

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

OCTOBER 11, 2017

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

ABSENT: KIM KUGLER

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>TYPE</u>	<u>ACTION OF THE BOARD</u>
NY Fuel Distributors (Coco Farms)	55.11-1-40	1-3	P.H.	Public Hearing Closed & Planner to Prepare Resolution.
PCSB/Mahopac Branch	86.11-1-1	3	Bond Return	Public Hearing Closed & Bond Return Recommended to Town Board.
Jaral Putnam LLC.	55.-2-24.1	3-7	Site Plan	Denied to the ZBA.
Easter Seals New York	55.11-1-23,24 25 & 27	7-10	A. Site Plan	Denied to the ZBA.
Central Hudson Gas & Electric Corp	53.17-1-38	10-12	Site Plan	Public Hearing Scheduled & Planner to Neg Dec Resolution.
ShopRite Carmel	44.9-1-9	12-15	A. Site Plan	Denied to the ZBA.
Swan Cove	76.5-1-49	15	Extension	Extension Granted for 1 Year.
Paladin Center	55.10-1-1	15-16	Waiver	Waiver of Site Plan Application Granted.
Minutes – 09/13/17		16		Approved.

The meeting was adjourned at 9:06 p.m.

Respectfully submitted,

Rose Trombetta

NY FUEL DISTRIBUTORS (COCO FARMS) - 1923 ROUTE 6 - TM - 55.11-1-40 - PUBLIC HEARING

Mr. Carnazza had no comments.

Mr. Franzetti stated all engineering comments have been addressed.

Mr. Cleary stated all planning comments have been addressed. He stated the applicant has obtained the letter from the D.O.T.

Vice Chairman Paeprer addressed the board and stated the Chairman and I met with the team at the site approximately 6 weeks ago. As we sat there and watched the traffic cutting the gas station from Stoneleigh and if you are coming down Route 6 people are making lefts into the McDonald's parking lot, we didn't feel confident at that time that people would follow the path that was proposed at that time, which would have been to enter the site from Stoneleigh Ave or go to the light on Route 6 and Stoneleigh and make the left and come around. He said we asked the applicant to go back and work with the Town highway department and Department of Transportation. He said they were successful in granting a left hand turn into the gas station. He said there will be no left hand turn exiting the site but there is a left hand turn into the site, which we thought would make the traffic flow so much better. He said now you have access from both directions on Route 6 and access from Stoneleigh Ave. He said they are going to shape or curve the turn so it would flow better rather than people trying to break the traffic rules and make a left turn exiting the site onto Route 6. He stated the site visit with D.O.T. was very worthwhile.

Mr. Napior addressed the board and stated since the initial proposal to the DOT there was a suggestion of a potential mid-block crosswalk. He said we discussed this at the last meeting and we studied it and we feel that this was not the best pedestrian safety. We did propose a landing spot. He said now have the sidewalk run along our side of Route 6, if the DOT ever wishes to install some traffic common measures and put a crosswalk in place they have a place to land it to. We connected our site with the McDonald's site and with that the DOT has approved our highway access.

Vice Chairman Paeprer asked the applicant to simulate the flow of traffic in the parking lot.

Mr. Frank Filiciotto, applicant's traffic engineer addressed the board and stated there has always been, and always will (if this is approved) two driveways on Route 6. The goal is to keep the westerly driveway more or less in the same spot as it is today, but allow only right turns in. Moving towards the east it was originally proposed as right out only. Through discussions with the board and professional staff we then went to right in and out. Then after we met in the field with the Chairman, Vice Chairman and DOT we appealed to DOT to allow the left turn in as well. He said at this point, you have the ability to make a right turn in, a left turn in, and a right turn out. We expect the right turn in maneuver to be a very low volume. He said the site is obviously at a very key corner, it has good visibility. He said we did secure approval from the Putnam County Highway Department which has jurisdiction of Stoneleigh Ave for a driveway which will be in the same location as it is today.

He said you now have the ability to enter the property at a number of positions which should relieve one driveway from having to do all the work. He said the way the site lays out is really to feed off of pass by traffic. He said the pump islands are laid out parallel to roughly both roadways, more so with Route 6. He said we think the dominant flow is going to be from west to east as you move through the site. He said we have 15 parking spaces on this property which is in excess of the code. He said the code requires 10 spaces. He said we really tried to maximize the way the site lays out. It's a triangular shape lot, so we had to locate the majority of the building and construction type features towards the east end so we could maximize the width of the site.

