

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*

PLANNING BOARD MINUTES

AUGUST 8, 2018

PRESENT: **VICE-CHAIR, CRAIG PAEPRER, ANTHONY GIANNICO, CARL STONE, RAYMOND COTE**

ABSENT: **CHAIRMAN, HAROLD GARY, DAVE FURFARO, KIM KUGLER**

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>TYPE</u>	<u>ACTION OF THE BOARD</u>
McDonald's USA, LLC.	86.11-1-22	1	Reso	Resolution Adopted.
Mancini, Daniel & Courtney	64.13-1-75	1	Reso	Resolution Adopted.
Alexandrion Distillery	55.10-1-1	1-2	Reso	Resolutions Adopted.
Hillcrest Commons – Lot E-2.2	44.10-2-4.2	2-4	A. Site Plan	Public Hearing Scheduled.
Gateway Summit Senior Housing – Lot 6	55.-2-24.6-1 55.-2-24.6-2	5-6	Re-approval	Re-Approval Granted.
The Fairways Senior Housing – Lot 7	55.-2-24.8-1 55.-2-24.8-2	6	Re-approval	Re-Approval Granted.
Yankee Development	76.15-1-12	7	Extension	Extension Granted for 6 Months.
Minutes – 06/27/18		7		Approved.

The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Rose Trombetta

MCDONALD'S USA, LLC. – 154 ROUTE 6 – TM 86.11-1-22 – RESOLUTION

Mr. Cleary stated this is on for an acceptance of a draft resolution which is before you. There are no outstanding comments from Mr. Franzetti and Mr. Carnazza.

Mr. Cote moved to adopt Resolution #18-16, dated August 8, 2018; Tax Map #86.11-1-22, entitled McDonald's Amended Final Site Plan Approval. The motion was seconded by Mr. Giannico with all in favor.

MANCINI, DANIEL & COURTNEY – 149 MACGREGOR DRIVE – TM – 64.13-1-75 – RESOLUTION

Mr. Carnazza had no comments.

Mr. Cleary stated you have a resolution for the regrading plan before you and Mr. Franzetti had no comments.

Mr. Giannico moved to adopt Resolution #18-23, dated August 8, 2018; Tax Map #64.13-1-75, entitled Mancini Regrading Plan Approval. The motion was seconded by Mr. Stone with all in favor.

ALEXANDRION DISTILLERY – 39 SEMINARY HILL ROAD – TM – 55.10-1-1 – RESOLUTION

Mr. Cleary stated you have two resolutions before you tonight, A SEGR negative declaration and a site plan approval resolution. He said Mr. Franzetti and Mr. Carnazza have no further comments on this as well. He said we benefited from Mr. Stone's expertise in this regard and we have two suggested revisions to the resolution before you tonight. The first is the reference to the CIP, it should be referenced as an onsite treatment system instead, item #16. He said with item #19 the instantaneous discharge rate is an engineering factor that's typically twice the rate of the discharge of the facility.

Mr. Stone stated this relates to the amount of the total daily discharge which we agreed to which is 44,000 gallons. He said typically, this is a batch operation in distilling and so forth. They will be cleaning down tanks and they will likely have some storage and then when you go through treatment we want to be sure that we don't inundate the sewer over a short term basis. I suggested and it is common practice to have a peak factor for their discharge to not exceed 2 times the average daily flow factor at any given time which means basically, worst case scenario, they could discharge their entire day's discharge in 12 hours. It doesn't change the total daily flow.

Mr. Cote asked if that is in the resolution?

Mr. Cleary replied no it's not, we will add that.

Mr. Charbonneau said if the board is going to make the motion, make it subject to inclusion of the language.

Vice Chairman Paepre asked Mr. Charbonneau does that give Alexandrion time to review it back at their office.

Mr. Cleary said it is committing to it here.

Vice Chairman Paepre asked Mr. Stone to reiterate what he said earlier.

At which time, Mr. Stone reiterated the wastewater discharge standards with regards to short term peak discharge requirements. It's to make sure we have control over the fact that we don't get 44,000 gallons of discharge in 2 hours.

The board members and applicants continued to discuss the discharge process and requirements.

Mr. Cote moved to adopt Resolution #18-21, dated August 8, 2018; Tax Map #55.10-1-1, entitled Alexandrion Distillery SEQR Determination of Significance Negative Declaration. The motion was seconded by Mr. Giannico with all in favor.

Mr. Stone moved to adopt Resolution #18-22, dated August 8, 2018; Tax Map #55.10-1-1, entitled Alexandrion Distillery Amended Final Site Plan Approval with the stipulation as written with the provisions as noted to item#16 to reflect that the term CIP system be revised to onsite treatment system and item #19, the flow limits include to what's there and add a peaking factor of 2.0 or 74,000 gallons per day average discharge. The motion was seconded by Mr. Giannico with all in favor.

