



PLANNING BOARD
Town of Carmel - Town Hall
Mahopac, NY 10541
(845) 628-1500

PLANNING BOARD MINUTES

JANUARY 26, 2011

PRESENT: CHAIRMAN, HAROLD GARY, VICE-CHAIR, EMMA KOUNINE, JOHN MOLLOY,
JAMES MEYER

ABSENT: CARL GREENWOOD, RAYMOND COTE`

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>TYPE</u>	<u>ACTION OF THE BOARD</u>
Deep Woods Estates	64.8-1-23&38	1	Public Hearing	Public Hearing Closed, Bond Return Recommended To Town Bd.
Gateway Summit – Lot 6	55.2-24.6	1	Public Hearing	Planner to prepare resolution.
The Fairways – Lot 7	55.2-24.8	1	Public Hearing	Planner to prepare resolution.
Lutz, Wayne	65.17-1-14	1-2	Public Hearing	Heldover – No quorum.
Swan Cove	76.5-1-49	2-3	Revised Site Plan	No Board Action.
Tompkins Recycling	55.11-1-15	3	Amended Site Plan	Referred to ECB.
ASA Petroleum	44.17-1-45	3-4	Site Plan	No Board Action.
Woodcrest Gardens	76.9-1-19	4-6	Site Plan	Denial to ZBA.
Meadowland of Carmel	55.11-1-8-10	5	Site Plan	Public Hearing Scheduled.
Lupi Car Wash	75.19-1-10	5-6	Amended Site Plan	Public Hearing Waived, Planner to prepare resolution.
Parkash Estates, LLC.	65.13-1-54	6-7	Site Plan	Public hearing scheduled.
Hosch & Torres	53.15-1-40	7	Subdivision	Report from Building Inspector
RPK Homes	55.14-1-5	7-9	Senior Housing	Public Hearing closed.
Lupi Car Wash	75.19-1-10	9	Bond Reduction	Request Withdrawn.

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Rose Trombetta

DEEP WOODS ESTATES – ATHENA CT – TM – 64.8-1-23 & 38 – PUBLIC HEARING

Mr. Carnazza said he had no comments.

Mr. Karell said he recommends full bond return.

Mr. Cleary said he had no comments.

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

Ms. Kounine moved to recommend bond return to the Town Board. The motion was seconded by Mr. Molloy with all in favor.

GATEWAY SUMMIT – LOT 6 – TM – 55.2-24.6 – PUBLIC HEARING

Mr. Carnazza said he had no comments.

Mr. Karell said he had no comments.

Mr. Cleary said the applicant has addressed all the planning issues associated with this project.

Hearing no comments from the audience, Mr. Molloy moved to close the public hearing. The motion was seconded by Ms. Kounine with all in favor.

Mr. Gary asked Mr. Cleary to prepare resolution.

THE FAIRWAYS – LOT 7 – TM – 55.2-24.8 – PUBLIC HEARING

Mr. Carnazza said he had no comments.

Mr. Karell said he had no comments.

Mr. Cleary said the applicant has addressed all the planning issues associated with this project.

Hearing no comments from the audience, Mr. Molloy moved to close the public hearing. The motion was seconded by Ms. Kounine with all in favor.

Mr. Gary asked Mr. Cleary to prepare resolution.

LUTZ, WAYNE – 230 E. LAKE BLVD – TM – 65.17-1-14 – RESOLUTION & PUBLIC HEARING

Mr. Meyer recused himself and left the podium.

Mr. Gary said since we have only four board members tonight and Mr. Meyer has to recuse himself we cannot vote on this. We do not have enough for a quorum.

The application was heldover.

Mr. Meyer returned to the podium.

SWAN COVE - 628 ROUTE 6 - TM - 76.5-1-49 - REVISED SITE PLAN

Mr. Carnazza read his memo which stated the zoning table needs to be straightened up. The numbers are in the wrong columns but the parcel is in compliance. Floor Plans and Elevations are required. This project must be referred to the ECB for comments.

