

APPROVED

HAROLD GARY
Chairman

CRAIG PAEPRER
Vice-Chair

BOARD MEMBERS
ANTHONY GIANNICO
DAVE FURFARO
CARL STONE
KIM KUGLER
RAYMOND COTE

TOWN OF CARMEL PLANNING BOARD



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*Director of Code
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RICHARD FRANZETTI, P.E.
Town Engineer

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

VINCENT FRANZE
Architectural Consultant

PLANNING BOARD MINUTES

JANUARY 25, 2017

PRESENT: CHAIRMAN, HAROLD GARY, VICE-CHAIR, CRAIG PAEPRER, CARL STONE,
DAVE FURFARO, KIM KUGLER, RAYMOND COTE

ABSENT: ANTHONY GIANNICO

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>TYPE</u>	<u>ACTION OF THE BOARD</u>
Harman Holdings	44.14-1-31&32	1	Resolution	Resolution Adopted.
Putnam County Savings Bank	86.11-1-1	1-8	A. Site Plan	Public Hearing Scheduled.
Baldwin Subdivision	86.11-1-1 & 86.6-1-4	9-10	Subdivision/ Merger	Public Hearing Scheduled & Sketch Plan Granted.
Infantino, Thomas & Lori	64.12-1-56	10-12	Sketch Plan	No Board Action.
Western Bluff Subdivision	64.14-1-20	12-14	Subdivision	Sketch Plan Granted.
Wixon Pond Estates	53.20-1-19	14	Extension	Applicant Did Not Show Up.
Minutes – 12/21/16		15		Approved.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Rose Trombetta

HARMAN HOLDINGS – 3 GARRETT PLACE – TM – 44.14-1-31&32 – RESOLUTION

Mr. Carnazza stated all building comments had been addressed.

Mr. Franzetti stated all engineering comments had been addressed.

Mr. Cleary stated all site planning issues had been addressed.

Mrs. Kugler moved to adopt Resolution #17-01, dated January 25, 2017; Tax Map #44.14-1-31 & 32 entitled Harmon Holdings Amended Final Site Plan. The motion was seconded by Mr. Cote with all in favor.

PUTNAM COUNTY SAVINGS BANK - TM - 86.11-1-1 – AMENDED SITE PLAN

Mr. Carnazza indicated that the necessary variances were granted by the Zoning Board of Appeals for a minimum lot area and lot depth. Site plan will not be granted until the Baldwin subdivision is filed with the County Clerk.

Mr. Franzetti stated this is a project that encompasses a proposal to add a retail bank on 2.5 acre site located on Route 6. The site had previously received approval from this Planning Board - Resolution 16-01 & 02 dated January 27, 2016. At that time and presently, all engineering comments have been addressed. The site is already under construction.

Mr. Cleary indicated the site plan is being amended by virtue of the lot being reduced in size; no modification to the site plan itself or the bank that's under construction. There is one minor modification to a light standard. That's the only change. Everything else remains in place. The next step in this process would be a public hearing.

Mr. Stone asked if the amendment has to do with just the lot size change.

Mr. Cleary responded that's correct, for which, as Mr. Carnazza indicated, the variance was granted by the Zoning Board.

Mr. Carnazza added, they have a concurrent subdivision application at the same exact time which, if we're going to do the approvals at some point, the subdivision has to come first. That could create the lot to be this way.

Mr. Stone replied I'm just trying to understand what it is that we're approving.

Mr. Paepre asked so this is just for the bank.

Mr. Cleary stated this is just for the bank. It will sync up eventually with the amended subdivision showing the smaller lots but as Mr. Carnazza indicated, the subdivision has to happen first; then we will grant this site plan on the modified lot.

Mr. Furfaro interjected we're just amending the site plan – right?

Mr. Cleary responded correct. The reason it's getting amended is because the lot is getting smaller. We haven't changed anything.

Mr. Furfaro stated the subdivision should come before the amendment.

Mr. Cleary responded yes; and they're doing them simultaneously.

Mr. Carnazza stated when it's finally time to approve; the subdivision has to happen first.