Mr. Cleary asked who will be responsible for the sidewalk, you or McDonald's?

Mr. Filiciotto replied in New York State the property owner maintains their property, so McDonald's.

Chairman Gary stated we have done a good job with getting the cars in there, now we have to get them out there safely. He said the only spot that is safe is coming on to Stoneleigh Ave. He said the driveway on Route 6 will need some kind of curbing to allow them to turn left, because they are going to turn left and that's when it becomes dangerous. He asked if there was any way of getting another exit on Stoneleigh Ave.

Mr. Carnazza replied there are significant grading issues there.

Chairman Gary said you could make an entrance anywhere if you have to do it. He said I don't think the board is going to request you to do it, but it's something you should look at.

Mr. Filiciotto replied yes. He said we knew from the start that left turns out onto Route 6 were a no go for a variety of reasons.

Mr. Stone asked about the delivery trucks.

Mr. Filicotto replied the fuel trucks will make a right turn in, pull up parallel, drop the fuel and then leave.

Mr. Giannico asked if the Route 6 exit and entrance is striping and not an island.

Mr. Filiciotto replied yes. As of now, it is striping. He said DOT in their final permit review will essentially require us to do either mountable curb or striping, depending on how they want to see it done. He said it would need to be mountable not a full height curb. A full height curb will not work. He said we are going to have traffic control signage at two locations. There will be a no left hand turn sign, a one way sign.

Mr. Giannico asked if there will be striping for the traffic flow within the site.

Mr. Filiciotto replied yes.

At which time, Chairman Gary asked if anyone in the audience wished to be heard on this application.

Hearing no comments from the audience, Mr. Furfaro moved to close the public hearing. The motion was seconded by Mr. Giannico with all in favor.

Chairman Gary asked the Planner to prepare a resolution.

PCSB/MAHOPAC BRANCH – 150 ROUTE 6 – TM – 86.11-1-1 – PUBLIC HEARING

Mr. Carnazza stated he inspected the property and they are in full compliance with zoning. He had no objection to the bond return.

Mr. Franzetti stated he had no objection to the bond return.

Mr. Cleary stated had no objection to the bond return.

Chairman Gary asked if anyone in the audience wished to be heard on this application.

Hearing no comments from the audience, Mr. Giannico moved to close the public hearing. The motion was seconded by Mr. Furfaro with all in favor.

Mr. Cote moved to recommend full bond return to the Town Board. The motion was seconded by Vice Chairman Paepre with all in favor.

JARAL PUTNAM LLC – SENIOR ASSISTED LIVING & MEMORY CARE FACILITY – 2054 ROUTE 6 – TM 55.-2-24.1 – SITE PLAN

Mr. Carnazza read his memo which stated the applicant proposes to construct a "3 Story Assisted Living and Memory Care Building" on Rt. 6 in Carmel. The property is in the C-BP zoning district.

- Town Code allows the following:
 1. Light manufacturing, converting, processing, altering, assembling, finishing, printing or other handling of materials or products (See § 156-33.)
 2. Fully enclosed wholesale distributors or storage establishments, but excluding retail sales (See § 156-33.)
 3. Research laboratories (See § 156-33.)
 4. Data processing and computer centers
 5. Business and professional offices
 6. Hospitals, medical clinics and animal hospitals
 7. Commercial establishments, including gasoline service stations with accompanying retail stores that existed at time this amendment was adopted
 8. Fully enclosed eating and drinking establishments
 9. Retail sales and service establishments
 10. Day-care centers (See § 156-39.2.)
 11. Self-storage warehouses. (See § 156- 33.)
- The code does not specifically allow this use in the C-CB Zone, therefore, either

a Use Variance or an interpretation are required from the ZBA.

- What parking calculation are you using? The code does not provide a calculation.
- This project needs to be referred to the ECB for comments.
- This project needs to be referred to the Carmel Fire Dept. for comments.

