

12 OCTOBER 2011

**TOWN BOARD SPECIAL MEETING
TOWN HALL, MAHOPAC, N.Y.**

A Special Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Kenneth Schmitt on the 12th day of October 2011 at 7:20 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Ravallo, Councilman Lombardi, Councilwoman McDonough and Supervisor Schmitt.

The Pledge of Allegiance to the Flag was observed prior to the start of official business and a moment of silence was observed to honor those serving in the United States Armed Forces.

**PUBLIC HEARING HELD - PROPOSED LOCAL LAW AMENDING CHAPTER 156,
ENTITLED "ZONING" OF THE TOWN CODE OF THE TOWN OF CARMEL -
"BOARD OF ARCHITECTURAL REVIEW"**

Supervisor Schmitt asked the Town Clerk to read the following Notice of Public Hearing as published in the Town's official newspaper:

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,
October 12, 2011 at 7:00
p.m. or as soon thereafter
that evening as possible
on a proposed Local Law
Amending Chapter 156,
entitled "Zoning" of the
Town Code of the Town of
Carmel; as follows:**
TOWN OF CARMEL
Proposed Local Law No.
of the year 2011
**Be it enacted by the Town
Board of the Town of Carmel,
Putnam County, State of
New York as follows:**
**Article VIII of the
Town Code of the Town
of Carmel entitled "Board
of Architectural Review",
consisting of sections 156-
62 through 156-69 inclusive,
is hereby repealed.**
**At said Public Hearing, all
interested persons shall be
heard on the subject thereof.**
**By Order of the Town
Board
of the Town of Carmel**
Ann Garris, Town Clerk

With no one objecting to the public notice as read, Supervisor Schmitt opened the Public Hearing for public comment at 7:21 p.m. Twenty five (25) people were in attendance.

Ann Fanizzi spoke regarding the need for "grace and style" in the Town of Carmel. She commented that the Town of Carmel's Architectural Review Board (ARB) is "toothless" as their rulings could easily be overturned by the Zoning Board of Appeals (ZBA), which she added would be unheard of in the Town of Southeast. She commented that rather than eliminating the ARB, their powers should be strengthened and noted that there are very good regulations that could be obtained from other towns to assist in this. She did not support the Planning Board being charged with making decisions with regard to the architecture of the Town. She commented that the two membership vacancies on the ARB should be filled. Ms. Fanizzi stated that there are many structures within the Town that the ARB has made a significant impact on. She concluded that the cost of the ARB is not great and questioned therefore the motivation to eliminate them.

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Marty Greenberg stated that he agreed with most of the comments made by Ms. Fanizzi. He went on to cite examples of positive architectural changes to properties in the Town of Carmel brought about by the ARB as well as negative examples of changes that he believed that the ARB was not involved with. He commented that the Planning Board should not be delegated with the responsibilities of the ARB because they would not be considering the aesthetic aspect of what is being built. Mr. Greenberg commented that all of the significant towns surrounding Carmel have an ARB that have "teeth". He commented that the Town Board lacks aesthetic vision for the Town. He stated that the budgeted cost of \$5,000.00 for the ARB is extremely inexpensive. Mr. Greenberg concluded that the ARB may be the most important board in the Town.

Michael Barile commented that if not for the ARB, all homes within subdivisions in the Town would look the same. He agreed with all of the earlier comments made and added that he felt sorry for the members of the ARB. He expressed his frustration that the Town Board is considering eliminating the ARB to save \$5,000.00. Mr. Barile commented that the ARB is the most important board in the Town and concluded that they should be given the "teeth" to clean up Route 6.

Jerry Ravnitzky stated that he agreed with all of the previous speakers. He commented that the reason certain developments built in the Town over the last number of years are unattractive is because the ARB lacked power and the Planning Board made mistakes. Mr. Ravnitzky commented that he would not trust the Planning Board to provide for the appropriate kinds of designs for developments. He inquired if there has ever been an architect on the ARB and stated if not, there should be at least one or two appointed who do not do business within the Town of Carmel.

Kathleen Delamere spoke regarding her accomplishments in beautifying the community through her service in the Lake Mahopac Garden Club and other civic organizations. Ms. Delamere commented that there have been studies prepared with regard to various aspects of development planning for the Town of Carmel which were never considered by the Town Board. She went on to cite examples of the assistance that she provided to applicants when she was an ARB member. Ms. Delamere spoke regarding problems involved with construction on the property next to hers. She suggested that the progression of the process is flawed because by the time an applicant appears before the ARB they have spent money on their project therefore an applicant should appear before the ARB ahead of the Zoning Board of Appeals. Ms. Delamere concluded that there needs to be a plan implemented for the Town of Carmel.

Doris Stahl commented that as an ARB member in the early 1980s, applicants at that time did heed the advice of the ARB for architectural improvements although now they do not seem to be. Ms. Stahl agreed that the membership on the ARB should be filled to five members and that the Planning Board should not be charged with the responsibilities of the ARB. She inquired which member of the Town Board came up with the idea of eliminating the ARB. Ms. Stahl commented that a cost savings of \$5,000.00 should not be used as an excuse to eliminate the ARB. She agreed that the ARB should have an architect as a member and spoke regarding the need for the Town's various boards to have qualified individuals on them. Ms. Stahl urged the Town Board to create legislation to give the ARB "teeth" and not to eliminate them.