Mr. Stone asks who has responsibility for maintenance of that access.

Mr. Carnazza responded that's going to be a legal issue and would be addressed in their easement that they would have to have from that property to that property to allow them to cross it because they have the frontage on Route 6.

Mr. Stone stated that he understands the access easement will allow use and allow people to come and go but he's asking who owns it. Who is going to maintain it, plow it, keep it, etc. Whose responsibility is it? It's not a Town road – correct?

Mr. Jeff Contelmo of Insite Engineering, representing the applicant addressed the board and stated you're correct in that there are no physical changes to the site plan for the bank. What we're talking about is the imaginary lines that make up the lot and the zoning conformance of that lot to work with the bank. There are two questions within your question. Who will own it and the other is who'll maintain it and how are those rights run. In the previous version of this site plan, the access road leading to the bank was on lot 2 so in the previous version, you saw that land would've been and owned by the Lot 2 property owner and then, as Mr. Carnazza indicated, there would've been an easement granting rights over it and maintenance responsibilities which, in that case, would be shared by those two lots. In this revised version, you have an access driveway which is on a third lot (182 acre parcel) leading into the back. That's who would own the fee or the land under that driveway and the maintenance would be, again, shared by the parties. In both cases, the previous version which you had approved and this version, the physical make-up is the same, with same driveway, same site improvements, same maintenance agreement. Multiple parties would be allocated the rights to that driveway. That was always the plan – that driveway would service lot 1, lot 2 and the remaining acreage to the west. That remains the plan. The site plan itself only changed by way of its property line.

Mr. Stone voiced a concern that when anything else is developed, he didn't want to have the issue with having that lost in the debate against who is going to fix the pothole, light standards, etc.

Mr. Contelmo responded as a commercial subdivision, all three properties are under the scrutiny of multiple parties who through commercial leasing deals construction development

are fairly savvy which ultimately yields the maintenance, access and utilities. There's a multi-party document that addresses that.

Mr. Cleary asked is it fair to say that because the bank is the first tenant on the property that the initial maintenance obligation is going to be the banks.

Mr. Contelmo responded I don't believe so. I think it might still be shared. I'd have to ask the Lot 2 owner's developer which is the current landowner, Baldwin Hills Realty.

Mr. Stone then asked is that something that logistically legally you could reflect it in our approvals?

Mr. Cleary responded absolutely! Where I would go now is that it gets referred to Mr. Charbonneau for his advice and council with respect to that.

Mr. Charbonneau added we could put it in the final resolution as well.

Mr. Contelmo then added, I recognize the concern and have no problem with the condition because we certainly recognize that it's a necessity but the previous lot line to this bank lied in the same area to the south and it accessed across an easement to get in. We haven't changed that situation from what was previously approved until now. Mr. Contelmo then pointed out on the map where he was referring to.

Some further affirmation discussion took place between Board members.

Mr. Cleary stated to Mr. Contelmo, just to be clear; there were always three parcels that were gaining access to this from this location.

Mr. Contelmo responded that's correct. It was always the intent. Baldwin Hills Realty owns the 13 acres in the front and 172 acres in the back. Baldwin Hills Realty, in the last subdivision, created the 3 and 9 acre lot; conveyed easements across their lot but also reserved their right to get across to the back. They wouldn't shut themselves off from access. The most important part of this particular proposal to the applicant is maintaining that future access to the rear of the property. We did discuss that when we came before you with the site plan and the previous subdivision.

Mr. Stone stated there was also some discussion regarding the turnaround and access for the Koehler Center.

Mr. Contelmo responded in the previous application we made it known that there was the potential for access from the Koehler Center. That's been solidified so now that is, in fact, a material part of the application. What you're seeing with the easement now provides access to a fourth property which would be the County's parcel to the north.

Mr. Furfaro then stated, but that's not really part of this. That's part of the subdivision application correct?

Mr. Contelmo replied yes. We've got the two plans together.

