

# **APPROVED**

**CRAIG PAEPRER**  
*Chairman*

**ANTHONY GIANNICO**  
*Vice Chairman*

**BOARD MEMBERS**  
**DAVE FURFARO**  
**CARL STONE**  
**KIM KUGLER**  
**RAYMOND COTE**  
**ROBERT FRENKEL**

## **TOWN OF CARMEL PLANNING BOARD**



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

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

### **PLANNING BOARD MINUTES**

**JULY 17, 2019**

**PRESENT:** CHAIRMAN, CRAIG PAEPRER, DAVE FURFARO, CARL STONE, KIM KUGLER, ROBERT FRENKEL

**ABSENT:** VICE CHAIRMAN, ANTHONY GIANNICO, 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>
Lake Plaza Shopping Center	65.10-1-45&46	1	P.H.	Public Hearing Closed & Bond Reduction Recommended to Town Board.
Downtown Mahopac Properties	75.12-2-26	1-4	A. Site Plan	No Board Action.
Joe Zakon d/b/a 14 Nicole Way	65.6-1-22	5-8	Site Plan	No Board Action.
Longview School	52.-1-12	8-10	Site Plan	No Board Action.
Braemar at Carmel	55.10-1-3	10-14	Site Plan	No Board Action.
Hudson Valley Federal Credit Union	86.11-1-1	15	Bond Return	Public Hearing Scheduled.
70 Old Route 6, LLC.	55.11-1-15	15-16	Re-Approval	Re-approval Granted for 1 Year Condition.
Minutes – 06/12/19		16		Approved.

The meeting was adjourned at 8:53 p.m.

Respectfully submitted,

Rose Trombetta

**LAKE PLAZA SHOPPING CENTER, LLC – 983 – 1005 ROUTE 6 – TM – 65.10-1-45 & 46 – PUBLIC HEARING**

Mr. Carnazza stated this is on for a public hearing and all my comments have been addressed.

Mr. Franzetti stated in my prior memo I identified that the bond be reduced to \$350,000.00 and that should be sufficient to complete the work. He said he spoke to the applicant and they will get him as built of the stormwater ponds for review. He said this is something that needs to be looked at also for the bond to be fully returned.

Mr. Cleary had no comments.

Chairman Paepre 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 Mrs. Kugler with all in favor.

Mr. Furfaro moved to recommend the bond reduction to the Town Board. The motion was seconded by Mr. Stone with all in favor.

**DOWNTOWN MAHOPAC PROPERTIES – 559 ROUTE 6 – AMENDED SITE PLAN**

Mr. Carnazza read his memo which stated the applicant proposes to construct a 1-1/2 story storage building. Lot depth line is now correct. The setback envelope is now provided. The “Frame Shed” to the west is labeled “to be removed”. Provide dimensions of the Pylon Sign. As long as the sign is 32 sq. ft. or less, I have no issues with the sign.

Mr. Franzetti read his memo which stated the proposal involves the installation of 6,000 square foot storage building. Based upon our review of this submittal, the Engineering Department offers the following **preliminary** comments:

**I. General Comments**

1. The following referrals would appear to be warranted:

a. Mahopac Fire Department

Applicant has acknowledged this comment and has submitted plans to MVFD.

b. Putnam County Department of Health (PCDOH) – well

c. New York State Department of Transportation (NYSDOT)

2. Permits from the following would appear necessary:

a. New York State Department of Environmental Conservation(NYSDEC) – Coverage under General Permit GP-0-15-002

Applicant has acknowledged this comment and has submitted a SWPPP. The SWPPP is currently under review.

- b. PCDOH – connection to well
  - c. NYSDOT - connection into NYSDOT catch basins
  - d. Town of Carmel – sewer permit
3. The area of disturbance for the work as provided in the SEAF is 1.1 acres. The area of disturbance listed in the SWPPP is 0.46 acres (24,243 sq ft). These values need to be brought into conformance.

The 0.46 acres exceeds the threshold criteria of disturbance for the NYSDEC stormwater regulations. This project is above 5,000 square feet and below the 1 acre threshold and therefore requires coverage under the NYSEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002) and the development of Stormwater Pollution Prevention Plan (SWPPP) that includes erosion and sediment controls. 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.