Mr. Karell said some of these comments may have been addressed or discussed at a prior meeting. He said one of the things I have asked for is a written response to all the comments. Provide design calculations for the sizing of the rain garden. Provide a planting list for the rain garden to include the number of each plant. The rain garden should be integrated into the beach area and possibly a grassed lawn and sitting area. Provide an engineering report to include calculations for hydrant flow. Provide an engineering report to include sizing of the emergency generator and the pump station. The sewer force main to Route 6 should be replaced. Plans should be so noted. Provide a manhole at Route 6 into which the force main discharges followed by a gravity connection to the public sewer. Show the size and material of all piping. Provide appropriate elevations and inverts of the pump station.

Mr. Cleary said this application was last before the Planning Board in February of 2010. At that time, the Board referred the application to the ECB. The applicant appeared before the ECB in March of 2010. The ECB's comments were limited to issues associated with the proposed rain garden, as well as a request for the developer to consider installing a "green roof" on the new buildings. What are the heights of the proposed dry laid stone walls? Provide dimensions between the first floor overhang the side property line. The decorative light poles proposed do not include shielded or directed luminaries, which would keep light on the site, and not allow light to extend beyond the property lines. Consideration should be given to utilizing shielded fixtures. Can the site's illumination plan include features such as light sensors, automatic shut-off's motion detectors, etc. to reduce excessive illumination during periods when not required. Additional details of the lawn and beach area are required. Will this area be sand, grass, etc?

Mr. Mike Barile said we went to the ECB and we are in the process of expanding the rain garden. We plan on going back to the ECB. He said the water, sewer and generator have been addressed. He said before I do the design, I am asking for a public hearing to see if there will be any input from the neighbors. I am not in any rush to build so March or April would be fine.

Mr. Gary said I'm a firm believer in trying to get things to the public as soon as we can. But do we have enough information from the two pages of comments from the consultants for the public to see. Some of these comments are necessary in order comply with site plan review and then we could go to the public.

Mr. Barile said if the consultants feel that it's not ready I will come back.

Ms. Kounine said since you are not in any rush for the public hearing, you could have all of the consultants comments answered before March and then we could have a public hearing.

Mr. Barile said no problem. I will come back. I didn't realize there were so many comments.

TOMPKINS RECYCLING – 60 OLD ROUTE 6 – TM – 55.11-1-15 – AMENDED SITE PLAN

Mr. Carnazza read his memo which stated all variances granted and interpretations are noted on the plat. The on-site circulation system does not work. What is the reason for the two-way aisle on the westerly side of the building when there is no two-way aisle on the southerly side? This project must be referred to the ECB for comments.

Mr. Karell read his memo which stated plans and the SPPP have been revised to address the requirements of the NYSDEC and NYCDEP. This has resulted in a reduction in the size of the building from 25,000 square feet to 20,000 square feet. A copy of the revised SPPP should be provided. The plans will be reviewed in conjunction with the review of the revised SPPP.

Mr. Cleary read his memo which stated has the NYSDEC commented on the revised and expanded "created" wetland? ECB comments should be obtained. Have the curb cut locations on Brewster Road remained unchanged? Is the location of the retaining wall along the created wetland the same as on the previous plan? Verify the height of this wall. Verify that the covered outdoor storage area and roll-off container locations are unchanged.

Ms. Kounine moved to refer the applicant to the ECB. The motion was seconded by Mr. Molloy with all in favor.

ASA PETROLEUM – 1 FOWLER AVE – TM 44.17-1-45 – SITE PLAN

Mr. Cleary read Mr. Carnazza's memo which stated several variances are required from the ZBA. Floor plans and elevations are required. This project must be referred to the ECB for comments. Provide a detail of all signage. Provide on-site circulation system. Provide detail of the curb ramp for the handicap parking area. Provide all aisle widths.

Mr. Cleary read his memo which stated the proposal calls for demolishing the existing gas station building and constructing a new 2,100 square foot convenience store, along with the replacement of the existing underground fuel storage tanks. The site is located within the C – Commercial zoning district. Gas stations that were in existence prior to July of 1982 are permitted as conditional uses. The applicant must provide documentation that demonstrates that the gas station was in existence prior to 1982. The convenience store use is considered an accessory retail use to the principal gas station operation. The applicant must demonstrate that the

convenience store operation is subordinate to the gas station operation. The applicant must document if the gas station was operating legally as a pre-existing use. Variances are required. Clarification of the convenience store operation is required. What are the proposed hours of operation? How many employees are proposed? Generally, what merchandise will be sold? Will beer or other alcohol be sold? How will deliveries be handled? Is a loading space designated? When will deliveries occur – for convenience store merchandise as well as fuel deliveries? Will the pump islands be replaced when the subsurface storage tanks are removed and replaced? Will the existing parking lot be resurfaced? The site plan should be clarified to indicate if a canopy proposed over the pump islands? Exterior lighting and signage, particularly on the canopy, is required. Landscaping details are required.

