

# **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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**MICHAEL CARNAZZA**  
*Director of Code  
Enforcement*

**RICHARD FRANZETTI, P.E.**  
*Town Engineer*

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

**VINCENT FRANZE**  
*Architectural Consultant*

## **PLANNING BOARD MINUTES**

**JUNE 13, 2018**

**PRESENT:** **VICE-CHAIR, CRAIG PAEPRER, ANTHONY GIANNICO, DAVE FURFARO, KIM KUGLER, RAYMOND COTE**

**ABSENT:** **CHAIRMAN, HAROLD GARY, CARL STONE**

<b><u>APPLICANT</u></b>	<b><u>TAX MAP #</u></b>	<b><u>PAGE</u></b>	<b><u>TYPE</u></b>	<b><u>ACTION OF THE BOARD</u></b>
Hinckley Holdings, LLC.	55.10-1-1,3 55.6-1-53	1	P.H.	Public Hearing Closed & Resolutions Adopted.
Angelo Senno Trust	44.13-2-2	1-2	P.H.	Resolutions Adopted.
31 Tamarack Road, LLC.	78.5-2-14	2	Site Plan	Public Hearing Scheduled.
Alexandrion Distillery	55.10-1-1	2-4	A. Site Plan	Denied to the ZBA.
D & L Ford Inc (Kidz Country)	65.13-1-52	4-5	A. Site Plan	Denied to the ZBA.
The Retreat at Carmel HOA Inc Carmel Centre Senior Housing (Lot 4)	55.14-1-11.2	5-8	A. Site Plan	Referred to the ECB.
Old Forge Estates	75.15-1-19	8-11		Referred to the ECB.
Minutes – 04/11/18 & 04/25/18		11		Approved.

The meeting was adjourned at 7:53 p.m.

Respectfully submitted,

Rose Trombetta

**HINCKLEY HOLDINGS LLC – 39-65 SEMINARY HILL ROAD – TM – 55.10-1-1,3 & 55.6-1-53 – PUBLIC HEARING & RESOLUTION**

Mr. Carnazza stated all comments have been addressed.

Mr. Franzetti had no comments.

Mr. Franzetti read Mr. Cleary's memo which stated all site planning issues have been addressed and there are two resolutions before you.

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

An audience member approached the podium and asked if this was also in connection with the distillery.

Vice Chairman Paepre replied this is just for the Hinckley Holdings subdivision.

Mr. Peter Gephardt approached the podium and reiterated if this was in connection with the distillery.

Vice Chairman Paepre again replied this is just for the 50 acres subdivision into 3 lots and it has nothing to do with any activities on the property.

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

Mr. Cote moved to adopt Resolution #18-14, dated June 13, 2018; Tax Map #55.10-1-1,3 & 55.6-1-53 entitled Hinckley Holdings, LLC SEQOR Determination of Significance Negative Declaration. The motion was seconded by Mr. Furfaro with all in favor.

Mr. Cote moved to adopt Resolution #18-15, dated June 13, 2018; Tax Map #55.10-1-1,3 & 55.6-1-53 entitled Hinckley Holdings, LLC Final Subdivision Approval. The motion was seconded by Mr. Furfaro with all in favor.

**ANGELO SENNO TRUST – 19 FOWLER AVE – TM – 44.13-2-2 – RESOLUTION**

Mr. Carnazza stated all his zoning comments have been addressed.

Mr. Franzetti stated the Engineering Department does not have any additional comments related to the project and Mr. Cleary has resolutions before you to be voted on.

Mr. Giannico moved to adopt Resolution #18-12, dated June 13, 2018; Tax Map #44.13-2-2 entitled Angelo Senno Trust Determination of Significance Negative Declaration. The motion was seconded by Mr. Furfaro with all in favor.

Mr. Cote moved to adopt Resolution #18-13, dated June 13, 2018; Tax Map #44.13-2-2 entitled Angelo Senno Trust Final Site Plan Approval. The motion was seconded by Mr. Giannico with all in favor.

### **31 TAMARACK ROAD, LLC – 31 TAMARACK ROAD – TM – 78.5-2-14 – SITE PLAN**

Mr. Carnazza stated all the necessary variances were granted. He stated you need to show a zoning compliance area on the map for the water related activities.

Mr. Besharat replied he will add it.

Mr. Franzetti stated the engineering comments have been addressed and the applicant should be aware that the project is located in 100 year flood plain (flood elevation is 660). A Town of Carmel Flood Plain permit is required.

