

KENNETH SCHMITT  
*Town Supervisor*

**TOWN OF CARMEL**  
**TOWN HALL**

ANN SPOFFORD  
*Town Clerk*

FRANK D. LOMBARDI  
*Town Councilman*  
*Deputy Supervisor*

60 McAlpin Avenue  
Mahopac, New York 10541

KATHLEEN KRAUS  
*Receiver of Taxes*

JOHN D. LUPINACCI  
*Town Councilman*  
SUZANNE MC DONOUGH  
*Town Councilwoman*  
JONATHAN SCHNEIDER  
*Town Councilman*

Tel. (845) 628-1500 • Fax (845) 628-6836  
[www.carmelny.org](http://www.carmelny.org)

MICHAEL SIMONE  
*Superintendent of Highways*  
Tel. (845) 628-7474

**TOWN BOARD WORK SESSION**  
**Wednesday, April 8, 2015 7:00pm**

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**Pledge of Allegiance – Moment of Silence**

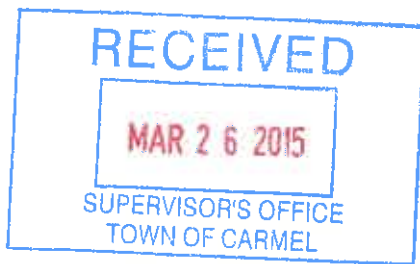
1. **Public Hearing #1:** On a Proposed Local Law Amending the Code of the Town of Carmel, Chapter 156, entitled, "Zoning"  
**#1A SEQR Review** - Consider Resolution SEQR Determination  
**#1B** Consider Motion to Enact Law
2. **Public Hearing #2:** On a Proposed Local Law Amending the Code of the Town of Carmel, Chapter 156, entitled, "Zoning"  
**#2A SEQR Review** Consider Resolution SEQR Determination  
**#2B** Consider Motion to Enact Law
3. Res: Authorizing Payment of Sick Time – Police Chief Michael Cazzari  
Town of Carmel Police Department
  - **Public Comment (Three (3) Minutes on Agenda Items Only)**
  - **Town Board Member Comments**

**Town Board Work Session:**

1. Review of Town Board Minutes February 25, March 4 and 18, 2015
2. Michael Simone, Highway Superintendent – Consider Awarding Bid for Spring Material and Supplies
3. Consider Two Bond Returns TM# 64.9-1-15 – Euro Builders- Austin Road (\$9,200 and \$21,720)
4. Consider Waiver of the Notice Requirement in Section 64 of the New York State ABC Law with Respect to a Liquor License for V.N.A. Gaudio Corp. d/b/a Three Boys from Italy Trattoria
  - **Public Comment (Three (3) Minutes on Agenda Items Only)**
  - **Town Board Member Comments**

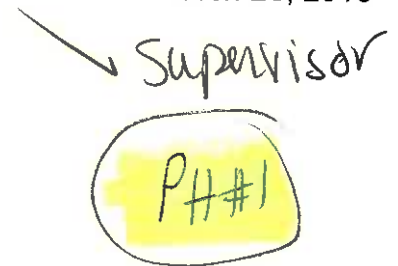
**Open Forum:**

- **Public Comments on New Town Related Business (Three (3) Minutes Maximum per Speaker for Town Residents, Property Owners & Business Owners Only)**
- **Town Board Member Comments**
- **Adjournment**



*Office of the Town Clerk*

*Carmel Town Hall  
60 McAlpin Avenue  
Mahopac, NY 10541*



*Ann Spofford, Town Clerk*

*Phyllis Bourges, Deputy Town Clerk*

*Telephone: 845-628-1500*

*Fax: 845-628-7434*

**Legal Notice**

**NOTICE OF PUBLIC  
HEARING**

NOTICE IS HEREBY  
GIVEN, that the Town Board  
of the Town of Carmel will  
conduct a Public Hearing at  
the Town Hall, 60 McAlpin  
Avenue, Mahopac, New  
York 10541 on Wednesday,  
April 8, 2015 at 7:00 p.m.  
or as soon thereafter that  
evening as possible on a  
Local Law amending the  
Code of the Town of Carmel,  
Chapter 156 thereof, entitled  
"Zoning"; as follows:

**PROPOSED LOCAL LAW  
# \_\_\_\_\_ OF THE YEAR  
2015**

**A LOCAL LAW TO  
AMEND THE CODE OF  
THE TOWN OF CARMEL,  
CHAPTER 156,  
THEREOF, ENTITLED  
"ZONING"**

BE IT ENACTED by the  
Town Board of the Town  
of Carmel, County of  
Putnam, State of New York  
as follows:

**SECTION 1**

This Local Law shall be  
known as 2015 Amendments  
to Chapter 156 entitled  
"Zoning".

**SECTION 2.**

Article X of Chapter  
156 of the Code Entitled  
"Stormwater Control" is  
hereby amended to read as  
follows:

**ARTICLE X:  
STORMWATER CONTROL  
§156-80 "DEFINITIONS"**  
is hereby amended as  
follows:

**LAND DEVELOPMENT  
ACTIVITY** – Construction  
activity, including clearing,  
grading, excavating, soil  
disturbance or placement  
of fill that results in land  
disturbance of equal to or  
greater than 5,000 square  
feet, or activities disturbing  
less than one acre of total  
land area that is part of  
a larger common plan of  
development or sale, even  
though multiple separate and  
distinct land development  
activities may take place at  
different times on different  
schedules.

**THE DEFINITION FOR  
"SPDES GENERAL PERMIT  
FOR CONSTRUCTION  
ACTIVITIES GP 02 01" IS  
HEREBY REPEALED AND  
REPLACED WITH:  
SPDES GENERAL  
PERMIT FOR  
STORMWATER  
DISCHARGES FROM**

**CONSTRUCTION**

**ACTIVITIES** – A general  
permit under the New York  
State Pollutant Discharge  
Elimination System  
(SPDES) issued to developers  
of construction activities to  
regulate disturbance of land.  
GP 0 15 002 or most recent  
version.

**THE DEFINITION FOR  
"SPDES GENERAL PERMIT  
FOR STORMWATER  
DISCHARGES FROM  
MUNICIPAL SEPARATE  
STORMWATER SEWER  
SYSTEMS GP 02 02" IS  
HEREBY REPEALED AND  
REPLACED WITH:  
SPDES GENERAL  
PERMIT FOR  
STORMWATER  
DISCHARGES FROM  
MUNICIPAL SEPARATE  
STORMWATER SEWER  
SYSTEMS** - A general  
permit under the New York  
State Pollutant Discharge  
Elimination System (SPDES)  
issued to municipalities to  
regulate discharges from  
municipal separate storm  
sewers for compliance  
with EPA established water  
quality standards and/or to  
specify stormwater control  
standards. GP 0 10 002 or  
most recent version.