Mr. Gary asked how clearly was this application presented to the board. There are a lot of comments.

Mr. Cleary said this is their first time in front of the board.

Mr. Gary said there are certain guidelines you have to go through in order to present an application.

Mr. Cleary said the plans are compliant with the code, they do require clarification in order to answer our concerns.

Mr. Gary asked Mr. Karell how many comments he had.

Mr. Karell said a lot.

Mr. Gary said we will not hear this application tonight. He said to meet with the consultants because there are too many comments.

WOODCREST GARDENS – 675 ROUTE 6 – TM – 76.9-1-19 – SITE PLAN
(POOL RENOVATION)

Mr. Carnazza said setback variances are required for the pool and bathroom structure and must also obtain approval from the Putnam County Board of Health.

Mr. Molloy asked if the pool was staying the same size.

Mr. Peder Scott of P.W. Scott engineering, representing the applicant said yes.

Mr. Karell read his memo which stated show piping within the bathhouse, i.e. sanitary and backwash lines to sanitary sewer and pool drainage to storm sewer. In the SPPP discuss the overall drainage plan, i.e. upper ponds and rain garden to the lower pond, lower pond to the town storm sewer system. Who owns the storm drain on the bikeway property and does Woodcrest have permission to discharge into this drain. The 8 inch micropool drain line should be directed to a new downstream manhole on the 15 inch main line from the basin to keep this stormwater within the piped system and no flow to grade. Two end sections appear to be labeled FES # 2.

Consider discharging FES # 2 and the swale above the shed to manhole #1. Discharge the other FES # 2 to the forebay. Label contours within the pond on the site plan. Provide rim and inverts of all structures. Label pipes sanitary sewer or storm sewer to avoid confusion. Is the manhole on the existing sewer line existing? The water service line to the cabana is very close to the top of the slope of the pond. A 20 foot separation is suggested.

Mr. Cleary read his memo which stated revised renderings and elevations have been submitted. The applicant has elected to maintain the cabana in the location originally proposed. Variances(s) will be required. Details of the overhead canopy have been provided. Details of the storage shed have been provided. Its purpose to store landscaping equipment has been clarified by the property manager.

Mr. Meyer asked what's in the cabana?

Mr. Scott said restrooms, mechanical room and a storage area.

Mr. Molloy asked if the canopy is going in front of the cabana.

Mr. Scott said the canopy in front is an amenity we would like to consider. It would be for parties only and it would be a temporary component.

Mr. Molloy asked how big is the shed.

Mr. Scott said about 200 square feet which will hold landscaping supplies.

Ms. Kounine moved to deny to the Zoning Board of Appeals. The motion was seconded by Mr. Molloy with all in favor.

MEADOWLAND OF CARMEL – ROUTE 6 – TM – 55.11-1-8-10 – SITE PLAN

Mr. Carnazza read his memo which stated the canopy will no longer block any parking spaces. They were realigned to comply. All zoning comments have been addressed. I have no further comments at this time.

Mr. Karell said all previous engineering comments have been satisfactorily addressed. Bond estimate is necessary for proposed site work.

Mr. Cleary said all planning issues have been addressed.

Mr. Gary said a public hearing will be scheduled.

LUPI CAR WASH – 373 ROUTE 6 – TM – 75.19-1-10 – AMENDED SITE PLAN

Mr. Carnazza read his memo which stated this is an amended site plan to add a pre-stage area to the car wash being constructed. There are no zoning variances required as a result of this addition. It is just an area to cover the conveyor that moves the car(s) through the car wash. He said he has no further comments at this time.

Mr. Karell read his memo which stated the amended site plan is necessary due to the addition of a pre-stage area enclosure over a previously proposed paved area. The enclosure is part of the building and does not require any additional site work. The amended site plan complies with the requirements of the Town Code with respect to engineering. No additional bond amount is required.

