

APPROVED

CRAIG PAEPRER
Chairman

ANTHONY GIANNICO
Vice Chairman

BOARD MEMBERS

KIM KUGLER
RAYMOND COTE
ROBERT FRENKEL
MARK PORCELLI
VICTORIA CAUSA

TOWN OF CARMEL PLANNING BOARD



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PLANNING BOARD MINUTES **FEBRUARY 11, 2021**

PRESENT: CHAIRMAN, CRAIG PAEPRER, RAYMOND COTE, MARK PORCELLI,
VICTORIA CAUSA

ABSENT: VICE CHAIRMAN, ANTHONY GIANNICO, KIM KUGLER & ROBERT FRENKEL

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>TYPE</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
Fairhaven at Baldwin Place	86.6-1-4	Site & Sketch Plan	1-11	No Board Action.
Jones & Hoag	53.-1-79.1 & 79.2	Lot Line Adj.	11-12	Denied to the ZBA.

The meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Rose Trombetta

FAIRHAVEN AT BALDWIN PLACE – BALDWIN PLACE ROAD – TM – 86.6-1-4 – SITE PLAN & SKETCH PLAN

Chairman Paeprer stated the two applications, site plan and sketch plan will be combined since they overlap. Also, as a reminder, this is not a public hearing tonight.

Mr. Carnazza read his memo which stated the applicants propose to develop a 72 unit “Supportive Housing” and necessary parking using the Multi-Family Senior Housing criteria in the Zoning Code.

This Site Plan must not be approved until the subdivision is approved and filed

The permitted principal uses in this zone are Light Manufacturing, converting, processing, altering, assembling, finishing, printing, or other handling of materials or products, Fully enclosed wholesale distributors or storage establishments but excluding retail sales, Research laboratories, Data processing and computer centers, Business and professional offices, Hospitals, medical clinics, and animal hospitals, Commercial establishments including gasoline service stations with accompanying retail stores that existed at the time this amendment was adopted, Fully enclosed eating and drinking establishments, Retail sales and service establishments, Day-care centers, and Self-storage warehouse.

The permitted conditional uses in this zone are metal working and machine shops, Laundry and dry-cleaning plants, Public utility installations, Bed and Breakfast establishments, Multi-family dwellings for the elderly, Hotel and Recreation Center.

According to the applicant, “Supportive Housing” includes, or may include, adults, children, or seniors.

The senior housing ordinance 156-39B(13) reads “All units must be occupied **exclusively** by persons 55 years of age or older, and the spouse of any such person and/or the adult-dependent handicapped or disabled child of any such person. This project does not comply with this section. Variance required.

The senior citizens multi-family dwelling ordinance-156-39B(4) reads “The site shall be served by municipal or community water and municipal or community sewer”. Municipal or community water and sewer are not available. The applicant argues that they will have Community Water and Sewer. Interpretation from the ZBA is required to determine if the systems they are providing meet the code.

The many conditions of section § 156-39, entitled “Senior citizens multifamily dwellings”, is the main reason the town allows these developments to be developed at a higher density.

Interpretations are required from the ZBA for the following:

Parking Calculation to be used for this use or uses.

Is affordable/workforce/supportive housing allowed by right using §156-39 Senior citizens multifamily dwellings ordinance.

Are the sewer/water requirements, as required by code, addressed by the systems as proposed?

Does the Senior Citizens Multi-Family parking requirement meet the needs of this project? I do not agree with the parking calculation as provided by the applicant. If the use is for disabled persons, there may be nurses, case workers, doctors, guests, etc. visiting the site for people and needing additional parking. If the apartment is for a family, there could be several cars in the family (spouses, adult children).

Parking has been an issue at many of our multi-family developments and I would like the Planning Board to get a better understanding of this project and how it operates.

Variances are required from the ZBA for the following:

Senior Housing Ordinance age restriction- All people will not be 55 or older.

Municipal or Community Sewer and Water are required. Not available. (unless ZBA interprets it is okay).

Parking 108 spaces required, 84 provided, variance of 24 spaces (could change upon ZBA interpretation).

