

APPROVED

HAROLD GARY
Chairman
RAYMOND COTE
Vice-Chair

TOWN OF CARMEL
PLANNING BOARD



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MICHAEL CARNAZZA
*Director of Codes
Enforcement*

RONALD J. GAINER, P.E.
Town Engineer

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

BOARD MEMBERS
EMMA KOUNINE
CARL GREENWOOD
JOHN MOLLOY
JAMES MEYER
ANTHONY GIANNICO

PLANNING BOARD MINUTES
MAY 9, 2012

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

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>TYPE</u>	<u>ACTION OF THE BOARD</u>
NYCDEP Pumping Station	77.2-2& 88-1-1.1,1.2	1	Resolution	Resolution Accepted.
Putnam Comm. Foundation & Putnam Hospital Center	66.-2-57 & 58	1	Resolution	Resolutions Accepted.
VIP Wash & Lube	55.12-2-5	1-2	Resolution	Resolutions Accepted.
Hudson Valley Credit Union	55.11-1-42	2	Resolution	Resolution Accepted.
Enterprise Rent-A-Car	75.16-1-25	2-3	Amended Site Plan	Denied to the ZBA.
Mehra, Sanjay	75.16-1-27	3-4	Site Plan	Public Hearing Scheduled.
Woodcrest Gardens	76.9-1-19	4	Site Plan	Engineer did not show up. No Board Action.
D & L Realty, LLC.	55.12-2-2	4-5	Amended Site Plan	No Board Action.
Upper Lake Subdivision	42.-1-57	5	Sketch Plan	Engineer did not show up. No Board Action.
Blue Chip Homes	86.9-1-64.2	6	Re-approval	No Board Action.
Minutes – 3/21/2012				Approved.

The meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Rose Trombetta

NYCDEP CROTON FALLS PUMPING STATION – TM 77.-2-2 & 88-1-1.1,1.2 - RESOLUTION

Mr. Carnazza had no comments.

Mr. Gainer had no comments.

Mr. Cleary stated you have a final site resolution before you. In this instance, DEP served as lead agency and adopted a negative declaration for this application in April of 2011.

Mr. Paul Costa of DEP stated the board wanted some assurances that during construction we would fulfill our obligations, at which time Mr. Costa introduced the construction project manager Mike Ciboda, who has been with the DEP for 20 years and will make sure the job gets done right.

Mr. Cote asked if there has been any dialog with the construction manager and Mr. Oscar.

Mr. Costa stated not as of yet. He said before the construction starts we will call for a meeting.

Mr. Greenwood moved to accept Resolution #12-15, dated May 9, 2012, Tax Map # 77.-2-2 & 88-1-1.1,1.2 entitled NYCDEP Croton Falls Pumping Station Final Site Plan Approval. The motion was seconded by Ms. Kounine with all in favor.

PUTNAM COMMUNITY FOUNDATION & PUTNAM HOSPITAL CENTER – TM 66.-2-57 & 58 – RESOLUTION

Mr. Carnazza had no comments.

Mr. Gainer had no comments.

Mr. Cleary said you have two resolutions before you, SEQR and subdivision plat approval.

Mr. Cote moved to accept Resolution #12-10, dated May 9, 2012, Tax Map #66.-2-57 & 58 entitled Putnam Community Foundation/Putnam Hospital Center, SEQR Determination of Significance Negative Declaration. The motion was seconded by Mr. Giannico with all in favor.

Mr. Giannico moved to accept Resolution #12-11, dated May 9, 2012, Tax Map #66.-2-57 & 58 entitled Putnam Community Foundation/Putnam Hospital Center Subdivision (Lot Line Adjustment) Approval. The motion was seconded by Mr. Meyer with all in favor.

VIP WASH & LUBE – 118 OLD ROUTE 6 – TM – 55.12-2-5 – RESOLUTION

Mr. Carnazza had no comments.

Mr. Gainer had no comments.

Mr. Cleary stated you have 2 resolutions before you, SEQR & Final Site Plan.

Mr. Molloy moved to accept Resolution #12-12, dated May 9, 2012, Tax Map #55.12-2-5 entitled VIP Wash & Lube, SEQR Determination of Significance Negative Declaration. The motion was seconded by Mr. Cote with all in favor.

Mr. Greenwood moved to accept Resolution #12-13, dated May 9, 2012, Tax Map #55.12-2-5 entitled VIP Wash & Lube Final Site Plan Approval. The motion was seconded by Mr. Cote with all in favor.

HUDSON VALLEY CREDIT UNION – STONELEIGH AVE – TM 55.11-1-42 – RESOLUTION

Mr. Carnazza had no comments.