Mr. Franzetti read his memo which stated the applicant is proposing an amendment to the previously approved site plans for this project. The amendment is a change from the approved Hotel and Banquet Facility to a Senior Assisted Living Facility. The proposed amendment does not alter the infrastructure on the project. The Engineering Department (Department) has reviewed information provided by the applicant and the State Environmental Quality Review Act (SEQRA) Lead Agency Finding Statements, dated September 27 2017. The proposed amendments are within the SEQRA thresholds defined. The Engineering Department has no objection to referring this project to the Zoning Board.

Mr. Cleary addressed the board and stated this application was once the hotel site that was approved a number of years ago. The applicant is now proposing to amend that site plan for 113 unit senior assisted living and memory care facility. He said the building is located in principally the same area where the hotel was previously located. The curb cuts are exactly in the same location. It's a slightly different configuration, but it is in the same place basically. He said when the original site plan was approved; a generic environmental impact statement was prepared for that. He said that generic environmental impact statement established thresholds for a series of potentially uses. At the time of the subdivision, tenants were not firmly established; they believed there would be a hotel on the site, but they didn't know what hotel chain would operate at the facility, so they tried to provide for flexibility for future site plans. He said they developed a series of threshold forms that were adopted with the findings statement for the GEIS which established thresholds for all series of impact issues that are relevant to each of the site, for example, traffic, stormwater, utility impacts. He said those threshold forms have been used by this board on several occasions when amendments to those previously approved site plans are brought up before you. The applicant has filled out those forms and has provided them for you. He said we have some additional questions with respect to that, but they are seeking this amendment to the site plan and a referral to the zoning board of appeals for either a use variance or an interpretation. They are trying to establish that they are not exceeding any of these thresholds.

Mr. Scott Blakely of Insite Engineering, representing the applicant appeared before the board. He addressed the board and stated the original approvals for the hotel was granted in 2008. We have applied for renewals of that site plan approval through 2015. He said those approvals have lapsed as the owner has been marketing the property over the last five years for a hotel use. He was approached by the Wegman Companies out of Rochester, NY who build and operate senior assisted living facilities. They have a number of them throughout New York, Vermont, Ohio and in Pennsylvania. We are looking to your board to send us to the zoning board as Mr. Carnazza and Mr. Cleary both mentioned. He said initially for an interpretation of the use. He said this use isn't specifically outlined in your code. He said the initial would be an interpretation of the use as a commercial development and if that is

not found to be the case, then we will move forward with a use variance for the property. This use is sort of a stepping stone or a gap between independent living and nursing homes. This is an assisted living facility; there will be studios, 1 and 2 bedroom units. They will have kitchenettes. These are people that have the ability to basically take care of most of their needs. There will be staff on hand to help them with medication and other things. Meals will be provided on site in the dining room. They will get three meals a day. There will be activities throughout the day for the seniors. He said there also is a memory care component proposed for this site. The breakdown is about 85 beds for assisted living and 59 beds for memory care. There is no need for a full doctor care; there will be a nurse on call. There will be mainly trained aides and assistants to help the residents with their day to day needs. Mr. Carnazza had mentioned the parking count. The parking that we are proposing is 73 spaces which are typical of what Wegman builds for these types of facilities. There will be 28 to 30 full time employees at the maximum shift. There will be a number of visitors during the day; they anticipate 40 to 50 visitors a day. There will be handicap parking provided. He stated as Mr. Cleary mentioned we have worked within the footprint of the previous development area. The access drive is located in the same location. We have up to date DEC and DEP approvals for the stormwater. There will be a reduction in impervious surface on this site of about 30,000 square feet from the previous site plan. We have an additional ½ acre of disturbance reduction. We have pulled some of our development out of the wetland buffer along the western portion of the property. There is a watercourse that flows through the property. We will have to update our wetland permit with the ECB. He said we have provided access around the building for fire and emergency vehicles. The previous proposal had a grasscrete driveway around the hotel building. He said we will be looking for input from the fire department, but we don't anticipate any issues. We have adequate pressures and floats for water, we have sewer capacity and again our stormwater was previously approved. He said again, we are looking for a referral to the ZBA to see if we have a project. He said if we are successful at the ZBA, we will be back to this board with additional detailed information.

Mr. Furfaro asked if any other variances are required besides the use variance.

Mr. Blakely replied no, we meet all the bulk requirements.

Mr. Furfaro asked if the builder of the project will also be the operator of the facility.

Mr. Blakely replied yes.

Mr. Giannico asked if the developer uses local contractors.

