

APPROVED

HAROLD GARY
Chairman
RAYMOND COTE
Vice-Chair

BOARD MEMBERS
CARL GREENWOOD
JOHN MOLLOY
JAMES MEYER
ANTHONY GIANNICO
CRAIG PAEPRER

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

PLANNING BOARD MINUTES **JANUARY 8, 2014**

PRESENT: CHAIRMAN, HAROLD GARY, VICE-CHAIR, RAYMOND COTE, CARL GREENWOOD, JOHN MOLLOY, JAMES MEYER, ANTHONY GIANNICO, CRAIG PAEPRER

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>TYPE</u>	<u>ACTION OF THE BOARD</u>
Fowler Avenue Corp.	44.13-2-13	1-3	Amended Site Plan	No Board Action.
Timber Trail Homes	75.10-1-10	3-5	Sketch Plan	Sketch Plan Approved.
Baldwin Estates	75.19-1-1.11	5	Bond Return	Public Hearing Scheduled.
Park Ford	86.7-1-20	5	Bond Return	Public Hearing Scheduled.
Del Grosso, Costanzo	86.11-1-15	6	Bond Return	Public Hearing Scheduled.
Minutes – 12/4/2013		6		Approved.

The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Rose Trombetta

Chairman Gary welcomed new board member Craig Paepre to the board and wished him luck.

**FOWLER AVENUE CORP. – 89 GLENEIDA AVE – TM – 44.13-2-13 – AMENDED
SITE PLAN**

Mr. Carnazza read his memo which stated the applicant proposes to remove the car wash and add an auto repair shop to the north side of the existing gas station on Rt 52 in Carmel.

Variance req'd for lot width, 200 ft required, 72 ft provided, 28 ft variance.

Variance req'd for loading zone, 1 required, 0 provided, 1 space variance.

Variance req'd for parking spaces, 13 req'd, 6 provided, 7 space variance.

Variance req'd for # of driveways, 2 allowed, 4 exist, 2 driveway variance.

Variance req'd for side yd, 25 ft req'd, 13.2 ft & 16.7 ft proposed, 11.8 ft and 8.3 ft variances needed.

Provide detail of all signs on the property. The architect claims that there will be no change to signage. This is probably not the case as they are now going to be doing minor repairs/oil changes. The architect should check with his client to verify that statement.

Mr. Cleary stated this application was first presented to the board a number of months ago. We had minor site planning comments, such as landscaping and screening between the building on the northwest corner of the property. He said this is a repair garage use, which is a conditional use and has a series of standards that must be met. The initial review indicates that the project generally meets those criteria. There are one or two items that need to be clarified by the building inspector. He said the next procedural step in this application is a denial to the zoning board for the variances.

Mr. Franzetti read his memo dated January 8, 2014.

Mr. Willie Besharat of Rayex Designs, representing the applicant stated the majority of the comments are minor. The amount of disturbance on the site is minimal considering that the lot is completely paved right now, because of the existing use. He said there are no wetlands on the property and the majority of the trees are existing and we are proposing additional trees and fencing as shown on the plans, particularly to separate our property and the residential portion of the property. He said there will be zero lights reflecting onto the neighbors. We will work with the Town Engineer regarding his comments, but in the meantime he asked the board if he could go to the zoning board.

Mr. Franzetti reminded the board and applicant the reason why we ask about the area or limit of disturbance is because of the 5,000 square feet threshold. He said regardless if you are going impervious to impervious in New York State, the state requires a Stormwater Prevention Pollution Plan be developed as long as you are in the criteria of what the state requires. He said 5,000 square feet is the minimum threshold and you are over an acre you need a full fledged SWPPP, but in this case it falls under a re-development project.

Mr. Besharat said we believe it is under 5,000 square feet.

Mr. Franzetti that information needs to be shown to us.

Mr. Besharat stated we will give you the exact area of disturbance.

Mr. Molloy asked how many bays will there be and how many cars will you be able to do oil changes at the same time.

Mr. Besharat said the bays will be parallel to each other and two cars at the same time.

Mr. Molloy asked what kind of alterations will be done to the building?