Mr. Cleary said the pre-staging area is an area that was a driveway. It was an impervious surface, so there is no increase. There are no other planning issues.

Mr. Joel Greenberg, representing the applicant asked if the public hearing could be waived.

Mr. Gary said since we had a public hearing with the original site plan we will waive the public hearing. He asked Mr. Cleary to prepare resolution.

PARKASH ESTATES, LLC – 870 ROUTE 6 – TM – 65.13-1-54 – SITE PLAN

Mr. Carnazza read his memo which stated the necessary variances were granted by the ZBA on 12/9/10 and are noted on the plat. Floor plans and elevations were submitted for the ZBA but must be submitted as part of the Amended Site Plan.

Mr. Karell read his memo which stated A SPPP has been provided. The plan should include calculations justifying the pipe sizes. In addition, the engineer should consider infiltration of the stormwater before discharging to the storm drainage system in Route 6. Names and addresses of the property owners within 500 feet are not provided on the plan. The final topography shown on Hudson's stormwater plan should be shown also on Architectural Visions site plan. An existing conditions survey should be provided. Provide the proposed area of disturbance and proposed impervious area, in square feet. Provide an area disturbance line. Lighting locations and details are necessary. A construction sequence must be on the plans. Provide retaining wall details and a trash enclosure detail. Show water and sanitary sewer connections and details. A paving detail is not provided. Provide the volume of cut and fill.

Mr. Cleary read his memo which stated shrub and ground cover plantings are indicated within the Route 6 right-of-way. Permission to install these plantings in this area must be obtained by the NYSDOT. Traffic impact documentation has not yet been provided. While the site plan has been revised to include elevations at the top and bottom of the rear retaining walls, it remains difficult to ascertain the height of the walls. Clarification is required. The applicant has provided a written narrative explaining the proposed stormwater management system. Review is required by the Town's consulting engineer. In a letter submitted with the revised site plan, the applicant has indicated that utilities will be brought into the site from Route 6. The utility locations should be indicated on the site plan. Details of proposed lighting should be provided, including illumination levels at the property lines.

Mr. Joel Greenberg, representing the applicant said the comments have been discussed with the consultants and is aware of it and some comments have actually been taken care of. He said if possible, I would like to have a public hearing to see what the public thinks.

Mr. Gary said a public hearing will be scheduled.

HOSCH & TORRES – 490 LONG POND RD – TM – 53. 15-1-40 – REPORT FROM BUILDING INSPECTOR

Mr. Carnazza said the inspection was done and the second building in question is not a dwelling, so a use variance is not required.

Mr. Gary asked where do we stand with this application.

Mr. Cleary said we were waiting for the site visit. We had a public hearing and the next step would be directing the preparation of a subdivision approval resolution.

Mr. Charbonneau said the applicant was supposed to get a copy of the shared driveway agreement which has not been finalized yet. In addition, they were required to show the 50 ft. easement running along the property line which has not been done yet.

Mr. Cleary said to have the applicant submit their final plans and we will go from there.

RPK HOMES – SEMINARY HILL RD & MECHANIC ST – TM – 55.14-1-5 – SENIOR HOUSING

Mr. Carnazza read his memo which stated the “picnic” areas are not shown on the plat. Please locate. Provide the individual areas of the “pocket parks”. What use is proposed here? Is this land flat or sloped? A grass field is not a recreation area. He asked what is the difference between a pocket park and picnic area.

Mr. Rob Cameron of Putnam Engineering, representing the applicant said the picnic area is a level area where we will have some tables towards the front.

Mr. Carnazza asked do you show that anywhere?

Mr. Cameron said yes on the site plan.

Mr. Molloy asked is the picnic area the recreation area?

Mr. Carnazza said no, they are separate. He said one is shown and the other is not. I want to know where it is and how big it is.

Mr. Molloy asked what recreational amenities do they offer?

Mr. Carnazza said clubhouse, pocket parks, walking trail, bocce court, etc.

Mr. Cleary said it needs to be clarified on the drawings.

Mr. Cameron said everything is indicated. Just the picnic area needs clarification. He said the pocket parks are adjacent to the club house.

Mr. Karell read his memo which stated comments in my memo dated January 28, 2010 have been satisfactorily addressed, with respect to the sight distance and the sewage flows. The Putnam County Department of Health has agreed to the design flow which is consistent with the Town of Carmel's flow allocation.