Chairman Gary stated specifically to Mr. Cleary; I think I understand what's happening but I just want you to explain it one more time. This piece of paper in front of me is the whole project; Route 6, Baldwin Place Road and whatever is back there came before us a designated property. We went through the process and then we had a public hearing on it and as far as the Board had to go and then it went back to the owners and they did nothing.

Mr. Cleary replied that's correct. We had a public hearing. On the draft environmental impact statement, that was the last contact they had with the Town, they've done nothing. There were no approvals granted for that in any way.

Chairman Gary stated that map comes back before us, that mass segment was just pieces in front of it.

Mr. Cleary responded they carved off the two pieces in the front for the two retail buildings.

Chairman Gary added that's what we're dealing with.

Mr. Cleary replied that's correct.

Chairman Gary then asked Mr. Contelmo what are you looking for? He stated that bank is $\frac{3}{4}$ finished.

Mr. Contelmo replied I understand that. He stated what we would like is for the Board to consider a waiver of public hearing. You're code does permit you to do that when there's no changes to the structures associated with an amended site plan. As we just discussed, this is not a change that makes any physical difference on the ground and, in fact, only changes the property line taking the property down to the permitted two acres based on the Zoning Board of Appeals decision. So we would request you consider waiving the public hearing.

Chairman Gary stated it says here amended site plan. What site plan?

Mr. Cleary responded you granted approval for the PCSB.

Chairman Gary interjected, no; you said the whole project. Did we grant approval for that?

Mr. Cleary responded yes PCSB.

Chairman Gary then stated, if that's the case, then we separated those two – correct?

Mr. Cleary responded yes.

Mr. Paepre asked so this is only for the PCSB. Baldwin subdivision is separate.

Mr. Cleary responded yes it's a separate action. He said separate actions that are related but separate actions.

Chairman Gary then said it hasn't impacted anything. Surely you've reduced it and it maintains its legality.

Mr. Cleary responded yes.

Mr. Cote stated it does impact in a way. Granted, there's no change to the bank and the means of ingress/egress. However, this clears up 7 acres that they could potentially build other structures on.

Mr. Cleary stated not really. He stated the Union Place parcel has gotten proportionately bigger. The back of those two retail parcels are being transferred, theoretically, to the Union Place piece.

Mr. Contelmo stated there's another selling point. That is the Developer made the representation before the ZBA and the Zoning Board conditioned their variance on 'no further development' of the remaining acreage that makes up the front 13 acre parcel. So again, we're going into the subdivision. At which time, Mr. Contelmo flips the map.

Mr. Cote asked if that was the conditioning and avenue of development, then why do it?

Mr. Contelmo responded the future development that was preserved as a potential had to do with recreational amenities. The whole reason for the re-thinking of the lot lines had to do with the potential for the rail trail, which the County has \$2 million in the coffers for, to extend from where it is now on Route 118 right across the way to come back around and follow the historical rail line that goes through the central wetland corridor on this property. I've got maps to show that but we're getting ahead of ourselves. To answer your previous question, the lots that got the variances and the balance of the property, you have 3 acres in round numbers on two lots is intending to be residual property. That 10 acres of residual property is merged with the 172 acres in the back and becomes 182 acre parcel but the 10 acres in the front, besides certain recreational amenities, would be restricted for future commercial or residential development. All that would happen in that 10 acres would be things like a walking trail around the pond, he preserved the potential for a comfort station, the rail trail/bikeway and those type of amenities through that area but no commercial buildings or site development.

Mr. Stone asked so the only other difference here is the fact that the access/egress before would've been owned by one of the two parcels; now it's owned by the third parcel in the back.

Mr. Contelmo replied that's correct. The owner of Lot 2 and the parcel in the back is the same entity. Baldwin Hills Realty owns all the property right now and the bank is on a

lease. Lot 2 and the back property are all part of Baldwin Hills Realty and would be owned and controlled by them.

Mr. Cleary indicated to Chairman Gary that you have to make a decision as to whether you're going to have a public hearing or not. It's the Board's decision.

Chairman Gary then stated let's go around the Board.