Applicant has acknowledged this comment.

4. The applicant will 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.

Applicant has acknowledged this comment. The applicant should note that this will only be required if post-construction stormwater controls are required under the NYSDEC regulations.

5. The facility is currently served by Carmel Water District # 1(CWD 1) and Carmel Sewer District # 1 (CSD 1) . A water and wastewater report must be submitted. Applicant has acknowledged this comment and the site is served by a well and not by CWD 1. A separate standalone wastewater report must be submitted.

### **Detailed Comments**

1. Drawing AS-100 is very busy and contains a mix of information such as details, proposed site, lighting, landscaping, erosion and sediment control, traffic/vehicle movement etc. It is recommended that various drawing separating the various site features be provided so that the site features can be reviewed.
2. A legend should be provided to identify drawing features.
3. Graphic representation of all vehicle movements (i.e., cars and trucks) through the site should be provided to illustrate that sufficient space exists to maneuver all types of vehicles anticipated at the site. This should be shown on a separate drawing.
4. A separate landscaping plan should be provided to show the location and extent of all existing and proposed plantings.
5. All plantings shall be installed per §142 of the Town of Carmel Town Code.

Applicant has noted this comment

6. It is unclear if any additional electric utilities are being installed.

Applicant has stated the “electric will be provided for the new building and the two lamp posts”. All details regarding the utility connection for this site should be provided.

7. A separate lighting spill plan must be provided that identifies all lights on the site. This includes the wall mounted lights.
8. The applicant must provide all the necessary details for design of the stormwater management system. Including, but not limited to, how it will connect into the existing system drainage system.
9. Access for Fire Department around the rear of the buildings must be considered
10. All sewers must meet the Town of Carmel Town Code § 120-29.

Applicant has acknowledged this comment. However the drawing shows that the new sewer line is being connected directly into a sewer manhole on site. All details regarding the sewer line, invert and access to the manhole etc. must be provided

11. It is unclear from the drawing the limits of disturbance and if any additional work is being performed outside the proposed building envelope.

Mr. Cleary stated the applicant has made a number of changes and revisions to the plan since the last meeting such as parking space sizes, landscaping and site lighting. He stated one of the issues was whether the back of the warehouse would be visible from the trailway. It's not. He said the front area indicated some parking along Route 6, that has been eliminated and there is a continuous grass strip between this property and both adjacent properties.

Chairman Paepre stated we need to look at the architectural well-being of this building.....

At which time, Mr. Joel Greenberg of Architectural Visions, representing the applicant pointed to the renderings of the building and displayed samples. He stated the exterior of the building will be stucco. The overhead doors and man doors will be white in color and the roof will be forest green.

Chairman Paepre asked what kind of roof will it be?

Mr. Greenberg said it's a metal roof. It's called a standing seam roof. He continued and stated the layout is the way it's going to be. We sent it to the fire department and received no response from them.

Chairman Paepre asked when I pull into the driveway, what view will I see of the building?

Mr. Greenberg points to the map to show the view from the driveway.

Mr. Stone asked what is the storage for?

Mr. Greenberg replied antique cars. There will be no employees.

Mr. Furfaro asked if the intent is to pave the whole lot or just the piece in front of the new building?

Mr. Greenberg replied in front of the building and around the driveway.

Chairman Paepre stated there are a lot of potholes and parking lot issues. Will these issues be addressed?

Mr. Greenberg replied yes. He said in addition to the new pavement, the existing paved area will be resurfaced also.

Mr. Greenberg continued and stated with regard to some of the details, we can get to that, but we respectfully request that a public hearing be scheduled.

At which time, a discussion ensued regarding if the building could be changed to another use if the property was sold.

Mr. Cleary said if they change the use they would need to come back to the board.

Mr. Furfaro said the building sits far enough back, so I don't have a concern. He said if we could clean up the site that would help the downtown area.

Mr. Greenberg said what you are asking for is exactly what we will be doing. He said there will be landscaping all around the perimeter and in the front of the pharmacy.

Mr. Franzetti said that all needs to be shown on the drawings. He said it's not clear that you are paving and filling those potholes.

Mr. Greenberg replied fine.