Mr. Besharat said we are making the building a little wider to make enough room for two cars to be worked on at the same time. We are removing a portion of the building and reducing the length. It is basically the same concept as the car wash where you drive in and drive out.

Mr. Greenwood stated I realize it's an existing car wash and it has been there for years. He said the drawing is not showing the three story building to the north of the property which is basically on the property line. It is a very small and tight piece of property and the idea of putting two bays in is asking a lot. He said the car wash in today's standards would not have been approved. It was done back in the 1970's when there was a lot less people, traffic and less issues in town. He said to expand the building and have a two bay usage along with a convenience store is a lot.

Mr. Besharat stated the expansion of the building is minimal. We are reducing a portion of the length and adding it to the width.

Mr. Greenwood said you're reducing it from a side which has no impact and you're adding to a side which has a major impact.

Mr. Besharat stated this is not an ongoing moving operation. Cars will come in; it will take approximately 20 minutes for an oil change, so there will be three cars to possibly six if you have two cars being worked on at the same time. That's six cars per hour. He said we made to the building smaller to create a 15 foot separation from the corner to the property line. There will be approximately a 20 foot separation between the two buildings. He said the impact being created on the site would be minimal and less than the car wash. He said the car wash generates a lot more traffic.

Mr. Greenwood said the reality of it is you are expanding the size of the building on a piece of property that is already at its max. He asked what's wrong with putting in one bay.

Mr. Besharat said with one bay, if something goes wrong with a car (it doesn't start) it will tie up the bay. It's not feasible for a business to operate with only one bay.

Mr. Greenwood said you are talking about a building that already supports three businesses. It's not solely the oil change business.

Mr. Molloy asked what the current length of the building was.

Mr. Besharat replied approximately 52 feet.

Mr. Molloy suggested putting the two bays bumper to bumper instead of parallel and not widening the building and leaving the length the way it is.

Mr. Besharat said it makes more business sense to have the bays parallel.

At which time, a discussion ensued with regards to having one bay versus two bays.

Mr. Gary asked Mr. Cleary what his planning assessment was.

Mr. Cleary stated when this application was first presented in March, one of the comments that were delivered was this site was a skinny long site, and why can't they put it long and narrow, rather than widening to the adjacent building. He said we need to know more of why it can't be skinny and long. Also, by widening the building the variances increase.

Mr. Besharat said he explained why the bays couldn't be tandem. One reason was the possibility of having a disabled car.

Mr. Cleary said there are ways you could deal with that. He suggested to Mr. Besharat to show us an example of a jiffy-lube that operates in this particular way. He asked if there is a back to back Valvoline, jiffy-lube situation, or is never done.

Mr. Besharat said he doesn't know, but would look into it.

Mr. Cleary said if it's never done, we wouldn't ask you to do something that's unprecedented.

Mr. Besharat stated we will research it and look into the back to back and if we could do it, we will.

TIMBER TRAIL HOMES – 135 MYRTLE AVE – TM – 75.10-1-10 – SKETCH PLAN

Mr. Carnazza read his memo which stated the applicant proposes a two-lot subdivision off Myrtle Ave., Carmine Dr., and Potter Road in Mahopac. All zoning comments have been addressed for Sketch Plan.

Mr. Cleary read his memo which stated at the December Planning Board meeting, the applicant presented the revised subdivision layout, which relocated the residence "behind"

the hill, in the northwest corner of the lot, instead of placing the new residence at the top of the hill in the center of the site. The Board agreed that this represented a more appropriate and environmentally sensitive site development plan.

A number of issues were raised, primarily relating to engineering the proposed driveway, and grading for the new residence. The applicant has provided documentation to address these issues. The applicant has also agreed to consider screening along the property line. A new driveway “turn-around” area has also been provided.

Should the Board find that all of the sketch plan review comments have been satisfactorily addressed, the Board can direct the applicant to prepare the Preliminary Subdivision Plat, and can consider scheduling a public hearing.

