

APPROVED

CRAIG PAEPRER
Chairman

ANTHONY GIANNICO
Vice Chairman

BOARD MEMBERS

KIM KUGLER
RAYMOND COTE
ROBERT FRENKEL
VICTORIA CAUSA
JOHN NUCULOVIC

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 **OCTOBER 26, 2022**

PRESENT: CHAIRMAN, CRAIG PAEPRER, VICE-CHAIRMAN, ANTHONY GIANNICO,
ROBERT FRENKEL, VICTORIA CAUSA, JOHN NUCULOVIC

ABSENT: KIM KUGLER, RAYMOND COTE

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>TYPE</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
Liberty New York Water	54.20-1-42	P/H & Reso.	1-3	Public Hearing Closed & Resolution Adopted.
Greenpoint Tree Service	55.11-1-19,20	Site Plan	3-4	No Board Action.
Kiwi Country Day School	77.17-1-31,32	A. Site Plan	5	Denied to the ZBA.
Braemar at Carmel	55.10-1-3	Extension	5	1 Year Extension Granted.
Vittorini, Brian & Gennyne	54.16-1-40	Regrading	6	Public Hearing Scheduled.
Town of Carmel Comprehensive Master Plan & Zoning Code			6	Discussion.

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Rose Trombetta

**LIBERTY NEW YORK WATER – 23 MACARTHUR DRIVE – TM – 54.20-1-42 – OPEN
PUBLIC HEARING & RESOLUTION**

The consultants had no comments.

Chairman Paeprer asked if anyone in the public wished to be heard on this application.

Ms. Jessica Alves of H2M Architects and Engineers, representing the applicant addressed the board and stated since the last meeting, we have changed the tree species (points to map) from giant arborvitaes to holly trees which are deer resistant. They should be in bloom all year round. For the existing tank on the site, we have proposed twelve holly trees to surround the tank on the north end west side of the tank. Hopefully, that will provide enough screening. We were not able to paint the tank due to make and model of the tank. It's glass infused. We looked into the tank roof vent which is causing the most glare off the tank. We are proposing to paint it to match the tank.

Ms. Sandra Kron of 39 Colonel Glenn Drive, addressed the board and stated the tank is shiny and hoped something could be done to take away that glare.

Chairman Paeprer asked is the glare coming from the tank or the roof dome?

Ms. Kron replied it's coming from both. She asked what is the height of the tank from the ground to the top?

Ms. Alves replied about 15 or 16 feet in height. The holly trees we are planting are not mature. They will be about 6 to 7 feet tall and should reach about 15 feet in height to cover the tank. She stated we have limited space and we trying to do the best we can to screen the tank from everyone's property. The trees could grow a little faster, but we can't guarantee anything. She said the tank is glass and it's painted underneath it.

Ms. Kron stated I don't know how it could be solved, but I would like to think it could be addressed a little better.

Ms. Alves replied that's why we're proposing the holly trees, because they will stay in full bloom all year round.

Ms. Kron stated it will take at least 3 years to get any results from that.

Ms. Alves stated it should provide some coverage from it. It won't cover the entire tank at this point.

Vice Chairman Giannico asked if there is any way to cover it with a mesh screening or something like that.

Ms. Alves replied we spoke to the manufacturer and there aren't that many options other than painting the tank vent and putting screening around it.

Vice Chairman Giannico stated I'm not referring to plantings. He said on that side of the tank maybe put up a curtain. Something in a camouflage pattern.

Mr. Carnazza said once the trees take, you could take down the screen.

Mr. Cleary stated another alternative to proposed screening adjacent to the tank, is to put screening closer to your home. Theoretically, if you gave them consent to place trees on your property, that would be another option to further mitigate the glare.

Ms. Alves pointed out that the tank is at a lower elevation than the house is. Putting trees as far back as we're showing it, should hopefully help.

At which time, the board members and Ms. Kron continued to discuss screening for her home.

Mr. Cleary stated landscaping is a durable improvement once the screening takes. A wall or fence will deteriorate over time. It's not permanent, but the trees would be a good solution. If there could be a second level of plantings closer to the property line, that would also be a good solution.

Ms. Kron asked what is the time frame for installing the trees.

Ms. Alves stated we have to begin construction of the project and we don't have a schedule for that yet, because we don't have a contractor on board.

Chairman Paeprer stated he will be willing to meet at the site when they are ready to plant the trees and work with the resident to strategically plant them the best we can.

Ms. Alves stated the planting of the trees is included as part of the treatment plant project, because we're also proposing to plant holly trees there also. The contractor will install the trees throughout the site.

Mr. Cleary stated now is the time to plant trees in the fall and as a gesture of good faith you could do this screening separately now.

Mr. Christopher Peters of Liberty New York Water asked do we have a timeframe from the landscape architect to plant the trees?