Chairman Paepre stated I'm okay with scheduling a public hearing as long as you meet all of the conditions that we are asking for.

Mr. Furfaro asked if the skin of the building will be stone.

Mr. Nicholas replied it will be stucco. It will be a pre-cast concrete building with a metal roof.

Mr. Furfaro moved to schedule a public hearing. The motion was seconded by Mrs. Kugler with all in favor.

**JOE ZAKON D/B/A 14 NICOLE WAY LLC – TM – 65.6-1-22 – SITE PLAN**

Mr. Carnazza stated this applicant is here to show you two alternatives from their original plan. I have no comments.

Mr. Franzetti stated he received an email this evening from Mr. Greg Bentley from the NYSDOT and it was shared with Mr. Carnazza and Mr. Cleary before the meeting started. He read the email which stated we have reviewed the site plan dated 10/8/18 (Sheet S-1) and the two additional alternative concepts which were included in your email of June 18, 2019. The latter concepts would access and egress the site directly from Route 6. We have also reviewed the traffic Study for the project dated 12/18/18 prepared by Maser Consulting Engineers. Based upon our review of these documents, and our joint site visit on June 11<sup>th</sup>, we prefer that the proposed development site access be provided via Nicole Way. Our Policy allows for the NYSDOT to force access to the local road for corner lots. In this case, we will consider a direct connection to Route 6, because the sight distance looking left appears better than at Nicole Way. We feel, however, that the better alternative is site access via Nicole Way. (Note that we have briefly field reviewed the existing sight lines but have not yet seen plans outlining the achievable sight distances.) Any sight distance left improvement that can be reasonably accomplished within the right-of-way, will be required as a condition of any project-related permit issued by our office. Field observations indicate that EB traffic is generally accelerating as it traverses the downhill grade along the project frontage and rear-end crash risk may be greater as trucks slow to make right turns into the site. This would appear to be supported by the increased posted speed in the eastbound direction near Nicole Way as noted in the Traffic Study. We are also concerned that the driveway grades necessary to access directly from Route 6 would be a concern during ice conditions. The horizontal approach alignment depicted in Conceptual Alignment 2 plan is highly undesirable near the highway access point. The other Conceptual site plan, which approaches Route 6 perpendicular to the highway, may have a better horizontal alignment than Concept Plan 2, but it likely will require a steeper grade and the driveway lies between two retaining walls which may impede sight lines. For either of the direct access concept alignments, it will be very difficult to design and maintain the drive so that site storm water and salt/sand materials would be adequately captured in a ditch or drainage system at the bottom of the driveway. We believe that this could become a significant safety concern during the winter months. While not germane to our regulatory considerations, we note that the original Site Plan appears to provide a better fit for the property geometry; the alternative concept plans appear somewhat “forced” with reliance on constrained internal geometry and retaining walls. We shall pause our review of this site until we hear further from you regarding the design development.

Mr. Cleary stated that is a significant memorandum from the DOT. He said as you know it was the DOT that was willing to consider the alternative access. He said this should be a significant factor in conversation. He said the one thing the applicant didn't do in submitting these two alternatives was comparing them to the Nicole Way alternative.

Mr. Stone stated there was a statement in the email that says they can force the access, but they are not at this time.

Mr. Furfaro asked if the meeting with the applicant and DOT take place at the site?

Chairman Paepreer replied yes, with DOT, Michael Simone, Mr. Franzetti and myself. He said the conversation started off with the DOT that they liked the Nicole Way. Mr. Simone liked Route 6. He said he liked Route 6 also. As a result of the site visit, DOT did say they would consider Route 6. He said there is not a lot of line of sight out of Nicole Way.