## *Office of the Town Clerk*

*Carmel Town Hall  
60 McAlpin Avenue  
Mahopac, NY 10541*

*Ann Spofford, Town Clerk*

*Phyllis Bourges, Deputy Town Clerk*

*Telephone: 845-628-1500*

*Fax: 845-628-7434*

### SECTION 3.

§ ZONING 156 Attachment

2 Town of Carmel Sample  
Stormwater Control Facility  
Maintenance Agreement is  
hereby amended to read as  
follows: Town of Carmel  
Sample Stormwater Facility  
Maintenance Agreement

Whereas, the Town of Carmel,  
County of Putnam, State of New  
York ("Municipality") and \_\_\_\_\_  
("facility owner") want to enter into  
an agreement to provide for the long  
term maintenance and continuation  
of stormwater control measures  
approved by the Municipality for the  
below named project, and  
Whereas, the Municipality and the  
facility owner desire that the  
stormwater control measures be  
built in accordance with the  
approved project plans and  
thereafter be maintained, cleaned,  
repaired, replaced and continued in  
perpetuity in order to ensure  
optimum performance of the  
components. Therefore, the  
Municipality and the facility  
owner agree as follows:

1. This agreement  
inures to the benefit of the  
Municipality and binds  
the facility owner, its  
successors and assigns, to  
the maintenance provisions  
depicted in the approved  
project plans which are  
attached as Schedule A of  
this agreement.

2. The facility owner  
shall maintain, clean, repair,  
replace and continue the  
stormwater control measures  
depicted in Schedule A as  
necessary to ensure optimum  
performance of the measures  
to design specifications. The  
stormwater control measures  
shall include, but shall not  
be limited to, the following:  
drainage ditches, swales,  
dry wells, infiltrators, drop  
inlets, pipes, culverts, soil  
absorption devices and  
retention ponds.

3. The facility owner  
shall be responsible for  
all expenses related to  
the maintenance of the  
stormwater control measures  
and shall establish a means  
for the collection and  
distribution of expenses  
among parties for any  
commonly owned facilities.

4. The facility owner  
shall provide for the

periodic inspection of  
the stormwater control  
measures, not less than once  
in every five year period, to  
determine the condition and  
integrity of the measures.  
Such inspection shall be  
performed by a professional  
engineer licensed by the  
State of New York. The  
inspecting engineer shall

prepare and submit to the  
Municipality, within 30 days  
of the inspection, a written  
report of the findings,  
including recommendations  
for those actions necessary  
for the continuation of  
the stormwater control  
measures.

5. The facility owner  
shall not authorize, undertake  
or permit alteration,  
abandonment, modification  
or discontinuation of the  
stormwater control measures  
except in accordance with  
written approval of the  
Municipality.

6. The facility owner  
shall undertake necessary  
repairs and replacement  
of the stormwater control  
measures at the direction  
of the Municipality or  
in accordance with the  
recommendations of the  
inspecting engineer.

7. The facility owner  
shall provide to the  
Municipality, within 30  
days of the date of this  
agreement, a security  
for the maintenance  
and continuation of the  
stormwater control measures  
in the form of a bond,  
letter of credit or escrow

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*Telephone: 845-628-1500*

*Fax: 845-628-7434*

account. 8. This agreement shall be recorded in the Office of the County Clerk, County of Putnam together with the deed for the subject premises.

9. In the event that the Municipality determines that the facility owner has failed to construct or maintain the stormwater control measures in accordance with the project plan or has failed to undertake corrective action specified by the Municipality or by the inspecting engineer, the Municipality is authorized to undertake such steps as reasonably necessary for the preservation, continuation or maintenance of the stormwater control measures and to affix the expenses thereof as a lien against the property. 10. Nothing within this agreement shall be construed to impose any affirmative obligation or covenant of performance on the Municipality.

11. This agreement is effective \_\_\_\_.

Facility Owner: \_\_\_\_.

Owner's Representative:

\_\_\_\_  
Representative

Signature: \_\_\_\_.

### SECTION 4 – HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

### SECTION 5 – SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

### SECTION 6 – Effective Date

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

At said Public Hearing, all interested persons shall be heard on the subject thereof. The Town Board will make every effort to assure that the

Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

By Order of  
the Town Board  
of the Town of Carmel  
Ann Spofford, Town Clerk

#1A

617.20  
Appendix B  
Short Environmental Assessment Form

Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>																		
Town of Carmel																		
Name of Action or Project: Amendments to Chapter 156 of Town Code Entitled "Zoning"																		
Project Location (describe, and attach a location map): Town-wide																		
Brief Description of Proposed Action: Amendments to Definitions section Article X of the Town Code of the Town of Carmel, specifically as same pertain to Land Development Activity, SPDES permit designation and sample stormwater maintenance agreement																		
Name of Applicant or Sponsor: Town of Carmel		Telephone: 845-628-1500																
		E-Mail:																
Address: 60 McAlpin Avenue																		
City/PO: Mahopac		State: NY	Zip Code: 10541															
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1"><tr><td>NO</td><td>YES</td></tr><tr><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1"><tr><td>NO</td><td>YES</td></tr><tr><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
3. a. Total acreage of the site of the proposed action? _____ town wide acres																		
b. Total acreage to be physically disturbed? _____ -0- acres																		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres																		
4. Check all land uses that occur on, adjoining and near the proposed action. <table border="0"><tr><td><input type="checkbox"/> Urban</td><td><input type="checkbox"/> Rural (non-agriculture)</td><td><input type="checkbox"/> Industrial</td><td><input checked="" type="checkbox"/> Commercial</td><td><input checked="" type="checkbox"/> Residential (suburban)</td></tr><tr><td><input type="checkbox"/> Forest</td><td><input type="checkbox"/> Agriculture</td><td><input type="checkbox"/> Aquatic</td><td colspan="2"><input type="checkbox"/> Other (specify): _____</td></tr><tr><td colspan="5"><input checked="" type="checkbox"/> Parkland</td></tr></table>				<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)	<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____		<input checked="" type="checkbox"/> Parkland				
<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)														
<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____															
<input checked="" type="checkbox"/> Parkland																		

5. Is the proposed action,		NO	YES	N/A
a. A permitted use under the zoning regulations?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO YES		
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO YES		
If Yes, identify: <u>N/A</u>		<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO YES		
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		NO YES		
If the proposed action will exceed requirements, describe design features and technologies: <u>N/A</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO YES		
If No, describe method for providing potable water: <u>N/A</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO YES		
If No, describe method for providing wastewater treatment: <u>N/A</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO YES		
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO YES		
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: <u>N/A</u>				
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:				
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban				
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO YES		
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?		NO YES		
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources?		NO YES		
If Yes,		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Will storm water discharges flow to adjacent properties?		<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?		<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		
If Yes, briefly describe: <u></u>				

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ N/A	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ N/A	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ N/A	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Town of Carmel</u>		Date: <u>April 8, 2015</u>
Signature: _____		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Carmel	April 8, 2015
Name of Lead Agency	Date
Kenneth Schmitt	Town Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**



## #1A

### SEQR DETERMINATION OF SIGNIFICANCE NEGATIVE DECLARATION

**WHEREAS**, the Town Board of the Town of Carmel is considering enacting a local law to protect and enhance the public health and welfare of the Town of Carmel by making miscellaneous revisions to the Town of Carmel Zoning Code, Chapter 156, specifically relating to Article X thereof, entitled Stormwater Controls; and

**WHEREAS**, this local law has been developed to promote and enhance the health, safety and general welfare of the persons and property of the Town of Carmel; and

**WHEREAS**, the project is defined as an Unlisted Action; and

**NOW THEREFORE BE IT RESOLVED**, that pursuant to Part 617 of the SEQR Regulations, the Town of Carmel Town Board hereby designates its intention to serve as Lead Agency for the SEQR Review of this Unlisted Action, and in this capacity will conduct an Uncoordinated Review.