Mr. Cleary said the tank is not part of the treatment plant application. This came up as a separate issue. As a good neighbor, we're suggesting that you do this now. You may not be able to do, because you have to order the plants and get them in before the first freeze.

Ms. Alves stated I'm not sure if this could be done before the first freeze, this might be a spring activity. We will do the best we can before the first freeze.

Chairman Paeprer asked for confirmation of a dead tree to be removed by November 17th.

Mr. Peters stated as far as I know it hasn't changed. It's still planned to be removed.

Ms. Jackie Calhoun of 25 General MacArthur Drive asked how many trees will be planted by the treatment plant?

Ms. Alves replied about 11 trees.

Ms. Calhoun asked can we be present for that as well.

Ms. Alves replied yes.

Ms. Calhoun asked if the metal fence around the plant can be painted black to match the other fences.

Ms. Alves stated we have screened it in as much as we can and the building and fence line should not be visible from your house.

Mr. Peters stated I'm assuming the fence will match whatever is existing on the new building.

Ms. Kron stated will there be a written confirmation of everything that was discussed regarding the trees and tank?

Chairman Paeprer stated it will be part of the record.

Ms. Calhoun asked when will the trees be planted at the bottom be planted. Will that also be in the spring?

Ms. Alves stated that's part of the construction of the building. We can't plant until the building and the fence is up.

Mr. Peters stated landscaping and restoration is the last to be done.

Hearing no further comments from the public, Vice Chairman Giannico moved to close the public hearing. The motion was seconded by Mr. Frenkel with all in favor.

Vice Chairman Giannico asked Mr. Cleary before we adopt a resolution, do we need to incorporate what was discussed this evening?

Mr. Cleary stated it would not be a condition of approval, it would be reflected on an amended plan. You will have to show us what landscaping you have agreed to, but it wouldn't be a condition of approval. It will be documented in our minutes.

Vice Chairman Giannico moved to adopt Resolution #22-19, dated October 26, 2022; Tax Map #54.20-1-42 entitled Liberty New Water Site Plan. The motion was seconded by Mrs. Causa with all in favor.

GREENPOINT TREE SERVICE - 61 & 65 OLD ROUTE 6 - TM - 55.11-1-19,20 - SITE PLAN

Mr. Carnazza read his memo which stated the applicant proposes to merge two of the lots on the Merrieweather Estates Subdivision to construct a commercial building consisting of 10 spaces that will be rented for heavy commercial use. The property is in the C-Commercial zoning district.

- Define "Heavy Commercial Use".
- C-Commercial Zoning allows the following:
 - Fully enclosed establishments for the sale and repair of machinery and equipment
 - Wholesale storage and distributive establishments, including lumberyards
- Provide floor plans and elevations.
- Will each space have an office, bathroom, break room? Consider this in the parking calculation. Offices require parking at 1 space/200 s.f., not 1/1000 as proposed.

Mr. Cleary stated Mr. Franzetti has numerous comments and they will be given to the applicant.

Mr. Cleary stated that the site was before the board previously. There were a lot of issues with this property. He said the two lots have to be merged. Merrieweather Estates and/or prior regrading applications need to be researched to find out if there were any restrictions, limitations or conditions that were left over from those projects. At which time, Mr. Cleary continued to read his comments regarding the application.

Mr. Paul Lynch of Putnam Engineering, representing the applicant, addressed the board and stated Greenpoint Tree Service is purchasing the two lots and will combine them. They are looking to move their operation to the property. They will probably take up to five of the units. He said their long term goal is when they get close to retiring is to have rental units that they could rent. That's why we're showing 10 individual units right now, but in actuality the applicant may be using half of the building. He said they are not looking to have outdoor storage, everything will be done inside. If anyone rents a space, they will have to keep their equipment and tools inside.

Mr. Carnazza said can you note that on the plan.

Mr. Lynch replied yes. He said this property is across the street from Tompkins Recycling Facility. He said the Merrieweather Subdivision was bought by Lee Schulz back in 1990's. Mr. Schulz got a mining permit from the NYSDEC and a town regrading permit for the lots. He is wrapping up his mining operation and getting things down to grade. The existing survey that was submitted was based on a survey that was done at a certain point. We're showing higher elevations that are actually physically out there today. I could give up to date cross sections so we could get the earth stuff straightened out.

Vice Chairman Giannico asked what is the plan when they are performing their work and they have a truckload of mulch or wood chips, where will they stage that?

Mr. Lynch said if it's a truckload it will stay in the truck and it would go inside the building, because there is no room outside to store anything.

Mr. Frenkel asked is it possible to move the building to the front and the parking to the back?

Chairman Paerprer stated being that Tompkins is across the street, we have an opportunity to make it right. Let's have the parking in the rear and any piles of wood, wood chips or mulch should be hidden from the road.