Mr. Blakely replied I would assume they do, but I do not know that as a fact.

Mr. Stone asked about the existing access path. He asked if there were two of them.

Mr. Blakely points to the map to show the access point. He said it's obvious when you drive through there where the access would be. There is an existing access road that feeds the

Gateway and The Fairways Project. He said there is a traffic signal installed, but it's not operating. The poles are in.

Chairman Gary stated this site was originally approved for a hotel, and if this gets approved (there is nothing wrong with what he is proposing) we lose any opportunity of ever bringing a hotel in this Town, because of the size of the lot. He said I don't know if it's important or not, but I think it's something we should put on the table.

Mr. Cleary stated yes it was approved for a hotel site and they have sought hotel operators over the course of 10 years. He said you're correct, I don't think there is another suitable site in the Town of Carmel that close to the interstate.

Mr. Blakely added Mr. Al Salvatico is the president of Jaral Putnam and they are hotel builders and operators and they have tried for years to make this project work. The approvals were granted in 2008. He said they had proceeded with construction documents, architectural drawings for the hotel and the market turned and financing wasn't there for a hotel, so they have been marketing this to other users with no bites.

Chairman Gary stated I needed to put it into the record, trying to preserve something for the town.

Mr. Stone asked if the residents are anticipating on having vehicles.

Mr. Blakely replied residents are permitted to have vehicles, but typically in Wegman's experience they have one or two resident vehicles on site. He said the draw of this project to this site is the residents could walk to center of Carmel. They could use the walking trail from this site. He said we are still proposing the pedestrian access from the site through to the subdivision road which will eventually lead them to the development with the Gateway Summit and The Fairways project when that gets built.

At which time, a discussion ensued regarding the parking calculations and if any additional parking would be required if more residents have vehicles.

Mr. Blakely stated we have the ability on site to provide additional parking. There is green space (points to map) in the rear and a portion in the front of the property.

Chairman Gary asked how should the recommendation be to the Zoning Board.

Mr. Cleary stated they are seeking a referral to the Zoning Board for a use variance or an interpretation and what off street parking requirement will be provided for the site.

Chairman Gary said we should have that all cleared up before we make any comments with regards to the project.

Mr. Cleary said he doesn't have a project unless the use is verified.

Mr. Cote asked if the memory care aspect part of it was short or a long term proposition.

Mr. Blakely replied it's not rehab. He said they're apartments.

Chairman Gary asked if they had a profile of what the building will look like.

Mr. Blakely replied yes, and displayed the renderings to the board.

Vice Chairman Paepre moved to refer the applicant to the ZBA for a use variance and parking space interpretation. The motion was seconded by Mr. Furfaro with all in favor.

EASTER SEALS NEW YORK – 97 OLD ROUTE 6 – TM – 55.11-1-23,24,25&27 – AMENDED SITE PLAN

Mr. Cleary read Mr. Carnazza's memo which stated the applicant proposes to renovate the existing building for a daycare facility. The code allows for daycare centers as a principal use. Variances are required for the property line setback for an outdoor play area. Provide the parking calculation for the entire site (how did you come up with 43 parking spaces required?). This project's needs to be referred to the ECB for comments.

Mr. Franzetti stated the applicant has addressed most of the comments. They have to develop a SWPPP and provide it to me for approval. The drawing should be updated to show the detail of the ramp in front of the building. He stated I don't think requires ECB, it should be referred only to the ZBA for variances.

Mr. Cleary agreed with Mr. Franzetti that there aren't any wetlands on the property. He stated as I indicated last time this does comply with special permit criteria with the exception of those items that Mr. Carnazza noted that require a variance. He said there are additional documents that are required. One being, a copy of the proof of license from the applicant, there are annual inspections that are required. That would be a condition of approval. He said there is a requirement to document if there is adequate infrastructure exists to accommodate the facility.

Mr. Franzetti stated he forgot to make one comment. A referral needs to be made to the Putnam County Department of Planning (GML 239n referral; proximity to County highway).

Mr. Darius Chafizadeh, attorney from Harris Beach PLLC, Stephen Spina, engineer from JMC and Marianne Gribbin of Easter Seals appeared before the board.

