

**APPROVED**

ROBERT LAGA  
*Chairman*

NICHOLAS FANNIN  
*Vice Chairman*

ROSE TROMBETTA  
*Secretary*

**TOWN OF CARMEL**  
**ENVIRONMENTAL CONSERVATION BOARD**



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**BOARD MEMBERS**

Edward Barnett  
Vincent Turano  
John Starace

**ENVIRONMENTAL CONSERVATION BOARD MINUTES**

**AUGUST 16, 2018**

**PRESENT:** CHAIRMAN ROBERT LAGA, VICE-CHAIRMAN NICHOLAS FANNIN, JOHN STARACE, EDWARD BARNETT & VINCENT TURANO

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<b><u>APPLICANT</u></b>	<b><u>TAX MAP #</u></b>	<b><u>PAGE</u></b>	<b><u>ACTION OF THE BOARD</u></b>
MK Realty	55.6-1-44 & 45	1 - 3	No Board Action Taken
Anna Inzano	63.-1-16.2	3	Held Over
Sabatini & Scarfone	75.43-1-17	3 - 4	No Board Action Taken
Pickman, Gladys	75.7-3-16	4 - 5	No Board Action Taken

**MISCELLANEOUS**

Minutes:

06/21/18	6	approved as written
07/19/18	6	approved as written

The meeting was adjourned at 7:51 p.m.

Respectfully submitted,

Dawn M Andren

MK REALTY - ROUTE 6 & OLD ROUTE 6 - TM - 55.6-1-44 & 45 - EXTENSION OF WETLAND PERMIT/SITE PLAN

- Mr. Zack Pearson of Insite Engineering representing MK Realty appeared before the Board.

Mr. Pearson stated they have an approved site plan at the corner of Old Route 6 and Route 6; they have D.E.P. approval; they have a state permit and basically waiting to get started.

Chairman Laga said the issue is the permit was issued in 2011. Work has not started yet.

Mr. Pearson said which is typical of a lot of projects.

Mr. Turano said it's not typical that you come in for a renewal every year.

Chairman Laga said we gave you a two year extension the last time in 2016. I understand the economics of things but 7 years and no work isn't fair to us. It's keeping an open liability for a permit. Who knows if anything is going to change between now and by the time you build it.

Mr. Turano asked so what's the plan.

Mr. Pearson replied the applicant is actively shopping this site.

Mr. Turano asked has anything changed.

Mr. Pearson said no; nothing has changed.

Mr. Turano said there's a stream that runs through there.

Mr. Pearson replied it's Michael's Brook.

Mr. Turano said there were questions about jurisdiction and if there were wetlands on the site.

Mr. Pearson replied I think it's just the brook if I'm not mistaken.

Chairman Laga added and you're late coming in for the extension. It expired July 7, 2018.

Mr. Pearson said so if we have to apply for a new permit and that's the direction the Board wants us to go, we'll apply for a new permit. We've been instructed to keep all the permits active for this project because the applicant is actively looking for someone to take this property.

Chairman Laga said let's just go through what we have right now. Your Carmel Planning Board has expired.

Mr. Pearson replied it has not. It was extended.

Chairman Laga said based on the information presented to me, March 8, 2018 - it expired March 11, 2018. In 21, 23 - the SWPPP does not have an expiration and neither does the DOT. Out of the

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seven, your two are expired. If you have the Carmel Planning Board approval, I would love to see that.

Mr. Pearson interjected we were at the meeting in March and got an extension for one more year.

Chairman Laga said since they are extending you to March 11, 2019, I'd be willing to give you until March 2019. (To the other Board members): what about the rest of you?

Mr. Turano said nothing's changed?

Mr. Pearson said I was out there the other day and nothing's changed.

Vice-Chairman Fannin asked how much of a rush is your client in to make sure that these either stay active. Would a delay of two weeks be a problem?

Mr. Pearson replied no.

Vice-Chairman Fannin said I recommend that we ask Mr. Franzetti to take a look at the site and see if anything has changed. It's been quite some time. If nothing has changed on the site, I don't have a problem extending this but I'd want somebody to confirm that; having the Wetlands Inspector out there would.....

Mr. Barnett interjected I'll go along with that. That makes sense.

Chairman Laga said I'll also go along with that. What we'll do is this: we'll send the Wetlands Inspector out there; we'll need a letter from you stating that the Plans have NOT changed - the application & drawings, submitted and approved, have not changed; no work has started and we need a copy of your Planning Board approval.

Mr. Pearson said fair enough.

Mr. Turano said were there any problems with people dumping on that site?

Mr. Pearson replied it's all overgrown now; the trees have shot up since. It was cleared back in 2011 but has all grown back.

Mr. Turano said I just thought there was some debris that had been dumped on it.

Mr. Pearson replied not that I'm aware of.

Vice-Chairman Fannin asked can you just remind me of what's being proposed there.

Mr. Pearson responded I believe it was a Bank with a drive-through. It's commercial; if you look at the site plan, it has the two drive-through lanes; it makes sense for it to be a bank.

Mr. Turano asked if that changes, what's going to happen.

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Mr. Pearson replied we have to go back to the Planning Board for an amended site plan, come back to you for an amended permit.

Chairman Laga asked did he finish marketing this site.

Mr. Pearson replied he's still marketing it. The applicants are a real estate agency.

Mr. Pearson said I've got a question about the Planning Board. They made a motion to extend the approval, for a year, until March 11, 2019. I have the original site plan approval but I don't have a copy of that. Would meeting minutes suffice for that?