Mr. Alfred Cappelli, applicant's architect appeared before the board and stated after we met at the site we discussed perhaps showing several alternatives from the Nicole Way site access off of Route 6. He said what you see before you is concept #1. The location on Route 6 is shown and reflects what was discussed with the Mr. Bentley from the DOT and where he would allow an entrance. This concept suggests the building is in the front and the parking is in rear. The buildings are going to be lower, not built into the hill like we originally intended into Nicole Way. He said whether there are one or two buildings or slightly reduced the impact on the site is not going to be changed. He said in our initial application part of what we tried to do is protect the residential neighborhoods from seeing the parking, the lighting, the buildings, etc. He said unfortunately in this particular scheme they see it all with that access off of Route 6. He said from a planning point of view, I think it stinks. He said that is a result of possibly coming off of Route 6. He said we came up with another alternative which is putting the buildings in the original location, trying to hide the parking from the neighbors, etc, etc. He said you could see the circuitous ramp in nature of getting to that level. I'm not so sure it works. I denuded the entire site of vegetation and retaining walls. He said forgetting about the cost to the applicant the esthetic nature that Route 6 does for us, is unimaginable and quantitatively the amount of cut and fill can be calculated, but what we are trying to present here is a visual regardless of how much or how little cut and fill differentiates the two projects. He said what is a better esthetic street scape value for not only the neighbors coming off of Nicole Way, but the Town of Carmel and that's what we tried to prove by these alternatives. He said we explored Route 6 many months ago, it just doesn't work. The elevation difference is about 10 feet and we would have to knock the whole hill down in front of the property at a cost, that's fine. Nobody looks at cost, we look at good planning. This is good planning. Conceptual plan #1 and #2 is not good planning. He said at the last meeting, before we met with the DOT, we discussed a limited driveway and forcing everyone out to Route 6. He said that is certainly still on the table. I'm not sure why that couldn't be explored. He said we have no problem with directionally exiting our site, which perhaps helps the impact on the neighborhood. He said what was also discussed in the field was the intersection of Nicole Way and Route 6 is a terrible intersection regardless. It is a terrible intersection as admitted by everyone there and the DOT. He said discussions ensued about the corner of where the church is. How it would be nice to soften up that little hill there. As I stated in my narrative, there is a grading easement that may or may not have ever been implemented or worked on. He said as a quid pro quo why not have the applicant shave that hill down and it is a win

win for the neighbors on Nicole Way, etc, etc. Rather than force the applicant to go 400 feet down the road for what reason.

Chairman Paepre stated the highway department's view is that is one of the worst intersections that he has to deal with. He said I not against exploring shaving that hill and I'm not sure how we would do even something like that. Nonetheless, it should be considered regardless.

Mr. Stone stated we talk about this being a bad intersection. How do you define "bad"? What characteristics are making it a bad intersection? Is it simply sight line?

Chairman Paepre stated yes that was mostly used.

Mr. Stone stated I would like to look at shaving the hill, because if that's what's causing the sight line reduction, I would like to hear a little more about that. If there is an existing easement of some sort.....

Mr. Cappelli stated there is a grading easement in front of the church property on the corner.

Mr. Furfaro asked is that easement from the church to the DOT?

Mr. Cappelli replied probably, but I would have to look into the deeds.

At which time, a discussion ensued regarding the exact location of where the hill is and the exact language of what the deeds say.

Mr. Stone asked Mr. Cappelli to describe the elevations.

At which time, Mr. Cappelli displayed the conceptual plans again and continued to describe the buildings on the different sites.

Mr. Stone asked what is the elevation from the parking area to entrance of the property? What is the elevation of the retaining wall?

Mr. Cappelli said it is more than 10 feet.

Chairman Paepre stated the number one issue here is safety. We all agree it is a horrible intersection, so before we add any more trucks across that intersection we should maybe look into that easement and see if we could do something with it.

At which time, a discussion ensued with regards to the easement, what it would look like and what the egress would look like and grading.

The board members and applicant discussed the different drawings that should be shown when they have a public hearing.



At which time, another discussion ensued regarding the line of sight.

Mr. Frank Smith, applicant's attorney addressed the board and stated our contention is there are no legal restrictions of being able to enter the property from Nicole Way. The first reason why is this board in 1988 approved the Long Pond Woods site plan. That site plan had envisioned entrance to that lot which has now become 14 Nicole Way from Nicole Way, from the time it was approved to the time it was filed. It had never contemplated entrance to that property from the Route 6 side. Also, on that site plan there were no notes or restrictions on commercial vehicles going into the neighborhood. Lastly, chapter 147 of the town code that governs vehicles and traffic, there are a handful of provisions that relate to commercial vehicles. Some roads could be limited to local deliveries only, some road could be weight restricted and there are no restrictions on Nicole Way. For those reasons, we don't see a legal reason why we couldn't enter through Nicole Way. He said the board has raised very important concerns about safety, that are outside of my purview, but for my purposes there are no legal restrictions of being able to enter from Nicole Way and for that reason if the board finds that safety and sight distance would encourage that entrance we would support that as well.