**BE IT FURTHER RESOLVED**, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Unlisted Action will not have a significant effect on the environment for the reasons enumerated in the attached Negative Declaration Form.

#### Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

#### Roll Call Vote

Jonathan Schneider

YES

NO

John Lupinacci

\_\_\_\_\_

\_\_\_\_\_

Suzanne McDonough

\_\_\_\_\_

\_\_\_\_\_

Frank Lombardi

\_\_\_\_\_

\_\_\_\_\_

Kenneth Schmitt

\_\_\_\_\_

\_\_\_\_\_

SEQR

617.21

Appendix F

**State Environmental Quality Review  
NEGATIVE DECLARATION  
Notice of Determination of Non-Significance**

Project Number \_\_\_\_\_

Date May 11, 2011

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Carmel, Town Board as lead agency, has determined that the proposed action described below will not have a significant effect on the environmental and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:**

A LOCAL LAW AMENDING CHAPTER 156 ENTITLED "ZONING" and Article X thereof, entitled "Stormwater Controls"

**SEQR Status:**

Type I ☐

Unlisted ☒

**Conditioned Negative Declaration:**

Yes ☐

No ☒

**Description of Action:**

The proposed action involves enacting a protect and enhance the public health and welfare of the Town of Carmel by making miscellaneous revisions to the Town of Carmel Zoning Code, Chapter 156, specifically relating to Stormwater Control as set forth in Article X, Definitions of Land Use Activity, SPDES Permit Designation and Sample Stormwater Maintenance Agreement.

**Location:** (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Town of Carmel, Putnam County

**REASONS SUPPORTING THIS DETERMINATION:**

The action involves enacting a local law to protect and enhance the public health and welfare of the residents Town of Carmel protect and enhance the public health and welfare of the Town of Carmel by making miscellaneous revisions to the Town of Carmel Zoning Code, Chapter 156, specifically as same pertains to Definitions of Land Development Activity, SPDES Permit Designation and sample stormwater maintenance agreements to facilitate the development of land and implementation of stormwater controls in accordance with State of New York law and the terms of existing General Permits.

This local law has been prepared to protect and enhance the health, safety and welfare of the residents of the Town of Carmel.

As a result, it can be concluded that the proposed action will not result in any significant adverse environmental impacts.

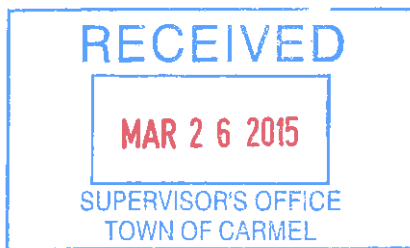
**If Conditioned Negative Declaration**, provide on attachment the specific mitigation measures imposed.

**For Further Information:**

Contact Person: Kenneth Schmitt, Supervisor  
Address: Town Hall, 60 McAlpin Avenue, Mahopac, NY 10541  
Telephone Number: 845-628-1500

**For Type I Actions and Conditioned Negative declarations, a Copy of the Notice sent to:**

Commissioner, Dep't of Environmental Conservation, 50 Wolf Road, Albany, NY 12233-0001  
NYSDEC Region 3, 21 South Putt Corners Road, New Paltz, NY 12561  
Supervisor, Town of Carmel, Town Hall, 60 McAlpin Avenue, Mahopac, NY 10541



**Office of the Town Clerk**

Carmel Town Hall  
60 McAlpin Avenue  
Mahopac, NY 10541

Supervisor

PH#2

**Ann Spofford, Town Clerk**

**Phyllis Bourges, Deputy Town Clerk**

Telephone: 845-628-1500

Fax: 845-628-7434

**Legal Notice**

**NOTICE OF PUBLIC  
HEARING**

**NOTICE IS HEREBY**

**GIVEN**, that the Town Board  
of the Town of Carmel will  
conduct a Public Hearing at  
the Town Hall, 60 McAlpin  
Avenue, Mahopac, New  
York 10541 on Wednesday,  
April 8, 2015 at 7:00 p.m.  
or as soon thereafter that

evening as possible on a  
Local Law amending the  
Code of the Town of Carmel,  
Chapter 156 thereof, entitled  
"Zoning"; as follows:

**PROPOSED LOCAL LAW  
# \_\_\_\_\_ OF THE YEAR  
2015**

**A LOCAL LAW TO  
AMEND THE CODE OF  
THE TOWN OF CARMEL,  
CHAPTER 156,  
THEREOF, ENTITLED  
"ZONING"**

**BE IT ENACTED** by the  
Town Board of the Town  
of Carmel, County of  
Putnam, State of New York  
as follows:

**SECTION 1**

This Local Law shall be  
known as 2015 Amendments  
to Chapter 156 entitled  
"Zoning".

**SECTION 2.**

Subsection §156-61(C)  
(3) of Chapter 156 entitled  
"Zoning" is hereby amended  
to read as follows:

(3) Design review criteria.

(a). Building plans shall  
be reviewed in several  
aspects:

(1) Proportion. The  
relationship between  
the width and height of  
the front elevation of a  
building should be similar  
to the adjacent buildings.  
Proportion can also apply  
to the relationship between  
windows and doors and their  
relationship to the building  
itself.

(2) Rhythm. The rhythm  
of the building and its  
components is the spacing  
or repetition of architectural  
elements or details. The  
regularity, frequency  
and placement of doors,  
windows, porches and ramps  
and the placement within a  
facade is a type of rhythm.  
Rhythm between adjoining  
buildings can exist when  
building types are repeated  
along street. (3) Scale. Scale is  
the relationship between  
architecture and people or  
between the architectural  
mass and the space which  
surrounds it. The scale of The

Town of Carmel is intimate  
in nature. Any building built  
on a monumental scale  
will seem out of place and  
foreign. Certain already  
built buildings are deemed  
inappropriate in some areas  
of the town.

(4) Height. New  
buildings will be in  
harmony with appropriate  
buildings and subject to the  
requirements of The Town of  
Carmel Zoning Ordinance.

(5) Facade treatment.