The building shall not exceed two stories in height, these buildings are three stories in height. Variance required.

Mr. Carnazza continued and stated the only recreation that's provided for the site, are patios for young or older people. Will there be anything provided for children? He said the frontage meets the code, but there is a 1700 driveway that comes in which will be private at this time. Will the school buses go through there, will the parents have to bring the kids out to Baldwin Place Road? He said maybe the school should be involved to see if they should do a turnaround or something of that nature.

Mr. Franzetti read his memo which stated this application encompasses a proposal to add 72 units of supportive housing with 84 on-site parking spaces and related site improvements on an 11-acre site located at behind 150 Route 6. Based upon our review of this submittal, the Engineering Department offers the following **preliminary** comments

I. General Comments

1. The following referrals would appear to be warranted:
 - a. New York State Department of Environmental Conservation (NYSDEC)
 - b. New York State Department of Transportation (NYSDOT).
 - c. New York City Department of Environmental Protection (NYCDEP).
 - d. Putnam County Department of Highways and Facilities
 - e. Putnam County Department of Health (PCDOH).
 - f. Putnam County Department of Planning (GML 239 M).
 - g. Town of Carmel Highway Department
 - h. The Town of Carmel Environmental Conservation Board (ECB).
 - i. Mahopac Fire Department

Applicant has noted these referrals.

2. Permits from the following would appear necessary:
 - a. NYSDEC - for stormwater and wetlands.
 - b. NYSDOT for work permit and traffic study
 - c. NYCDEP for stormwater and sub-surface treatment system (SSTS).
 - d. PCDHF work permit

- e. PCDOH for well and SSTS.
- f. ECB for wetlands permit.

Applicant has noted these permits.

- 3. A wetlands delineation should be performed.

Applicant has noted that a delineation was completed by Tim Miller Associates. A copy of this delineation must be provided.

- 4. A Stormwater Pollution Prevention Plan (SWPPP) detailing the sizing of the SMPs is required. The SWPPP should meet the NYSDEC GP-0-20-001 and NYCDEP requirements.

Applicant has noted that this is required and will submit with a future submission.

- 5. Due to the site location and the proposed bridge over Route 6 a traffic study should be conducted and provided for review. The traffic study will need to be review and approved by the NYSDOT and PCDHF.

Applicant has noted that this is required and will submit with a future submission.

- 6. The applicant will be required to supply a stormwater maintenance agreement and maintenance guarantee per Town Code (§156-85 and §156-87 B respectively).

Applicant has noted that this is required and will submit with a future submission.

- 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. The applicant will need to develop a quantity take off for bonding purposes.

Applicant has noted that this is required and will submit with a future submission.

Mr. Cleary stated this application is for two residential uses that are not permitted in this zone. The applicant has elected to demonstrate their compliance to the senior housing provisions. All that extensive work in terms of zoning compliance that Mr. Carnazza went through is only if a use variance is granted for this application and those provisions would apply. Again, this is a prohibited use in this zone and it is not a senior housing facility. We have given extensive comments about operational aspects of the facility and you have heard the applicant began to explain their responses to some of those, but there is further information that needs to be provided. One of primary areas with respect to further clarification is the impact on the municipal services and what the town would have to assume in terms of obligations if this facility were to operate on this site. He said parking is a significant issue. We talked about it at the last meeting and since the last meeting we received correspondence from the Putnam County Planner. As part of the GML239 review to the County Planning, they are obligated to review the application. We have received a letter from the County Planner which indicates they are objecting to the fact that they are providing the required amount of parking on the site and they are indicating that the project must be modified. That's important to you for the following reasons. If County planning during the 239-review process submits a response that indicates that the plans should be denied or modified, your board must take action through a super majority. In this case, four plus one. That's a very significant turn of events and it is unprecedented for the County planning department to provide this type of correspondence to your board, so I think you and the applicant should take it seriously.

Again, their recommendation is the site plan needs to be modified to accommodate the full parking requirements on the site.