Chairman Laga responded get the Wetland Inspector to visit the site; get a copy of the Planning Board approval (Rose is out so I'll call Dawn); a letter that no work has started, nothing has been done and the plan has not changed.

**ANNA INZANO - 188 BULLET HOLE ROAD - TM - 63.-1-16.2 - SUBMISSIOIN OF APPLICATION OR LETTER OF PERMISSION/INSTALL DRIVEWAY**

*APPLICATION WAS HELD OVER*

**SABATINI & SCARFONE - 799 SOUTH LAKE BLVD. - TM - 75.43-1-17 - SUBMISSIOIN OF APPLICATION OR LETTER OF PERMISSION/ADDITION TO EXISTING PORCH**

- Mr. Joel Greenberg, architect representing client appeared before the Board.

Mr. Greenberg stated there's an existing porch in the back, between the house and the lake, and they just want to extend it. We're asking for a 'Letter of Permission'. The porch is one story above grade so the only thing that's happening to the ground itself is four posts going into the ground. There's no other construction nor anything else being done at grade. If you look at the floor plan, A101, you'll see, on the left hand side, the four posts that are going into the ground.

Chairman Laga interjected you're putting in stairs and a 41' x 20' cantilever deck.

Mr. Greenberg replied part of it is there already. Let me clarify. If you look at the dotted line here, this all exists. This is what's being added.

Chairman Laga said I need a site plan, and where is this in relationship to a wetland?

Mr. Greenberg replied you should have this drawing.

Mr. Starace said I remember seeing that.

Chairman Laga said this is not a Letter of Permission; this is an application. You're adding a 20' x 40' roof which is considered impervious so you need to give us calculations for a rain garden. I can't give you a Letter of Permission but if you come in and submit what you're going to do on the Site Plan with a rain garden, a gutter system or whatever and we'll go from there.

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Mr. Greenberg said will you accept the application? I'll get everything to Rose.

Chairman Laga said no; there's too much missing here.

Mr. Greenberg replied the only thing missing is the rain garden.

Mr. Starace said where's the run-off going?

Chairman Laga said you're giving me an 8  $\frac{1}{2}$  x 11 sheet here with Lake Mahopac. You don't show me the 100' buffer on here; you don't show me the silt fence that you're going to have to install while you're doing the work; should I continue?

Mr. Greenberg replied no.

Chairman Laga said send it in and we'll see you in two weeks.

**GLADYS PICKMAN - 86 WEST LAKE BLVD. - TM - 75.7-3-16 SUBMISSION OF APPLICATION OR LETTER OF PERMISSION/REPLACE/REPAIR BOATHOUSE ROOF**

- Robert Weber representing the Pickmans appeared before the Board.

Mr. Weber stated a tree fell on the existing boathouse roof doing some structural damage. We actually plan on taking the entire roof off and just putting on new shingles....

Mr. Starace interjected new trusses, rafters.

Chairman Laga said are you going to leave the walls the same?

Mr. Weber replied one of the walls has buckled so we're going to have to work with that but the walls for the most part will be left the same except for the structural damage.

Chairman Laga said this is directly over the water - correct? You're working above the water.

Mr. Weber replied we're working above the boathouse/dock/parking spot but on three sides of the boathouse, it's land. The front has a little bit of a cantilever so maybe we can put a piece of plywood with a tarp to collect debris.

Chairman Laga said here's what we need from you: a sequence of work; sequence of construction. I have no problem issuing you a Letter of Permission but the file right now is a little light. I also need an outline of the boathouse in relationship to the property and to the Lake. You need to provide a floating barrier around the entire boathouse.

Mr. Weber interjected it's only one side.

Chairman Laga said if the drawing that you would show me can reflect that, we would still require a floating boom in the front.

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Mr. Turano said you're just going to repair what's the there. The footprint stays the same; same type of roof....

Mr. Weber replied everything stays the same.

Mr. Turano asked is all the damage that we see in these photographs simply due to the tree.

Mr. Weber replied yes; it was a big tree.

Mr. Turano said I don't see any picture of the tree.

Mr. Weber replied the tree was chopped up and taken away. It happened in March I think.

Chairman Laga asked on the inside you have the water exposed; so you put the floating boom around the outside - are you going to put something inside just to catch whatever

Mr. Weber replied yes; I was going to put some plywood/planks down and cover it with a tarp.

Chairman Laga said include that in your sequence of operations.

Mr. Turano asked how wide is the boat opening.

Mr. Weber replied only six or seven feet.

Mr. Turano said okay; you can use a 4' x 8' sheet.

Mr. Weber responded yes; two of them.

Chairman Laga said you're just going to repair the roof; you're not going to do a rip-off - correct?

Mr. Weber replied I'm ripping the shingles off entirely.

Mr. Turano said he's got some structural work to do.

Mr. Weber said yes; some rafters.

Chairman Laga said I have no problem issuing you a Letter of Permission for this work but I can't accept at this moment in time until you get this information to us. If you would see Dawn on Monday; just give us a sequence of construction, how you plan on protecting the site; show the floating boom around and how you're going to protect the inside with plywood and planks; the debris going to be carted away; no heavy equipment. Just get us that information and if you get it to us before the next meeting in two weeks, we can look at it and there shouldn't be an issue.

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MISCELLANEOUS

MINUTES: 6/21/18 & 7/19/18

- Mr. Starace moved to accept the **June 21, 2018** minutes; seconded by Mr. Barnett with all in favor.
- Vice-Chairman Fannin moved to accept the **July 19, 2018** minutes; seconded by Mr. Starace with all in favor.

Mr. Barnett moved to adjourn the meeting; seconded by Mr. Starace with all in favor.

Respectfully submitted,

Dawn M Andren