Mr. Cleary had no comments.

Mr. Furfaro asked if he could explain it again.

Mr. Besharat of Rayex Design, representing the applicant stated it is a very minor project. It's enlarging an existing boathouse.

Mr. Furfaro asked if the boathouse was all on land.

Mr. Besharat replied yes is on land and the addition to it will not have a foundation in the water. He said they will not be in the water at all.

Vice Chairman Paepre said we could schedule a public hearing on this.

Mr. Besharat stated being it's such a small project can we also have a resolution at the same time? It would be greatly appreciated!

Vice Chairman Paepre replied he is okay with that.

Mr. Besharat stated and he will amend the plan with the zoning table.

### **ALEXANDRION DISTILLERY – 39 SEMINARY HILL ROAD – TM – 55.10-1-1 – AMENDED SITE PLAN**

Mr. Carnazza read his memo which stated the parking calculation was now submitted. A variance is required for parking. 327 spaces are required, 238 are provided, 89 parking space variance is needed. Some of the parking spaces are located on the adjacent lot, so that is a second variance. Provide a copy of the parking easement to counsel for review. Provide a zoning table.

Mr. Jason Chochola of Epstein Architecture & Engineering, representing the applicant stated we do have a draft of the parking easement for review. We could get a formal copy at a later point.

Mr. Carnazza stated they need to be denied to the Zoning Board.

Mr. Franzetti stated as the board is aware the application involves the re-development of the existing Paladin Center into a banquet center and production facility for a distillery located on 13 acres. Preliminary comments which the applicant is aware of are to meet with the Carmel Fire Department which he did earlier and the Town of Carmel Highway Department. They will need a SWPPP from the State. They need water and sewer connections. The applicant has noted they are aware of these comments. A traffic analysis plan has been developed and needs to be submitted for review. There are detailed comments also, but the major one is the Stormwater Pollution Prevention Plan. They have provided a wastewater report which is still being reviewed.

Mr. Franzetti read Mr. Cleary's memo which stated clarification has been provided to document that the proposed modifications to the building will comply with the 40' height provision. The applicant has addressed the light industry performance standards. He talked about the parking variance that is required. Off-street loading space calculation has been provided. The applicant needs to document how the spaces will be used. The applicant has documented the operational characteristics of the facility. It will operate 24 hours a day, 5 days per week. A total of 60 employees will work at this facility. The visitors center will be open 7 days per week. The facility will generate approximately 6 – 8 inbound and outbound truck trips per day. The applicant has clarified that no new exterior site lighting is proposed.

Vice Chairman Paepre stated Mr. Carnazza noted that they have to go to the ZBA for the parking variances and then asked the board members if they had any comments.

Mr. Furfaro asked if they had the revised elevations for the facility.

Mr. Jason Chochola of Epstein Architecture & Engineering, representing the applicant replied yes and at which time displayed the renderings to the board.

Mr. Furfaro said it's a big difference.

Mr. Chochola said we are doing façade improvements from the painted brick that currently covers most of the façade. He said we are trying to make it look like Hudson Valley architecture.

Mr. Furfaro stated some of the concerns were water and sewer. He asked Mr. Franzetti if we have gotten through that.

Mr. Franzetti said they provided the information. There is sufficient capacity for the water and sewer.

Mr. Will Stevens, counsel to Hinckley Holdings approached the podium and stated we provided tonight a declaration of parking easement, which will be a permanent easement for the balance of the parking area that is currently in existence which will be on a separate lot. He asked is a variance still necessary if the easement is in place?

Mr. Carnazza replied yes. You are deficient even with the additional parking, correct?

Mr. Stevens replied yes.

Mr. Carnazza said you need the variance to have the parking on another lot anyway. He said either way you need the variance. He said if you have the agreement for the total amount that exceeds 238 spaces, then we could take the number off the map and just go for the variance for the parking on an adjacent lot.

Mr. Chochola stated we will confirm that number.

Vice Chairman Paepre asked Mr. Chochola for the drawing so it could be signed and denied to the Zoning Board.

At which time, a discussion ensued with an audience member and the board members about being able to make comments regarding the project even though it's not a public hearing.

Vice Chairman Paepre said there will be ample time for the public hearing.