Mr. Chafizadeh stated we were here two weeks ago, and we made our initial presentation to the board. He said it is a pretty straight forward plan. We have an existing building and we are renovating two suites within the building to accommodate an Easter Seals pre-k daycare for the children. He said the one issue that delayed us from going to the Zoning Board at the last meeting, was the proof of licensing from the State that Mr. Cleary had mentioned. He said we met with the state on October 2nd at the site, and they do not regularly give licenses

before all the local approvals are granted. He said Easter Seals does run four other facilities that is similar to this and has obtained licenses from the State. We have the application to the State presented. He reiterated that the State will not give the license to the applicant until all approvals from the town is granted. He stated we need two variances; we would like the referral tonight so we could go to the next ZBA meeting.

Chairman Gary stated our concern at the last meeting was what are the requirements of the State and do you feel you could meet those requirements.

Mr. Chafizadeh stated our letter of October 5th indicated what we needed from the State and we do feel we could get it. This is their business.

Ms. Gribbin stated we submitted a letter and it outlined each component that would be required through the Office of Children and Family Services which is New York State run and operated.

Chairman Gary was looking for guidance from Mr. Cleary if what the applicant is proceeding with the State heading towards meeting those requirements.

Mr. Cleary replied that's correct. He said one of the big issues is the provision of the outdoor play area. That's a requirement and that's why they are before the board to do that. Most of the other issues are interior building code related issues.

Chairman Gary asked the Mr. Franze if he looked at the application.

Mr. Franze replied no.

Chairman Gary asked Mr. Franze to look at the.....

Mr. Cleary interjected and stated they are not proposing any modifications to the building façade.

Chairman Gary stated the architect does not only look at how beautiful the outline of the building would be, they would also look at the functionality of the building inside and outside and design accordingly. He said I think the architect should be involved in the totality of that building and site.

Mr. Franze stated I will be very happy to review anything the board would like me to review.

Mr. Cote agreed with the Chairman. He stated the architect is going to review the functionality of the building.

Vice Chairman asked the engineer to go through the project once again.

At which time, Mr. Spina displayed the drawings to the board and showed an aerial view of the site and also the building with the existing parking spaces. He said the majority of the

site will not be altered or disturbed in any way. He said what we are proposing as part of the requirement for the day care facility is a crosswalk that goes to an outdoor play area which will be accessible with a ramp. He said the play area will be fenced and a portion of it will be impervious area for strollers and for the children to ride small bikes and tricycles on it. Most of it will be lawn as it is now. He said there will be a drop off and pick up area with a sign and striping on the pavement for the school buses. He said there is existing parking here (points to map) that currently does not meet the parking requirement in terms of dimensions. The aisle is a one way and it's too narrow, so we are going to take the striping and shift it northwest. He said there are no issues with the width on the other side. And lastly, we are doing the re-striping to bring the existing A.D.A. parking up to current state code. He said we will verify that the front of the building's sidewalk and flush curbs can meet ADA requirements. They currently do receive traffic from accessible pedestrians that park there and potentially have a wheelchair access to the front of the building. We will check to make sure they meet code. He said the only change to this plan since the last time we were here was a comment to add a trash enclosure. The owner of the property currently has two dumpsters in the middle of the parking area and we are proposing a 12' wide and 10' deep enclosed fence with gates and a concrete pad for the dumpsters.

Mr. Cote asked the visual barrier between the bike path and the back part of the play area.

Ms. Gribbin stated they will put in slats to the existing fence, because it was a higher fence.

Mr. Spina stated it didn't make any sense to do any landscaping because there will only be about 5 feet between the two fences. We could certainly propose shrubs that would grow within that distance, but then it would be a little difficult to maintain them. He said we thought it would be less of a maintenance issue if we just the put the slats in.

Mr. Franzetti asked who owns the fence.

Mr. Spina replied I don't know the answer to that. He said we are still working that detail out with the owner. We also thought maybe just the back portion of the playground fence would be 6' high and maybe put the mesh or slats there if the existing fence is not owned by the owner.

At which time, a discussion ensued regarding the need for two fences. Possibly use a stockade fence.

Chairman Gary asked Mr. Franze to look at the fence and what they should put there.

Mr. Franze replied will do.

Mr. Cote stated since we have Mr. Franze involved with this, the applicant was indicating to the right of the trees; there would be a double gate there to provide access to trucks or emergency vehicles. That might be something to look at.

