

APPROVED

CRAIG PAEPRER
Chairman

ANTHONY GIANNICO
Vice Chairman

BOARD MEMBERS
CARL STONE
KIM KUGLER
RAYMOND COTE
ROBERT FRENKEL
MARK PORCELLI

TOWN OF CARMEL PLANNING BOARD



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Town Planner*

PLANNING BOARD MINUTES

OCTOBER 9, 2019

PRESENT: CHAIRMAN, CRAIG PAEPRER, VICE CHAIRMAN, ANTHONY GIANNICO, CARL STONE, KIM KUGLER, RAYMOND COTE, ROBERT FRENKEL, MARK PORCELLI

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>TYPE</u>	<u>ACTION OF THE BOARD</u>
Downtown Mahopac Properties	75.12-2-26	1	Resolution	No Board Action.
Monteleone, Laurie	87.8-1-12 & 88.5-1-11	1-2	Lot Line Adj	Denied to ZBA.
Melchner Site Plan	75.16-1-8	3	Bond Return	Public Hearing Scheduled.
Braemar at Carmel	55.10-1-3	3-7	P.H.	Public Hearing Closed & Planner to Prepare Resolution.
Homeland Towers Lake Casse	65.19-1-43	7	P.H.	Held over.
Homeland Towers Dixon Lake	54.-1-6	7	P.H.	Held over.
Minutes – 07/17/19 & 08/14/19		7		Approved.

The meeting was adjourned at 7:48 p.m.

Respectfully submitted,

Rose Trombetta

**DOWNTOWN MAHOPAC PROPERTIES – 559 ROUTE 6 – TM – 75.12-2-26 -
RESOLUTION**

Mr. Joel Greenberg of Architectural Visions, representing the applicant addressed the board and stated based on our conversation at the last meeting to get in touch with the DOT, unfortunately we were unsuccessful. With that we are asking for another adjournment to the next meeting.

Chairman Paepre said sure.

MONTELEONE, LAURIE – 120 & 124 SHINDAGEN HILL ROAD – TM – 87.8-1-12 & 88.5-1-11 – LOT LINE ADJUSTMENT

Mr. Carnazza read his memo which stated the applicant wishes to do a lot line adjustment for the two properties off Shindagan Hill Rd. in Mahopac.

- The lot line adjustment rules do not apply to this application.
156-61M(3)(e)-A lot line adjustment shall not result in additional lots, any lot becoming substandard nor increase/decrease any lot by more than 20% or 20,000 square feet of its original lot area.
- The increase/decrease of lots 1 and 2 is by 45,844 sq. ft. The applicant must do a conventional subdivision. Label Sketch Plan ...
- Using the conventional subdivision method, the applicant needs a variance for lot area for lot 2. 120,000 sq. ft. is required, 79,125 sq. ft. are proposed, 40,875 sq. ft. variance required from the ZBA.
- A house and septic (or sewer if applicable) must be drawn on lot 1 to show compliance with zoning. Applicant claims compliance but without a footprint shown (as required), I cannot confirm.

Mr. Franzetti read his memo which stated The Town of Carmel Engineering Department does not have any comments regarding the lot Line adjustment being proposed.

The applicant should note the following, per §156-61 of the Town of Carmel Town Code:

- The scale of the inset drawing should be 1" = 800 ‘

Mr. Cleary stated this is currently an individual small lot with the existing dwelling in the middle and a larger “U” shaped lot that surrounds it. The proposal involves eliminating the odd shape, the right leg of the U and enlarge the parcel that supports the existing dwelling. He said as Mr. Carnazza indicated it is still non-conforming, but more conforming then it is today. The question is why is this being done. Are any improvements proposed for the existing dwelling on the enlarged parcel? We eventually need to know more about the potential development on the larger lot. Are there any environmental constraints. There is a sub-surface septic disposal system proposed behind the building. We need to know about soil conditions to determine if it’s acceptable. The question is why is this being done.

Mr. Joel Greenberg of Architectural Visions, representing the applicant addressed the board and stated the large lot is approximately 4 acres which wraps around the existing house (points to map). What we are trying to do is make the vacant lot more conforming and still keep the larger lot as a conforming lot. He said there are no plans to improve the house. We are just giving it a larger piece of land. He said at this point there's not much more we could do except to go to the zoning board. He said we are making both lots more conforming.

Vice Chairman Giannico asked Mr. Greenberg to show where the lot line would be.

Mr. Greenberg proceeds to show it on the drawing.

Mr. Carnazza stated our code requires that you make a building lot; you can't just make a vacant lot. By making it a building lot, you have to show that you could put a house and septic on the property.

Mr. Greenberg said we did do testing for a septic which was acceptable and approvable.

Chairman Paepre asked are you planning on bringing soil in?

Mr. Greenberg replied no.