#### **LONGVIEW SCHOOL – 110 SCOUT HILL ROAD – TM – 52.-1-12 – SITE PLAN**

Mr. Carnazza stated they gave us the proof that this is a non-profit school. The parking calculation is still incorrect. He said to take the phase I and phase II off the site plan. Remove phasing, the permit will be issued for the work on the building and that will freeze the time limit on the site plan approval. Once you are ready to construct the "Gym Building", obtain a permit for the building and construct it.

Mr. Cleary stated Mr. Franzetti has comments; most of them are permits that are required. Clarifying what's necessary for the SWPPP and potential for bonding. He has some details of clarifications that need to be shown on the plan, such as, turning radii, slopes, details for a diversion swale and so forth.

Mr. Cleary stated most of the issues that were raised last time were the operational characteristics of the school and they have provided that information. The applicant has provided their non-profit certificate and NYS Education Department license. They have clarified no outdoor athletic fields are proposed. No staff will reside at the facility. He said the applicant's submission letter indicates that details of the monument sign were provided, however, no details were included in the plan that needs to be clarified for us. The lighting needs to be clarified as well.

Chairman Paepre asked if we spoke about the architectural of the school.

Mr. Cleary replied no.

Mr. Furfaro asked do they need a variance on parking?

Mr. Cleary stated based on Mr. Carnazza's calculations they would, but they have the ability to extend the gravel parking area.

Mr. Carnazza stated they need to meet with me to discuss the parking.

Chairman Paerprer asked Mr. Scott for an overview of the project.

Mr. Peder Scott of PW Scott, representing the applicant addressed the board and stated the property is 15.99 acres which is at the very end of Scout Hill Road. On the property there is an existing 5,500 square foot house. The conversion of the property to Longview School consists of changing some of the rooms to service some high school and elementary children and that's why the parking count can be modified accordingly. We are proposing new parking areas adjacent and behind the building. We are also proposing a gym building which is located behind the existing house. He said as you drive down the driveway itself, we are proposing parking spaces in gravel. We don't anticipate using them, but we are providing them on the plan. The project is accessed by going through the property and there is a K turn at the end of project which is in conformance with the NYS building code for fire access. The buses being provided are small. The staff is limited to 8 teachers, 6 volunteers and about 50 children. He said we have a drop off area for the children, dedicated sidewalks and handicap accessibility. Inside the building we are putting an elevator in to go to the 2<sup>nd</sup> floor. He said the fire department wants us to add a 12,000 gallon fire storage tank. We will be providing that either through a fiberglass tank or integrating into the foundation of the building of the gym. The gym building will be built initially as a foundation and a slab for recreational purposes and as time and economics move along, we will erect a building on that pad. He said lighting will be limited to wall packs. We will address the parking issue.

Mr. Furfaro asked what are the hours of operation?

Mr. Scott replied it will be 8:00 – 4:30 – Monday through Friday and no weekends.

Chairman Paerprer asked you currently have a building in Brewster, correct? Will you be closing that building?

Mr. Scott replied yes and the children will probably transfer to the new school. We have provided all the paperwork for the licensing and registration accordingly. They will be transferred to this facility pending site plan approval.

Mr. Furfaro asked if they will be following the school calendar?

Mr. Scott replied yes. He said they may be some summer programs, but the hours would be limited. He said with the 15.99 acres, we are only disturbing 2 acres total. We will have some passive recreational trails going down to the property. He said recreation would be limited to the gym and the back of the building itself. He said there is an

existing pool which will be eliminated and relocate the plantings on our landscape plan. There will be large trees, extension bushes and plantings around the sidewalk.

Mr. Furfaro asked is this a permitted use?

Mr. Carnazza replied yes.

Mr. Furfaro said the biggest concern would be the traffic, buses going up and down that road.....

Mr. Frenkel stated it is a small road, should we have any concerns in the number of trips versus the type of load it is?

