

APPROVED

CRAIG PAEPRER
Chairman

ANTHONY GIANNICO
Vice Chairman

BOARD MEMBERS

KIM KUGLER
RAYMOND COTE
ROBERT FRENKEL
MARK PORCELLI
VICTORIA CAUSA

TOWN OF CARMEL **PLANNING BOARD**



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*Director of Code
Enforcement*

RICHARD FRANZETTI, P.E.
Town Engineer

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

PLANNING BOARD MINUTES **APRIL 28, 2021**

PRESENT: CHAIRMAN, CRAIG PAEPRER, VICE CHAIRMAN, ANTHONY GIANNICO,
KIM KUGLER, ROBERT FRENKEL, VICTORIA CAUSA

ABSENT: RAYMOND COTE, MARK PORCELLI

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>TYPE</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
Jones & Hoag	53.-1-79.1&79.2	P/H & Reso.	1	Public Hearing Closed & Resolution Adopted.
P & R Real Estate Corp	44.13-2-68	Res. Site Plan	1-3	No Board Action.
DPL Realty LLC	44.14-1-22	Res. Site Plan	3-5	No Board Action.
Minutes – 02/24/21, 03/11/21 & 04/08/21			5	Approved.

The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Rose Trombetta

JONES & HOAG – 66 & 72 LOCKWOOD LANE – TM – 53.-1-79.1 & 79.2 – PUBLIC HEARING & RESOLUTION

Mr. Carnazza stated all his comments have been addressed.

Mr. Franzetti stated all his comments have been addressed.

Mr. Cleary stated all site planning issues have been addressed and you have a resolution before you to be voted on.

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

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

Vice Chairman Giannico moved to adopt Resolution #21-04, dated April 28, 2021; Tax Map #53.-1-79.1 & 79.2 entitled Jones & Hoag Final Subdivision (Lot Line Adjustment). The motion was seconded by Mr. Frenkel with all in favor.

P & R REAL ESTATE CORP – 122 GLENEIDA AVE – TM – 44.13-2-68 – RESIDENTIAL SITE PLAN

Mr. Carnazza read his memo which stated the applicant proposes to legalize a four-family dwelling that is listed in my records as a two-family dwelling. The numbers on the zoning table are still incorrect. The coverage allowed is 30%, not 50%, however, the lot complies. 5 of the parking spaces back right out onto Route 52. The minimum building area is not provided (minimum 5,000 sq. ft. Required). Use variance required from the ZBA. Five area variances are required from the ZBA, they are all for existing conditions, but they're required.

Mr. Franzetti read his memo which stated the application involves legalizing an existing multi-family property that currently supports four (4) apartments. Based upon review of the plans provided the Engineering Department offers the following preliminary comments:

- The applicant must provide a water/sewer use report for review;

The applicant provided water billing. A water/wastewater report should be provided that follows the 2014 NYSDEC design standards.

- Referral Putnam County Department of Planning GML 239 M is required.
- The area of disturbance for the work should be provided so as to determine if the threshold criteria of disturbances for the NYSDEC stormwater regulation is exceeded and if coverage under the NYSEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001) and the development of Stormwater Pollution Prevention Plan (SWPPP) is required.
- All curbs sidewalks, manholes and guiderails should be installed per §128 of the Town of Carmel Town Code.
- A lighting plan should be provided.

- Drainage from the site should be addressed.
- A detail for standard duty asphalt in the parking area has been provided. The base layer of pavement should be 8 inches not 6 inches.
- Available sight distances and calculations should be specified on plan. Any clearing along the edge of the roadway right of way (R.O.W.) that may be necessary to assure appropriate sight distances are provided, should be identified. All calculations must be provided.
 - Graphic representation of vehicle movements through the site should be provided to illustrate that sufficient space exists to maneuver vehicles on the site.
 - All turning radii for the site should be graphically provided. This includes the turning radii into the site entrance.