At which time, a discussion ensued regarding soil that may need to be brought in for future development.

Mr. Stone asked if someone was living in the existing house.

Mr. Greenberg replied yes.

Mr. Stone asked is the same owner as the other lot?

Mr. Greenberg replied yes.

Mr. Stone asked what is the intent?

Mr. Greenberg replied the current owner of the house will remain and the other lot will be sold. We are creating a buildable lot.

A discussion ensued regarding the "wagon" road.

Mr. Cleary said to confirm that the "wagon" road has no easement or any right from the neighboring property.

Mr. Cote moved to deny the application to the zoning board. The motion was seconded by Vice Chairman Giannico with all in favor.

MELCHNER SITE PLAN – 177 BUCKSHOLLOW ROAD – TM – 75.16-1-8 – BOND RETURN

Mr. Carnazza had no comments.

Mr. Cleary read Mr. Franzetti's memo which stated, a representative of the Engineering Department performed a field inspection of the referenced property on September 26, 2019 to evaluate the current status of the site construction, for the purpose of determining whether a bond return was warranted. The results of our investigation are presented below. The original bond amount posted was \$160,619.50. That amount was reduced to \$20,000.00 in 2009, because the tree plantings had not been completed. The applicants Architect, Joel Greenburg submitted the attached letter, requesting relieve from planting or replanting the scheduled trees shown on the site plan. Our field inspection does show that as represented by Mr. Greenburg, there is significant vegetative growth between the bike path and the site and Buckshollow Road and the site. If the Board is inclined to permit a removal of the planting element on this project, then this Department recommends that the remaining bond amount of \$20,000.00 be released to the applicant.

Mr. Cleary had no comments.

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

BRAEMAR AT CARMEL – 49 SEMINARY HILL ROAD – TM – 55.10-1-3 – PUBLIC HEARING

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

Mr. Cleary stated according to Mr. Franzetti's memo he is noting the permits that are required. They are required to provide a stormwater maintenance agreement for the project. They need coverage under the stormwater regulations and a performance bond is required.

Mr. Cleary stated all site planning issues have been addressed. He stated you also have a memo from Mr. Mellusi regarding the architectural issues. As you know, this was site that started out with a fairly attractive building to begin with.....

Chairman Paepre said Mr. Mellusi complimented some of the improvements that were made. He asked Mr. Contelmo about the landscaping along the west property line that was discussed at the last meeting.

Mr. Jeff Contelmo of Insite Engineering, representing the applicant addressed the board and stated the question regarding the western property line, is this property line here (points to map). We did provide a bit of screening in one spot (points to map). He said there is a little bit of a grade change that happens there. We're probably 6 feet below the existing grade here with our parking lot and then it starts to even out through here, so the thought was to

provide some screening there. He said is it worth extending the screening line. If the board believes that there's a benefit to that, we will certainly consider it.

Mr. Carnazza asked is that a buffer easement?

Mr. Contelmo replied there is actually a conservation easement. The conservation easement is quite extensive, it comes down through here comes back up around. We are actually preserving quite a bit more, particularly in this corner (points to map).

Mr. Cleary recommended that they extend the planter beyond the traffic circle.

Mr. Contelmo replied we don't have a problem with that.

Chairman Paeprer asked about the lighting?

Mr. Contelmo stated our lighting plan does include a cut of the light that we're using. We are using dark sky compliant LED lighting. We have provided a lighting plan that shows the throw of our lighting. The building itself will have down lit. It will be properly lit, yet sensitive lighting plan that doesn't really spill much out beyond the intended areas.

Mr. David Mammina of H2M architects and engineers and director of health in the firm addressed the board and stated we have done a number projects with the Filaski family, throughout Long Island and Westchester area. He said the architect did make constructive comments and we think that it helped to enhance an aesthetic that I think we already had going from the beginning. There was a nice collaboration there. He said in terms of the lighting, the only lighting we are proposing would be the down lighting underneath the drive (inaudible). That lighting will be completely flushed with the surface. No part of a luminaire would stick below that. It would be straight down. He said along the walls there will be decorative sconce type lighting. He said generally we would prefer enough for the site to be much softer and the attraction would be as you drive up.

Mr. Carnazza asked has the fire department commented on this yet?

Mr. Contelmo replied no.

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

Mr. Kurt Walters from 51 Seminary Hill Road, addressed the board and stated I think this is a great project in terms of need. I hope you keep in consideration that we do live along the Seminary Hill Road. It's been secluded back there for many years. Some people have lived there for 50 to 70 years, so the tree line and whatever landscaping you could do.... stay on them about that to make sure that we can keep some of the unimpeded view. Also there's a lot of runoff in that area. Please keep that in mind in terms of the drainage and issues along those lines.

Mr. Frenkel asked about the drainage.