Mr. Furfaro responded let me answer your question with a question. Are we going to have a public hearing on the next item?

Mr. Cleary responded the board will have to make that decision.

Mr. Furfaro then stated you have the subdivision coming before us next. I would much rather have a public hearing on a subdivision than I would on this. There are minor changes here, but I do think you're going to have a hearing on the subdivision. That's where I'd go with it. If that helps the bank in their construction process anyway cause the bank is up in all of that and this way they can move forward and build what they have to build but I think you're still going to have a public hearing on the second piece of this.

Mr. Paepre asked what's the down side of having a public hearing on this since they're already building. You're not going to slow down construction.

Mr. Carnazza added and they can't go any faster than the subdivision is the only other thing.

Mr. Furfaro then said so then there's no issue. I thought it was maybe a timing issue.

Mr. Carnazza replied the subdivision has to happen first.

Mr. Furfaro said then you might as well do it if it's not a timing issue.

Mr. Stone then said they're currently building under a previously approved site plan.

Mr. Contelmo responded that's correct.

Mr. Carnazza added only on one big lot though.

Mr. Furfaro said, so in theory, if the bank was finished tomorrow, they couldn't open without the subdivision was done anyway.

Mr. Cleary said they'd either have to file the old subdivision or continue this amended subdivision – one or the other.

Mrs. Kugler stated I think we should go forward with the public hearing.

Mr. Stone agreed with Mrs. Kugler with having the public hearing.

Mr. Carnazza stated you are going to hear the same thing at both public hearings.

Mr. Stone said if we don't request a hearing to prove this, what is the impact to the other one?

Mr. Carnazza said they can't do one without the other.

Jeff Contelmo stated my only comment, and again if we have to have a public hearing concurrent with the subdivision, it's going to be all the same talk, but I would like to clarify a statement that I think Mr. Carnazza made. I think you said this can't be approved until the subdivision is approved.

Mr. Carnazza replied the subdivision creates the lines you have on here so the subdivision actually has to be approved and filed before we can approve this site plan.

Mr. Contelmo interjected, in the past, we've done this here in the past and my only request or suggestion is that this can be approved subject to the filing of the plan which means we don't have a site plan approval until the plan's filed which is the same net effect but doesn't require the physical filing and the return that says to the board we filed the map so now approve it.

Mr. Carnazza interrupted I didn't mean that it can't be approved. What I meant was the signature has to go on the subdivision before it can go on the site plan. Actually, the filing has to happen, and then the site plan can be signed.

Mr. Contelmo added, but once the subdivision is approved, this can be approved subject to the filing of the plan.

Mr. Carnazza stated the subdivision creates the lines the way they are right there; so that has to be filed.

Chairman Gary interjected which one? The one that was reduced or the original one.

Mr. Carnazza responded the 3 lot subdivision – the 2 lot and the reservation land. The one that's up right now. That creates these lots that are on that site plan. So that map has to be filed prior to signing this site plan.

Mr. Stone stated that map has to be approved.

Mr. Carnazza replied filed.

Mr. Contelmo interjected well it has to be approved to be filed.

Mr. Carnazza replied correct, approved and filed.

Mr. Stone asked how can we approve this if it doesn't 'technically' exist right now?

Mr. Contelmo replied we're not asking you to approve it.

Mr. Carnazza stated you're going to approve it after it exists.

Mr. Cleary then added, we'll catch up to the timing after the subdivision

Mr. Charbonneau stated you are not voting to approve it tonight.

Chairman Gary stated what's before use tonight, public hearing or no public hearing, it can't go far because that bank is almost.....

Mr. Charbonneau said it's a construction of a building on a single lot right now.

Chairman Gary stated yes. Does it have a building permit it for it?

Mr. Contelmo responded yes.

Chairman Gary then said, so then really, if you want to have the public to come out, they should come out for the whole thing.

Mr. Charbonneau stated my recommendation to the Board would be to hold a public hearing with respect to this application as well as the subdivision application. He said I'm sure that's consistent with the consultants' recommendations.

Chairman Gary asked is it better to have the public hearing on the whole thing?