**D & L FORD INC (KIDZ COUNTRY) – 854 ROUTE 6 – TM – 65.13-1-52 – AMENDED SITE PLAN**

Mr. Carnazza read his memo which stated the applicant proposes to utilize the second floor for daycare and add ramp. The previous decision and order from the Zoning Board did not allow for kids on the second floor of the building. Correct the zoning table. Pre-existing non-conforming must be removed. This submission must go the ZBA to remove the condition no children on the second floor. Side yard setback variance is required for the ramp. Will the play areas be fenced in? The rear play area is on quite a slope according to the topo. Can kids play there?

Mr. Franzetti read his memo which stated the application involves adding day care services to the second floor of the existing building. Based upon review of the plans provided the Engineering Department offers the following preliminary comments: The following referrals would appear to be warranted: Mahopac Fire Department. The applicant has provided sewer values as part of application. These should be shown on drawing. No site improvements are proposed for this project. This Department does

not have any additional comments related to this project as long as there are no changes being made to the site.

Mr. Giannico stated one of Mr. Cleary's comments was the outdoor area not be large enough.

Mr. Joel Greenberg of Architectural Visions, representing the applicant stated they received variances many years ago.

Mr. Carnazza said they both variances were granted, but they weren't allowed to put the kids on the 2<sup>nd</sup> floor.

Mr. Furfaro stated so they have a variance for the count.

Mr. Carnazza replied yes, but they didn't allow them to go to the 2<sup>nd</sup> floor. He said to get that condition removed they have come here and then go to the Zoning Board to get removed and then come back here.

At which time, Mr. Greenberg displayed the drawings and pointed to the 1<sup>st</sup> floor plan and said there won't be any changes. He then pointed to the 2<sup>nd</sup> floor and said the front part of the building is rented and will stay the way it is. The back part of the building has been vacant for some time and Laurie Ford who is the owner decided there was a need in the community for additional day care space, so we are using the back part of the building and it will have access. One portion will be for 4 and 5 year old children. And another portion will be for after school. He said we need a variance to get our access in the back. He said there are no changes to the site.

Vice Chairman Paepre asked if the parking was sufficient.

Mr. Greenberg replied yes.

At which time, Vice Chairman Paepre signed the map and stamped it denied to the Zoning Board.

**THE RETREAT AT CARMEL HOA INC – CARMEL CENTRE SENIOR HOUSING – LOT 4  
– AMENDED SITE PLAN**

Mr. Carnazza read his memo which stated the applicant proposes to replace the Pitch and Putt amenity with an exercise path, gazebo, flower bed, picnic tables and fitness trail. Provide a location of the amenity on the map. This submission is for a smaller amenity than the Pitch and Putt; however it still complies with the code.

Mr. Carnazza asked what will you be doing with the existing Pitch and Putt? He said there are fences there that should be removed and they are not going to use it. He said we should get it back to nature so it's not just an old golf course sitting there.

Mr. Carnazza read Mr. Franzetti's memo which stated the application is for the replacement of the existing pitch and putt with a new park which included flower beds, gazebo, exercise station, walking trail and open lawn. The new park will be in a new location of the site and structures at the pitch and putt will be removed and the area will be left to go back to nature. Based upon our review of this submittal, the Engineering Department offers the following preliminary comments:

## **I. General Comments**

1. The following regulatory permits will be required for the application:
  - a. New York State Department of Conservation (NYSDEC) Stormwater Permit.
  - b. New York City Department of Environmental Protection (NYCDEP) Stormwater (amended)
2. The following referrals would appear to be warranted:
  - a. Carmel Fire Department
  - b. Town of Carmel Environmental Conservation Board
3. The applicant may be required to supply a stormwater maintenance agreement and maintenance guarantee per Town Code (§156-85 and §156-87 B respectively) to assure long-term maintenance of all stormwater management practices (SWMP) proposed for the site. The applicant will provide this with the finalized SWPPP.
4. The overall disturbance for the project has not been provided. It is unclear if the project meets or exceeds the threshold criteria of disturbance for New York State Department of Environmental Conservation (NYSDEC) stormwater regulations.
5. All easements (water, sewer stormwater etc.) should be provided;

## **II. Detailed Comments**

1. The applicant should use an electronic version of the short environmental Form (SEAF)
2. Provide details for parking at the proposed park;
3. Provide details related to the abandonment of the pitch and putt area;
4. Provide details regarding the amenities schedule and how the new amenity meets the prior Planning Board approval;
5. All re-grading required to accomplish the intended development must be shown;
6. All plantings must be installed per §142 of the Town of Carmel Town Code;
7. All planting should be verified by the Town of Carmel Wetlands Inspector;
8. All curbs and asphalts should meet the specifications provided in the Town of Carmel Town Code.;
9. Sidewalks must be installed per §128 of the Town of Carmel Town Code
10. The stormwater design must consider the existing regulatory approved (NYCDEP) stormwater infrastructure. The applicant must meet with the NYCDEP to discuss

the proposed stormwater design.  
11. Provide a construction sequence.

