

APPROVED

CRAIG PAEPRER
Chairman

ANTHONY GIANNICO
Vice Chairman

BOARD MEMBERS
KIM KUGLER
RAYMOND COTE
ROBERT FRENKEL
MARK PORCELLI

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PLANNING BOARD MINUTES

FEBRUARY 5, 2020

PRESENT: CHAIRMAN, CRAIG PAEPRER, VICE CHAIRMAN, ANTHONY GIANNICO, 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>
Itzla Subdivision	55.14-1-6	1	Subdivision	Taken Off the Agenda.
Willow Wood Gun Club	87.7-1-6,7&11	1-9	Referral	No Board Action.
Minutes – 10/30/19, 11/13/19 & 12/11/19		9		Approved.

The meeting was adjourned at 7:43 p.m.

Respectfully submitted,

Rose Trombetta

ITZLA SUBDIVISION – 9 MECHANIC STREET – TM – 55.14-1-6 – 2 LOT SUBDIVISION

The applicant is off the agenda.

WILLOW WOOD GUN CLUB – 551 UNION VALLEY ROAD – TM - 87.7-1-6,7&11 – TOWN BOARD REFERRAL (AMENDMENT TO ZONING ORDINANCE)

Mr. Carnazza stated this is on for a code referral from the Town Board for a code change that was requested by the gun club. He noted that he had put a short memo together show what some of the adjacent towns use for parking calculations for their clubs and country clubs. He said it's a guide for you to go by to see what other towns are doing.

Mr. Franzetti had no comments.

Mr. Cleary addressed the board and stated the petition that's before you came about because Willow Wood went to the Zoning Board to address the parking deficiency. Willow Wood is considered a club under our ordinance. The parking requirement for that is quite extensive and I think the club under our current ordinance required something like 502 parking spaces. There were some other variances that were required as well. The Zoning Board was comfortable with some of those variances but not the number of required variances. Willow Wood has about 80 parking spaces. The code would have required 502 spaces. The Zoning Board balked at that. Willow Wood had an alternative plan and the Zoning Board was uncomfortable with that as well, so the applicant decided to try and address this by modifying that zoning provision for a club. It is clear that Willow Wood and the material they have submitted to you has documented that the parking requirement for a gun club is clearly excessive. The parking requirement that applies to clubs was probably more oriented country clubs where families might attend with larger numbers of folks instead of a single individual going to shoot at the club. But nevertheless, there is no distinction in our code, so they are left with that. Willow Wood's petition is quite clear in explaining their parking requirements on the site and it's apparent to me at least that our parking requirement as it exists today is excessive with respect to this type of use. Willow Wood has proposed an amendment to the code which would carve out gun clubs separately and establish a parking requirement for one parking space for three member households. That's one way of dealing with it. I looked at every community in Putnam County to see if there were parking requirements for gun clubs. There weren't any. There were a couple of club requirements, a few of them related to a number of households. I think Kent had a provision for their recreational club use which was to be determined by the Planning Board, there wasn't even a number. Putnam County wasn't particularly helpful, so I looked at the nearby communities, such as Northern Westchester. Some of them related to numbers of parking spaces per member enrollments. That was useful. I then went to the Institute of Transportation Engineers parking generation manual which is the bible of establishing the number of parking requirements. The same thing, no gun club parking provision for the United States. There are about 25 recreational parking requirements for clubs, country clubs and golf clubs, but nothing for gun clubs. So that source didn't provide us any

information. I then researched gun clubs generally across the United States and one provision that I did find in a few instances related to the number of parking spaces per shooting station and I think it's 1.5 parking spaces per shooting station. What the applicant is asking you to do is recommend a change to the code. What I'm suggesting is we should look at all those provisions and see if any of them are better or worse of what the applicant is proposing and offer a suggestion back to the Town Board. For example, the number of parking spaces per shooting space for shooting location, how many shooting locations does Willow Wood have. That might be a useful tool to use instead of one they have proposed. They've chosen two per, there are other communities that have three per and one per.

Chairman Paepre stated he thinks they chose one per three.

Mr. Cleary replied yes, that's right. He said there is an option you may want to consider which is a modification of that. He said perhaps a more conservative number such as two per three instead of one and allowing you not the zoning board to reduce that number if the applicant does things to mitigate parking impacts, such as screening or buffering. He said you have three choices on how you want to do this, accept the number that's been proposed, sort of an alternative number that allows you to modify that with some improvements or use something like the space per shooting station provisions as well. You have options to think about, but the end result is they made a persuasive argument that the parking requirement doesn't work for their use and it needs to be adjusted. You would be making a recommendation to the Town Board. The Town Board would have the public hearing on this so you're not soliciting public comments unless you need to. It would be the Town Board's job to do that and ultimately they will make the decision. Again, you are just recommending and they will do what they wish to do with your recommendation.