Mr. Gainer had no comments.

Mr. Cleary stated you have a final site plan approval resolution before you.

Mr. Molloy stated at the last meeting I raised an issue about the retention ponds on the Credit Union's property. After speaking with Mr. Charbonneau there is no question that the owner of the property is liable to maintain his property as well as the possessor of the property. Apparently, there is a maintenance agreement between Pulte who is the owner now and eventually the Town when they get the road. He said I am satisfied with that.

Mr. Greenwood moved to accept Resolution #12-14, dated May 9, 2012, Tax Map #55.11-1-42 entitled Hudson Valley Credit Union Final Site Plan Approval. The motion was seconded by Mr. Meyer with all in favor.

ENTERPRISE RENT-A-CAR – 419 ROUTE 6 – TM-75.16-1-25 – AMENDED SITE PLAN

Mr. Carnazza read his memo which stated provide an elevation of the building with the adjacent Geomat structure installed. The Memo claims that the elevation is attached but I did not receive it. The zoning table must be incorrect. The floor area has to increase if a building is being added. Variances are required from the ZBA. Why is the area used for the parking calculation different from the area used for the floor area?

Mr. Gainer read his which stated the proposal does not contemplate any increase in impervious surfaces. Therefore no stormwater treatment controls appear necessary. To address prior concerns, the site plan now proposes a "generic" 16' x 24' car-port style structure for the car wash facility, which we find acceptable. We merely suggest that the exterior colors (stucco & roofing shingles) subject to the Town's review and acceptance. The existing handicap access ramp is not ADA compliant. The ramp exceeds the maximum slope of 1V:12H.

Mr. Cleary read his memo which stated The Geomat facility is essentially a wastewater collection and recycling system. No separate water supply is required, and car washing will be done manually by Enterprise employees. No special soap or washing agents are required. All wastewater is recycled.

- Details of the carport enclosing the Geomat facility have been provided. It consists of a pitched roof with architectural shingles, supported by 4 masonry piers with a stucco finish, and is open on all sides.

- No new utility connections are required.
- New landscaping is provided at the rear of the site, consisting of 27, 4' tall arborvitae.

Mr. Gary stated the applicant needs variances.

Mr. Carnazza said yes, several variances.

Mr. Molloy asked if he pictures of what it would look like from the roadway and general pictures of what it would look like.

Mr. Greenberg apologized for not having them with him. He said he will bring the next time.

Mr. Greenwood moved to deny to the ZBA. The motion was seconded by Ms. Kounine with all in favor.

MEHRA, SANJAY – 10 VESCHI LANE SOUTH – TM – 75.16-1-27 – SITE PLAN

Mr. Carnazza stated there was a dispute about the size of the wetland on the property and now has a map that shows the size of it.

Mr. Gainer read his memo which stated if not previously provided; a copy of the right-of-way which exists to permit this access should be provided to the Planning Board for their review and files.

1. The use of pervious pavers was originally suggested for the two limited areas which the existing pavement is to be expanded in order to minimize stormwater treatment requirements. However, as one area is to be located within a snow plowing easement in favor of the Town of Carmel, the Highway Department will likely end their plow run at this location and subject the pervious pavers to constant plow impact. As such, they will likely become damaged over time. Therefore, the Highway Department believes that asphalt pavement will hold up better under these conditions. This minor increase in impervious area can easily be treated with a small subsurface system or rain garden on site.
2. As was previously requested, construction details remain to be shown for the following:
 - dumpster enclosure, which should meet town requirements.
 - Planting details for all landscaping proposed.
 - Pavement details.
 - Details of any retaining wall required at the end of the parking area off Veschi Lane South, to accommodate the re-grading required to provide the expanded parking planned, so as to keep the fill from intruding into the existing drainage swale.
3. Handicap access ramp must be provided.

Mr. Cleary stated all planning issues have been addressed. As far as the issue of the wetland, it appears the size of the wetland is below the threshold which would require the wetland permit from the town. The revised delineation of the wetland was just given to us. We need to verify the information, but it appears it would not require a wetland permit.

Mr. Willie Besharat of Rayex Design, representing the applicant stated the wetlands were flagged by Mr. Coleman. Mr. Baxter picked up the flags and calculated the square footage and we finally got a certified survey from him reflecting that. We are under the 5,000 square feet threshold.

Mr. Greenwood stated shouldn't the Wetland Inspector, Mr. Klotzle verify the wetland boundaries?

Mr. Cleary answered yes.

Mr. Gary said we will schedule public hearing and before we pass this, make sure all of the concerns of the consultants are answered.

Mr. Besharat stated will do.

