

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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MICHAEL CARNAZZA
*Director of Code
Enforcement*

RICHARD FRANZETTI, P.E.
Town Engineer

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

PLANNING BOARD MINUTES
AUGUST 25, 2021

PRESENT: CHAIRMAN, CRAIG PAEPRER, VICE CHAIRMAN, ANTHONY GIANNICO,
RAYMOND COTE, ROBERT FRENKEL, VICTORIA CAUSA

ABSENT: KIM KUGLER, MARK PORCELLI

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>TYPE</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
DPL Realty LLC.	44.14-1-22	P.H.	1	Public Hearing Closed & Planner To Prepare Resolution.
Hirsch, Stacy	66.13-1-7	P.H.	1	Public Hearing Closed & Planner To Prepare Resolution.
Binns Family Trust	75.20-2-2	Site Plan	1-4	Denied to the ZBA.
Fante Subdivision	87.7-1-22	Sketch Plan	4-6	No Board Action.
Yankee Development	76.15-1-12	Extension	7	Applicant Did Not Show Up.
MCSS Self-Storage	55.16-1-8.1	Waiver of Site Plan Application	7	Applicant Did Not Show Up.

Minutes – 07/28/21

Held over.

The meeting was adjourned at 7:28 p.m.

Respectfully submitted,

Rose Trombetta

DPL REALTY LLC – 102 GLENEIDA AVE – TM – 44.14-1-22 – PUBLIC HEARING

The consultants had no comments.

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 Mr. Cote with all in favor.

Chairman Paeprer stated a resolution will be prepared for the next meeting.

HIRSCH, STACY – 311 DREWVILLE ROAD – TM – 66.13-1-7 – PUBLIC HEARING

The consultants had no comments.

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

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

Chairman Paeprer stated a resolution will be prepared for the next meeting.

BINNS FAMILY TRUST – 5 VESCHI LANE SOUTH – TM – 75.20-2-2 – SITE PLAN

Mr. Carnazza read his memo which stated the applicant proposes to add a large building at the existing mixed-use property on Veschi Lane South. On the 1998 approved site plan, the architect only provided for two residential parking spaces, which converts to 1 dwelling unit. Now the submission is for a two-family dwelling. A USE VARIANCE IS REQUIRED. Provide a list of all previous variances granted and/or denied by the ZBA. THE INFORMATION MUST BE ON THE PLAT, NOT AN ATTACHMENT. Remove “PRE-EXISTING, NON-CONFORMING” from the zoning table. The variances were granted for the deficiencies. Variances required from ZBA:

Lot Depth- 200 required, 149 proposed, 51 ft. variance

Rear Yard- 30 ft required, 5 ft. provided, 25 ft. variance

The lot area does not comply; however, a variance was already granted for 16,323 sq. ft. so the variance is still good as it is more than what is required. Can the 25 ft Right of Way or the 15 ft. New York Telephone easement be blocked by cars and parking spaces? He stated this is a question for the planning board attorney. I just want to make sure that it's not a problem that the cars are parking in that location.

Mr. Charbonneau stated this is the easement that was talked about at the last meeting and the answer is yes knowing that if NYSE&G comes along and wants to get at what's underneath they have to move. Historically, they have not.

Mr. Joel Greenberg of Architectural Visions, representing the applicant stated as I mentioned at the last meeting the entire easement is paved, all along Veschi Lane across to Route 6.

Mr. Charbonneau stated if they were to access that easement it would be a large undertaking that would affect a number of properties including this one, so I don't have an issue with respect with parking on the right of way.

Mr. Franzetti read his memo which stated the following:

1. The following referrals would appear to be warranted:
 - a. Mahopac Fire Department

Applicant noted comment and has forwarded to the MVFD.

2. Permits from the following would appear necessary:

- a. New York State Department of Environmental Conservation (NYSDEC) – Coverage under General Permit GP-0-15-002

3. The area of disturbance for the work has not been the amount of this disturbance should be provided to determine is the disturbance exceeds the threshold criteria of disturbance for New York State Department of Environmental Conservation (NYSDEC) stormwater regulations.

The applicant must, at a minimum, provide

- a. erosion and sediment control measures for the proposed work.

Applicant has noted this comment and provided E&SC.

- b. Details on the control of stormwater on the site.

Applicant has noted this comment and provided storm tech units to control water. Areas for storm tech units must be protected by orange construction fencing during construction

4. Should any public improvements be deemed necessary as part of the development of the tract, a Performance Bond and associated Engineering Fee must eventually be established for the work.

The applicant should note that a Performance Bond and associated Engineering fee is minimally required for the stormwater management practices, erosion and sediment control drainage features, landscaping etc. installed on the site. Please see §156-61 J and K of the Town Code for additional information.