Mr. Contelmo said as the town engineer pointed out in his memo, we are subject to general permit for construction activities and we have to prepare a stormwater pollution prevention plan. We also need a stormwater pollution prevention plan from NYCDEP based on their heighten requirements. He said our sight generally drains in this direction (points to map) so all of our improvements that you see here will be draining away from those homes in a downhill direction. We will be capturing and treating that runoff in a series of stormwater practices. As our driveway extends out and follows the old driveway on the Guidepost property we continue to collect that water in a swale. We have a water quality swale for stormwater purposes. He said we have prepared a fairly extensive SWPPP showing of all the numbers of details pertaining to that.

Mr. Stone asked where does the water ultimately go?

Mr. Contelmo replied I would say Lake Gleneida.

Mr. Will Santini of 47 Seminary Hill Road addressed the board and asked about the traffic and asked where the entrance would be.

Mr. Contelmo said traffic will access the site via Seminary Hill Road. It's envisioned that most of the traffic will come from the north from either Route 6 or Route 52. We are utilizing the existing entrance into the guidepost property. There are two main entrances off of Seminary Hill Road. The north entrance will be used for the distillery. We will be using the southerly entrance which is a little further up the hill.

Mr. Cleary asked about the trip generations.

Mr. Contelmo stated I don't recall the number specifically. What we do know when Guideposts was in full operation it was a heavily utilized facility and very large parking lot which is still on the east side of the facility. They had done traffic studies over the years for their expansions and their facility utilization. He said at one point after they left the property, there was a second proposal. The Paladin Center came in and it was 50,000 square foot office building proposed. That combined trip generation as far as traffic was going to be a bit less then what the Guidepost was. At present the proposal is for the distillery to go into the old Guideposts. He said the cumulative traffic from those two uses is still less then what the Guideposts facility was generating. He said the assisted living itself is very low traffic generator. I believe the numbers are in the order of 50 trips during peak hours.

Mr. Cote asked what is the anticipated number of employees?

Mr. Contelmo said the total full time employees would be about 80 and the maximum shift would be about 45.

The board members and applicant continued to discuss trip generation during the peak hours.

Mr. Filaski stated of the 152 residents, about 2, 3, or 4 will have cars. They live here, they stay here, all their activities are here, and all their meals are here. Their medical services in large part are here. There will be a provision for physicians to come on site.

Mr. Cleary asked what is the average age?

Mr. Filaski replied mid 80's. They are not driving. He said their whole social life and their activities will be on site. There will be a 12 passenger van that will take the residents out, up to twice a day to go shopping or different activities in the community. Historically and traditionally assisted living is one of the lowest generators of traffic anywhere. It's just the nature of the population. He said on average there will be about 10 visitors a day.

Mrs. Kugler stated and generally don't those visitors come during the peak hours.

Mr. Filaski replied yes and weekends.

Mr. Santini asked about putting a berm to shield traffic.

Mr. Carnazza said they are keeping a 200 foot tree buffer between you and the parking area. He said they are leaving a very thick tree line.

Mr. Contelmo stated as Mr. Carnazza pointed out we are proposing to leave this dark green area undisturbed (points to map). He said the planner asked us to extend our screening in this area when the grade is a little flatter. We believe there will be a fair amount of buffering based on both the distance and the evergreen plantings.

Mr. Walters stated when you do your hiring; I hope you consider hiring people in our community. He asked how long will it take from the time you break ground to finishing it.

Mr. Filaski replied I would estimate construction at 24 months and in terms of your question on employment, we would love to have everybody be locally employed. That would be a benefit to the building.

Mr. Santini asked about the additional 50 beds, where will they go for the other phase and what is the expectation for that phase of the project once we get there.

Mr. Contelmo stated we discussed with the board that we have provided space for a future addition should expansion be something that's desired. We are not seeking approval for that, we just wanted you to understand from a planning standpoint why we arranged the site the way we had.

Mr. Carnazza stated they would have to return to the board for any additions done to the site.

Hearing no additional comments from the audience, Vice Chairman Giannico moved to close the public hearing. The motion was seconded by Mrs. Kugler with all in favor.

Chairman Paepre asked the Planner to prepare a resolution for the next meeting.

HOMELAND TOWERS LAKE CASSE – 254 CROTON FALLS ROAD – TM – 65.19-1-43 – SITE PLAN (CELL TOWER)

Chairman Paepre stated that Homeland Towers asked to be held over to the next meeting.

HOMELAND TOWERS DIXON LAKE – 36 DIXON ROAD – TM – 54.-1-6 – SITE PLAN (CELL TOWER)

Chairman Paepre stated that Homeland Towers asked to be held over to the next meeting.

MINUTES – 07/17/19 & 08/14/19

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

Vice Chairman Giannico moved to adjourn the meeting at 7:48 p.m. The motion was seconded by Mr. Cote with all in favor.

Respectfully submitted,

Rose Trombetta