Mr. Gary asked if there were any concerns about the traffic.

Mr. Karell said my previous comments related to them showing they had adequate site distance at the entrance which they have shown. Also, a question was raised about the design flow compared to the town's flow allocation of 1100 gallons per day per acre for vacant commercial property. He said the original design flow was based on the states standards and health department. The applicant has provided information to the health department which shows that these senior housing projects use significantly less then the state design requirements. The health department has accepted those requirements. Therefore, that brings the total design flow for sewage for this project consistent with the 1100 gallons per day per acre.

Mr. Molloy said basically it's less then 150 gallons per day per bedroom.

Mr. Cameron said yes.

Mr. Gary said wasn't there a concern about the amount of units, the amount of bedrooms.

Mr. Molloy said I think it was bedroom count. They are 2 bedroom units.

Mr. Cleary said the change in the bedroom unit is not a density issue it's any impact issue with respect to infrastructure. His density is based on unit numbers.

Mr. Gary asked what was first presented to the board regarding bedroom count.

Mr. Cleary said they were not all 2 bedroom units. That was the issue. It has since been modified. Now every unit is 2 bedrooms.

Mr. Gary asked what did we hold the public hearing on?

Mr. Cleary said the public hearing is still open and it was for 2 bedroom units.

Mr. Meyer asked if the issue with the 3 mile regulation was resolved.

Mr. Carnazza said it is as the crows fly. It's direct, straight line.

Ms. Kounine said at the last meeting there was an issue with the public hearing, whether it was open or closed.

Mr. Charbonneau said the public hearing is still open. He said the major issues that were brought up at the original public hearing, were the sewage capacity and the issues of whether or not the measurement would be as the crows fly or some other measurement. Those two issues have been addressed.

Mr. Gary asked if anyone in the audience wishes to speak.

Chief Mike Johnson, resident of Carmel, said the majority of residents are not in favor of this plan. They were in favor of the previous plan (the 7 or 8 houses on the property) not the senior housing. We have enough senior citizens housing. This is a private road not a main road where most of the senior housing is. He said it basically comes down to other property owners paying for this because of the increase of the flow rate to an undesirable project that nobody wants. Secondly, that intersection is very dangerous. Cutting down the tree helped but the site distance is still very bad coming north on Seminary Hill Road going towards the development. Now you want to add an additional 100 cars to that intersection. If you want something positive, have that intersection fixed. He said, maybe it fits all the criteria, but you have the ability to say is this good for Carmel and you could turn it down. You could make a pre-requisite that the applicant has to fix the road.

Mr. Gary said sometimes it takes a long time to answer public concerns. It's been a year, but sometimes it takes 2 years to get things worked out. He said there are a couple of issues out there. I accept what the engineer said, that it meets the requirement. If we look at it more carefully, maybe it is overpowering to a certain extent. Maybe there should be reductions in this project to make it compatible with that area. I think we should look at it again, I am not saying it should be denied but certain areas of it could be more compatible to meet the needs. He said I don't think we need to go outside and hire another firm to look at it. I think we are capable ourselves of sitting down and genuinely looking at it. If it meets the requirements now and there is nothing else we could do, then we should say so and justify it. I don't think we could do it with the public hearing open, I think it should be closed.

Mr. Meyer said he agreed with the Chairman. We need further review on this. There is a lot of validity to Chief Johnson's statements. I personally have a difficult time getting passed as the crow flies rule.

Mr. Molloy said the intersection is a concern for him. If the highway department says they do not have the funding to correct the intersection, that doesn't mean we go ahead and build the project. Maybe we have to wait until they have the funding. I can't see putting 100 senior citizens in an already dangerous intersection.

Mr. Molloy moved to close the public hearing. The motion was seconded by Ms. Kounine with all in favor.

Mr. Gary said to Mr. Cleary we need to sit down with this applicant and all the consultants.

Mr. Cleary said he will take care of it.

LUPI CAR WASH – 373 ROUTE 6 – TM – 75.19-1-10 – BOND REDUCTION

Mr. Charbonneau said the applicant has withdrawn his request based on the amended site plan.

Mr. Meyer moved to adjourn the meeting. The motion was seconded by Ms. Kounine with all in favor.

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Rose Trombetta