Mr. Lynch replied I understand that. I'll find out specifically what their intentions are regarding wood and/or wood chips.

Mr. Frenkel recommended that there be ample landscape screening in the front.

Mr. Cleary stated this is two of seven lots. If it were three of seven lots and there was more area, perhaps you would have a better opportunity to devise the plan in a more appropriate manner.

Chairman Paerprer stated for the next submission to provide elevations and a rendering of the building.

Vice Chairman Giannico asked will the building be a pre-engineered steel building?

Mr. Lynch replied it will be a pre-engineered steel building.

Chairman Paeprer stated you have a lot of comments to address. He said let's put some thought into this. This is a very industrial area.

KIWI COUNTRY DAY SCHOOL – 825 UNION VALLEY ROAD – TM – 77.17-1-31,32 – AMENDED SITE PLAN

Mr. Carnazza read his memo which stated the applicant proposes to legalize some amendments to the Kiwi Country Day camp site plan (77.17-1-32) and additions/changes made to the adjacent lot (77.17-1-31). A Use Variance is required to expand the Day Camp onto the adjacent residential lot that is already occupied by a one family dwelling. You cannot, unless otherwise written, have more than one Principal use on a lot and the permitted accessory buildings. There is a Use Variance for the existing caretaker's apartment over the existing garage, however, the addition of a one family dwelling is an expansion of the Camp. The previously granted variance does not cover the one family dwelling. The 4 yurts are labeled "for programming". When I spoke to the engineer, he represented that programming could be many different activities (arts and crafts, music, etc.). Permits are required for the two sheds on 77.17-1-31. I checked the Building Department files, there are no permits for sheds in the file.

Mr. Adam Thyberg of Insite Engineering, representing the applicant stated there is only one shed on the property, the other one was removed.

Mr. Carnazza said then you need a permit for the one shed.

Mr. Cleary stated Mr. Franzetti's memo stated all engineering comments have been addressed.

Mr. Cleary stated the applicant has provided the following clarifications:

- The applicant is requesting a referral to the ZBA to seek a use variance to allow for the day camp use to extend onto the adjacent residential lot that was previously incorporated into the site.
- The yurts (which will be used for camp programming) may be disassembled during the off-season, or may remain up year-round. If disassembled, they would be reinstalled upon the same pad each year, with no change in location. If they will remain in place year-round, they will be designed to accommodate wind and snow load. It is recommended that these points be established as conditions of amended site plan approval.

Mr. Frenkel moved to deny the application to the ZBA. The motion was seconded by Mr. Nuculovic.

BRAEMAR AT CARMEL – 49 SEMINARY HILL ROAD – TM – 55.10-1-3 – EXTENSION OF FINAL SITE PLAN APPROVAL

Mr. Carnazza had no objection to the extension.

Mr. Cleary had no objection to the extension. He stated the letter submitted from Insite Engineering indicated they are still working on stormwater management and bond details.

Mr. Frenkel moved to grant extension of final site plan for 1 year. The motion was seconded by Mrs. Causa with all in favor.

VITTORINI, BRIAN & GENNYNE – 6 PHEASANT PLACE – TM – 54.16-1-40 – REGRADING APPLICATION

Mr. Carnazza had no comments.

Mr. Cleary read Mr. Franzetti's memo dated October 18, 2022.

Mr. Cleary stated this is an existing residential property where the fill has already been brought in. It's an area next to the existing home. The applicant has provided soil data and testing data. Mr. Franzetti has signed off on that and said the testing indicated the material is clean.

Chairman Paeprer stated by having the soil tested was the most important thing to do. It's at a dead end street and it's sloped. He said next time come to us first for approval.

Mr. Alec Barnes of Rain Concepts, representing the applicant stated this an existing fill pad. The applicant's driveway was failing and sloping off to the right side (points to map). At which time, Mr. Barnes displayed pictures of what was done to the board.

Chairman Paeprer asked are you done bringing in fill?

Mr. Barnes replied yes.

Vice Chairman Giannico moved to schedule a public hearing. The motion was seconded by Mr. Nuculovic.

TOWN OF CARMEL COMPREHENSIVE MASTER PLAN AND ZONING CODE DRAFT – DISCUSSION

Mr. Cleary and the board members continued to review the Goals and Objectives chapter of the draft Comprehensive Plan, focusing on the following goals:

- *Transportation: Complete Streets & Trails* and associated 9 objectives.
- *Historic, scenic and Cultural Resources* and associated 14 objectives.
- *Design Guidelines.*

Mr. Cleary and the board members continued to discuss the 15 Zoning District Purposes.

Mrs. Causa moved to adjourn the meeting at 8:50 p.m. The motion was seconded by Vice Chairman Giannico

Respectfully submitted,

Rose Trombetta