HILLCREST COMMONS – LOT E-2.2 – CLAPBOARD RIDGE – TM – 44.10-2-4.2 – AMENDED SITE PLAN

Mr. Carnazza stated they are changing the recreation on the lot, but they are still complying with the overall number of square feet of recreation that's required. He asked if the buildings are the same footprint and the same size as what they were before.

Mr. Cleary stated Mr. Franzetti's memo relates to the permits that will be required for this. He has a number of detailed comments about the stormwater management system.

Mr. Cleary stated my comments are as Mr. Carnazza indicated the recreation facility is being changed. This board spent a great deal of time during the original approval understanding the recreational use that was provided on this site. It's a change you need to pay attention to. He said there is also a shift in the footprints, so it is difficult to tell what shift is occurring. During the original approval the location of these buildings

with respect to the homes on Willow Trail was an issue. So, if these are going closer to those neighbors we should know about that. He said if there are changes to the footprint, is it modifying grading. That needs to be clarified.

Mr. Cote stated he was part of the original approval with a big discussion on the pool. He wants to know why that was taken out and asked if there was a prospectus for phase 1.

Mr. John Bainlardi of Wilder Balter Partners, representing the applicant addressed the board and stated he has been involved with the project for the past 10 years. We originally got this development approved with 150 units. It was designed to be market grade condominium development. After the approval, the recession happened and the financing the market for such a product went away. We came back to the board for an amended site plan which subdivided the property into two pieces. Phase #1 was 76 units and 74 units which is the plan that is before you – Phase #2. He said when we submitted the site plan we changed the structure to affordable rental development, phase #1. We achieved the funding for it. We built all the infrastructure for both phases up to the property lines. 90% of the SWPPP related stormwater improvements, the sewer main was extended up to property has been done. All the water improvements have been done and completed. He said phase 2 is ready to go. He said there is a need for this particular product. We are 100% occupied with Phase 1. He said we have a waitlist for Phase 2 that exceeds 100 applicants. We had hoped to follow with Phase 2 right behind Phase 1, but unfortunately the funding had not been available for a number of years. We remained hopeful and diligent. All of our agency approvals have been extended and up to date. Unfortunately, with respect to the funding and one of the reasons why we were looking to remove the pool previously, is because it's affordable housing for seniors and the State does not fund that type of facility. They are willing to fund the types of recreation facilities that we built in Phase 1. We are looking to do additional interior clubhouse to compliment Phase 1 and to replace the pool with some outdoor recreation, such as shuffleboard. We do have the easement agreements between Phase 1 and Phase 2, so that the recreational facilities can be shared between both phases. Additionally, the recreation exceeds the requirement of town for both parcels. In fact, it is probably double the recreation that was originally approved for the condominiums project. The State will not fund the structure of the pool and the maintenance of the pool. As it relates to this amendment we have the extended the amended site plan and renewed it where applicable for the last five years. We continue to maintain and pay for our bonds and other approvals. We have kept everything in place so that we would be ready to go when the funding was awarded.

Mr. Jeff Contelmo of Insite Engineering, representing the applicant addressed the board and stated all our approvals are currently valid in order for us to start construction immediately. He said we haven't changed any details pertaining to the site improvements, utility connections and utility designs. The question was asked about the positioning of the buildings. The buildings are in the same location, they are actually just a hair smaller. They are within the footprints. At which time, Mr. Contelmo displayed the drawings with the overlay and pointed to the changes. He stated the

footprints were tightened up slightly because we have advanced the architecture with the style and finishes on the building. They were tightened up to meet HCR requirements.

Mr. Cleary asked if the heights changed.

Mr. Contelmo replied no. No changes to heights or interior. They are just a little smaller in footprint. He then points to the small area that's changing. He said the area has been revised to be a patio, gazebo, shuffleboard, game boards, bocci court, barbecue, benches and picnic tables. He said our goal this evening is to hopefully get the endorsement of the board on the minor change and to also request a waiver of requirement for a public hearing.

Mr. Carnazza asked if there was still a meeting room in the same location by the patio?

Mr. Contelmo replied yes, the community room.

Mr. Giannico asked if the patio is still there.

Mr. Contelmo replied yes. The patio area is still similar in size.

Mr. Stone asked if the large retention basin at the bottom is as was before.

Mr. Contelmo replied yes. He said all the infrastructure, water, sewer, drainage, parking, etc. is all the same.

Vice Chairman Paepre stated he wasn't in favor of waiving the public hearing. We will leave up to the board to discuss.

Mr. Cote agreed not to waive the public hearing.

Mr. Stone asked what is your expectation on breaking ground?