Mr. Cleary stated the initial primary concern was the driveway getting into the property. He said it is a narrow residential street and getting down into the site was a bit of concern. The grade now meets our grade standards and it has been widen, so it's sufficient for the smaller school buses.....

Mr. Frenkel said that's for the property, what about the road?

Mr. Cleary said the road is winding and narrow..... He asked Mr. Scott how many students will be at the facility.

Mr. Scott said about 50 maximum. He said we are using mini school buses, so basically our trip count is reduced because our buses are coming in with 5 to 6 children at a time.

Mr. Frenkel asked so what would be the maximum number of trips?

Mr. Scott replied about 27 trips.

Mr. Scott continued and stated currently the vegetation on the north side of the road is growing across the road. It's so underused, that all the vegetation is growing over the pavement. We are going to open up the road by clearing it within the right of way. It would probably widen the road by 6 to 7 feet.

Chairman Paepre stated there are a lot of comments and it would be a good idea to answer them, especially with the parking.

Mr. Carnazza said if they can't fix that, they may need a variance.

Chairman Paepre said to work with the consultants.

#### **BRAEMAR AT CARMEL – 49 SEMINARY HILL ROAD – TM – 55.10-1-3 – SITE PLAN**

Mr. Carnazza read his memo which stated the applicant proposes to construct a 152 bed (200 bed future) assisted living facility on the grounds of the former Guideposts property

which previously has permission to construct an office building. The parking calculation was done for 152 beds but the proposal is for 200 in the future. The applicant needs to be aware that they will need to return to the board for the additional 48 beds once the change is made. The site appears to have enough parking for the 200 beds. Is there a reason we don't just get approval for the 200 beds now? Provide Lot Depth and Lot Width lines. Will there be any proposed signage on the property.

Mr. Cleary stated Mr. Franzetti has 4 pages of technical engineering comments. We will send them to the applicant's engineer.

Mr. Carnazza stated this is permitted as a general business by interpretation of the zoning board.

Mr. Cleary stated that is an important piece, we don't have an assisted living provision in the code. The zoning board ruled on this previously, so it is a permitted as a right use in CB-P zoning district. Because this is an usual type of use gaining a better understanding of the operational characteristics on how the facility will operate when shift changes occur and so forth needs to be provided as we move along. This site was the subject of Site Plan approval for a 50,000 square foot office building in 2009. That approval subsequently expired. The current application involves the development of 152 bed, assisted living facility including assisted living, special needs assisted living (dementia) and enhanced assisted living units. 85 off-street parking spaces are proposed, accessed from a shared driveway on Seminary Hill Road, along with stormwater management, landscaping and associated site improvements. He said the access points are in the same location, but the primary access point is the shared distillery access point. We have to consider how those two operations will work together. He said they do have off street parking calculation that they have addressed and they are meeting the requirements but what number are we dealing with here. He said Mr. Carnazza would have to address what parking standard are we applying. Is it the multi-family dwelling for the elderly or is it the nursing home standard. We do not have a loading requirement. We should know about site utilities, adequate sewer and water, site lighting, grading and landscaping plan.

Mr. Jeff Contelmo of Insite Engineering, David Mammina of H2M architects and owner and operator Richard Filaski of the Filben Group appeared before the board.

Mr. Contelmo addressed the board and stated the subject lot is a 20 acre parcel that was developed as part of the subdivision of the old Guideposts property. This parcel is located in the northwest corner. This lot was approved for a 50,000 square foot office building with 170 parking spaces. Our proposal is for 152 bed assisting living facility with 85 parking spaces. He said just to be clear our application is for 152 bed facility. There are plans for a future potential expansion, which we are not seeking now. He said we would have to come back to board if we decide to do that. The site itself would function as did the office facility where we will share an entrance on Seminary Hill Road which is the main entrance to the Guideposts facility. He said in the rear we have a significant loading area which will accommodate daily deliveries of food and other

required supplies. Our refuse, recycling and generator is also in the back of the house. As far as utilities are concerned we are looking to follow what has already been figured out with the office building in terms of water, sewer, gas, electric and stormwater management. The 50,000 square foot office building did get all of its approvals, including NYCDEP of the SWPPP. We are utilizing the same stormwater ponds in concept. We will be modifying them slightly. Recognizing that the project had all its approvals we thought it was a good idea to build off of that. There will be a walking loop for the residents to exercise. There are internal courtyards, onsite amenities and off-site activities. There will be 80 full time employees associated with this facility in shifts.

