's approximately 18".

Mr. Carnazza said how long out, from the edge of the shore, how far out.

Mr. Serino replied he doesn't know.

Mr. Carnazza said anything over 25 feet you have to go to zoning and we know it's over 25 feet because the boathouse is.

Mr. Serino said the boathouse is inside. It's on land. He said the boathouse is approximately 10 feet passed the shoreline right now.

Mr. Carnazza asked is there dirt under the boat mix for concrete?

Mr. Serino said there are concrete walls on each side of the boathouse.

Mr. Carnazza and Mr. Serino continued to discuss where the highwater is in relation to the boathouse.

At which time Mr. Serino showed a picture of the boathouse to Mr. Carnazza.

Mr. Carnazza asked how far is it from the seawall to the end of the dock. He said we need that to deny you to the zoning board.

Mr. Serino said it's approximately 4 feet in, so the boathouse is about 24 feet.....

Mr. Carnazza asked again from the highwater mark to the end of the boathouse how far would that be.

Mr. Serino wasn't sure what it was.

Mr. Carnazza said we don't want to send you to the zoning board if you don't need the variance.

Mr. Furfaro asked if they needed any other variances.

Mr. Carnazza said they need a side yard variance.

Mr. Furfaro said he has to go to the zoning board anyway, so we could deny him to zoning board pending that number.

Vice Chairman Paepre said they also have to go to the ECB. He stated also the last boathouse application that was before us, we asked about the structural engineer. He said was that because they were going into the water, but this application isn't.

Mr. Carnazza said they have to give me plans showing me what they're doing. He said that's something that will get reviewed at my department.

Vice Chairman Paepre said so you will look at the roof built, etc.

Mr. Carnazza said that's correct.

Vice Chairman Paepre asked about lighting.

Mr. Najdzin replied there already is a light switch. Not adding anything else.

Vice Chairman Paepre asked about the finish of the boathouse and will it match the existing structure.

Mr. Serrino said it will match existing. There are cedar shakes on the outside with approximately a 6" exposure. We will be using hurricane ties, all of the sheathing ties, everything to upgrade the existing structure. He said we have sized the steel which is already there and it will be a cantilevered connection. He said what we are basically doing is taking part of the hip out, reframing from where the hip hits at the ridge and bringing that into the water mark.

The application was denied to the Zoning Board.

**YANKEE DEVELOPMENT – PIGGOTT ROAD – TM – 76.15-1-12 – EXTENSION OF PRELIMINARY SUBDIVISION APPROVAL**

Mr. Carnazza had no objection to the extension.

Mr. Franzetti had no objection to the extension.

Mr. Ed Delaney of Bibbo Associates, representing the applicant addressed the board and stated this project started in 2002 and we've had it since 2005. He said the housing market isn't right for my client to build a 14 lot subdivision. Also, NYCDEP is involved and nothing has changed in the last 6 months. He said it is a 160 acre parcel and we kept everything away from the houses that are there. He said we are here for another extension.

Mr. Cote said considering this has been going on for a long time, do you see something in the future.....

Mr. Delaney said it's not just here in Putnam County, Westchester County also. The only houses that are being built are mansions. He said we aren't doing single family homes, the market is not there.

At which time, a discussion ensued regarding preliminary and final approvals and requirements for each.

Mr. Furfaro asked what is the town actually obligated to do with preliminary approvals?

Mr. Delaney said one of the conditions of the preliminary approval is that when it comes to final approval we present back a map that is very close to what you approved for preliminary.

Mr. Cote moved to grant extension of preliminary subdivision approval for Yankee Development for 180 days. The motion was seconded by Mr. Furfaro with all in favor.

**MINUTES – 12/13/17**

Mr. Cote moved to approve the December 13, 2017 minutes. The motion was seconded by Mr. Furfaro with all in favor.

Mr. Furfaro moved to adjourn the meeting at 7:33 p.m. The motion was seconded by Mr. Cote with all in favor.

Respectfully submitted,

Rose Trombetta