Mr. Charbonneau replied if possible, I would have the public hearing on the subdivision first; that's going to address most, if not all, the issues.

Mr. Cleary interjects, just to be clear Mr. Chairman, when you say the whole thing; it's not the Union Place project. That has nothing to do with this application. It's the subdivision of these 13 acres and a transfer of a portion of that to the adjacent property. The layout and configuration of Union Place has nothing to do with this application.

Chairman Gary stated it seems pretty consistent for a public hearing. He said to schedule a public hearing.

Mr. Contelmo stated to have the public hearing for the subdivision first because it would probably be more productive.

BALDWIN SUBDIVISION – 150 ROUTE 6 – TM – 86.11-1-1 – SKETCH PLAN

Mr. Carnazza stated the applicant chose to subdivide the existing lot into 2 lots and the reservation area which will be merged with Tax Map #86.6-1-4 which is the rear property. The necessary variances were granted by the ZBA. The approval for this subdivision if granted must be filed with the County Clerk's Office prior to the granting of the site plan on the 2 lots. Provide a note that reads upon filing of the subdivision the reservation area shall be merged with Tax Map #86.6-1-4.

Mr. Cleary read Mr. Franzetti's memo which stated the department has no objection to the sketch plan approval.

Mr. Cleary stated he has no objection to the modification. The ZBA has granted the variances for the application. He said the condition of that variance no construction would occur in that area that's been transferred with the exception of the recreational amenities.

Chairman Gary asked this gets a public hearing also?

Mr. Cleary replied yes.

Mr. Contelmo addressed the board and stated we submitted for sketch plan approval which is procedure within your subdivision code. He said we are asking for sketch plan approval this evening. He said your code also allows you to deem this a minor subdivision which would allow us to go straight to final review and also schedule a public hearing for final. He said this is the same map with very minor tweaks to a couple of lines. He said this is the map you denied for us to go to the zoning board about 2 months ago. He said we returned with the variances, with the condition of the restriction on the back of the property.

Chairman Gary said to schedule a public hearing.

At which time, a discussion ensued regarding preliminary approvals, minor subdivisions and the scheduling of both public hearings being held at the same time.

Mr. Stone said so whatever comments are received from the public hearing the applicant would have to satisfy them and come back?

Mr. Cleary replied that's exactly right. He said if we ask the applicant to make any changes he would then have to modify his final plat. That would be their issue not ours.

At which time, Mr. Contelmo explained to the board the changes that lead to configuration of the lots, which includes the access to the Koehler Center, the trail way/bike path, reservation area and other amenities.

Mr. Furfaro moved to grant sketch plan approval. The motion was seconded by Mr. Cote with all in favor.

Mr. Stone moved to recognize this application as a minor subdivision. The motion was seconded by Mr. Furfaro with all in favor.

Mr. Cote moved to schedule a public hearing concurrent with the PCSB site plan. The motion was seconded by Mrs. Kugler with all in favor.

INFANTINO, THOMAS & LORI – 453 NORTH LAKE BLVD – TM – 64.12-1-56 – SKETCH PLAN

Mr. Carnazza stated these are same comments from December. He said it's the same submission so nothing has changed.

Mr. Cleary said Mr. Besharat is here tonight to explain in better detail the way the lots were configured. He said there has been no physical change to the plan from the last meeting.

Mr. Besharat addressed the board and stated there was some confusion about the easements. At which time, he pointed to the color coded map to show where the easements are. He said the applicant will be getting an easement to enter the property. He said the proposed lot to be subdivided is also owned by Mr. Infantino.

Mr. Carnazza asked if it was a 50 foot cul-de-sac.

Mr. Besharat replied yes.

Mr. Carnazza said and you have 50 feet of frontage on each of the lots.

Mr. Besharat said the lot that we will be creating will have 50 feet.

Mr. Stone asked if this constitutes a "flag lot".

Mr. Cleary replied no. He has the legal frontage that eliminates the flag lot. He said it's just an usual driveway configuration being done to avoid the rock.

