



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

PLANNING BOARD MINUTES

JANUARY 13, 2011

PRESENT: CHAIRMAN, HAROLD GARY, CO-CHAIR, EMMA KOUNINE, JOHN MOLLOY, CARL GREENWOOD, JAMES MEYER, RAYMOND COTE

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>TYPE</u>	<u>ACTION OF THE BOARD</u>
Lansky Properties	75.12-2-6	1	Site Plan	Approval Resolution Accepted.
Bee & Jay Plumbing	76.30-1-28	1	Amended Site Plan	Denial to ZBA.
ABL Real Estate	44.13-2-20	1-3	Amended Site Plan	No Board Action.
Lutz, Wayne	65.17-1-14	3	Bathhouse	Public Hearing Scheduled – Planner to prepare resolution.
Simon (Picasso's)	74-12-1-12	3-4	Site Plan	Heldover.
NAC Industries	55.6-1-47	4-5	Site Plan	Heldover.
Meadowland of Carmel	55.11-1-8-10	5-6	Site Plan	Heldover.
Manzo, John	42-1-21.1	6	Regrading Plan	No Board Action.
Charry	54.19-1-1	6	Regrant	Regrant of Approval granted.

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Rose Trombetta

LANSKY PROPERTIES – 935 S. LAKE BLVD – TM – 75.12-2-6 - RESOLUTION

Mr. Karell said all engineering comments have been previously addressed. The bond amount is \$1,000.00 and the engineering and inspection fee is \$250.00.

Mr. Cleary said you have a final site plan resolution before you. This is a Type II action. No SEQR approval is required.

Ms. Kounine moved to accept Resolution #11-01 dated January 13, 2011; Tax Map #75.12-2-6 entitled Lansky Properties Final Site Plan. The motion was seconded by Mr. Greenwood with all in favor.

BEE & JAY PLUMBING – 719 ROUTE 6 – TM – 76.30-1-28 – AMENDED SITE PLAN

Mr. Karell said the previous engineering issues in my memo dated 4/14/2010 have been satisfactorily addressed.

Mr. Cleary read Mr. Carnazza's memo dated January 12, 2011.

Mr. Cleary read his memo dated January 12, 2011 and said the applicant can be referred to the ZBA.

Mr. Greenwood moved to deny the applicant to the ZBA. The motion was seconded by Mr. Meyer with all in favor.

ABL REAL ESTATE – 105 GLENEIDA AVE – TM – 44.13-2-20 – AMENDED SITE PLAN

Mr. Karell read his memo which stated; provide a sight line profile from East Drive looking to the south to assure that the new construction will not impede sight distance. Necessary details including but not limited to the proposed walls, pervious pavers, silt fence, asphalt parking area, are not provided. Provide the area of disturbance on the plans.

Mr. Cleary read Mr. Carnazza's memo which stated the applicant proposes to construct a small 2nd floor addition and add a parking area to an existing office building on Rt. 52 in Carmel. Variance required for lot area, 40,000 s.f. required, 19,156 s.f. provided, 20,844 s.f. variance required. Variances are required for lot area, width, depth, front yd. on East Dr., rear yd. opposite East Dr. (applicant calls this as a side yard but it is not) and minimum floor area.

Mr. Cleary read his memo which stated an existing curb, planting buffer and guardrail located in the northeast corner of the site will be removed to allow for an expansion of the parking lot. The parking area will be pushed approximately 10' closer to Route 52 in this area. A new retaining wall will also be required in this area. Given the proximity of the parking spaces, and the new wall, landscaped screening is recommended in this area. Proposed parking spaces 17 and 18 are indicated to be improved with "pervious pavers." While the concept of minimizing the site's impervious surfaces is generally beneficial, review by the Town Engineering Consultant is required. Is the second story addition

proposed to be constructed entirely upon an existing first floor structure, or is a new footprint proposed?

Mr. Rob Cameron of Putnam Engineering, representing the applicant said it's precisely over the existing structure that's below. It is a 15 x 20 ft. structure on the 1st floor and they are in dire need of additional space and we are proposing to go up following the outline of the 1st floor. He said under the previous application the applicant was granted a waiver to construct those parking spaces. They didn't build them to the necessary depth. In order to fix that and make the site plan conform and since we are now coming back to the board with an amended site plan this would be the time to do it. I know you are concerned about site distance. There is approximately 8 feet elevation difference between Route 52 and those parking spaces. They will not sink out. The parking spaces are much higher.