The exterior features of  
all buildings should be  
visually and physically  
compatible with those  
facades surrounding them.  
Components to consider are  
color, texture and type of  
building materials. Specific  
details such as roof shape,  
cornices and moldings  
should be repeated to unify  
buildings and not used to  
create visual distractions.

(6) Monotony of design  
in single or multiple building  
projects shall be avoided.  
Variation of detail, form  
and siting shall be used to  
provide visual interest. In  
multiple building projects,  
variable siting or individual  
buildings may be used to  
prevent a monotonous  
appearance.

## *Office of the Town Clerk*

*Carmel Town Hall  
60 McAlpin Avenue  
Mahopac, NY 10541*

*Ann Spofford, Town Clerk*

*Phyllis Bourges, Deputy Town Clerk*

*Telephone: 845-628-1500*

*Fax: 845-628-7434*

(b) Development requirements.

(1) Materials will be selected to create harmony with the adjoining appropriate buildings and for suitability to the type and use of the buildings. A building shall use the same materials or those that are architecturally harmonious for all building walls and other exterior building components wholly or partly visible to the public.

(2) Colors shall be harmonious and shall use only compatible accents.

(3) Large mechanical equipment or other utility hardware on the roof, ground or buildings shall be screened from public view with materials harmonious to the building.

(4) Exterior lighting shall be part of the architectural concept.

Fixtures, standards and all exposed accessories shall be harmonious with the building design. (5) Service yards, storage area, yards and exterior work areas shall be screened from public view with materials harmonious with the building and in compliance.

(6) Dumpsters must be placed in compliance with section 96-3C(1) through (10).

(c) Special regulations. Application for development within the town shall be reviewed, evaluated and determined by the Planning Board. Among criteria for review will be in compliance with the following measures:

(1) Locate the building at a minimum setback line with the maximum length of the building facing along street to provide frequent and convenient pedestrian connections between buildings and public sidewalks; minimize the public view of large parking areas and service facilities; provide a continuous edge along the street; and visually enclose and define public street space that is comfortable to pedestrians in proportion and scale.

(2) Design and place buildings in order to preserve and enhance special street views. In particular, views of important buildings and natural features, focal points at T-intersections and views along curbs and roadways should be encouraged.

(3) Position new buildings to insure the adjacent properties have visual privacy and sunlight as well as protection from the new development's site illumination, noise and odor.

(4) In terms of shape, style, rooflines, color and materials, buildings shall be designed to complement and contribute to a desirable community character.

(5) Design landscaping and building adjacent to historic properties that are complimentary to the significant historical features.

(6) Design and position buildings to screen unsightly elements, such as shipping and loading areas, transformers, dumpsters and meters from public view.

(7) Design the building roof to screen mechanical equipment from view and contribute to an attractive visual setting.

(8) Design the building to insure adequate blending of the storm drainage requirement with the local environment.

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(9) Provide a minimum 10' (ten-foot) "buffer island" which shall be landscaped (trees, bushes, flowers, etc.) in front of all non-residential lots.

(10) Provide a minimum 20' (twenty-foot) landscaped buffer area/zone on all sides of site plan bordering residentially zoned properties. For purposes of this section landscaping shall include evergreen trees, plantings and/or shrubbery which in the discretion of the Planning Board shall minimize impact of proposed site plan improvements upon neighboring residential properties.

### **SECTION 3 – HOME RULE**

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval. **SECTION 4 – SEVERABILITY**

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by

any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

### **SECTION 5 – Effective Date**

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

At said Public Hearing, all interested persons shall be heard on the subject thereof. The Town Board will make every effort to assure that the Public Hearing is accessible to persons with disabilities.

Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

By Order of  
the Town Board  
of the Town of Carmel  
Ann Spofford, Town Clerk

#2A

617.20  
Appendix B  
Short Environmental Assessment Form

**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>																		
Town of Carmel																		
Name of Action or Project: Amendments to Chapter 156 of Town Code Entitled "Zoning"																		
Project Location (describe, and attach a location map): Town-wide																		
Brief Description of Proposed Action: Adoption of new/amended design review criteria for site plan application review by Town of Carmel Planning Board pursuant to Chapter 156-61 of the Town Code																		
Name of Applicant or Sponsor: Town of Carmel		Telephone: 845-628-1500																
		E-Mail:																
Address: 60 McAlpin Avenue																		
City/PO: Mahopac		State: NY	Zip Code: 10541															
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="text-align: center;">NO</td><td style="text-align: center;">YES</td></tr><tr><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="text-align: center;">NO</td><td style="text-align: center;">YES</td></tr><tr><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
3. a. Total acreage of the site of the proposed action? _____ town wide acres																		
b. Total acreage to be physically disturbed? _____ -0- acres																		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres																		
4. Check all land uses that occur on, adjoining and near the proposed action. <table style="width: 100%;"><tr><td><input type="checkbox"/> Urban</td><td><input type="checkbox"/> Rural (non-agriculture)</td><td><input type="checkbox"/> Industrial</td><td><input checked="" type="checkbox"/> Commercial</td><td><input checked="" type="checkbox"/> Residential (suburban)</td></tr><tr><td><input type="checkbox"/> Forest</td><td><input type="checkbox"/> Agriculture</td><td><input type="checkbox"/> Aquatic</td><td colspan="2"><input type="checkbox"/> Other (specify): _____</td></tr><tr><td colspan="5"><input checked="" type="checkbox"/> Parkland</td></tr></table>				<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)	<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____		<input checked="" type="checkbox"/> Parkland				
<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)														
<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____															
<input checked="" type="checkbox"/> Parkland																		

5. Is the proposed action,		NO	YES	N/A
a. A permitted use under the zoning regulations?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES	
If Yes, identify: <u>N/A</u>		<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: <u>N/A</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water: <u>N/A</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment: <u>N/A</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: <u>N/A</u>				
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:				
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban				
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources?		NO	YES	
If Yes,				
a. Will storm water discharges flow to adjacent properties?		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
If Yes, briefly describe: <u></u>				



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ N/A	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ N/A	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ N/A	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Town of Carmel</u>		Date: <u>April 8, 2015</u>
Signature: _____		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Carmel	April 8, 2015
Name of Lead Agency	Date
Kenneth Schmitt	Town Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**

## # 2A

### SEQR DETERMINATION OF SIGNIFICANCE NEGATIVE DECLARATION

**WHEREAS**, the Town Board of the Town of Carmel is considering enacting a local law to protect and enhance the public health and welfare of the Town of Carmel by making miscellaneous revisions to the Town of Carmel Zoning Code, Chapter 156-61, specifically relating to design review criteria for site plan applications in the Town of Carmel; and

**WHEREAS**, this local law has been developed to promote and enhance the health, safety and general welfare of the persons and property of the Town of Carmel; and

**WHEREAS**, the project is defined as an Unlisted Action; and

**NOW THEREFORE BE IT RESOLVED**, that pursuant to Part 617 of the SEQR Regulations, the Town of Carmel Town Board hereby designates its intention to serve as Lead Agency for the SEQR Review of this Unlisted Action, and in this capacity will conduct an Uncoordinated Review.