Mr. Besharat said by avoiding the rock will make the construction a lot simpler, easy and faster.

Mr. Stone said I understand that, my concern is with emergency vehicles with a shared driveway.

Mr. Carnazza replied he needs variances.

Mr. Besharat stated we are here tonight so we could be sent to the Zoning Board.

Mr. Furfaro asked to explain what is getting subdivided.

At which time, Mr. Besharat points to the map to show the lots.

Mr. Furfaro said so lot #1 and 2 is the subdivision.

Mr. Besharat replied correct.

Chairman Gary asked Mr. Cleary if he will get everything that's needed for that lot.

Mr. Cleary replied yes. He said it is an awkwardly shaped lot, but it meets the minimum lot area. He needs the variances that Mr. Carnazza pointed out earlier. He wants to give lot 2 access to the lake, the alternative would be an usually shaped lot that goes along the top of lot 1 to give him three acres and an easement to get to the lake, so either way it's not an optimally shaped lot because the property is so usual and environmentally constrained it's probably not a problem.

Mr. Besharat added the awkward shape to the lot is really not needed for anything else except for the access to the lake and acreage.

Mr. Furfaro asked if there was a house on lot 1.

Mr. Besharat replied yes and the access is on North Lake Blvd.

At which time, the board members continued to discuss the lots and the possibility of re-subdividing.

Mr. Furfaro asked so the next step is he goes to zoning and then comes back with a full set of plans working out all the details.

Mr. Besharat said that's hoping the zoning board gives us the variances.

Chairman Gary the board has certain responsibilities, such as safety, living there, being able to get in there, water, sewer and entrance and this application is on the verge of negativity.

Mr. Besharat said there are certain areas that is not bad all.

Mr. Furfaro asked if the board has enough information to go to the zoning board.

Mr. Paepre inquired about the fire department's input.

Mr. Cleary stated there is no need for the fire department to look at this, if the variances aren't granted.

At which time, the board members and applicant further discussed if the lots were buildable and if enough information was presented to the board so they could go to the zoning board.

Mr. Besharat stated there is absolutely no other place or option to be able to build a house on the property. He said the property is huge, it is over 3 acres and we are using about ½ acre that will be developed. It cannot be moved anywhere else and the lot lines will not change.

At which time, the board members further discussed the viability of the property and the comments from the Town Engineer from the last meeting that wasn't addressed.

Chairman Gary said to meet with the Town Engineer and when you come back he says everything submitted is what the engineering department would like. He said the board should not send anything to the ZBA that might be doubtful. He said this board must believe that this will work as a residential lot.

Mr. Besharat said maybe we should meet with the Town Engineer at the site.

Mr. Franzetti said we could definitely do a site visit. And while we are there we should talk about the comments such as the area of disturbance, etc.

Mr. Besharat said I will call the engineering office and schedule a site visit with the Mr. Franzetti.

WESTERN BLUFF SUBDIVISION – 350 WEST SHORE DRIVE – TM – 64.14-1-20 – PRELIMINARY SUBDIVISION PLAT

Mr. Carnazza read his memo which stated the applicant proposes a three lot subdivision off West Shore Drive in Carmel. The house on lot 1 is now labeled "to be removed". Wetland Permit is required from the ECB.

Mr. Franzetti read his memo which stated the project encompasses subdivision of a 14.79 acre parcel into three (3) lots. The project is located on West Shore Drive. The Engineering Department has preliminary comments on the preliminary subdivision plan provided but will ultimately forward to the applicant. Mr. Franzetti continued to read his memo with all the comments dated on January 24, 2017.