Chairman Gary stated to Mr. Franze to look at that whole section. The fence, the walkway, and play area. He said make sure it comes out correctly.

Mr. Stone asked with regards to the walkway, is it a covered sidewalk or is that walkway in the path of traffic.

Mr. Spina said it is in the path of traffic. It will be striped and the children will be walked with their teachers across. It is not covered.

At which time, a discussion ensued regarding the adjoining properties and the driveways connected to the 3 properties the owner owns. They also discussed the traffic flow and the access point to the lot further down.

Chairman Gary asked Mr. Franze to look at that also. He told Mr. Spina that they will not hold him up and they will send him to the ZBA, but we want everything in the back to be safe. He said we are dealing with kids, I'm sure you understand that.

Vice Chairman Paepre moved to deny the application to the ZBA. The motion was seconded by Mr. Furfaro with all in favor.

CENTRAL HUDSON GAS & ELECTRIC CORP – 340 BULLET HOLE ROAD – TM – 53.17-1-38 – SITE PLAN

Mr. Carnazza stated he had no comments. He said this is all being done in the right of way. The project should be referred to the ECB for comments. He said I believe they already went there.

Mr. Franzetti stated currently the applicant is seeking negative declaration as part of the SEQRA process. The engineering department has no objection to moving forward with the SEQRA process.

Mr. Cleary stated they are at the point where you could consider the Neg Dec. At the last meeting we addressed the site planning issues around the station, additional screening, the color of the equipment inside the enclosure. He said I think we resolved all the site planning issues and we could consider the Neg Dec and have them move along.

Vice Chairman Paepre addressed the board and stated he met with Mr. Farnan today at the site and reviewed the 36 pages of drawings. He said I questioned why they picked Wixon Pond Road, but compared to their alternatives and options they had it actually makes sense. It is the lesser of two evils. Mr. Farnan showed me exactly where the lines would be run on the road shoulder or edge. He said the regulator station is far enough off the road. You can't see it from the road. He said I think there will be very little impact to it. He said they are working with the Highway Superintendent on how and who is going to blacktop after. He said the gas would be enough for the next 50 years. He said it would generate about \$190,000 of tax revenue for the town. He said the residents would have an opportunity to tie into this.

Mr. Brian Dimisko of Central Hudson Gas & Electric and Mr. Dan Farnan of Maser Consulting were present before the board.

Mr. Dimisko said he appreciated having the time today to not only go over the drawings with Mr. Paeprrer, but to look at the route and to explain the design and how it was selected. He said we looked at the regulator station area the property Central Hudson currently owns. He said we will have landscaping in front and back and adjacent to the nearby house. I think it is a solid project, it's the right project.

Mr. Franzetti stated just so the board is aware the town will not see all \$190,000 of taxes. The County and the school get some of the taxes also.

Vice Chairman Paeprrer stated the board had some questions about the fence, and we discussed it briefly.

Mr. Dimisko stated the fence that is proposed is an 8 foot high chain link black fence. It will not have any of the razor wire around the top. He said normally we would have a 5 or 6 foot fence with razor wire above that, but because of the input and feedback from the planning board we were able to go to an 8 foot fence without the razor wire. He said there was a question raised about using netting or a type of material to further block the view of the regulator station. We discussed this with our security staff and our security team does do unannounced patrols and they have asked that there not be netting or any sort of blockage on that fence so they could see through it. He said we will also have landscaping in front of the regulator station and the fence line will be approximately 60 feet setback from the road. He said I would ask that at this particular time, if there is a need to review the netting around the fence that perhaps we look at that once the station is built and do a site visit review to see if there is truly a need for the something like that to be considered or can you look at it in its state of being as built.

Mr. Carnazza said they showed us a picture at the meeting and it was nice looking without any netting, they had nice landscaping and it wasn't obtrusive at all.

Mr. Stone asked if there will be any site lighting.

Mr. Dimisko said there is no site lighting, no electric power to the regulator station.

Chairman Gary asked the board members if they were happy with it.

The board members were fine with it.

Chairman Gary asked the Planner to prepare the Neg Dec Resolution for the next meeting.

Mr. Dimisko asked what is the next step after the Neg Dec Resolution.

Chairman Gary asked Mr. Cleary to respond to the question.

Mr. Cleary said they need a public hearing. So we could move them in that direction if you so choose.