Mr. Jeff Contelmo of Insite Engineering, representing the applicant addressed the board and stated Mr. Cleary summarized well where we are at relative to the use and our dilemma in terms of detailing a project that doesn't yet have the endorsement of the Zoning Board for its use and we acknowledge that right from the beginning. We understand that this board wants to be sure our configuration makes sense we go to the Zoning Board. He said the community water and sewer is a requirement within senior housing. We do believe our systems meet those definitions and will have to be further discussed with the Zoning Board. In terms of our parking, we originally proposed 84 spaces, we then added more spaces. In the last two submissions, the plans have included 90 spaces. Prior to tonight's appearance, we did submit a parking study. The parking study was specific our use. Our use again, is affordable housing and supportive housing. Those two uses are unique in that, in most instances the people who qualify for that type of housing, doesn't have the same vehicle needs that my family does or your family does. It is not typical that there are multiple cars per resident. It's more typical that there are no cars per certain residences. Again, our traffic consultant submitted a parking study addressing the uses and needs and concluded that our 90 spaces are far in excess of what's actually needed. We understand that the burden is on us to prove. We believe that study is a good first step to show how these facilities do function and what the numbers are that they need. We believe they are accurate. In terms of recreation, we believe we have put together a fairly comprehensive recreation program that includes community rooms, indoor spaces, patios, gazebos, barbecue areas, outdoor spaces and playground. Mr. Carnazza mentioned maybe having a small field area, we will certainly take a look at that. We have detailed out our parking requirements and we have also summarized our compliance with the code relative to recreation. The last time we were here Mr. Brody answered a lot of the questions relative to the operations. He did leave a packet with the board and the board was going to take a look at it. He said we are here this evening to answer any remaining questions and take the important step that we need which is to get to the Zoning Board.

Mr. Porcelli stated this site was originally supposed to be a commercial development called Union Place on the 180 acres. He said now you trying to take a small portion of the site and create non-conforming project of residential which heavily burden the taxes. He asked what will the rest of the 165 acres look like or is this a way to step in and start creating 10 and 12 acre sites with similar type projects and we're left with 1,000 units of residential with no infrastructure improvements and a burden on the schools, law enforcement, EMS and the town.

Chairman Paeprer asked what does this development do strategically for this piece of property?

Mr. Contelmo stated Union Place was an application that included a lot of residential and a lot of commercial. That project was planned and was endeavored upon based on the market that existed then. The market is what drives these projects. The Union Place market no longer exists as per the property owner. The property owner has been working with many other potential users for this site, but the interest just isn't there. I believe your zoning does layout a bunch of uses makes sense in the Commercial/Business Park zone, unfortunately the users aren't going on that property. The property owner is trying to find users that could fit into the potential use of property that makes sense. If this was a senior housing project, what we are talking about is taking the blond and brown haired

people that would like to move into this particular rental apartments and if they had gray hair, this project would look exactly the way it looks. What you have been looking at tonight and the last two months. Nothing would be different. That senior housing project would be permitted in this zone, it would be permitted on that piece of property has configured and has Mr. Carnazza indicated, we would need to go to the Zoning Board to discuss a variance to add a third story which has been granted on other senior housing projects and also to make our justification for the community water and sewer and to discuss parking. He said what's across the way from us in the C/BP zone is the Koehler Center which are senior apartments that were approved and built in this zone. What we are proposing here is something that the market has said there is a need for and there is an applicant who would like to do that here and the zoning in place says certain things could be done that don't exactly fit us. But, if we were a senior housing project you really wouldn't have much to say about who's going to live there, because that's permitted. He said this an argument that we have to perfect with the Zoning Board relative to the use. He said in terms of site planning and documents submitted, I think we made a very clear case that this use can fit on this site in a very logical arrangement similar to any senior housing project that has been done in your town under your senior housing code. We are not asking this board to be the arbiters on the use, because that's not your role. We're asking this board to be comfortable with the conceptual arrangement of the site plan and let us move on to the Zoning Board to argue the use case in the correct form.

Mr. Porcelli said so what you are saying is the owner of this site wants to create residential development of the remainder of the site?