Frank Piccone, chairman of the ARB stated that the ARB takes in more revenue in fees than its budgeted cost of \$5,000.00. Mr. Piccone expressed his frustration that decisions of the ARB are being overridden by the ZBA and that the only rule that the ARB was provided with was that they could reject an application due to excessive similarity or excessive dissimilarity. He spoke regarding problems associated with regulating signs.

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(Cont.)

Mr. Piccone went on to speak about his employment background and construction qualifications. He pointed out that there was an architect on the ARB who resigned and was never replaced. Another ARB member was appointed to a different board and was never replaced despite requests to do so by the remaining ARB members. Mr. Piccone concluded that there should be greater direction provided to the ARB by the Town Board and increased communication with the ZBA.

Silvio Balzano former ARB member and current ZBA member commented that one of the greatest frustrations of the ARB was when applicants realized that their sign recommendations could be overturned by the ZBA. He commented that the Town of Carmel needs to adopt strong sign legislation because the ZBA is not looking to overrule decisions of the ARB.

Scott Friedman expressed his frustration that there were two Public Hearings being held at Town Hall simultaneously tonight. He stated that he agreed with all of the earlier comments. He added that residents are looking to the Town Board to protect their property values and quality of life. Mr. Friedman commented that the Town of Carmel's Comprehensive Master Plan is not being adhered to and eliminating the ARB would be moving in the wrong direction. Mr. Friedman concluded by speaking against removing the funding in the 2012 Budget for televising Planning Board and ZBA meetings.

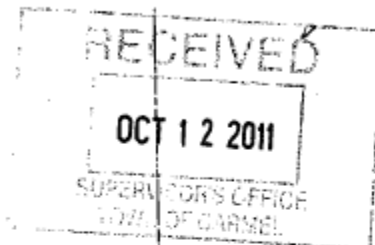
Supervisor Schmitt read the following letter from a resident who could not be present at the meeting:

Carl L. Albano
566 Route 6 Bldg # 2
Mahopac, NY 10541
621-1000, 406-2969

October 12, 2011

Ken Schmitt, Carmel Town Supervisor
Carmel Town Hall
60 McAlpin Avenue
Mahopac, NY 10541

Dear Supervisor Schmitt,



Unfortunately I will be unable to attend the Town Board meeting this evening. I would like to voice my opinion with regard to the repeal of the local law requiring the Architectural Review Board. My thought is that that board will not be missed. The Board should not be dissolved to save money. If we were all pleased with the board, the \$5,000 cost of this board would have been well spent. The board should be dissolved because it was unable to achieve the desired results and only adds time to the permitting process.

I feel that any savings from dissolving the board should be put towards developing a plan that will give us a true direction of what we would like our Town to look like in the future. Other Towns have developed well planned out commercial building as well as residential developments. Carmel can and should do the same.

My thought is that the Town Planning board, with the right guidance, can be very useful in the process of aesthetically pleasing development. When you take a ride on Route 6, it is quite apparent that this was not the case over the last few years. One less board review is better for the applicant and the Town. It is more efficient to do this all at once.

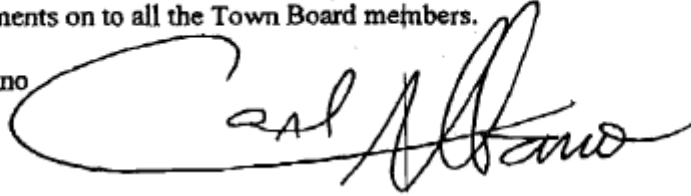
The Town of Carmel does not have a plan with regard to the esthetics of our community. When I see the construction that has taken place over the last 20 years is quite obvious that the ARB had no real guidance and conceptual plan. I would think that any plan developed should also address all projects in the Town of Carmel. Town Buildings, sewer pump stations, sidewalks, lighting, NYC projects and more should be designed with the consideration of a master plan that addresses architecture.

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We should have a plan in place in preparation of an economy upswing which is long overdue.

Ken, please pass my comments on to all the Town Board members.

Thank You, Carl L. Albano

A handwritten signature in black ink, appearing to read "Carl Albano", written over a large, loopy initial "C".

Supervisor Schmitt thanked the members of the public for their comments.

Councilman Ravallo indicated that \$5,000.00 did not have anything to do with eliminating the ARB. He stated that he would provide his comments on the matter when the vote is taken.

With no one else present wishing to be heard on the subject of the Public Hearing, on motion by Councilman Ravallo, seconded by Councilman Lombardi, with all members of the Town Board present and in agreement, the Public Hearing was closed at 8:04 p.m.

ADJOURNMENT

All agenda items having been addressed, with all Town Board members present and in agreement, the meeting was adjourned at 8:04 p.m. to the scheduled Work Session.

Respectfully submitted,

Ann Garris, Town Clerk