Chairman Gary said I don't see why not. He said to schedule a public hearing.

SHOPRITE CARMEL – 184 ROUTE 52 – TM – 44.9-1-9 – AMENDED SITE PLAN

Mr. Carnazza stated there is a list of variances that are required from the Zoning Board of Appeals. They need a denial to the zoning board if the board feels they're ready.

Mr. Franzetti stated the applicant's engineer and I have been working on various details such as reviewing the SWPPP and piping. He said we still need to discuss the truck turning at the front end of the parking area. He said the applicant and the engineering department have been working on those issues. He said everything else has been addressed.

Mr. Cleary said we do not have any significant planning issues left. He said we are here tonight to hear the conclusion of Mr. Franze's review.

Chairman Gary stated I have one concern. He said I have been approached by many people asking about the addition to ShopRite. He said the question out there is where are they going to park when the addition goes up, because they can't get a spot now. He said I don't know how we are going to answer that, but we are going to work on it.

Mr. Dan Peveraro, engineer with the Lauro Group appeared before the board. He stated previously we had the traffic engineer submit his report and discuss it with the board. His findings were that there was enough parking on the site even excluding a portion of the property that's sort of "non-parked" all the way at the other end of the property to support the addition.

Chairman Gary asked what was the conclusion on that?

Mr. Peveraro stated I believe the board wanted us to find approximately 10 additional spaces from what we had been showing. We found those and it was added to the plan in addition to what we had been showing upon our initial submission to the board. As far as I knew the board was copacetic with what was submitted by the traffic engineer.

Chairman Gary stated our concern is always with the public, because the public regulates how we are going to approach things and get the best we can for them and their concerns. He said long ago when ShopRite was before this board, it couldn't meet the parking requirement, but it was built anyway. Now, you come back to put an addition on and we're not doing anything about the parking.

Mr. Anthony Molé, applicant's attorney addressed the board and stated from my recollection of the last meeting; we included the parking from what currently exists. We addressed the board's comments.....

Chairman Gary said we haven't improved the parking. He said we could do things to manipulate around it, but we have not improved the parking on that site whatsoever. He said this board realizes that the parking is a problem. I don't know what we could do about it. He said we can't close our eyes to it. He said there are two segments to this. He said there is one segment that wants that addition there, because it helps the town with taxes and so on. There is another segment that goes there and pulls in there and thinks they will get..... He said this board should have sympathy and concern about both arguments. There are a lot of elderly people that shop there and yes there are a lot of spots at the other end, but they can't walk from there. What do you say to those people?

Mr. Molé stated within the constraints of the site as the site exists.....

Chairman Gary said I know what you are going to say, give them what we have to work with, that's the best we could do, that's not an answer.

Mr. Molé said we can't make the site bigger; we can't change the geography of the site, so I don't know how to address those concerns within the constraints of the existing site.

Chairman Gary said there is no such thing that you can't do something, you can do it if we look at it hard enough to find a way to help those people who can't walk to that store.

Mr. Molé said I understand your concern, but how do we move forward from here. Does the board have some suggestions on how to accomplish.....

Chairman Gary said all I want you to do is to take another earnest look at it. There has to be something.

Mr. Peveraro said I would respectfully submit that we did look earnestly for extra spots when requested to initially and we found 10 additional spots. There isn't much room for more spots. If we could have added 12 additional spots we would have added it.

At which time, the board members and applicant continued to discuss the parking situation and parking space variances that are needed for the whole shopping center and how there are more parking spaces available on the other end of ShopRite next to the gym and movie theatre, but is too far for people to walk.

Mr. Molé stated the big part of the issue is we are looking at the ShopRite building and how much parking there should be. He said in your code the building is not isolated from the shopping center. He said I understand the board saying, who wants to park by the movie theatre and walk over to the ShopRite to go shopping and then walk back to the movie theatre. I understand that, but your code is drafted in such a way in that is how it works. It's the parking spaces throughout the entire lot not just in front of ShopRite.

Mr. Cote said but your improvement is arguably going to bring more customers into the parking lot, so we are trying to deal with that. He said to the Chairman's point maybe you should look at the parking again and think outside the box. He said maybe there is something you could do with the travel lanes.

