

APPROVED

HAROLD GARY
Chairman
RAYMOND COTE
Vice-Chair

BOARD MEMBERS

EMMA KOUNINE
CARL GREENWOOD
JOHN MOLLOY
JAMES MEYER
ANTHONY GIANNICO

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

PLANNING BOARD MINUTES **OCTOBER 10, 2012**

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

ABSENT: JOHN MOLLOY

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>TYPE</u>	<u>ACTION OF THE BOARD</u>
Bavarian Corp (Ariano's)	75.44-1-70	1	Public Hearing	Public Hearing Closed & Planner To Prepare Resolution.
Carmel Centre Senior Housing (Pulte Homes) Lots 3 & 5	55.14-1-11.1 & 1-3 55.14-1-11.3		Amended Site Plan	No Board Action.
Steiber & Coviello	43.-1-49,50.1, 50.2	3	Sub/Merger	Denied to the ZBA.
Dominger & Lockwood	44.10-1-1	3	Subdivision	Postponement.
Scoops & More	44.14-1-33	3	Waiver of Site Plan	Waiver of Site Plan Granted.
NYC DEP – Belden Road	43.-1-31	4	Bond Return	Public Hearing Scheduled.
NYC DEP – Hemlock Dam Rd	77.-2-8	4	Bond Return	Public Hearing Scheduled.
Minutes – 9/5/2012		4		Heldover.

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

Respectfully submitted,

Rose Trombetta

BAVARIAN CORP. (ARIANO'S TRATTORIA) – 18 CLARK PL – TM – 75.44-1-70 – PUBLIC HEARING

Mr. Carnazza stated all variances have been granted from the ZBA. This is on for a public hearing.

Mr. Cleary stated at the last meeting there was discussion regarding how the pedestrian access was proposed across Clark Place. The plan has been updated to indicate that. The board asked the applicant to address the lighting issues and the site plan has been updated which indicates the illumination levels across Clark Place are adequate to provide pedestrian circulation safely between the two site.

Mr. Gary asked if anyone in the audience wished to be heard.

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

Mr. Gary asked the Planner to prepare a resolution.

CARMEL CENTRE SENIOR HOUSING (PULTE HOMES) – LOTS 3 & 5 – TERRACE DR. – TM 55.14-1-11.1 & 11.3 – AMENDED SITE PLAN

Mr. Carnazza read his memo which stated the applicant proposes an amended site plan to change the layout and construction type of the units. The Unit count is being reduced from 147 to 81. The applicant now added "Cottage Units". They are in clusters of 3 or more units so they meet the "Multi Family" definition in the code. The "Tree Preservation Areas" must be located on the plat. Since there were several complaints about trees, the ECB should review the list of trees to assure that the types of trees are appropriate for the locations they are being installed. Put the Tree Planting Detail on the plat. It is currently on a separate 8 ½ x 11 sheet of paper. I recommend a meeting with the Engineer to discuss this project.

Mr. Cleary read Mr. Gainer's memo which stated through this site plan amendment, the applicant now proposes to reduce the density of this phase down to 81 units. This reduction has resulted from the elimination of 4 of the 3 story multi-family buildings. Further, the applicant is also now proposing 42 cottages, which were not contemplated in the prior approval. The number of previously approved manor homes (12) remains unchanged. Lastly, various site amenities are proposed to either be rearranged or eliminated.

To applicant has provided information in the plans which satisfy our prior request as follows:

- Total impervious surface proposed under the amendment is significantly lower than what was previously approved. 7.07 Ac. v. 5.78 Ac.
- Area of disturbance proposed under the amendment is significantly lower than what was previously approved. 22.5 Ac. v. 15.7 Ac.
- All other disturbance elements are less than previously approved. (See Grading Data Table on sheet C-413)

Further, and as the Board is well aware, significant problems exist within the Lot 4 phase which is still under construction. This includes major concerns over compliance with the quantity and longevity of the landscaping provided, as well as the recreational facilities in place, vs. what was originally approved. Further, major areas of the overall project which were originally designated as "conservation" areas have since been disturbed, if not totally eliminated, and so warrant the Board's review/evaluation to establish what corrective measures should now be employed to attempt to achieve the Board's original intent. Lastly, since this portion of the Pulte project will utilize Terrace Drive, which is proposed to become a Town roadway, any improvements required to upgrade this roadway to address construction deficiencies should be addressed as part of the Board's review of this proposal.

Mr. Cleary read his memo which stated when the proposed site plan amendment to reduce the total number of dwelling units from 147 units to 81 units was presented to the Board in August, the applicant was asked to document the impact comparison between the originally approved 2005 site plan, and the proposed amended site plan. He stated with respect to the site layout, impervious areas, grading, recreation areas and tree preservation, the current plan does not exceed the SEQR thresholds and represents lesser impacts than what was originally approved by the board. He said now we could move on to deal with specific site plan issues.