Mr. Cleary stated first and foremost a use variance is required which is a significant obstacle for the applicant. He stated 5 existing parking spaces are located in front of the building which back out onto Route 6, which is an undesirable and dangerous condition. The site has a second driveway which is a shared driveway to a rear property where they are proposing some additional parking spaces. The property is L-shaped and there is additional land in that area, so theoretically there is enough space to re-locate those parking spaces in front of the building and re-create in the rear of the property where there is no issue with backing out onto Route 52. Again, that's an issue we dealt with for years. Most of these properties are pre-existing conditions, but when we have an opportunity to correct that condition, we should try. The second issue with respect to that is by re-locating those parking spaces, if it's possible we are now creating frontage that could be improved. The streetscape could be enhanced. With regards to the shared driveway, I think an easement is needed to get to the back property.

Mr. Robert Sherwood, applicant's architect, addressed the board and stated this is an existing building. When they purchased the building about 20 something years ago, it was a three family. They re-configured it and added one apartment to it. The existing conditions was parking out front with the double driveway. The problem with utilizing the back-lot area for parking are the wetlands there which will open up more hurdles for the applicant.

Mr. Carnazza said the good outweighs the bad in this case. I understand there is a wetland, but if you have a safety concern where people aren't backing out onto Route 52, I think it makes sense to try and go for a wetland permit.

Mr. Sherwood stated I'm not in disagreement with you, but it would be another layer of complexity for the applicant.

Mr. Cleary stated if we understood a little bit more about that wetland, it could be a very low-quality wetland in which case the trade off is easy to make. If it's a significant wetland, however, we need to know that. That information would be helpful.

Mr. Frenkel stated regarding the frontage onto Gleneida Ave, I was there today and I agree and understand the exterior land facing onto Gleneida which is an issue. He asked if there were any plans to add improvements to the façade of the building to make it more attractive.

Mr. Sherwood stated we have added some streetscape and plantings, but with the existing conditions of the driveway being that close, I don't think we could do anything with the landscaping. We could do some modifications to the building. We will bring it up to the applicant.

Chairman Paeprer stated I would like to see something that would wow us. I think we are all very cautious of the line of site. The line of site is dangerous.

Mr. Sherwood stated I understand, but to get the process started, we need a use variance. Before, we delineate the wetlands and do all the other items, can we try and get the use variance first and then come back to the Planning Board.

Mr. Carnazza said generally the board waits until you are at a point where you almost approved and then you get denied to the Zoning Board for the use variance. It should be about 95% complete.

Vice Chairman Giannico stated you will get the consultants memos and take heed in what they said with regards to the frontage and parking.

DPL REALTY LLC – 102 GLENEIDA AVE – TM – 44-14-1-22 – RESIDENTIAL SITE PLAN

Mr. Carnazza read his memo which stated the applicant proposes to add four residential dwelling units on the 2nd and 3rd floors over the existing commercial use(s). This will be a mixed use; only existing mixed uses are permitted in the C-Commercial Zoning District. A use variance required from the ZBA. The following area Variances are required from the ZBA. Lot width, 200 ft. required, 152 ft. proposed, 48 ft. variance. Parking spaces, 10 x 20 required (or 10 x 18 with a raised bumper), 9 x 18 provided with raised bumper, 1 ft. width variance required. What is on the adjacent lot to the north? The outdoor patio is proposed fairly close to the property line. There is no setback for a patio, however, the location should not be right next to somebody's house.

Mr. Franzetti read his memo which stated the application seeks approval for four (4) residential units on the 2nd and 3rd floor of an existing building. This request is in a commercial zone and will require a variance. Based upon review of the plans provided the Engineering Department offers the following preliminary comments:

- Referral Putnam County Department of Planning GML 239 M is required.
- The area of disturbance for the work should be provided so as to determine if the threshold criteria of disturbances for the NYSDEC stormwater regulation is exceeded and if coverage under the NYSEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001) and the development of Stormwater Pollution Prevention Plan (SWPPP) is required.
- The applicant must provide a water/sewer use report for review.
- Sidewalks, manholes and guiderails should be installed per §128 of the Town of Carmel Town Code.
- All planting should be verified by the Town of Carmel Wetlands Inspector. Note should be added to drawing.
- All plantings shall be installed per §142 of the Town of Carmel Town Code. Note should be added to drawing.