Mr. Molé stated this issue was essentially resolved at the last meeting and we keep getting more and more delayed further from being referred to the ZBA and moving forward with SEQR, etc. He said I understand you have your issues, but we need to take into consideration the reality that this lot is limited in terms of extending parking. If the board is inclined to have us look at the travel lanes or something along those lines, I know the engineer took a very hard look at the parking.

Mr. Peveraro said every spot that you had at this point, has a negative impact somewhere, somehow to the point where I as the engineer don't feel comfortable adding a spot in certain places such as (points to map). He said when I was looking for the extra ten spaces a couple of months ago; I really ringed the site for those ten spaces and there isn't a lot more I could do with it.

Chairman Gary stated I guarantee if you look at that map closely (spot up there); I bet you could come up with 10 or 20 spots.

Mr. Peveraro said I disagree with that.

Chairman Gary said how about we look at it together.

Mr. Peveraro replied we could certainly do that. He asked is it possible to add some signage, such as expectant mothers parking and elderly citizens parking or things along those lines to alleviate your concerns.

Chairman Gary stated I am concerned about the people out there. Maybe there are other alternatives to try and figure out spots.

Mr. Carnazza said how about an employee parking lot.

Chairman Gary said we need to talk to ShopRite.

Mr. Peveraro said ShopRite could certainly ask their employees to park elsewhere, but because of union issues they can't require them to park elsewhere on the site. That has already been discussed and we hit a brick wall with that idea.

At this time, Chairman Gary turned to Mr. Franze.

Mr. Franze addressed the board and stated the current design is dramatically different from what it was from the initial application. He said the design is substantially consistent with the direction that the board has articulated to me; therefore I recommend the board accept what is currently on the table.

At which time, Ms. Susan Sassoon, the applicant's architect gave a brief description of the changes that were made to the addition and displayed pictures to the board members of the ShopRite that was just done in Warwick that will be very similar to this one.

The board members were happy with it.

Chairman Gary asked Mr. Cleary if they were ready to send the applicant to the ZBA.

Mr. Cleary responded yes.

Mr. Furfaro moved to deny the application to the ZBA. The motion was seconded by Mr. Cote with all in favor.

SWAN COVE – 628 ROUTE 6 – TM – 76.5-1-49 – EXTENSION OF FINAL SITE PLAN APPROVAL

The consultants had no objection to the extension of final site plan approval; they are waiting for DOT approval.

Mr. Cote moved to grant the extension of final site plan approval for 1 year. The motion was seconded by Mr. Giannico with all in favor.

PALADIN CENTER – 39 SEMINARY HILL ROAD – TM – 55.10-1-1 – WAIVER OF SITE PLAN APPLICATION

Mr. Carnazza stated the applicant proposes to add an indoor shooting range to the existing Paladin Center. The shooting range is a self-contained unit that will be placed in the warehouse area of the building. I have no objection to the waiver of site plan as to there are no new structures being proposed.

Mr. Franzetti stated all work is being performed inside the existing facility. The engineering department does not have any objection to waiver of site plan for the project as long as there are no changes being made outside.

Mr. Cleary stated he had no objection to request for the site plan waiver. He said I have a couple of questions. While it is being installed inside the building and inside a self-contained unit, will it be audible outside the building and from neighbor's property line.

Mr. McDermott replied no.

Mr. Cleary said this will also be publicly accessible facility and it's something you should be aware of, but it's limited to two aisles in the range. It's not a large facility and it can't accommodate more than two people at a time. He said even though there is a public use

component it is a very limited publically use component. No exterior modifications are being proposed and I have no objection to the waiver of site plan.

Vice Chairman Paepre asked to give a summary of what is done at the Paladin Center.

Mr. Felix Carcano of Paladin Center addressed the board and stated we are known for our situational base training. We have over 13 SWAT teams on a regular basis from anywhere from Yonkers to Kingston. We have about 5000 to 6000 individual officers a year that come for training. We do various scenarios where officers could train in real world situations.

Vice Chairman Paepre moved to grant waiver of site plan application. The motion was seconded by Mr. Cote.

MINUTES - 09/13/17

Mr. Cote moved to approve the September 13, 2017 minutes. The motion was seconded by Mr. Giannico with all in favor.

Mr. Cote moved to adjourn the meeting at 9:06 p.m. The motion was seconded by Mr. Furfaro with all in favor.

Respectfully submitted,

Rose Trombetta