

# **APPROVED**

**CRAIG PAEPRER**  
*Chairman*

**ANTHONY GIANNICO**  
*Vice Chairman*

**BOARD MEMBERS**  
**DAVE FURFARO**  
**CARL STONE**  
**KIM KUGLER**  
**RAYMOND COTE**  
**ADAM BASULJEVIC**

## **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**

**FEBRUARY 13, 2019**

**PRESENT:** CHAIRMAN, CRAIG PAEPRER, VICE CHAIRMAN, ANTHONY GIANNICO,  
CARL STONE, ADAM BASULJEVIC

**ABSENT:** DAVE FURFARO, KIM KUGLER, RAYMOND COTE

<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>
Romash, Rick	44.14-1-47	1-2	R. Site Plan	Public Hearing Scheduled.
RPK Precision Homes, Inc.	55.14-1-15	2	Bond Reduct.	Public Hearing Scheduled.
Yankee Development	76.15-1-12	2-4	Extension	Extension Granted for 180 Days.
Racek, Tom	74.11-1-11	4-5	Waiver	Public Hearing Scheduled.
Minutes – 01/23/19				Heldover.

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Rose Trombetta

**ROMASH, RICK – 19 FAIR STREET – TM- 44.14-1-47 – RESIDENTIAL SITE PLAN**

Mr. Carnazza read his memo which stated provide a detail of the trash enclosure, wood fencing is not enough detail. Use variance was granted to convert the 2<sup>nd</sup> space to an apartment. This is noted on the zoning table, but the note that says use variance required to remain commercial must be removed from sheets A-100S and A-100. The necessary variances were granted by the ZBA and are noted on the plat.

Mr. Franzetti stated all engineering comments have been addressed.

Chairman Paepre stated when we last met; Mr. Greenberg said a daycare center would be going downstairs. Where does that stand?

Mr. Marty Stejskal of Architectural Visions, representing the applicant stated that's what they are going to do.

Mr. Carnazza said it's not a daycare center; it is a home family daycare which limits the amount of students to twelve and is non-jurisdictional to the Town of Carmel. The Office of Family Services has jurisdiction over this and they do not go through the town for any of the jurisdictions.

Chairman Paepre asked if the daycare center moves out five years from now, what happens?

Mr. Carnazza replied it becomes a one bedroom unit.

Vice Chairman Giannico asked has the tenant been brought on board yet?

Mr. Stejskal stated the tenant is the director of the childcare.

Chairman Paepre said if it stays commercial, nothing happens. If the daycare moves out.....

Mr. Carnazza stated when you say it stays commercial; you mean it stays as a residential unit being used as a daycare.

Chairman Paepre replied that's correct.

Mr. Stone asked so the whole building is residential.

Mr. Carnazza replied no. He said Mr. Romash's office is on the 2<sup>nd</sup> floor and that is commercial and would remain commercial.

Chairman Paepre said to schedule a public hearing.

Mr. Stejskal asked if a resolution could be adopted at the meeting also.

Chairman Paepre replied I don't see why not.

Vice Chairman Giannico moved to schedule a public hearing. The motion was seconded by Mr. Stone with all in favor.

**RPK PRECISION HOMES, INC. – SEMINARY HILL ROAD & MECHANIC STREET – TM -55.14-1-5 – BOND REDUCTION**

Mr. Carnazza read Mr. Franzetti's memo which stated as you are aware the policy of the board is to not entertain a bond reduction below 20% of the original bond amount. The amount remaining is 26% of the original bond. We therefore, recommend a bond reduction of \$553,000.00 leaving a balance of \$200,000.00.

Chairman Paepre said to schedule a public hearing.

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

Mr. Carnazza had no objection to the extension.

Mr. Carnazza read Mr. Franzetti's memo which stated the Engineering Department does not have an objection to granting a 180 day extension to the Preliminary Subdivision Approval. However the following should be noted:

1. The project received Preliminary Plan approval as provided in the February 15, 2012 Preliminary Subdivision Approval for the Planning Board of the Town of Carmel (Resolution # 12-04).
2. It is unclear if the applicant addressed the comments contained in the January 23, 2012 memorandum from the Town of Carmel Town Engineer. These included:
  - a. The road cross section detail should be revised to indicate 12 inches of Item 4 in two separate lifts, and three lifts of asphaltic Concrete to comply with Town Standards.
  - b. The roadway curb must be concrete, not asphalt.These comments will need to be addressed.
3. Minimally the following permits will be required:
  - a. New York City Department of Environmental Protection (NYCDEP)
    - i. Stormwater Pollution Prevention Plan (SWPPP)
  - b. New York State Department of Environmental Conservation (NYSDEC):
    - i. General Stormwater Permit for Stormwater Discharges from Construction Activities (GP-0-15-002).
  - c. Putnam County Department of Health
    - i. Water Supply Permit
    - ii. Septic Permits

- d. Town of Carmel:
  - i. Wetlands Permit under §89 Freshwater Wetlands of the Town of Carmel Town Code.
  - ii. 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.
- 4. All required information as specified in Article III of the Town's Land Subdivision (§ 131-13) Regulations.
- 5. The applicant is advised that a stormwater bond and maintenance guarantee, pursuant to §156.87 of the Town Code, will be required.