Mr. Furfaro asked if the water and sewer are similar to the office building that was proposed?

Mr. Contelmo replied yes. The office building had water and sewer services. There will be more volume then the office building. All the other aspects will be less. The traffic will be much less and the parking number is less.

At which time, a discussion ensued regarding the exact location of where the facility would be in comparison to the Alexandrion Distillery.

Mr. Stone asked if there will be a revised traffic study because Alexandrion Distillery will be there as well.

Mr. Contelmo replied yes there was a traffic study done with the old office building. We have presented traffic numbers for our new use which is less than the previous office use. He said we could give you those numbers.....

Mr. Stone said especially since the office building would probably wouldn't have delivery truck traffic for supplies, etc.

Mr. Mammina, applicant's architect addressed the board and stated we worked very hard to try to get an articulation to the architecture so that the building is something that is attractive. He said we have done other facilities for Filben and we welcome you to see them.

Mr. Cleary asked where is the nearest facility?

Mr. Mammina replied Wallkill. He continued and stated we make it very home like by mixing materials and colors and trying to articulate with accent bands and things through the building. We have a mixture of stone, siding and our roofing. He said the building is three stories as we look at it from the front (points to map) and it's four stories in the back as the site slopes off.

Mr. Contelmo approached the podium to discuss the surroundings of the facility and the neighbors, such as Arms Acres.

At which time, Mr. Mammina points to map to show the south elevation.

Mr. Furfaro asked about the siding materials.

Mr. Mammina said the siding material is stone and the trim boards are an AZEK material. The windows are generally a Marvin fiberglass window which is stronger than wood and holds its color. The siding is proposed as a vinyl siding and heavy shingle on the roof.

Chairman Paepre stated on a project like this we will ask you to work with our architectural consultant.

Mr. Furfaro asked is that similar to what you have in Wallkill?

Mr. Mammina replied yes. We may have a different color scheme.

Mr. Furfaro asked are they the same building materials?

Mr. Mammina replied yes.

Mr. Stone asked if they could provide photos of the Wallkill facility.

Mr. Mammina replied yes.

Mr. Contelmo stated I know the board has architectural review authority, is there a referral that we need?

Mr. Franzetti said yes. There is a permit fee for the initial review, based on that the architect will determine if an escrow is needed for any further review of the project.

Mr. Contelmo said but ultimately the approval is with this board, correct?

Mr. Franzetti replied yes.

Mr. Stone asked about the emergency 911 services.

Mr. Cleary stated this is the operational aspect. Some of these facilities have a policy if you fall they don't do anything but call 911. There could be 4 to 5 calls a day for a facility like this. Others they have support staff and they deal with these issues internally. So that's the kind of clarification we need from them.

Mr. Filaski of the Filben Group addressed the board and stated we are the owners, builders and operator. He said as was stated it is 152 bed facility. There are two different types of units within the building, a private and semi-private. The semi-private are two separate bedrooms that would share a small common area, kitchen and bathroom. He said there is a very regulated and sophisticated activity program for

socialization. The building is licensed by the NYS Department of Health on multiple levels all within the assisted living structure. He said we license to special needs assisted living residents which is more commonly known as memory care of which there are 32 beds proposed. Those 32 beds will be on the lower level which will allow them to have their own indoor and outdoor space. We will also have enhanced assisted living residents which will allow us to provide a higher level of acuity, so people could age in place. He said we have managing directors, of which I'm one of them. We have a director of operation which supervises all of our buildings from an operational standpoint and within those buildings we have departmental leaders, such as a wellness director which will manage all of the healthcare services, we have an activities director, and a dietary director which will run the entire food service program. It is a fully staffed building which will go 24/7. The bulk of the activity will be during the day. He said as far as 911 calls/ambulance calls we typically have approximately 8 to 10 calls per year. The majority of our calls are done through private ambulance services.