Mr. Gary said there is some confusion about what you said regarding the previous parking construction.

Mr. Greenwood said there was an application before the board where they were building a parking lot and we chose to waive the site plan process on the application.

Mr. Gary asked how much are you moving the parking plan over.

Mr. Cameron said about 6 feet.

Mr. Greenwood said my question is if the majority of it is existing and you're adding 6 feet to it, why would you put in a pervious surface versus what's pre-existing which is asphalt.

Mr. Cameron said the pervious area would be going in the front. It would almost look like a patio. That is where I would like to add two additional spaces and add the pervious pavers.

Mr. Molloy said from what I see, you are building what looks like a patio, people will park on the patio and they will not be able to get out if there anybody parked in the other spaces that are east of the building you are extending. He asked is the patio they are parking on between the building and Route 52? How is that going to look?

Mr. Cameron said yes.

Mr. Greenwood said this becomes a question of when a site has gotten to the point, even though it's a 300 foot addition, when enough is enough. To the point where it's over used. He said now you are expanding more parking, trying to fix what should not have been allowed to happen already. He said it was a mistake. Now we have an opportunity to fix it.

Mr. Cleary said how you get in and out of the parking lot isn't changing. What they are proposing to change on those existing parking spaces will make

maneuvering out of the spaces complicated because they are angled spaces. He said it will never be an easy place to maneuver and ideally when you enlarge a parking area, you should be making it easier not more difficult.

Mr. Gary asked how many parking spaces are there in total.

Mr. Cameron said sixteen spaces.

Mr. Gary said there isn't enough room. He said you have to find a different way to get the parking. This isn't going to work. He said to come up with a different plan to make it safely and intelligently.

The application was heldover.

LUTZ, WAYNE – 230 E. LAKE BLVD – TM – 65.17-1-14 – CONSTRUCT BATHHOUSE

Mr. Meyer recused himself and left the podium.

Mr. Karell said all previous engineering comments have been satisfactorily addressed. The proposed rain garden has been submitted and reviewed and is in accordance with DEC standards and requirements. He said a bond estimate is necessary.

Mr. Cleary read Mr. Carnazza's memo which stated to label the plat "amended". The necessary variances were granted by the ZBA.

Mr. Cleary said the board is now in a position to consider final site plan approval.

Mr. Gary said to schedule a public hearing and to prepare a resolution.

Mr. Meyer returned to the podium.

SIMON (PICASSO'S) -115 SECOR RD – TM – 74.12-1-12 – SITE PLAN

Mr. Karell read his memo dated January 11, 2011.

Mr. Cleary read Mr. Carnazza's memo dated January 12, 2011 which said the applicant proposes to legalize an apartment and rearrange the parking area at the existing Picasso's restaurant in Mahopac. Provide a detail of the retaining walls. Will any be six feet or higher? Provide a detail of any signage proposed on the site. Label the plat "Amended". Provide handicap parking. Provide an area map including names of all property owners adjacent to the lot. Provide a detail of the curb ramps at the handicap parking spaces. All variances must be re-applied for. There is a condition that the variances granted for restaurants in 1992, 1993, and 1994 that the variance is only good for the existing lease agreement at that time. The variances are now null and void.

Mr. Cleary read his memo dated January 12, 2011 which said the proposal calls for the legalization of an existing mixed-use building consisting of a pizzeria on the first floor, and a dwelling unit in the basement. No physical changes are proposed.

Mr. Karell said there is one additional thing, the grading is very light, you could hardly see the existing grading in the area of the back where the loading zone and parking spaces are. It looks like it's cutting into the hill. He said a SWPP is required. He said to get his comments from the secretary the next day.

Mr. Joel Greenberg, Architect, representing the applicant said ok.

The application was heldover.

NAC INDUSTRIES – DAY ROAD – TM – 55.6-1-47 – PROPOSED - GYMNASTICS STUDIO

Mr. Karell read his memo dated January 11, 2011.

Mr. Cleary read Mr. Carnazza's memo dated January 12, 2011.

Mr. Cleary read his memo dated January 12, 2011.

Mr. Besharat of Rayex, representing the applicant said we are not proposing any change from the original site plan that was approved. The only thing that is changing is the use and layout of parking. I discussed this with Mr. Carnazza and he said a gymnastics studio requires five parking spaces per station, a total of 45 parking spaces.