**BE IT FURTHER RESOLVED**, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Unlisted Action will not have a significant effect on the environment for the reasons enumerated in the attached Negative Declaration Form.

#### Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

SEQR

617.21

Appendix F

**State Environmental Quality Review  
NEGATIVE DECLARATION  
Notice of Determination of Non-Significance**

Project Number \_\_\_\_\_

Date May 11, 2011

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Carmel, Town Board as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:**

A LOCAL LAW AMENDING CHAPTER 156 ENTITLED "ZONING" specifically section 156-61 thereof."

**SEQR Status:**

Type I ☐

Unlisted ☒

**Conditioned Negative Declaration:**

Yes ☐

No ☒

**Description of Action:**

The proposed action involves enacting a protect and enhance the public health and welfare of the Town of Carmel by making miscellaneous revisions to the Town of Carmel Zoning Code, Chapter 156-61 specifically relating design review criteria for site plan applications.

**Location:** (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Town of Carmel, Putnam County

**REASONS SUPPORTING THIS DETERMINATION:**

The action involves enacting a local law to protect and enhance the public health and welfare of the residents Town of Carmel protect and enhance the public health and welfare of the Town of Carmel by making miscellaneous revisions to the Town of Carmel Zoning Code, Chapter 156-61, Code, specifically relating design review criteria for site plan applications. in the Town of Carmel to ensure development of commercial property in accordance with a consistent set of standards as same pertain to aesthetic impact within the Town of Carmel and harmonious development of property in accordance with comprehensive plan and existing development at present.

This local law has been prepared to protect and enhance the health, safety and welfare of the residents of the Town of Carmel.

As a result, it can be concluded that the proposed action will not result in any significant adverse environmental impacts.

**If Conditioned Negative Declaration**, provide on attachment the specific mitigation measures imposed.

**For Further Information:**

Contact Person: Kenneth Schmitt, Supervisor  
Address: Town Hall, 60 McAlpin Avenue, Mahopac, NY 10541  
Telephone Number: 845-628-1500

**For Type I Actions and Conditioned Negative declarations, a Copy of the Notice sent to:**

Commissioner, Dep't of Environmental Conservation, 50 Wolf Road, Albany, NY 12233-0001  
NYSDEC Region 3, 21 South Putt Corners Road, New Paltz, NY 12561  
Supervisor, Town of Carmel, Town Hall, 60 McAlpin Avenue, Mahopac, NY 10541

### #3

#### RESOLUTION AUTHORIZING PAYMENT OF SICK TIME TOWN OF CARMEL POLICE DEPARTMENT

RESOLVED that the Town Board of the Town of Carmel hereby authorizes payment of forty (40) days of accrued sick time at 75% to Town of Carmel Police Chief Michael Cazzari at a daily rate of \$548.73 for a total of \$16,461.90

#### Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

# TOWN OF CARMEL HIGHWAY DEPARTMENT

WS#2

Carmel Highway Department  
55 McAlpin Avenue  
Mahopac, NY 10541

**MICHAEL SIMONE**  
*Superintendent of Highways*

845.628.7474  
FAX 845.628.1471

MSimone@bestweb.net

## M E M O R A N D U M

TO: TOWN BOARD  
FROM: MICHAEL SIMONE - HIGHWAY SUPERINTENDENT  
RE: HIGHWAY SPRING MATERIAL BID AWARDS  
DATE: April 1, 2015

☒ Work Session 4/8/15  
☐ Agenda \_\_\_\_\_

WE RECOMMEND THE FOLLOWING BIDS BE AWARDED:

### GRANULAR BASE - ITEM 4

#### Putnam Materials

#### Thalle Industries

FOB	\$12.00	
DELIVERED		\$17.90

### RUN OF BANK GRAVEL

#### Nicholas F. Domain Sand & Gravel

FOB	\$11.00
DELIVERED	\$18.00

### ROAD OILS, CUTBACKS, ETC.

#### Peckham Material Corporation

MEDIUM CURING CUTBACKS	No Bid
RAPID CURING CUTBACKS	No Bid
PENETRATION ASPHALT	\$3.50 PER GALLON
CATIONIC	\$3.00 PER GALLON

### CRUSHED GRAVEL

#### Putnam Materials

#### Nicholas F. Domain

#### Thalle Ind, Inc

1 1/2" FOB plant	\$17.50		
1 1/2" DELIVERED			\$21.40
3/4" FOB plant	\$17.50		
3/4" DELIVERED			\$21.40
3/8" FOB plant		\$13.00	
3/8" DELIVERED		\$19.50	
1/4" FOB plant			\$17.50
1/4" DELIVERED			\$24.50

### BITUMINOUS CONCRETE - F.O.B.

#### Peckham Material Corporation

BINDER COURSE - TYPE 3	\$77.50 PER TON
TOP COURSE - TYPES 6/6F	\$77.50 PER TON
TOP COURSE - TYPES 7/7F	\$84.50 PER TON
CURB MIX	\$90.50 PER TON

# TOWN OF CARMEL HIGHWAY DEPARTMENT

<u>BITUMINOUS CONCRETE - IN-PLACE</u>	<u>KECT Const, Corp</u>	<u>Clove Excavators, Inc</u>
<b>TYPE 3 BINDER COURSE - per Ton</b>		
IN-PLACE	\$83.00	
IN-PLACE with TACK COAT	\$89.00	
IN-PLACE with KEYS	\$89.00	
<b>TYPE 6F3 TOP COURSE - - per Ton</b>		
IN-PLACE	\$83.00	
IN-PLACE with TACK COAT	\$89.00	
IN-PLACE with KEYS	\$89.00	
<b>TYPE 7F3 TOP COURSE - - per Ton</b>		
IN-PLACE	\$91.00	
IN-PLACE with TACK COAT	\$97.00	
IN-PLACE with KEYS	\$97.00	
<b>TYPE 9.5 MM SUPERPAVE TOP F3 - per Ton</b>		
IN-PLACE	\$91.00	
IN-PLACE with TACK COAT		\$96.90
IN-PLACE with KEYS		\$96.90
<b>TYPE 12.5 MM SUPERPAVE TOP F3 - per Ton</b>		
IN-PLACE		\$84.90
IN-PLACE with TACK COAT		\$89.90
IN-PLACE with KEYS		\$89.90
<b>TYPE 19.0 MM SUPERPAVE BINDER - per Ton</b>		
IN-PLACE		\$83.90
IN-PLACE with TACK COAT		\$88.90
IN-PLACE with KEYS		\$88.90
<b>TYPE 25.0 MM SUPERPAVE BINDER - per Ton</b>		
IN-PLACE		\$83.90
IN-PLACE with TACK COAT		\$88.90
IN-PLACE with KEYS		\$88.90
<b>TYPE 37.5 MM SUPERPAVE BASE - per Ton</b>		
IN-PLACE		\$83.90
IN-PLACE with TACK COAT		\$88.90
IN-PLACE with KEYS		\$88.90
<b>TYPE 6.3 POLYMER MODIFIED TOP - per Ton</b>		
IN-PLACE	\$93.00	
IN-PLACE with TACK COAT		\$97.90
IN-PLACE with KEYS		\$97.90
<b>TYPE 1 BASE WARM MIX - per Ton</b>		
IN-PLACE	\$86.00	
IN-PLACE with TACK COAT		\$90.90
IN-PLACE with KEYS		\$90.90
<b>TYPE 3 BINDER WARM MIX - per Ton</b>		
IN-PLACE	\$86.00	
IN-PLACE with TACK COAT		\$90.90
IN-PLACE with KEYS		\$90.90
<b>TYPE 6F3 TOP WARM MIX - per Ton</b>		
IN-PLACE	\$86.00	
IN-PLACE with TACK COAT	\$93.00	
IN-PLACE with KEYS	\$93.00	