Chairman Paepre stated the work that Mr. Carnazza and Mr. Cleary did was very helpful. He stated we are here tonight just to discuss the parking. We are not here to discuss noise.

Mr. Cleary stated that's correct. This will come back to you for an amended site plan.

Chairman Paepre said this is not a public hearing, so if anyone is here for that, we don't want to waste your time.

Mr. Rich Williams of Insite Engineering, representing the applicant addressed the board and stated Mr. Cleary did a great job summarizing the referral that was made by the Town Board. We have been looking at this also since making the initial submission. He said we started looking at the code and your code talks about parking in two different spots as it relates to clubs §156- 42 off street parking, actually lists three types of clubs with specific parking requirements, such as golf clubs, tennis clubs and swim clubs. But when you go to §156-24 the club section it lists a different standard. As we started to look at this and think about the different clubs in the Town of Carmel and having experience with this parking requirement not just with Willow Wood, but with other

applications. And it is a burdensome requirement with the two spaces per member household. We do think a recommendation might be to follow suit with some of the other communities whereby, the purview for clubs not listed in §156-42, the golf, swim and tennis in your off street standards. For other types of clubs the purview should come back to the planning board with proper study justifying it. That would solve a broader problem, not just for us but for other clubs like the Italian American Club, Knights of Columbus, sports clubs and other types of clubs that are within the community.

Mr. Cleary stated Mr. Williams made a good point. Right now, we have two separate sections that are internally inconsistent. So, once again this needs to be fixed. This is not something we should ignore, we need to fix this.

Mr. Charbonneau addressed Mr. George Calcagnini, the applicant's attorney and stated so the board has a full understanding of this application, can you tell us what happened with respect to the zoning board's application and the Article 78 so the board has a full picture.

Mr. Calcagnini addressed the board and stated we applied initially for four variances. One variance was for the driveway coming in from 24 feet required by code to 20 feet that was granted. Parking space size and leaving the gravel parking variances were also granted. The one for the number of cars was denied. We went in with the existing 80 spaces and a valet parking plan during special events. I believe we established that we have adequate parking plan so we don't overflow onto the streets. We are going to adequately service our needs onsite in orderly and efficient manner. The ZBA decision was that it was too great a percentage, even though back in 1987 a 77% variance was granted, which coincidentally is the same variance percentage that were seeking before the ZBA now, but we were declined and we filed an Article 78 regarding that. That Article 78 has been adjourned on consent of myself and counsel for the town to give us time to talk about the amendment of the ordinance. He said we have 14 sporting clays stations, 4 trap fields that have five positions each making it 20. Over on the five stand there's five more which amounts to a total of 39 shooting positions.

Mr. Cleary stated that technique of using the shooting station as the standard may be something to consider. He stated one other thing, Mr. Calcagnini and his team has done a good job of explaining how Willow Wood operates and has historically operated. The notion of adding the sporting clay course which we have learned over the course of their application, apparently is very significant facility and rather rare and I think we've talked about it before, but if in fact that new facility will change the way people use this club, we shouldn't be adopting parking regulations for how it used to operate, but how it would operate in the future. And if this is the single best sporting clay place in United States, there will perhaps be an increase in enrollment membership and so forth. Understanding that for the future is part of your job in this whole exercise.

Mr. Calcagnini stated we have indicated that we intend to cap the membership at 250 members.

Chairman Paerprer asked what do you have now?

Mr. Calcagnini replied when we started this process we were at 202, right now we are down to 188.

Mr. Cleary stated something you should bear in mind; we are adjusting zoning regulations for the code, not necessarily for Willow Wood explicitly. He said an occupancy cap isn't a zoning issue. That would be a site plan issue and you could deal with it at the site plan stage, but it wouldn't be a zoning issue for the parking requirement for a gun club. He said those are two different things, and you need to make sure you maintain that separation in your deliberations.

Mr. Carnazza asked what is a five stand?

Mr. Calcagnini stated a five stand is a line with the shooting cages. There is a line of five of those separated by about 3 feet between each one of them. He said out in front of the field you have anywhere from 8 to 12 machines.