Mr. Greenwood stated with the original site plan approval there were conservation areas that were supposed to be maintained and according to Mr. Gainer's memo they have been disturbed and in some case totally eliminated. So, that would be in violation of the original site plan and in my opinion, before we address anything as far as modifying the proposed plan we should have something in front of us addressing that issue and how they are going to rectify it.

Mr. William Shilling, attorney for the applicant addressed the board and stated the amended site plan is for lots 3 and 5 and the reason for our change is simply market driven. He said we are trying to eliminate the 3 level condo flats which were attained through variances. With this proposal we are bringing our site plan more into conformance with code. He said the condo flats would be eliminated in lots 3 and 5 and replaced with town houses. He said a lot of the infrastructure for lot 3 and 5 has been done and is conducive to not only the approved site, but the plan we hope to amend. Most significantly, in lot 3 the number of units is downgraded from 147 to 75 units. In lot 5 the number of units is downgraded from 56 to 23 units. He said that is a total reduction of 99 units. He stated the focus should be on lots 3 and 5 only.

Mr. Giannico asked if the proposed site has been downgraded why was additional conservation land removed if not totally eliminated.

Mr. Shilling stated we are unaware of any disruption of conservation easements. This is the first we are hearing of it. He stated, I know this is one project, but there three different site plan approvals. We are looking for an amendment for lots 3 and 5. I think the conservation easements are alleged to have been disrupted on lot 4 and we are not in a position to speak to that now. We will have to speak to Mr. Gainer regarding the location of the conservation easements.

Mr. Greenwood stated that should be addressed before we take this any further.

Mr. Giannico stated Mr. Gainer's memo is specific to both lots 3 and 5 and lot 4 is also referenced.

Mr. Gary stated this will need to be cleared up before we proceed any further with a review or further comments. He said to meet with the Town Engineer.

STEIBER & COVIELLO – 5 & 9 CAUSEWAY PARK, CARMEL – TM – 43.-1-49, 50.1, 50.2 – SUBDIVISION/MERGER

Mr. Carnazza read his memo which stated lot 1 lot depth line extends through lot 2. Variances may be required from the ZBA for the lots. Once the lot depth and width lines are correctly placed on the plat, I will determine all necessary variances.

Mr. Gainer had no comments.

Mr. Cleary read his memo which stated the applicant has revised the proposed subdivision merger and lot line adjustment. The poorly configured lot line originally proposed has been modified. The garage proposed in the eastern corner of the site has been eliminated, and with the exception of a sunroom on the dwelling on Lot 2, the other building additions have been eliminated. Significant variances are required for both lots, including lot area, lot width, lot depth and side yard. The easements for Causeway Park must be provided.

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

DOMINGER & LOCKWOOD – GLENNA DRIVE – TM – 44.10-1-1 – 3 LOT SUBDIVISION

Mr. Gary stated the applicant asked for a postponement.

SCOOPS & MORE – 90 GLENEIDA AVE – TM – 44.14-1-33 – WAIVER OF SITE PLAN

Mr. Carnazza read his memo which stated the applicant added a canopy to the existing ice cream shop on Vink Dr. in Carmel. I have no objection to the expansion of the roof. It does not affect the parking calculation.

Mr. Gainer had no comments.

Mr. Cleary stated it was unclear if the applicant was proposing a new canopy. Mr. Carnazza indicated the canopy is existing and is trying to get it approved. It does not create a violation with anything that was previously approved on the site. He stated he had no objection to the waiver because there are no variances required.

Mr. Greenwood moved to waive site plan approval. The motion was seconded by Mr. Cote with all in favor.

NYC DEP – BELDEN ROAD – TM – 43.-1-31 – BOND RETURN

Mr. Carnazza had no comments.

Mr. Cleary read Mr. Gainer's memo which stated the original amount posted, which is currently being held by the Town, is \$120,000. Based upon our inspection, all of the site improvements required pursuant to the board's site plan approval have now been completed. On this basis, this department recommends that the entire bond be released.

Mr. Cleary had no comments.

Mr. Gary said to schedule a public hearing.

NYC DEP – HEMLOCK DAM ROAD SHED & BOAT RAMP – TM – 77.-2-8 – BOND RETURN

Mr. Carnazza had no comments.

Mr. Cleary read Mr. Gainer's memo which stated the original amount posted, which is currently being held by the Town, is \$210,000. Based upon our inspection, all of the site improvements required pursuant to the board's site plan approval have now been completed. On this basis, this department recommends that the entire bond be released.

Mr. Cleary had no comments.

Mr. Gary said to schedule a public hearing.

MINUTES – 9/5/2012

Heldover.

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

Respectfully submitted,

Rose Trombetta