Chairman Paepre stated this project has been around for a while and asked for a summary of the project and where they stand today.

Mr. Ed Delaney of Bibbo Associates, representing the applicant stated this is a 110 acre piece of property off of Croton Falls Road. It was originally brought to the Planning Board in 2002. He said we took over the project sometime in 2005, 2006. At that point, it was about a 21 lot subdivision, it is now a 14 lot subdivision, because of the environmental constraints and regulations. He said the average size of the lots is about 7 acres. There is a substantial amount of road that has to be put in. Two different public roads, one is 1400 feet long and the other is 1200 feet long. He said we are still and currently in front of the NYCDEP. We have addressed most of the town engineer's comments, but until this all settles down we won't be coming back to the town until the DEP is done. We are finished with the Putnam County Health Department. Department of Transportation is done. As of last week, the owners have engaged with realtors. He said there was no market for 14 spec built houses when this emerged from the approvals. Last week, there were realtors hanging signs and we could actually identify lot numbers. He said at some point we have to come back to the board for the entire final site plan, but they are not prepared to do that yet.

Chairman Paepre asked Mr. Carnazza if this is a cluster development.

Mr. Carnazza replied no.

Mr. Delaney said it's going to be a residential subdivision.

Vice Chairman Giannico asked Mr. Delaney to keep the board informed with any updates, such as with the NYCDEP.

Mr. Delaney stated there should be a letter coming to us soon, maybe next week from the NYCDEP and I will forward that letter to the Town Engineer.

Mr. Carnazza stated the problem is they only have 180 days at a time. So they have to return to the board basically every 6 months.

Mr. Basuljevic asked what are you seeking from the DEP?

Mr. Delaney replied we have to get together an entire stormwater treatment approval for every single driveway and roads. We have stream crossings and every single one of those has been a fight. We are about 90% there, but they are a major player.

Mr. Stone moved to grant preliminary extension for 180 days (6 months). The motion was seconded by Vice Chairman Giannico with all in favor.

#### **RACEK, TOM – 65 SECOR ROAD – TM – 74.11-1-11 – WAIVER OF SITE PLAN APPLICATION**

Mr. Carnazza read his memo which stated it is unclear from the information provided as to what is being requested and if any site work is being performed.

Mr. Carnazza read Mr. Franzetti's memo which stated it is unclear from the information provided as to what is being requested and if any site work is being performed. Per § 156-61 L of the Town of Carmel Town Code, the following information must be provided:

- A sign/sealed site survey.

Otherwise the Engineering Department does not have any objection to the waiver of the site plan application for this project as long as there are no changes being made to the site.

Vice Chairman Giannico read Mr. Cleary's memo which stated in response to the concerns expressed by the Planning Board regarding the redesign of the parking lot, the plan has been revised to leave the parking lot as is, in its current configuration. The applicant has submitted correspondence from the Putnam County Department of Highways & Facilities (1/4/19), which notes that the proposed use of the building for 3 apartments would be less impactful than the prior commercial use, and concludes "we take no exception to Mr. Racek's proposed plan." No planning objections to the waiver request.

Chairman Paepreer stated when we last discussed this project we talked a lot about the parking area. He asked has that been tabled?

Mr. Frank Smith, applicant's attorney addressed the board and stated the parking that is being proposed this evening is the final parking plan. At the last meeting, there were two

plans that were proposed. One required site work and one did not. The one that does not is the site plan that is in before you this evening. The parking plan is exactly the way it is now (existing). He said the property was a non-conforming pre-existing use. It was a mixed use that the Zoning Board of Appeals found to be a permissible as a 3 family. Since it is a more restrictive use the parking actually improved substantially over the prior mixed use. Now with a 3 family residential use and the existing plan we believe along with the Putnam County that this parking plan is acceptable and does not have any safety issues.

Chairman Paepre asked what do you plan on doing with the building?

Mr. Smith said the building will be completely renovated. At which time, Mr. Smith displayed a rendering of what the building would look like and below is the materials that will be used. He said it will be a big improvement of what is there now.

At which time, the board members and applicant continued to discuss the proposed 3 family residence, such as bedroom count, entrances to the units and the architectural design of the building.

Chairman Paepre asked what is the time frame to fix it up?

Mr. Racek stated once I get approval from your board, I hope to get started within a month.

Vice Chairman Giannico moved to a schedule a public hearing. The motion was seconded by Mr. Stone with all in favor.

### **MINUTES – 01/23/19**

Heldover.

Mr. Basuljevic moved to adjourn the meeting at 7:30 p.m. The motion was seconded by Mr. Stone with all in favor.

Respectfully submitted,

Rose Trombetta