Mr. Contelmo stated that's not what I said. Again, the market will dictate what happens there. As far as future development and the configuration of the road in the C/BP zone, there are numerous opportunities for commercial development and one opportunity for residential development. What the future holds here, would probably be more in the commercial realm, but will be dictated by the market, which we can't predict.

Mr. Porcelli stated for future projects, I think we need to know what the owner has planned down the road.

Mr. Contelmo said I could ask that question. Right now, there is nothing planned, because I would be the one planning it.

Mr. Cote stated in reviewing the study that was submitted to us, which included Somers and Yorktown, you had indicated there were other studies that just said Putnam County. I haven't seen anything that says otherwise. Before I feel comfortable sending this to the Zoning Board, I would like to see those other studies.

Mr. Brody replied absolutely! He said we certainly understand and respect the innumerable questions about our proposed use and many concerns that have been articulated to the board and our prevalent in the community. He said we really want this to be a successful project for the community, for our agency and for the people who we serve. None of us stands to gain anything if it isn't. Having said that I will answer your question. He said the market study you have before you does encompass an area that isn't just limited to Putnam County, that is true. We are not trying to suggest that we intend to import people from outside of Putnam County. When a market study like that is done, to my understanding it does look at a certain geographic area which might go beyond the county borders. There are two other studies, copies I would be more than happy to share with you. Both of them were conducted by Putnam County. One was

conducted by the Putnam County Housing Corporation and another was conducted by the Putnam County Department of Health. He said the population has grown markedly in Putnam County, the housing stock has remained largely stagnant, although home ownership rates are high in Putnam County. Rentals have not kept up with the influx of the population and according to the studies at least half of the people that live locally carry an unaffordable rent burden, making it very difficult for people in this community to continue to flourish. We want to be part of that solution.

Mr. Cote stated you have made verbal representation that these units wouldn't create additional burdens. We have received information that one of the units that Search for Change had in Mahopac, there was a significant burden on the Police Department in particular with this unit. He asked what type of impact have the other units had on the Police Department?

Mr. Brody stated we operate different types of supportive housing throughout Westchester and Putnam County and have for 45 years. The vast majority of people that who live under our auspices in Putnam County, live independently and that's what we envision for this project. He said there are about 70 people living independently in Putnam County right now, that are being supported by our agency. In addition, we also operate more supervised types of settings for individuals who might have more acute needs. This is not what we propose or envision for this project. Again, what we envision for this project is independently living and actually most of the people who live under Search for Change in Putnam County are part of the independent living program. They are living scattered throughout the community.

Chairman Paeprer said of the 70 people you referenced that are housed in Putnam County, how are they housed?

Mr. Brody stated they are in their own apartments, typically a studio or one bedroom apartment. They receive a visit or a phone call from one of our care managers on a weekly basis. He said we are finding it extremely difficult to find those apartments in the open market right now, which is why new construction is needed and why many agencies like ours look into this model to build more housing, because the existing supply just isn't keeping up with it. Mr. Porcelli stated if Putnam County needs this type of facility, why would you concentrate 72 units in one location and move people from within the county, when you could possibly split this up into smaller units throughout the towns in Putnam County and not put the burden on just one town.

Mr. Brody stated as we all know there are construction and operational costs associated with developments like this. Our agency works with municipal funding sources and we are reliant on different municipal funding sources to support capital construction and they have determined as part of their model that this type of development is cost effective and also more integrated since it includes supportive housing as well as workforce housing. In an ideal world we would have housing of this type scattered all over in proximity to all the different communities. It's just not the most feasible.

Mr. Porcelli said you stated at the last meeting this is the biggest facility that we are going to have and do not have anything of this size. So, you can't tell us from experience on how this is going to run because you haven't run anything to this scale to know what the potential problems could be.