5. The applicant will be required to supply a stormwater maintenance agreement and maintenance guarantee per Town Code (§156-85 and §156-87 B respectively) to assure long-term maintenance of all stormwater management practices (SWMP) proposed for the site.

Applicant has noted this comment.

Vice Chairman Giannico read Mr. Cleary's comments which stated the following:

- The zoning compliance summary chart has been updated.
- The proposed structure is a single building supporting a storage use for All County Pest Control.
- The originally submitted site plan drawing has been simplified by breaking it into several drawings depicting existing and proposed conditions, a lighting plan, parking plan, vehicle movement plan and elevations.

- The vehicle template size should be noted on the Vehicle Movement Diagram.
- One vehicle movement “pinch-point” is noted in front of the 2-Story frame office, which may necessitate the relocation of a wood-tie curb, subject to the Town Engineer’s review.
- The Lighting Plan is acceptable, but should indicate if any lighting is proposed at the rear of the new building (along the southern property line).
- The dimensions of the parking spaces have been added to the plan, which demonstrates compliance.
- The applicant has submitted the NY Telephone easement to the Planning Board attorney for review. The Applicant has indicated that there are no restrictions impacting the proposed action.
- Stormwater runoff from the new building will be collected in subsurface “storm-tech” units. Review by the Town Engineer is required.
- The applicant has clarified that the new building will only be served by electric service. No other utility connections are proposed.
- The applicant has indicated that “minor grading” will be required. Any proposed grading should be graphically depicted on the site plan.

Mr. Greenberg stated as far as the grading is concerned it is shown on the site plan.

Chairman Paeprer asked what about the stormwater run-off, how you submitted anything to the Mr. Franzetti to review?

Mr. Franzetti stated they are going to capture and treat stormwater in storm tech unit subsurface infiltrators. They did identify that.

Vice Chairman Giannico asked Mr. Greenberg to point to the “pinch-point” that was indicated by Mr. Cleary on the map.

At which time, Mr. Greenberg pointed to the map showing the “pinch-point”. He stated there are some railroad tie steps which we will replace.

Mr. Frenkel asked will the new building have a restroom?

Mr. Greenberg replied no. There will be just electrical, no plumbing. It will be just for storage.

Chairman Paeprer asked to show a picture of the building.

At which time, Mr. Greenberg displayed the architectural drawing of the proposed building. He said it will be a pre-engineered steel building with garage doors and windows.

Vice Chairman Giannico asked will there be interior partitions between the bays?

Mr. Greenberg replied there will be four partitions.

Chairman Paeprer asked what is the height of the building.

Mr. Greenberg replied the height is 23 feet.

Chairman Paeprer asked if there will be a sprinkler system installed.

Mr. Carnazza replied it's not required.

Chairman Paeprer stated when we have the public hearing you will need to show more details on the architectural design of the building.

Mr. Greenberg stated we will have a color drawing of the building.

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

FANTE SUBDIVISION – 419 UNION VALLEY ROAD – TM – 87.7-1-22 – SKETCH PLAN (2 LOTS)

Mr. Carnazza read his memo which stated the applicant proposes to divide a lot off the existing lot to create one additional building lot. The existing lot (lot 2), with the existing house now needs a 280A variance as the frontage now belongs to lot 1. Variance required- lot depth line for lot 1 exits and re-enters the lot. Provide easements for review by the Planning Board Attorney.

Chairman Paeprer asked Mr. Carnazza to review what a 280A variance means.

Mr. Carnazza stated it's when the lot itself had frontage on Union Valley Road. They cut-off the back of the lot which is the existing house, so the existing house needs 280A because it no longer has frontage.

Mr. Franzetti read his memo which stated this application encompasses a proposal to subdivide a 12 acre parcel at 419 Union Valley Road into 2 lots. Lot 1 will be 4. acres and Lot 2 will be 8.07 acres. There is an existing structure on Lot 2 and Lot 1 is proposed to be developed with a residential dwelling. The development of Lot 1 will need to come back to the Planning Board. The following are preliminary comments:

- The applicant should provide a separate Subdivision Plat.

Applicant noted this will be provided in the Preliminary Plan Submission. This should be provided to Board for their review.

- The configuration of Lot 1 will require a variance as it does not have road frontage. Applicant note that frontage variance is required.

- A Driveway maintenance agreement between lots 1 and 2 should be provided. Applicant noted this will be provided in the Preliminary Plan Submission.

- The steep slope analysis must be provided in color as it is hard to read. Applicant noted that the drawing was provided. The drawing provided is still in black and white. It appears that the proposed house is in areas with slopes at or greater than 35%. This may not meet NYS criteria.

- The Board should be aware that the drawing DOES NOT contain information regarding areas proposed to be reserved for open space.