Chairman Paerprer asked when you enter the site how many stations are there on the left?

Mr. Calcagnini said there are four trap fields on the left as you drive in. Each of the trap fields has five positions and the contestants shoot five shots at each station and then rotate down the line.

Mr. Frenkel asked why looking at this through the lens of number of shooting stations would not be a better way to measure the capacity for parking.

Mr. Calcagnini replied that is certainly a viable option. I'm not opposed to that.

Mr. Cleary stated the membership as it relates to this is different. I don't know if the membership is the right metric. The shooting station certainly is.

Mr. Frenkel stated it seems to be the constraint that everybody has to go through.

Mr. Calcagnini stated in terms of ease of application both for the planning board and applicant you have that certainty, whether it's 1.5 or 2. It's certainly easier for the applicant, for example I need 2 spaces for each of the 39 shooting stations. It's easier for us to understand and presumably it's probably easier for you to administer and enforce.

Mr. Frenkel stated it addresses another issue, as drafted the proposed revision would apply other types of clubs.

Mr. Calcagnini stated I'm not adverse to that. It's easier for the applicant, the board and building inspector, as long as it's a rational number.

Chairman Paerprer asked about annual events.

Mr. Calcagnini stated we are proposing that we would do no more than four registered sporting clays events per year. In a registered event you cannot have more than six people in a squad. We have indicated that we are more than willing to accept a cap of no more than 90 shooters per registered event.

Mr. Charbonneau stated keep in mind that if you come up with a ratio of whether it's 1.5 or 2 per shooting station, you may end up in situations where we're defining clubs that have full time employees that require parking, so that needs to be consideration of board as well.

Mr. Cleary stated you would build that into the number. Like any other use we incorporate employees into those parking numbers.

Chairman Paepre stated as Mr. Charbonneau and Mr. Cleary stated we shouldn't think about this as just Willow Wood. It should be other clubs.

Mr. Charbonneau stated it should be for the Knights of Columbus, Italian American Club or any type of club that does not have a pool, tennis court or golf.

Mr. Frenkel stated if we were revising this to focus just on shooting stations, it would not apply to the Italian club or anything like that.

Mr. Charbonneau stated it would potentially apply to future clubs. I think you need to concentrate on §156-24 and the definitions contained in that section when you're talking about parking.

Mr. Cote stated I have been on this board for a long time and parking has been a persistent issue, whether it be for a shopping mall, etc. We were always wrestling with parking and sending applicants to the ZBA for variances. I'm glad this issue is before us, because we could talk about the parking in general or focus on what's before us. He said I think the Town Board had the mindset with regards to §156-24 looking at the facilities or the available facilities is a metric to determine parking. I think that makes the most sense because they are really limited by the amount of stations that one could shoot at. I wish we could word it in such a way that we could make it broader to use for other types of clubs.

Mr. Frenkel stated are we better served to do that now or do that in the context of the master plan?

Mr. Charbonneau stated for purposes of this application, you are making a suggestion back to the Town Board. You could propose language for purposes of the bigger picture of this applicant or any other applicant that comes before us for a change in our code; you have the backdrop of the master plan.

Mr. Cleary stated the Town Board referred this to you in full knowledge of their proceeding with the comprehensive plan. It appears they are willing to consider this one

change. I do think to your point the metric for golf clubs per golf hole, for tennis courts per court. So per shooting stations is a logical continuity with those provisions. Do we also have to think about per Italian American club or whatever it is in the future, probably? I recommend being consistent with that as well, but that's not what's before us right now. I think we could act on this and perhaps in the referral remind the board to also look at this more broadly in the comprehensive plan.

Mr. Porcelli asked do all shooting stations have the same capacity of shooters. Will it vary per shooting station?

Mr. Calcagnini stated in a cage on a sporting clay course, at station #1 there will be only one person shooting at that station at a time. When you're done shooting that person will step out and the next person will step in. There will be only one person shooting at a time at each station. He said on the trap field there are five positions and there will only be one person shooting at each of those five positions and it's the same for the five stand.

Mr. Cleary stated Mr. Porcelli made a good point. I recommend we add a definition of a shooting station at the beginning of the code.

Mr. Carnazza stated Mr. Porcelli's question is, at each station there are six people standing there.

Mr. Calcagnini stated at a registered event you may have up to six people in each squad (group).

Mr. Cote said that's the four times a year.

Mr. Calcagnini replied that's correct. He said if we are doing a registered event, they will not be shooting on the trap fields.