Mr. Greenwood asked are parking spaces the same as the original approval?

Mr. Besharat said no, it's not the same.

Mr. Greenwood said so then it's an amended site plan.

Mr. Karell said everything is the same except you're re-stripping the parking.

Mr. Besharat said yes.

Ms. Kounine said I think you should talk to Mr. Carnazza because he says in his memo you are adding a parking lot, which tells me you are adding more area and more spaces. Mr. Karell says you are re-stripping. Which is it.

Mr. Greenwood said what you are doing is changing what was approved as a site plan. Whatever parameters you have to meet you are still changing the original site plan which means this is an amended site plan. You should re-submit it as amended site plan and meet with the consultants.

Ms. Kounine said there are conflicting statements. You need to come back when it is straightened out.

Mr. Besharat said will do.

The application was heldover.

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

Mr. Karell said the re-submitted plan, has been revised to eliminate the backing conflict with several parking spaces. The map is entitled, "Survey" and "Site Plan Review Map". It should be entitled "Amended Site Plan". He said the plan does not contain the information and details required for a site plan and therefore a complete review of the plan cannot be conducted. Although the canopy is a minor addition to the building, the Planning Board should decide if this should be considered a redevelopment project and as such whether the stormwater handling on the entire property should be evaluated by an engineer with a view toward making improvements.

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

Mr. Cleary said the site plan was revised to eliminate the 45-degree conflicting parking spaces, and the area adjacent to the canopy has been modified to reflect 4 new parking spaces. The drainage from the canopy is being directed into the existing drainage system. He said when the applicant was last before the board a question was raised regarding the existing operation of the dealership. He said it is fair game for zoning compliance now that they are before you. Make sure the site remains in compliance. We need clarification from Mr. Carnazza that there are no other zoning violations with respect to vehicle parking. The next step is to schedule a public hearing.

Ms. Kounine asked Mr. Karell regarding his memo which said there wasn't enough detail for it to be considered a site plan.

Mr. Karell said the Town code requires certain information and details to go on any site plan. This plan does not contain the necessary details.

Ms. Kounine said shouldn't we have an acceptable site plan in front of us before we move any further.

Mr. Karell said its close, there are some things missing. It's up to the board.

Mr. Greenwood said so it's not a complete site plan application.

Mr. Karell said that's correct.

Mr. Cleary said in my opinion the area where the project is proposed shows sufficient information to schedule a public hearing.

Mr. Karell said I don't have an objection to scheduling a public hearing.

Mr. Gary said we could either schedule a public hearing or hold it over until the plan shows everything on it.

The board agreed to hold over the application until it's complete.

MANZO, JOHN – 630 BARRETT HILL RD – TM – 42-1-21.1 – REGRADING PLAN

Mr. Karell said the reason for the fill application is to create a rear yard that is more usable than the existing rear yard. Presently at the rear of the house the land slopes steeply to a small flat area and then steeply below that flat area. He said the proposed grading indicates a final slope of 20% for a distance of 60 feet followed by 60 feet of 1:3 slope to the rear property line. He said he does not see how this grading improves the ability to use the rear area, 20% slope is still very steep and the relatively flat area has been eliminated. A north arrow is not provided. Mr. Karell read the additional comments from his memo dated January 11, 2011.

Mr. Cleary said Mr. Carnazza's memo is also two pages long.

Mr. Gary asked if the applicant should be in front of the board in the first place.

Mr. Cleary said the applicant should be made aware of the criticism that Mr. Karell is expressing which is the steepness of the slope and the practicality of the issuance of the permit. If he is aware of it, then the engineer should sit with the consultants to go over the comments.

Mr. Gary told the applicant a lot of the issues are major but a lot are minute that should be addressed before you come back.

CHARRY – 85 WASHINGTON ROAD – TM – 54.19-1-1 – REGRANT OF FINAL APPROVAL

Mr. Karell said he has no objection to a regrant.

Mr. Cleary also said he has no objection to a regrant.

Mr. Kounine asked if the applicant is still being held up by DEP.

Mr. Cleary said yes.

Ms. Kounine moved to grant re-grant of approval. The motion was seconded by Mr. Greenwood with all in favor.

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

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Rose Trombetta