Applicant noted this will be discussed with the Board prior to Preliminary Plan Approval. .

- As the subdivision plans are refined, all missing elements mandated by §131-13 should be incorporated into the project's design plans. Based upon our review of this submittal, the Engineering Department offers the following comments regarding the future development of lot 1.

Otherwise this Department has no objection to subdivision being presented.

I. General Comments

1. The following referrals would appear to be warranted:
 - a. New York State Department of Environmental Conservation (NYSDEC)
 - b. New York City Department of Environmental Protection (NYCDEP).
 - c. Putnam County Department of Planning GML 239M
 - d. Putnam County Department of Health (PCDOH).
 - e. Town of Carmel Highway Department
 - f. Mahopac Fire Department

Applicant noted these referrals with the exception of NYSDEC and NYCDEP. Additional information should be provided to support these comments.

2. Permits from the following would appear necessary:
 - a. NYSDEC - for stormwater.
 - b. NYCDEP for stormwater and sub-surface treatment system (SSTS).
 - c. PCDOH for well and SSTS.
 - d. ECB for wetlands permit.

Applicant noted these permits exception of NYCDEP and ECB.

3. The plan should specify the total area to be disturbed in order to determine Stormwater Permitting requirements for both the NYSDEC GP-0-20-001 and NYCDEP. Applicant noted the area of disturbance at 23,800 sq ft. The project will need to seek NYSDEC stormwater permits.

4. Should any public improvements be deemed necessary as part of the development of the tract, a Performance Bond and associated Engineering Fee must eventually be established for the work. The applicant will need to develop a quantity take off for bonding purposes

Applicant noted this requirement.

5. The applicant is advised that a stormwater bond and maintenance guarantee, pursuant to §156.87 of the Town Code, may be required.

Applicant noted this requirement.

Vice Chairman Giannico read Mr. Cleary's memo which stated the applicant has responded to the initial site plan review comments as follows:

- The applicant has indicated that they will seek 280-A Open Development from the Town Board for the creation of the land-locked parcel. This should be noted on the plans.
- The required lot width variance is now noted on the plan.
- The applicant has indicated that they are unwilling to relocate the proposed home to a less constrained location, because they wish to take advantage of the view of the pond and to set the home into the slope to create a walk-out basement.

- Water well setbacks have been added to the plans.
- The applicant has indicated that the amount of tree removal is minimal and is requesting a waiver of the tree plan.
- The driveway easement requires review by the Planning Board attorney.
- The applicant has indicated that there are no wetlands surrounding the pond and the nearest disturbance is 200' from the edge of the pond, so ECB approval would not be required. The Wetland Inspector should determine if any documentation is required to justify the claim that no wetlands are present.

Chairman Paeprer asked Mr. Charbonneau if he reviewed the driveway easement.

Mr. Charbonneau stated he hasn't received anything.

At which time, a discussion ensued regarding the driveway easement.

Mr. Carnazza stated the driveway easement will be part of the requirement for the 280A. That is something they do not grant without having all of that in line.

Mr. Franzetti stated as far as the comment of the Wetland Inspector making a determination of wetlands, as the Wetland Inspector I do not tell them where the wetlands are, they need to have them delineated and then I go to confirm the wetlands. That needs to be clarified for the board and the applicant.

Chairman Paeprer stated we need a little more clarification on the minimal tree removal.

Mr. Besharat asked do you want a quantity of trees or do you want each individual tree marked up?

Mr. Carnazza suggested to do a tree plan for the area or disturbance.

Chairman Paeprer stated if it is truly minimal, it shouldn't be a problem. We need something for the record.

Mr. Besharat replied he understood and asked to be denied to the ZBA.

Chairman Paeprer replied no, there are too many comments that need to be addressed.

Mr. Besharat stated the other issues you are talking about are in the comments that Mr. Karell had stated will be addressed at the preliminary stage not at this stage.

Mr. Carnazza said the subdivision ordinance tells you which sections you have to do for which step you are in. If he does up to sketch, then he's okay for sketch. It's all spelled out in the code.

Chairman Paeprer reminded Mr. Besharat about the driveway easement.

Mr. Besharat stated he will discuss it with Mr. Karell.

YANKEE DEVELOPMENT – PIGGOTT RAOD – TM – 76.15-1-12 – EXTENSION OF PRELIMINARY SUBDIVISION APPROVAL

Applicant did not show up.

MCSS SELF-STORAGE – 155 HUGHSON AVE – TM – 55.16-1-8.1 – WAIVER OF SITE PLAN APPLICATION

Applicant did not show up.

MINUTES – 07/28/21

The minutes were held over.

Mr. Frenkel moved to adjourn the meeting at 7:28 p.m. The motion was seconded by Mrs. Causa with all in favor.

Respectfully submitted,

Rose Trombetta