WOODCREST GARDENS – 675 ROUTE 6 – TM – 76.9-1-19 – SITE PLAN

The engineer did not show up.

Ms. Kounine asked Mr. Cleary to take it off the agenda until we hear from the engineer.

D & L REALTY – 130 OLD ROUTE 6 – TM – 55.12-2-2 – AMENDED SITE PLAN

Mr. Carnazza had no comments.

Mr. Gainer read his memo dated May 8, 2012.

Mr. Cleary read his memo which stated this application involves an amendment to a site plan that received site plan approval from the Planning Board in 2001 (subject to a lot area variance granted by the ZBA at that time). The amendment involves legalizing a 5,330 square foot outdoor storage area that was not part of the original site plan approval. 2,185 square feet of this storage area also encroaches into the adjacent wetland buffer area.

SITE PLAN REVIEW COMMENTS:

- Review by the Director of Code Enforcement is required to determine if the outdoor storage is permitted in the C/BP – Commercial Business Park zoning district. If not permitted, a use variance would be required.
- Aside from the zoning compliance issue, outdoor storage is generally unsightly, potentially unsafe, and should be discouraged when possible.
- Outdoor storage is particularly problematic at this site, because the site is undersized (thus requiring the lot area variance). The site is 2.4 acres, where 3.0 acres is required.

- The outdoor storage consists of materials associated with the construction company occupying the site. Can these materials be better organized to minimize the extent of outdoor storage?
- Has consideration been given to utilizing accessory structures to contain some or all stored materials?
- Both designated parking areas on the east and west sides of the building appear to be underutilized. Can some of the outdoor storage be relocated to one or both of these areas to minimize the wetland buffer encroachment?
- If the outdoor storage is permanent, should the gravel area be improved with a blacktop surface? How would this affect the adjacent wetland? The opinion of the Town Engineer is required.
- If outdoor storage is necessary at this site, the outdoor storage area should be formally delineated (so it is contained, and does not expand over time) and fenced or enclosed and screened as necessary.

Mr. Jeff Contelmo of Insite Engineering, representing the applicant stated this was approved in 2001, the building, and the parking and overall site arrangement is in conformance with that site plan. There have been some changes and that is why we are here for an amended site plan. In 2001, the wetland was only a town wetland at the time of approval. A recent re-mapping shows it is now a state regulated wetland. We are here to get approval for re-configured expanded outdoor storage area, the relocated refuge area and a few minor site plan changes. He said we are aware that we need a wetland permit.

Mr. Gary stated there seems to be a lot of comments.

Mr. Cleary said they have some questions that need to be answered. They have expanded storage on an undersized site. With respect to outdoor storage it is not a permissible activity and we try to limit it. There may be options to control some of the outdoor stored material. The applicant would need to address some of these questions before we move this along.

Mr. Gary asked Mr. Contelmo to meet with the consultants.

Mr. Contelmo stated he would like to meet with Mr. Gainer at the site.

Mr. Gainer stated that's fine.

UPPER LAKE SUBDIVISION – 47 UPPER LAKE ROAD – TM – 42.-1-57 – SKETCH PLAN

The engineer did not show up.

**BLUE CHIP HOMES – HILLTOP DRIVE – TM 86.9-1-64.2 – RE-APPROVAL OF
APPROVED SUBDIVISION**

The consultants had no objection to the re-approval.

Mr. Greenwood asked what the reason for the extension was.

Mr. Louis Panny, representing the applicant stated we are waiting for final paperwork on the Homeowners Association. I believe it is in the town attorney's office.

Mr. Cleary asked if it was approved by the Attorney General.

Mr. Panny answered I don't know. He said everything is done, we are just waiting for this last paperwork.

Mr. Gary asked Mr. Greg Folchetti, town attorney how long should we hold this, it has been at least 6 or 7 years.

Mr. Folchetti stated with respect to extending a final subdivision, you have 180 days and two 90 days extension under town law which is a discretionary approval.

Mr. Carnazza stated Mr. Charbonneau the planning board attorney thinks he has papers in the office that need to be reviewed.

Mr. Cleary stated the approval has expired and they are asking for a re-approval. If the board wants better documentation there is no pressure to act on this tonight. If you want more of an explanation, they could give it to you and come back.

Mr. Gary stated in my opinion, I don't think we should take any action tonight until we hear from our attorney and the applicant.

The board members agreed with the Chairman.

MINUTES – 3/21/2012

Mr. Molloy moved to adopt the minutes of March 21, 2012. The motion was seconded by Mr. Greenwood with all in favor.

Mr. Molloy moved to adjourn the meeting. The motion was seconded by Mr. Greenwood with all in favor.

The meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Rose Trombetta