Mr. Furfaro asked if there will be a rehab center as well.

Mr. Filaski replied yes. There will be an onsite gym and an onsite rehab center.

Mr. Stone asked if any of the services that are being provided will be for non-residents.

Mr. Filaski replied from a physician's standpoint no.

Mr. Cleary asked what is the average age of the residents?

Mr. Filaski replied somewhere in the 82 and 83 range.

Mr. Furfaro asked if the 80 or so employees will be jobs for area?

Mr. Filaski replied we would love for the employees to be right here, within proximity of this building.

Mr. Stone asked if there will be a pharmacy onsite.

Mr. Filaski replied no. The pharmacy is contracted through a pharmaceutical provider.

Chairman Paeprer stated there are a lot of comments that need to be addressed and also he asked Mr. Contelmo to work with the architectural consultant.

Mr. Furfaro asked you are going to move forward with this. This isn't something we are planning to do in 4 or 5 years, correct?

Mr. Filaski replied no. We already filed a part 1 application with the Department of Health.

**HUDSON VALLEY FEDERAL CREDIT UNION – 150 ROUTE 6 – TM – 86.11-1-1 – BOND RETURN**

Mr. Carnazza had no objection to the return of the bond.

Mr. Franzetti read his memo which stated in response to the attached request by the referenced applicant, a representative of the Engineering Department performed a field inspection of the referenced property in July 10, 2019 to evaluate the current status of the site construction, for the purpose of determining whether a bond return was warranted. The results of the site investigation are presented below.

The Board should note that the applicant requested that this Department perform a site inspection to determine if a certificate of occupancy (CO) could be issued for this site. This Department performed a site visit on December 4, 2018 to inspect the condition of the site and the only site deficiency noted was that sod needed to be placed at the site. The sod has been placed on the site. The applicant posted a bond in the amount of \$448,000.00 on May 22, 2018. Based upon our inspection all the site improvements required pursuant to the Board's Site Plan approval have now been completed. On this basis, this Department recommends that the bond of \$448,000.00 be released.

Mr. Cleary had no comments.

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

**70 OLD ROUTE 6, LLC – 70 OLD ROUTE 6 – TM – 55.11-1-15 – RE-APPROVAL OF FINAL SITE PLAN**

Mr. Carnazza had no comments.

Mr. Franzetti read his memo which stated the Engineering Department has no objection to the re-approval of the site plan as there are no changes made to the project. All applicable permits are in order which is FEMA, NYSDEC, NYCDEP. They still need to provide a performance bond, stormwater control maintenance agreement and easement information.

Mr. Cleary had no comments.

Chairman Paepre asked Mr. Cleary is there a way we could grant the re-approval based upon the site getting cleaned up?

Mr. Cleary replied yes. He said there is no way to have a level of control without an approval in place. So, by regranting the approval what Mr. Carnazza had suggested earlier was sifting the cleanup portion prior to the issuance of the building permit.



Mr. Carnazza said we definitely want it cleaned before they start construction. He suggested they add to the resolution no building permit be issued by the building department until the property is cleaned to the satisfaction of the building inspector. He said I will go and verify prior to the issuance of the building permit.

Mr. Furfaro what is the intent with this property. Will they be starting anytime soon?

Mr. Paul Lynch of Putnam Engineering, representing the applicant stated I believe so. He said the real delay had been with the NYSDEC. When they purchased the property from Tompkins, the DEC had to do a transfer of ownership and the application sat with the DEC for probably 1½ to 2 years before they acted on it.

Mr. Furfaro asked where are we now?

Mr. Lynch replied we have our permits. He said hopefully something will happen within six months.

At which time, a discussion ensued regarding if another public hearing should take place.

Chairman Paepre stated I think the neighbors would be happier to have the property cleaned up.

Mr. Stone moved to grant re-approval of final site plan for 1 year with the condition that prior to issuance of a building permit that the site be cleaned up to the satisfaction of the building inspector. The motion was seconded by Mr. Furfaro with all in favor.

### **MINUTES – 06/12/19**

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

Mr. Stone moved to adjourn the meeting at 8:53 p.m. The motion was seconded by Mr. Furfaro with all in favor.

Respectfully submitted,

Rose Trombetta