Mr. Cleary stated when this was initially submitted like the prior application, this is a challenging site. There are a lot of constraints on the property. We asked the applicant to provide a full Environmental Assessment Form which they have submitted. The EAF notes the following: The site is located within the NYCDEP Watershed. 3.84 acres of the 14.79 acre site will be disturbed. The project involves the construction of a driveway and stormwater treatment system within the locally designated wetland buffer along West Shore Drive. ECB review and approval is required. The project results in a water demand of 2,000 gpd, which is provided via individual potable water wells on each new lot. 2,000 gpd of sanitary waste water will be generated by the project and treated through individual subsurface sanitary disposal systems. The project will result in the creation of 33,000

square feet of new impervious surfaces. The majority of the site is underlain by well drained soils with few development limitations. A specific site investigation is required to determine if the documented presence of "Large Twayblade" (*Liparis liliifolia*) 1961-06-17 – endangered/threatened species is present on the site. The applicant has provided clarification for the home locations as proposed. The common driveways are proposed to reduce the number of curb cuts and reduce disturbances within the wetland setback. The common driveway curb cut location offer the greatest sight distances. Preliminary grading and driveway profile have been submitted. The plans now depict utility locations. The applicant has met with, and is working with the NYCDEP. The applicant has indicated that this residence on Lot #1 will be replaced with a new residence.

Mr. John Kellard of Kellard Sessions, representing the applicant addressed the board and stated the last time we were in front of the board was back in September with a sketch plan. He said we prepared a preliminary subdivision package with profiles, grading and complete drainage design. He said the next phase that we would like to move onto is preparing SWPPP which we have to work with NYCDEP as well as the town. He said before doing that we just wanted to make sure the house locations; the common driveways were acceptable to the board.

Mr. Carnazza asked if they got sketch plan approval yet.

Mr. Kellard replied no. We are still at sketch.

Mr. Furfaro so is that what you are requesting tonight?

The consultants were okay with sketch plan approval.

Mr. Furfaro asked Mr. Kellard to review the project again.

Mr. Kellard stated the property is 14.8 acres. We are proposing three building lots and has 1300 feet of frontage on West Shore Drive. He said behind the property is the Croton Falls Reservoir. There is about a 300 foot setback to the water's edge.

Chairman Gary asked if the house was still there.

Mr. Kellard replied yes, but the house will be removed.

Mr. Cote asked currently what is on the 14 acres?

Mr. Carnazza replied one house.

At which time, Mr. Kellard pointed to map show where the houses, septic systems, the common driveway and steep slopes. He said to access the buildable portion of the site we would like to go around the steep slopes pushing us into the wetland setback which is why we have to go to the ECB for a wetland permit.

Mr. Furfaro asked how long is the driveway.

Mr. Kellard said the overall driveway is about 800 feet.

Mr. Furfaro asked how will you handle that with the maintenance.

Mr. Kellard said there will have to be a maintenance agreement between the two properties.

Mr. Furfaro asked if the common driveway is preferred or not preferred.

Mr. Cleary said typically we don't like that because people would have to share and sometimes they don't get along, but in the case of a difficult site the legal agreements could be put in place to assure there is a level of control amongst them. He said but with a property like this the alternative would significantly impacts the wetlands and steep slopes. This minimizes that, so there is a benefit with doing it here.

Mr. Franzetti asked to explain why you wouldn't use the existing driveway for access.

Mr. Kellard said the site line is very poor and dangerous. He said the driveway proposes the safest driveway location along that stretch of road.

Mr. Carnazza asked if the upside down pipe to the right that goes out to the north property line is another treatment area.

Mr. Kellard replied yes.

Mr. Stone will you be limiting the tree cutting at the disturbance line.

Mr. Kellard replied yes. We want to limit the amount of trees we take down.

Mr. Furfaro asked if they will be putting in asphalt driveways.

Mr. Kellard replied yes, because of the grades.

Mr. Furfaro moved to grant sketch plan approval. The motion was seconded by Mr. Cote with all in favor.

WIXON POND ESTATES – 243 WIXON POND ROAD – TM – 53.20-1-19 – EXTENSION OF PRELIMINARY SUBDIVISION APPROVAL

The applicant did not show up.

MINUTES - 12/21/16

Mr. Cote moved to accept the minutes of December 21, 2016. The motion was seconded by Mr. Stone with all in favor.

Mr. Paepre moved to adjourn the meeting. The motion was seconded by Mrs. Kugler with all in favor.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Rose Trombetta