Mr. Brody replied you are absolutely right. We work as part of a network of agencies through the state and this model is not a model that we have just come up with. This model is in place throughout the state and the development team is very experienced and shepherding these models through fruition and operating them. There is a lot of precedent to demonstrate that they are successful and as we shared with the data that was provided it shows they are largely successful in a number of different ways. The data on projects like this throughout the state and country demonstrate that they actually have a net positive impact on the local economy. Yes, the programs or sites may not pay taxes that are comparable to what a market rate development pay, but nevertheless, they do pay through what's called a payment in lieu of taxes arrangement. Also, the individuals that live there are local tax paying citizens. We understand the concerns about the investment in this, but there are dividends that it produces as well. We will provide more information to substantiate that.

Mr. Porcelli stated the sales tax is much different then real estate taxes. The sales tax isn't going to the school system, which could be burdened by 50 or 60 additional children.

Mr. Brody stated all the data for developments like this show they generally have fewer children then comparable market rate developments.

Mr. Carnazza stated school buses do not go down certain roads and we have had problems over the years, where people buy into a development and realize it isn't a town road, buses do not come to your house and you they would have to walk to the bottom to get to the town road.

Chairman Paeprer said so that would be the case here, correct?

Mr. Carnazza stated I don't know that, but maybe we should get the school involved to find out if maybe a simple turnaround may help.

Chairman Paeprer stated we haven't gotten any feedback from the schools, police and ambulance on this project yet.

Mr. Carnazza stated you talked about money coming from federal and state, are there conditions that go along with that?

Mr. Brody stated we proposed to have 36 units dedicated as workforce housing which is for individuals who have up to 60% of area of medium income. Area of medium income in Putnam right now is about \$113,000 for a family of four and 60% of that would be about \$68,000. For a single individual it would be about \$48,000. Individuals, including many local employees and members of our workforce would qualify to live in those 36 units. He said that's one criterion that applies to that subset. As for the others, again our agency is one that traditionally serves individuals with health conditions, historically mental health conditions. In concert with the state's plan to provide integrated supportive housing for people who could live independently, those individuals would have had to have a history of some type of health condition and it's not limited to mental health conditions. There are people with physical disabilities, veterans with disabilities and survivors of domestic violence.

Mr. Carnazza asked is it always 36 and 36?

Mr. Brody replied no. That was based on what we believe the site can comfortably accommodate. Those numbers will vary from development to development around the state.

Mr. Carnazza clarified the question, will it always be 50% for workforce and 50% for supportive housing?

Mr. Brody replied yes.

Mr. Carnazza asked is it floor by floor, divided in half or mixed?

Mr. Brody stated our expectation is these are individuals who are living independently like any other multi family development, fully integrated and co-mingled.

Mr. Charbonneau asked does Search for Change operate any other facilities that are strictly affordable or economic based and not health based?

Mr. Brody replied no.

Mr. Charbonneau asked then why the integration of the two components in this unit.

Mr. Brody stated this is a model that the state has embraced in recent years. The state has been providing support for agencies to develop this type of development for a couple of reasons. We recognize and all the data suggests that we need more and more housing for everyone and what the data suggests is when we create this type of integrated housing it tends to work better all around. For those of us who have worked in this field for awhile recognize how beneficial it is for people to integrate in this way. It's not something that Search for Change has just come up with, this is happening not just on a state level, but on a national level for many years.

Mr. Charbonneau asked is the business of Search for Change to get into affordable housing or is it the business of Search for Change to deal with the health issues.

Mr. Brody stated our mission statement is about helping people overcome obstacles to self-sufficiency. It's not specifically about a health condition, it's not about mental illness or anything for that matter. It's about helping people overcome obstacles. It's true that originally and to this day we receive licenses to support individuals with particular health conditions, but housing is first and foremost of what we do. We are not a facility like Arms Acres, that's not what we do. We are a housing provider and providing housing of all types is integral to our mission.

Mr. Cleary stated we are trying to get a sense of how you operate. He asked if the pool of funding for building the facility and operating the facility coming from the same funding? He stated the primary issue would be if those funding sources that maintain and operate this facility over the long term and if their priorities change over time, how does that affect the tenants and occupancies in the building and our biggest concern is how that would affect municipal services. So, if the type of tenants that occupy the building change or can change because the funding sources priorities can change over time, we would like to know that. He asked Mr. Brody to provide the board a list of other comparable facilities of Search for Change which would be helpful for us to find out how they are dealing with their Police Department and other municipal services.