Above Asphalt Prices Bid @ NYS DOT Base Price \$586.00 (February 2015)



# TOWN OF CARMEL HIGHWAY DEPARTMENT

## ALUMINUM CULVERT PIPE

Chemung Supply/Expanded Supply Products, Inc - same bid

DELIVERED

NO FOB BIDS within driving distance

PLAIN PERF

6 X 16 Plain	\$ 6.42	\$ 6.56
8 X 16 Plain	8.50	8.75
10 X 16 Plain	10.58	10.89
12 X 16 Plain	9.47	9.75
15 X 16 Plain	11.84	12.19
18 X 16 Plain	14.21	14.63
21 X 16 Plain	16.58	17.07
24 X 16 Plain	18.56	19.11
30 X 14 Plain	29.01	29.88
36 X 14 Plain	34.93	35.97

## STEEL CULVERT PIPE

Chemung Supply/Expanded Supply Products, Inc - same bid

DELIVERED

NO FOB BIDS within driving distance

PLAIN PERF

6 X 18 Plain	\$ 5.23	\$ 5.38
8 X 16 Plain	6.95	7.15
10 X 16 Plain	8.67	8.93
12 X 16 Plain	8.71	8.97
15 X 16 Plain	10.45	10.76
18 X 16 Plain	13.07	13.46
21 X 16 Plain	14.81	15.25
24 X 16 Plain	16.55	17.04
30 X 14 Plain	26.14	26.92
36 X 14 Plain	31.37	32.31

# TOWN OF CARMEL HIGHWAY DEPARTMENT

## POLYETHYLENE DRAINAGE PIPE - per foot

<u>Pipe Diameter</u>	<u>Carmel WinWater - FOB</u>		<u>Delivered - Chemung Supply</u>	
	<u>Corrugated</u>	<u>Smooth</u>	<u>Corrugated</u>	<u>Smooth</u>
4"	\$ .42	\$ .97	\$ .42	\$ .97
6"	\$ 1.07	\$ 2.10	\$ 1.07	\$ 2.10
8"	\$ 2.05	\$ 3.30	\$ 2.05	\$ 3.30
10"	\$ 4.15	\$ 4.50	\$ 4.15	\$ 4.50
12"	\$ 5.20	\$ 5.20	\$ 5.20	\$ 5.20
15"	\$ 7.11	\$ 6.80	\$ 7.11	\$ 6.80
18"	\$10.11	\$ 9.95	\$10.11	\$ 9.95
24"	\$15.90	\$15.40	\$15.90	\$15.40
30"	N/A	\$24.85	N/A	\$24.85
36"	N/A	\$31.80	N/A	\$31.80
<u>Elbows &amp; Tees</u>	<u>Elbow</u>	<u>TEE</u>	<u>Elbow</u>	<u>TEE</u>
4"	\$ 7.93	\$ 9.50	\$ 7.93	\$ 9.50
6"	\$13.07	\$16.64	\$13.07	\$16.64

## CATCH BASIN SUMPS AND CATCH BASIN TOPS

Mid Hudson Concrete Products, Inc

CATCH BASIN SUMPS - Delivered

36" Height 56" x 45"

\$255.00

48" Height 56" x 45"

280.00

CATCH BASIN TOPS - Delivered

Flat Type - 8" Thick w/ Grate 36" x 19 1/4"

\$310.00

Curb Back - 12" Thick w/ Grate 36" x 19 1/4"

325.00

## TREE FELLING AND TREE TRIMMING

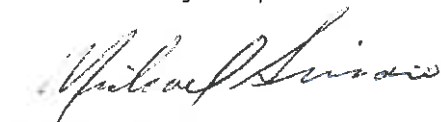
Laurel Oak Landscaping, Inc

DAILY

\$1,500.00

\$125.00 HOURLY, if providing Truck & Chipper for Final Cleanup

Thanks & Regards,



Michael Simone  
Superintendent of Highways

MS/Sen

cc Town Attorney  
Town Clerk

HAROLD GARY  
Chairman

CRAIG PAEPRER  
Vice-Chair

**BOARD MEMBERS**  
CARL GREENWOOD  
ANTHONY GIANNICO  
DAVE FURFARO  
CARL STONE  
KIM KUGLER

**TOWN OF CARMEL  
PLANNING BOARD**



60 McAlpin Avenue  
Mahopac, New York 10541  
Tel. (845) 628-1500 - Ext. 190  
www.ci.carmel.ny.us

orig: Twn Clerk  
cc: Twn Counsel ✓  
W/S 4/8 ✓

3/30 AC

MICHAEL CARNAZZA  
Director of Code  
Enforcement

WS#3

RICHARD FRANZETTI, P.E.  
Town Engineer

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

☒ Work Session 4-8-13

☐ Agenda \_\_\_\_\_

# MEMORANDUM

To: Town Board

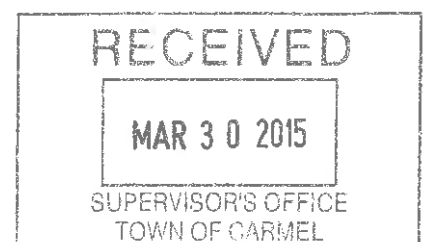
From: Rose Trombetta

Date: March 30, 2015

Subject: **Bond Return** - Euro Builders, Inc. - Austin Road -  
TM - 64.9-1-15 - Bond Register #667 & 731

On March 11, 2015, the Planning Board passed a motion to recommend the two bond return of the above captioned property.

Attached is a fully executed bond application form, Town Engineer, Richard Franzetti's memo dated February 5, 2015 and Michael Carnazza's memo dated February 18, 2015.





Planning Board  
Town of Carmel - Town Hall  
Mahopac, New York 10541



Subdivision - Site Plan Bond Application

Bond Amount \$9,200.00

Inspection Fee N/A

Bond Register No 667

Tax Map # 64.9-1-15

Filing Date 03/05/2015

The undersigned hereby files a bond pursuant to the regulations of the Town of Carmel in the amount of \$ \$9,200.00. Said bond was fixed by Resolution of the Planning Board/Environmental Conservation Board on (date) 7/25/2007 for the construction and completion of improvements described on a map on file with the Planning Board.