Vice Chairman Paepre asked Mr. Lynch what the project consisted of.

Mr. Paul Lynch of Putnam Engineering, representing the applicant displayed the drawings for Lot 4 and pointed to the Pitch and Putt which is in the upper right hand corner. He said when Lot 4 was originally approved they were approved for 6 houses (points to location on the drawing). That was changed in the 2008 amended site plan approval. He then points to the drawing of the location of where the park will be. He said where we want to put the park; there is an existing parking lot which will provide parking spaces for the walking trail. He said there will be benches, gazebo.....

Vice Chairman Paepre asked how big is that?

Mr. Lynch said square footage wise?

Vice Chairman Paepre said is it a ½ acre, an acre.....

Mr. Lynch replied probably about ½ acre.

Mr. Carnazza asked is lighting proposed there?

Mr. Lynch replied no.

Mr. Giannico asked what will the trail surfaces be?

Mr. Lynch said we are going to pave it.

Mr. Furfaro asked if they will keep the Pitch and Putt.

Mr. Lynch said they will remove any physical structures that have been erected. So it would not be a pitch and putt anymore.

Vice Chairman Paepre asked Mr. Carnazza if this application needed to go to the ECB.

Mr. Carnazza replied yes, according to Mr. Franzetti's memo.

Mr. Carnazza asked are there any wetlands in that area?

Mr. Lynch replied no. He said he may be referring to the area of where the Pitch and Putt is, since we are removing the structures.

Mr. Carnazza said to confirm with Mr. Franzetti if you need to go to the ECB.

Mr. Cote asked what prompted the change to the fitness trail?



Mr. Carnazza said this has been going on for a long time.

Mr. Lynch stated this came at the request of the H.O.A.

Mr. Carnazza said it wasn't getting any use. He said it's a cost of maintaining something that was borderline usable. He said the people want something there that they could use.

Mr. Furfaro stated it would be a nice improvement.

Mr. Lynch stated I would a referral to the ECB in order to be able to take out what physically installed for the Pitch and Putt.

Vice Chairman Paepre said we are referring you to the ECB and there will be a potential public hearing on this.

### **OLD FORGE ESTATES – BALDWIN PLACE ROAD – TM – 75.15-1-19 – CLUSTER SUBDIVISION (14)**

Mr. Carnazza read his memo which stated the applicant proposes to cluster the previously approved conventional subdivision. Place a note on the plat that parcel "A" is open space, no further development is allowed. Provide a zoning table or guidelines for future structures on the lots. When people apply for permits for pools, decks and sheds there is no guideline for me to require setbacks unless they are written on the plat and approved by the planning board. Will there be a mailbox area? Will there be a central garbage area? Give details.

Mr. Giannico read Mr. Franzetti's memo which stated this application encompasses a proposal to amend a conventional 10 lot subdivision on a 45.3 acre parcel to a cluster subdivision of 14 units per §156-45 of the Town of Carmel Town Code. Based upon our review of this submittal, the Engineering Department offers the following preliminary comments:

### **III. General Comments**

6. The following referrals would appear to be warranted:
  - a. Mahopac Falls Volunteer Fire Department – The applicant provided a copy of letter dated April 23, 2018 to the Mahopac Volunteer Fire Department. The Applicant must correct this.
7. Permits from the following would appear necessary:
  - a. Town of Carmel Highway
  - b. Town of Carmel Environmental Conservation Board
  - c. Putnam County Highway Department for access onto Baldwin Place Road.

- d. New York State Department of Environmental Conservation:
  - i. State Pollution Discharge Elimination System (SPDES) Groundwater Discharge;
  - ii. Wetlands
  - iii. General Permit for Stormwater Discharges from Construction Activities. The project has coverage under the NYSDEC General Stormwater Permit for Stormwater Discharges from Construction Activities permit number NYR 10L634. The applicant should determine if the coverage under the original permit is applicable to the updated site plan.
- e. New York City Department of Environmental Protection:
  - i. Intermediate Subsurface Sewage Treatment System permit
  - ii. Stormwater Pollution Prevention Plan Approval. The NYCDEP approved the Stormwater Pollution Prevention Plan (SWPPP) for this project. The expiration date is September 2, 2018. The applicant will need to submit an amended stormwater.
- f. Putnam County Department of Health
  - i. Common Wastewater Treatment System Permit approval.
  - ii. Carmel Water District #13 Public Water Supply extension.
- 8. A Stormwater pollution prevention must be developed and submitted for review and approval.
- 9. Should any public improvements be deemed necessary as part of the development of the tract, a Performance Bond and associated Engineering Fee must eventually be established for the work. Prior to Final Resolution the applicant will be required to submit a quantity take off of all proposed improvements for bonding and inspection fee purposes.