Mr. Brody stated he will provide the board with all that information. He stated he will provide the funding sources in writing to the board.

Chairman Paeprer stated we should also get feedback from our Police Department, Fire Department, Schools and Transportation for the school aged children.

Everyone was in agreement with the Chairman.

Mr. Cote stated being on the School Board, I could speak to that personally, the buses do not go up private roads. He said you will put these children in a situation where the end of the driveway is Baldwin Place Road, which is a very busy thoroughfare. He said we should bring this to their attention and get their feedback on this.

Mr. Porcelli stated as far as the burden on fire departments and ambulances, if this three story building requires a ladder truck or a bigger piece of equipment from the fire department, that burden shouldn't be on the fire department or community to supply that. The burden should be on the developer to supply the equipment.

Mr. Cleary asked Mr. Contelmo if the building will have sprinklers.

Mr. Contelmo replied yes.

Mr. Cleary asked did you provide access around all four sides of the building?

Mr. Cleary replied no. He said fire code does require access along one side of building, which we do have. I don't know of any multi family housing projects that we have done, under senior housing that has access all around the building. That's very uncommon.

Mr. Carnazza stated we made Pulte Homes put in a stabilized pad for one building that only had the front, there were no sides on it. These are sprinkled buildings.

Mr. Porcelli said being there is no town water, you would have to put in tanks in order to have enough volume?

Mr. Contelmo replied that's correct. This particular development will be a community public water supply served by wells. There will a domestic portion of that system and storage tanks for fire protection.

Mr. Franzetti asked how does the parking compare to the existing senior housing code?

Mr. Contelmo stated we presented that the senior housing law requires one and a half parking spaces per unit which would equate to 108 spaces. We are proposing 90 spaces and we submitted a traffic engineer's report relative to that parking.

Mrs. Causa stated you mentioned earlier that these individuals do not really have mental challenges, but the issue that was brought up about another place in the town that had a lot of police activity, what guidelines will be put in place to make sure that we don't have that in this facility?

Mr. Brody stated we have a screening process that is different from program to program in order to ensure that individuals who might be candidates for this particular type of living development are able to live there independently. It is the same ones that will apply

for individuals who are currently living independently in the community. We are an agency that has historically provided different types of housing and some of the individuals who are now in a more supervised setting which are substantially different from this are placed with us in a very different screening procedures and criteria, because they come with different needs.

Mrs. Causa asked what assurances are there that the agencies guidelines won't change?

Mr. Brody stated I can't tell you that 10 to 20 years from now the state may have a different vision, but historically when we or other agencies like ours have established a program like this, has not changed because of certain regulations and funding. I have not had that experience.

Mr. Cleary asked would you be willing to accept conditions of approval that would require if there is a change that you return to the town and seek modifications to your approval if the composition of tenants change, because the funding sources are modified.

Mr. Brody replied I personally would not have any objection to that. I can't speak to how the other stakeholders would stand on that. They all have different rules and regulations around that. We will research that and let you know.

Mr. Cleary asked would you be willing to allow for periodic review to make sure we don't have excessive police issues with the site and so forth?

Mr. Brody replied absolutely!

Mr. Cote asked has the vigorous screening process been in place all along or is this something new.....

Mr. Brody replied it has been in place for certain types of housing that we provide. Again, we house about 70 people living independently, so that process is in place for those individuals. There are different procedures for individuals who might live in other settings. He said the screening process that we have in place is one that's been in place that's helped to ensure the success of the people who living independently with us. Some of them are also backed up by some of the additional criteria that we described, such as the funding that supports this particular type of development.

Mr. Cote stated from my perspective I need time to delve into this more and to verify the information and have time to discuss it with you and perhaps figure out where your processes went wrong and how we could improve them.

Mr. Brody replied I understand you're referring to another program that we operate in the community, but I want to emphasize the fact that we operate other programs that are very different from what's envisioned for Baldwin Place.