Applicant's Name: Euro Builders, Inc. Attn: Jerzy Piekos

Applicant's Address: 285 Secor Road, Mahopac, NY 10541

Applicant's Telephone Number: 845-621-1009

Email: \_\_\_\_\_

Map Entitled: Euro Builders

Property Address: Austin Road

Last Revised 11/19/2007

Applicant's Signature Jerzy Piekos

Town Engineer's Signature \_\_\_\_\_

# 200565 <sup>29</sup>

Bonding Company Mahopac National Bank

Bond # 2005727 - Letter of Credit

Bond Expires \_\_\_\_\_

The above application is in order and is approved this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

By \_\_\_\_\_

By \_\_\_\_\_

Chairman, Planning Board

Chairman, Environmental Conservation Board

Application for Bond Return XXX

Bond Reduction \_\_\_\_\_

The undersigned hereby applies for bond return/reduction heretofore filed in accordance with the Town of Carmel regulations and hereby affirms that he has completed the required improvements in accordance with the specifications applicable hereto for bond return/reduction.

Date 03/10/15

Applicant's Signature Jerzy Piekos

I inspected the improvements on the above captioned site during construction and after completion and hereby authorize the bond filed by \_\_\_\_\_ to be reduced to \_\_\_\_\_.

Date \_\_\_\_\_ Town Engineer's Signature \_\_\_\_\_

OR

I have inspected the above mentioned improvements and find same to meet the applicable specifications and hereby recommend that the applicant be completely released from the obligation of said bond.

Date 3/19/15 Town Engineer's Signature [Signature]

Date 3/24/15 Planning Board Chairman [Signature]

Date \_\_\_\_\_ Environmental Conservation Board Chairman \_\_\_\_\_

Approved by the Town Board at a meeting on \_\_\_\_\_



Planning Board  
Town of Carmel - Town Hall  
Mahopac, New York 10541



Subdivision - Site Plan Bond Application

Bond Amount \$21,720.00  
Inspection Fee N/A

Bond Register No 731  
Tax Map # 64.9-1-15  
Filing Date 03/05/2015

The undersigned hereby files a bond pursuant to the regulations of the Town of Carmel in the amount of \$21,720.00. Said bond was fixed by Resolution of the Planning Board/Environmental Conservation Board on (date) 7/25/2007 for the construction and completion of improvements described on a map on file with the Planning Board.

Applicant's Name: Euro Builders, Inc. Attn: Jerzy Piekos

Applicant's Address: 285 Secor Road, Mahopac, NY 10541

Applicant's Telephone Number: 845-621-1009

Email: \_\_\_\_\_

Map Entitled: Euro Builders

Property Address: Austin Road

Last Revised 11/19/2007

Applicant's Signature \_\_\_\_\_

Town Engineer's Signature \_\_\_\_\_

# 200727 (RT)

Bonding Company Mahopac National Bank

Bond # 200305 Letter of Credit

Bond Expires \_\_\_\_\_

The above application is in order and is approved this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

By \_\_\_\_\_

By \_\_\_\_\_

Chairman, Planning Board

Chairman, Environmental Conservation Board

Application for Bond Return XXX

Bond Reduction \_\_\_\_\_

The undersigned hereby applies for bond return/reduction heretofore filed in accordance with the Town of Carmel regulations and hereby affirms that he has completed the required improvements in accordance with the specifications applicable hereto for bond return/reduction.

Date 03/10/15 Applicant's Signature \_\_\_\_\_

I inspected the improvements on the above captioned site during construction and after completion and hereby authorize the bond filed by \_\_\_\_\_ to be reduced to \_\_\_\_\_.

Date \_\_\_\_\_ Town Engineer's Signature \_\_\_\_\_

OR

I have inspected the above mentioned improvements and find same to meet the applicable specifications and hereby recommend that the applicant be completely released from the obligation of said bond.

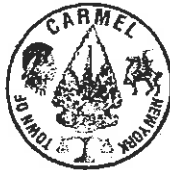
Date 3/19/11 Town Engineer's Signature \_\_\_\_\_

Date 3/24/15 Planning Board Chairman \_\_\_\_\_

Date \_\_\_\_\_ Environmental Conservation Board Chairman \_\_\_\_\_

Approved by the Town Board at a meeting on \_\_\_\_\_

Richard J. Franzetti, P.E.  
Town Engineer




(845) 628-1500  
(845) 628-2087  
Fax (845) 628-7085

Office of the Town Engineer  
60 McAlpin Avenue  
Mahopac, New York 10541

## MEMORANDUM

To: Carmel Planning Board

From: Richard J. Franzetti P.E. Town Engineer 

Date: February 5, 2015

Re: Bond Return-Euro Builders, Inc. – TM# 64.9-1-15

In response to a request by the above applicant, a representative of the Engineering Department (Department) performed a field inspection of the referenced property on November 19, 2014 to evaluate the current status of the site construction, for the purpose of determining whether a bond return was warranted. The results of our investigation are presented below.

The project history is rather complex and is further explained as follows:

The original subdivision approval was for two (2) lots, both having access on Austin Road. Based upon the submission for the two (2) lots, the Department calculated a bond in the amount of \$46,000.00. The bond was posted and the map (#2959) was filed in Putnam County. In May 2005 the bond was reduced, through a Town Board Resolution, to \$9,200.00 (20% of original).

Subsequently, that applicant proposed a resubdivision of Lot # 2. This project required the construction of a common driveway off of Austin Road with extensive drainage improvements. The project was approved and a bond was posted in the amount of \$108,600.00 and the map (#2959A) was filed in Putnam County. The bond was subsequently to \$21,720.00 (20% of original) by Town Board Resolution.

Based upon our inspection, all of the site improvements required pursuant to both of the above subdivision approvals been completed. On this basis, this Department recommends that the two remaining bond amounts of \$9,200.00 and \$21,720 bond be released.

We trust that this is adequate for your needs. If you have any questions, please don't hesitate to contact me.

Michael G. Carnazza  
Director of Code Enforcement



Kenneth Schmitt  
Supervisor

60 McAlpin Avenue  
Mahopac, New York 10541

## MEMORANDUM

**TO:** Chairman Harold Gary and Members of the Town of Carmel  
Planning Board.

**FROM:** Michael G. Carnazza, Director of Code Enforcement

**DATE:** February 18, 2015

**RE:** Bond Return Euro Builders  
Tm# 64.9-1-15

---

I inspected the above-mentioned property pursuant to the request for Bond Return and found the property to be in compliance as it pertains to zoning.

☒ Work Session 4/8/15

cc: Supervisor  
Police Dept.