### **Preliminary Detailed Comments**

- 1. All planting should be verified by the Town of Carmel Wetlands Inspector.
- 2. All plantings shall be installed per §142 of the Town of Carmel Town Code.
- 3. All valves shall be arranged to open in counter clockwise direction unless otherwise specifically indicated and operating nuts shall be 2" square.
- 4. Valves shall be tested to a pressure of not less than two times the working pressure.
- 5. Graphic representation of vehicle movements through the site should be provided to illustrate that sufficient space exists to maneuver all types of vehicles anticipated at the site.
- 6. Provide sight distance profiles at road entrance to Baldwin Place Road, with appropriate calculations.
- 7. Indicate if the road will or will not be offered for dedication to the Town of Carmel

8. A water system work plan must be obtained. Provide a sequence of construction for the water system tie in.
9. The profile indicates that the road will have a maximum slope of 12%, which exceeds the maximum allowable slope 8%. (Town Code 128-28). If the Planning Board were to classify the road as a Type "D"- Local Rural, then the maximum slope could be increased to 10% in accordance with Town Code 128 Attachment 1:1.
10. The applicant should discuss the need for the "Faircloth" system proposed in the detention ponds. It does not appear as this system will hold up well under winter conditions. If the roads and drainage facilities for the roads are to be Dedicated to the Town of Carmel, then this system must be removed.
11. Provide driveway profiles.
12. Carmel Water District # 13 is not rated for hydrant fire protection. The hydrant location and detail must be removed and should be replaced with a suitable blow off hydrant.
13. All PVC water main is to be DR-14. Remove notation on valve detail indicating DR-18.
14. Provide Megalug water main restraining system in lieu of rods.
15. For tapping saddle, use Romac 202BS. Remove notations to any other tapping saddle
16. Indicate retaining wall locations of grading plans. Indicate elevations for top of wall and bottom of wall.
17. Drawings should provide protections of infiltration areas during construction.

Mr. Furfaro stated according to one of Mr. Franzetti's comments about the grade on road being too steep we should take a look at.

Mr. Carnazza stated what Mr. Franzetti said was if it was called a rural road or something.....

Mr. Lynch said we are 12%

Mr. Carnazza said only 10% is allowed.

Mr. Furfaro stated it looks like you are going up pretty high up the hill.

Mr. Lynch said we followed the same layout that we had for the conventional subdivision.

Mr. Carnazza said Mr. Cleary's comments were about. Even though they got 4 extra dwelling units, there is so much less disturbance then the conventional subdivision.

Mr. Lynch said we are down to 6 to 8 acres, as opposed to 20 something acres.

Mr. Carnazza said and they only cross the wetland once, they are not crossing the second wetland.

Mr. Furfaro asked who will own the lots?

Mr. Lynch said the individual lots are owned by the homeowners and Parcel "A" is owned by the Homeowners Association.

Mr. Furfaro asked what is the timing on this? Is this something that will get approved and get right to it or will they be coming back here for extensions.

Mr. Lynch stated the problem with the conventional subdivision turned out to be the second crossing. He said this would have had to be a gravel road and obviously the Town wouldn't take it then. He said from a marketing standpoint it just wasn't going to work.

Mr. Carnazza said it makes a lot of sense this way. He asked how big are lots?

Mr. Lynch said the lots are about 18,000 square feet and Random Ridge is in the 8 to 9,000 square feet.

Mr. Carnazza asked about the water.

Mr. Lynch said we will be tying into the water main that runs through here (points to map).

Vice Chairman Paepre said we will refer you to the ECB.

#### **MINUTES – 04/11/18 & 04/25/18**

Mrs. Kugler moved to accept the minutes. The motion was seconded by Mr. Furfaro with all in favor.

Mr. Furfaro moved to adjourn the meeting at 7:53 p.m. The motion was seconded by Mr. Cote with all in favor.

Respectfully submitted,

Rose Trombetta