Mr. Cleary stated the theory behind all parking regulations is you park for the worst case condition. It should be designed to accommodate the worst case condition; you then could limit your site plan approval however you choose. Again, you have to separate Willow Wood from a regulation that can apply to any shooting club and how to address that appropriately.

Mr. Porcelli asked when you have the special events four times a year, how many employees would be there?

Mr. Calcagnini replied we have two employees. He said the members run everything.

Mr. Williams stated one of the things that work in our favor is Willow Wood's exclusivity. So, they actually have a very low parking demand based on the numbers and counts we saw, because it is a higher end club.

Mr. Frenkel stated when he did a site visit there was a former indoor shooting range building. What is the plan for that?

Mr. Calcagnini stated right now we actually house equipment in the old pistol house. We don't use that for shooting. At some point in the future, we might come back with a different application, but that's not now. Indoor shooting ranges are very expensive to build.

Mr. Cleary stated if they did that, they would have to come to this board for an amended site plan.

Mr. Williams stated as you hear this and you think about how to establish a number. You could see how you need the type of uses to the facility.

Chairman Paepre stated in your letter you mention something about the potential to expand, wetlands, tree removal, etc. Can you expand on that?

Mr. Williams stated what we are talking about is there is property available at Willow Wood to expand parking. We could do it with grades, we could do it with walls and engineering, but it happens to be located in areas that are state wetlands and regulated adjacent area. There is another piece of property that fronts on Union Valley Road that Willow Wood owns, where we could create parking spaces, however we would have to cross a stream. So, there are all these environmental factors that we're balancing as opposed to just saying, we could easily put parking in and go seek some permits because the ZBA denied us.

Mr. Calcagnini stated that the areas that Mr. Williams is referring to would be between two houses. So, if another 400 parking spaces went in, you would be surrounding the residential structures there with a huge parking lot.

Chairman Paepre stated our job here tonight is to make a referral back to the Town Board for them to act on.

Mr. Cleary stated as Mr. Charbonneau indicated earlier we have a little bit of time. We have clock that ticks from the referral. It's 45 days and we're a couple weeks into that. We have time; there is another meeting within that period so we could address this. He said you could make a referral tonight and suggest modifications and accept what they have given you. Or the applicant can take what you said tonight and revise their petition and their approach to this and suggest something they know works for them as opposed to us doing it for them.

Chairman Paepre stated in my opinion we should look at doing this per shooting station. It seems to fit a lot more than per member or any other metric we've have discussed. I think we should see this calculated as such and I would ask Willow Wood to do that.

Vice Chairman Giannico stated he agrees that the parking should be calculated by stations. If it's going to be 2 parking spots per station, he would want to confirm the math under the worst case scenario.

Mr. Cleary stated we have nothing to base that on other than the research I have given you, but Willow Wood certainly does.

Chairman Paepre stated it should also include all the employees.

Mr. Cleary stated so the number should reflect your worst case scenario and your employees.

Mr. Calcagnini stated that they have two employees. He asked if it should be done as a formal amendment.

Mr. Cleary stated you do not have to do an amendment to that, because it would then have to go back to the Town Board. What you could do is give us a letter stating what we discussed tonight.

Mr. Charbonneau suggested it be submitted to the consultants and they will then give a memo back to the board in advance of our next meeting.

Mr. Cote asked Mr. Charbonneau if they should submit a proposal as how to do define a shooting station?

Mr. Charbonneau replied yes, it would be a good idea. The maximum number of people, the number of shooting stations, etc.

Chairman Paepre said I think that would help us in the future, because there are other gun clubs that have different kinds of shooting stations.

Mr. Porcelli stated there are only two gun clubs in the Town of Carmel.

Mr. Calcagnini stated basically how I word the language is a station on sporting clays versus one station and in a registered event there could be up to six members of a squad shooting at the one station.

Mr. Cleary stated again, our emphasis is how many people are driving to the site that uses that shooting station.

Mr. Carnazza asked if I brought ten of my friends to the club, would we all shoot on one station or would we have to split up into two different groups.

Mr. Calcagnini stated if you have 10 people you would have to break it up into squads of five.

Mr. Cleary stated that's the metric we are looking for.

Chairman Paepre stated we meet again on February 26, 2020.

MINUTES - 10/30/19, 11/13/19 & 12/11/19

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 7:43 p.m. The motion was seconded by Mr. Cote with all in favor.

Respectfully submitted,

Rose Trombetta