- A lighting plan should be provided.
- Available sight distances and calculations should be specified on plan. Any clearing along the edge of the roadway right of way (R.O.W.) that may be necessary to assure appropriate sight distances are provided, should be identified. All calculations must be provided.
 - Graphic representation of vehicle movements through the site should be provided to illustrate that sufficient space exists to maneuver vehicles on the site.
 - All turning radii for the site should be graphically provided. This includes the turning radii into the site entrance.

Mr. Cleary stated this application is very similar to the last application. It requires a use variance to add the residential units above. This site compared to the other property is a better configuration. They need variances for the size of the parking spaces. They are proposing to re-surface the parking lot, so that might be an opportunity to bring the spaces up to conformance rather than seeking the variance. He said regarding the outdoor terrace areas, we're not applying the residential code, so there is no requirement to provide residential open space, however, I think the board should look at that carefully. Now, this will be a residential building, are those two terraces adequate for the people living there. Do we want to see more usable open space? It will be a mixed-use building; how will the parking be distinguished. Will there be tenant parking spaces reserved? Clarify how residential tenant refuse will be accommodated. Is a compactor or internal trash room proposed? Are individual tenants responsible to remove refuse, or is that taken care of by a building superintendent? The new dumpster is situated at the rear of the parking lot, over 150' from the residential entrance. Is a more convenient location available for residential refuse disposal? Is any new exterior site lighting proposed to accommodate the new residential tenants? Clarification is required. Will the conversion to residential use require any modifications to building utility services? Clarification is required.

Mr. Adam Thyberg of Insite Engineering, representing the applicant addressed the board and stated the applicants are looking to turn what is currently office and storage space and they have been unable to rent for the past several years, to residential four units, comprising of a total of six bedrooms. We're showing the outdoor amenity space and we are doing some reconfiguration to meet the requirements for parking. The applicants are quite confident that residential units in this part of Hamlet would be desirable to the public and they are seeking to make the associated amenities attractive to the town as well as prospective tenants. He said the primary issue is the use variance that is required and we're hoping to get that referral tonight.

Chairman Paeprer asked do you think there will be change in utilities for this use?

Mr. Thyberg stated there may be a minor uptick in water and sewage usage. Previously, this was a very vibrant building with a lot of use, which has become considerably less over the last few years.

Chairman Paeprer asked Mr. Carnazza when is an inspection done on these properties, such as fire and building codes?

Mr. Carnazza said a fire inspection is done every three years on these types of buildings.

Chairman Paeprer stated before we make the upstairs residential, shouldn't there be an inspection?

Mr. Carnazza said they will need to meet the code, or else they can't do it.

Mr. Cleary stated if significant renovations are necessary to bring the building up to building code requirements that cost a lot of money, we now have an applicant that may say we can't do some of the things we talked about. Bear in mind, if you make the referral without some of these relatively minor comments being answered, they still could come back to haunt us. I'm not suggesting not to make the referral, but be cautious you know what you're referring.

Chairman Paeprer stated there are two pages of comments and some of them might be minor, but Mr. Cleary brought up a good point. Why don't you try to eliminate some of the variances that are needed, such as parking. Take a look at the site distances, exterior lighting and dumpster.

The board members were in agreement with the Chairman.

MINUTES – 02/24/21, 03/11/21 & 04/08/21

Mr. Frenkel moved to accept the minutes as corrected. The motion was seconded by Mrs. Causa with all in favor.

Vice Chairman Giannico moved to adjourn the meeting at 7:25 p.m. with all in favor.

Respectfully submitted,

Rose Trombetta