Mr. Franzetti read his memo which stated based upon our review of this submittal, we wish to offer the following preliminary comments:

1. The following referrals are warranted:
 - Putnam County Department of Planning (GML 239n referral; proximity to County highway)
2. Permits from the following agencies are necessary:
 - Putnam County Department of Health (on-site well and SSDS)
 - Putnam County Department of Highways & Facilities (driveway access)
3. The SWPPP provided must be updated to conform to all applicable requirements pursuant to the NYS SPDES General Permit (GP-0-10-001 Part III.B) and the NYSDEC 2010 Stormwater Management manual. This should include, but not be limited to the total area of disturbance, runoff reduction calculations, design calculations for the stormchamber foundations, construction phasing, etc.
4. The erosion and sediment control details (e.g., silt fence, construction entrance) should be updated to meet current NYSDEC Standards.
5. The following additional technical information should be added to the plans:
 - Because of the vertical and horizontal challenges of the Driveway. A turn around area should be provided to minimize the necessity to back down the driveway. This should located near the top of the driveway in order to minimize reversing down the driveway.
6. Drainage improvements should be considered along the lot 1 driveway section, which proposes grades of up to 15%, to minimize adverse impacts to the County Road.
7. 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.

Mr. John Karell, Applicant’s engineer stated he will provide the turnaround at the top of the driveway to minimize reversing down the driveway.

Mr. Franzetti stated the application can move to sketch plan approval and public hearing.

Mr. Karell asked the board if they could consider it a minor subdivision and go right to final plat.

Mr. Gary asked Mr. Cleary if the board should go to final plat.

Mr. Cleary stated agreed that it is a minor 2 lot subdivision and could design it to the final approval stage and have the public hearing on the final plat. He said the code allows us to do that. He said Mr. Franzetti's comments are manageable issues.

Mr. Gary said to Mr. Karell to prepare for final plat.

BALDWIN ESTATES – RYAN COURT – TM – 75.19-1-1.11 – BOND RETURN

Mr. Carnazza had no comments.

Mr. Cleary had no comments.

Mr. Franzetti read his memo which stated a representative of the Engineering Department performed a field inspection of the referenced property on January 6, 2014 to evaluate the current status of the site construction, for the purpose of determining whether a bond reduction was warranted. The original bond amount for the project is \$235,830.00. The Bond was reduced by resolution of the Town Board on February 21, 2013 to \$23,583.00. Based upon our field inspection, all work is complete. We recommend that the remaining bond amount of \$23,583.00 be released therefore reducing the bond amount to zero.

Mr. Gary said to schedule a public hearing.

PARK FORD – 276 ROUTE 6 – TM – 86.7-1-20 – BOND RETURN

Mr. Carnazza had no comments.

Mr. Franzetti read his memo which stated a representative of the Engineering Department performed a field inspection of the referenced property on January 2, 2014 to evaluate the current status of the site construction, for the purpose of determining whether a bond reduction was warranted. The original bond amount for the project is \$81,600, posted on August 6, 2008 (Letter of Credit). Based upon our field inspection, all work is complete. We recommend that the bond amount of \$81,600.00 be released.

Mr. Cleary had no comments.

Mr. Gary said to schedule a public hearing.

DEL GROSSO, COSTANZO – 18 MILLER ROAD – TM 86.11-1-15 – BOND RETURN

Mr. Carnazza had no comments.

Mr. Franzetti read his memo which stated a representative of the Engineering Department performed a field inspection of the referenced property on January 2, 2014 to evaluate the current status of the site construction, for the purpose of determining whether a bond reduction was warranted. The original bond amount for the project was \$37,690.00, posted on February 10, 1990. The Bond amount was subsequently reduced to \$3,650.00 by Resolution of the Town Board dated February 7, 1991. Based upon our field inspection, all work is complete. We recommend that the bond amount of \$3,650.00 be released.

Mr. Cleary had no comments.

Mr. Gary said to schedule a public hearing.

MINUTES – 12/4/2013

Mr. Molloy moved to adopt the December 4, 2013 minutes. The motion was seconded by Mr. Greenwood with all in favor.

Mr. Greenwood moved to adjourn the meeting at 7:40 p.m. The motion was seconded by Mr. Giannico with all in favor.

Respectfully submitted,

Rose Trombetta