Mr. Bainlardi replied we finally got funding. He said now the pressure is on to perform the close.

Mr. Bob Wilder of Wilder Balter Partners addressed the board and stated the State has given us a closing date of September 28th.

Vice Chairman Paepre state I don't feel right waiving the public hearing, but we could speed up the process and prepare a resolution for that meeting also.

Vice Chairman Paepre said to schedule the public hearing and asked the Planner to prepare a draft resolution.

GATEWAY SUMMIT SENIOR HOUSING – LOT 6 – GATEWAY DRIVE – TM – 55.-2-24.6-1,6-2 – RE-APPROVAL OF FINAL AMENDED SITE PLAN

Mr. Carnazza had no objection to the re-approval of site plan.

Mr. Cleary stated Mr. Franzetti had no comments.

Mr. Cleary stated in the past this applicant come to the board very early for extensions and re-grants. That's the case in this instance. He said the current approval expires in February, so they are coming to you now to request a re-grant of the approval that will expire in February. He said the re-approval would be valid for a year.

Mr. Cote stated so their re-approval today would start in February of 2019 to 2020.

Mr. Carnazza stated what happens if something changes code wise between now and February.

Mr. Cleary said that is always the issue when doing that.

Mr. Contelmo stated this is consistent with the last submissions to the board. He said there are banks and multiple parties involved on the financing side that demand that we pursue these extensions and re-approvals well in advance.

Mr. Charbonneau stated you would be re-granting base on the current state of the town code. He said you want to encourage the applicants to come in a timely fashion. Their financing requires them to do so.

Vice Chairman Paepre asked if the property is vacant land.

Mr. Contelmo replied yes.

Mr. Cote stated one his concerns is since the original approval in 2013 there has been a lot of development in that area, so the flow of traffic has changed and the dynamics of the area which may have an impact on the project. He said he was a little apprehensive with extending approvals that are so old. He said I will agree with it today, but I think at some point the board will need to re-visit the original approval and see if it still works.

Mr. Contelmo stated this was actually a unique approval path. It had a generic environmental impact statement. As part of that threshold if certain improvements would be required specifically traffic for example..... He said the applicant has spent over \$1 million on Route 6 already. When the bridge was eliminated on Route 6, the State put together a project that cost \$3 million, and the applicant funded \$1 million and the State funded \$2 million. He said that has already been done and paid for. He said this applicant has further obligations to complete the traffic at the entrance once certain trip generation numbers..... He continued and stated the market right now is extremely difficult to put together a project and financing. He said there has been a lot of

time and effort put in over the last 8 years since the original approval to amend the site plan to make it more marketable. He said I think the project remains relevant.

Vice Chairman Paepre asked are if they were dead set on senior housing.

Mr. Contelmo stated the only reason we are dead set on senior housing is because that's what's permitted. Your code only permits senior housing.

Vice Chairman Paepre how much property is it?

Mr. Contelmo replied there is over 150 acres. He said right now there is a market for unaged restricted housing of this type. He stated if the age restriction was gone, we would be back here tomorrow seeking an amended site plan.

Mr. Giannico asked if this could be tabled to the next meeting.

Mr. Charbonneau replied absolutely.

Mr. Cleary asked why do you want to table it.

Mr. Giannico said if there is discussion about changing zoning.....

Mr. Cleary stated if the town chooses to do that, that's a fairly prolonged process. It wouldn't be next month.

Mr. Cote moved to grant re-approval of the final amended site plan. The motion was seconded by Mr. Giannico with all in favor.

**THE FAIRWAYS SENIOR HOUSING – LOT 7 - GATEWAY DRIVE – TM – 55.-2-24.8-1,8
-2 – RE-APPROVAL OF FINAL AMENDED SITE PLAN**

Vice Chairman Paepre asked Mr. Contelmo if the 150 acres encompasses The Fairways also.

Mr. Contelmo replied yes.

Mr. Cote moved to grant re-approval of the final amended site plan. The motion was seconded by Mr. Stone with all in favor.

YANKEE DEVELOPMENT – PIGGOTT ROAD – TM – 76.15-1-12 – EXTENSION OF PRELIMINARY SUBDIVISION APPROVAL

Mr. Carnazza had no comments.

Mr. Cleary had no comments. This is the preliminary approval extension.

Mr. Giannico moved to grant a 6 month extension of preliminary subdivision approval for Yankee Development. The motion was seconded by Mr. Cote with all in favor.

MINUTES – 06/27/18

Mr. Cote moved to accept the minutes. The motion was seconded by Mr. Giannico with all in favor.

Mr. Stone moved to adjourn the meeting at 7:50 p.m. The motion was seconded by Mr. Stone with all in favor.

Respectfully submitted,

Rose Trombetta