Mr. Porcelli asked do you think that a workforce family might be concerned about having a neighbor that may have mental and other issues?

Mr. Brody stated wherever you live in a community, you don't know who your neighbors are. These are people that are already living in the community and we don't see them as being different.

Mr. Porcelli stated I realize that people in every community have issues, but this is heavily concentrated at 50%. He said it's half the volume of the tenancies there.

Mr. Brody stated yes that is true that you have 50% of the tenancies here would have some type of issue. He said these individuals who would be living here despite their issues have proven their ability to live independently.

Mr. Porcelli stated a lot of the citizens have a concern over the scale of the project. The number of units concentrated in one location as opposed to maybe spreading it out throughout the county.

Chairman Paeprer asked do you think future development on the site, such as a Target, college, movie theatre, etc., will be impacted by this project?

Mr. Brody stated I don't think so. I see it actually as working in concert and supporting that, because these are individuals who need those services. Our hope is that this doesn't derail the communities plans for the remaining site, but supports it.

Chairman Paeprer stated a lot of information was exchanged tonight. We would like to get some feedback from police, fire and the schools. Also, a list of funding agencies and how that lines up. He said we need some more time to digest this. This is a major project and we need to do our due diligence on this.

Mr. Contelmo stated I understand all this takes time. Our time frame and sensitivity to time is different from yours and some of those agencies. We would like to establish a timeline and answer any questions, but at the same time make our way to the Zoning Board where all the same questions are going to come up. We will give you the information that was requested of us in a timely manner.

JONES & HOAG – 66 & 72 LOCKWOOD LANE – TM – 53.-1-79.1 & 79.2 – LOT LINE ADJUSTMENT

Mr. Carnazza read his memo which stated the applicant wishes to do a lot line adjustment for the two properties off Lockwood Ln. in Mahopac.

- The increase/decrease of lots 1 and 2 is by 12,150 sq. ft. and less than the 20% and 20,000 sq. ft. allowed by code, however, the lot line adjustment makes the Hoag lot more non-conforming. An area variance is required.
- The septic area(s) must be drawn on the plat to show compliance.
- Variance required for Hoag lot:
120,000 sq. ft. required 50,518 sq. ft. proposed 69,482 sq. ft. variance needed

Mr. Franzetti read his memo which stated the Town of Carmel Engineering Department does not have any comments regarding the lot Line adjustment being proposed.

The applicant should note the following, per §156-61 of the Town of Carmel Town Code:

- Signature book for Planning Board Chairman to endorse approved plat.
- Location of septic systems.

Mr. Cleary stated the issue with this is the creation of a further non-conformity. Both of these lots are pre-existing, legally non-conforming lots. They are substantially undersized, so the transfer of the 12,250 square feet makes the Hoag lot further non-conforming. And the big question is, why is this being done.

Mr. Joel Greenberg of Architectural Visions, representing the applicant addressed the board and stated the Hoags, who have since passed away are the parents of Mrs. Jones and they have lived together for many years. Since the parents have now passed, the house on the lot is being sold. The section that is in question here is a more level area of the site so the kids come play there. The owners of the Hoag residence have no issues with the loss of 12,000 square feet. At this point, we would like to be denied to the ZBA, because the Hoag lot will become more non-conforming. He said both septic systems in front of the houses and the wells are behind the houses more then 100 feet distance between the two.

Chairman Paeprer stated both lots are currently undersized and neither meet the requirements and they will both continue to be non-conforming.

Mr. Greenberg replied yes, but the one that's becoming more non-conforming is the one that needs the variance. The Jones lot is actually increasing, still non-conforming, but it would be less non-conforming.

Mr. Carnazza stated the one lot is an approved lot on the subdivision. All they are doing is adding to that. It's already locked in for the 60,000 square feet. It will be fine.

Mr. Cote moved to deny the application to the Zoning Board. The motion was seconded by Mr. Porcelli with all in favor.

Mr. Cote moved to adjourn the meeting at 8:17 p.m. The motion was seconded by Mr. Porcelli with all in favor.

Respectfully submitted,

Rose Trombetta