☐ Agenda \_\_\_\_\_

## LETTERA MOSIELLO & GIOFFRE

LLP

2 WESTCHESTER PARK DRIVE, SUITE 205, WHITE PLAINS, NEW YORK 10604

TEL: 914.481.8900 • FAX: 914.481.8905

www.lmglawfirm.com

WS#4

JOHN C. LETTERA  
JODI A. MOSIELLO\*  
BRUNO V. GIOFFRE, JR.\*  
\*ADMITTED IN NY, CT, & FL

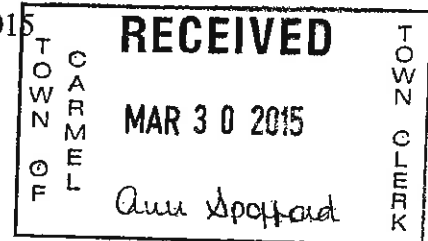
CATERINA PATERNOSTER, PARALEGAL  
SABRINA BLEFGEN, PARALEGAL

☐ Work Session \_\_\_\_\_

☐ Agenda \_\_\_\_\_ March 27, 2015

***Via Overnight Mail***

Town Clerk  
Town of Carmel  
60 McAlpin Ave  
Mahopac, New York 10541



Re: Notice to Municipality of Application for Restaurant/Wine License for  
V.N.A. Gaudio Corp. d/b/a Three Boys from Italy Trattoria

Town Clerk:

The law firm of Lettera Mosiello & Gioffre LLP represents V.N.A. Gaudio Corp. d/b/a Three Boys from Italy Trattoria in its application for a Restaurant/Wine License at 115 Secor Road, Mahopac, New York 10541. Enclosed herewith is a New York State Liquor Authority ("SLA") standardized notice for your review.

Upon information and belief, this premise has been operating as a restaurant for several years, is in good standing with the community and has no pending violations. Accordingly, we respectfully request that the Town of Carmel, waive the statutory thirty (30) day waiting period to allow our client to file its application for a Restaurant/Wine License as soon as possible to avoid any delays in obtaining its beer and wine license. Please advise the undersigned of the Town of Carmel's position at your earliest convenience.

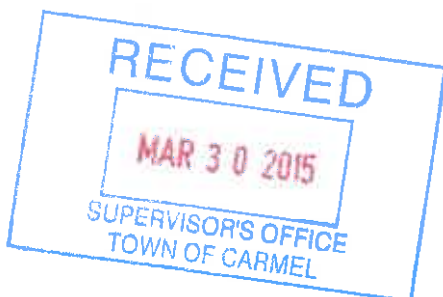
Thank you for your consideration. Should you have any questions, please do not hesitate to call.

Very truly yours,

Lettera Mosiello & Gioffre LLP

A handwritten signature in blue ink, appearing to read "Bruno V. Gioffre, Jr.".

Bruno V. Gioffre, Jr., Esq.





☐ Original☐ Amended

Date \_\_\_\_\_

State of New York  
Executive Department  
Division of Alcoholic Beverage Control  
State Liquor Authority

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a  
Local Municipality or Community Board**

(Page 1 of 2 of Form)

1. Date Notice was Sent: (mm/dd/yyyy)

March 27, 2015

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License

☒ New Application   ☐ Renewal   ☐ Alteration   ☐ Corporate Change

**This 30-Day Advance Notice is Being Provided to the Clerk of the following Local Municipality or Community Board**

3. Name of Municipality or Community Board: Town of Carmel

**Applicant/Licensee Information**

4. License Serial Number, if not a New Application: New Application

Expiration Date, if not a New Application: New Application

5. Applicant or Licensee Name: V.N.A. Gaudio Corp.

6. Trade Name (if any): Three Boys from Italy Trattoria

7. Street Address of Establishment: 115 Secor Road

8. City, Town or Village: Mahopac

, NY

Zip Code: 10541

9. Business Telephone Number of Applicant/Licensee: 845-628-5888

10. Business Fax Number of Applicant/Licensee:

11. Business E-mail of Applicant/Licensee:

**For New applicants, provide description below using all information known to date.  
For Alteration applicants, attach complete description and diagram of proposed alteration(s).  
For Current Licensees, set forth approved Method of Operation only.  
Do Not Use This Form to Change Your Method of Operation.**

12. Type(s) of Alcohol sold or to be sold: ("X" One)

☐

Beer Only

☒

Wine &amp; Beer Only

☐

Liquor, Wine &amp; Beer

13. Extent of Food Service: ("X" One)

☒ Restaurant (Sale of food primarily; Full food menu; Kitchen run by chef)
☐ Tavern/Cocktail Lounge/Adult Venue/Bar (Alcohol sales primarily; Meets legal minimum food availability requirements)

14. Type of Establishment: ("X" all that apply)

☐ Recorded Music   ☐ Live Music   ☐ Disc Jockey   ☐ Juke Box   ☐ Karaoke Bar   ☐ Stage Shows  
☐ Patron Dancing (small scale)   ☐ Cabaret, Night Club (Large Scale Dance Club)   ☐ Catering Facility  
☐ Capacity of 600 or more patrons   ☐ Topless Entertainment   ☒ Restaurant   ☐ Hotel  
☐ Recreational Facility (Sports Facility/Vessel)   ☐ Club (e.g. Golf Club/Fraternal Org.)   ☐ Bed & Breakfast  
☐ Seasonal Establishment

15. Licensed Outdoor Area: ("X" all that apply)

☒ None☐

Patio or Deck

☐

Rooftop

☐

Garden/Grounds

☐

Freestanding Covered Structure

☐ Sidewalk Cafe☐ Other (specify):

State of New York  
Executive Department  
Division of Alcoholic Beverage Control  
State Liquor Authority

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a  
Local Municipality or Community Board**

(Page 2 of 2 of Form)

16. List the floor(s) of the building that the establishment is located on: 1st
17. List the room number(s) the establishment is located in within the building, if appropriate: N/A
18. Is the premises located with 500 feet of three or more on-premises liquor establishments? ☐ Yes ☒ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. Does the applicant or licensee own the building in which the establishment is located? ("X" One) ☐ Yes (If Yes SKIP 21-24) ☒ No

**Owner of the Building in Which the Licensed Establishment is Located**

21. Building Owner's Full Name: Mark Simon
22. Building Owner's Street Address: 115 Secor Road
23. City, Town or Village: Mahopac State: NY Zip Code: 10541
24. Business Telephone Number of Building Owner: 914-299-3995

**Attorney Representing the Applicant in Connection with the Applicant's License Application Noted as Above for the  
Establishment Identified in this Notice**

25. Attorney's Full Name: Bruno V. Gioffre, Jr., Esq.
26. Attorney's Street Address: 2 Westchester Park Drive, Suite 205
27. City, Town or Village: White Plains State: New York Zip Code: 10604
28. Business Telephone Number of Attorney: 914-481-8900
29. Business Email Address of Attorney: bruno@lmglawfirm.com

I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

30. Printed Name: Rachel Gumina Title: President

Signature: X

