

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



60 McAlpin Avenue
Mahopac, New York 10541
Tel. (845) 628-1500 – Ext.190
www.ci.carmelny.ny.us

MICHAEL CARNAZZA
*Director of Code
Enforcement*

RICHARD FRANZETTI, P.E.
Town Engineer

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

PLANNING BOARD MINUTES
OCTOBER 14, 2021

PRESENT: CHAIRMAN, CRAIG PAEPRER, RAYMOND COTE, ROBERT FRENKEL
MARK PORCELLI

ABSENT: VICE CHAIRMAN, ANTHONY GIANNICO, KIM KUGLER, VICTORIA CAUSA

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>TYPE</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
Fante Subdivision	87.7-1-22	Subdivision	1	Public Hearing Scheduled & Planner to Prepare Resolution.
Hamlet at Carmel	66.-2-58	A. Site Plan	1-5	No Board Action.
70 Old Route 6, LLC.	55.11-1-15	Re-Approval	5-6	1 Year Re-Approval Granted.
Minutes - 08/25/21 & 09/09/21			6	Approved.

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Rose Trombetta

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

Mr. Carnazza read his memo which stated LABEL THE PLAT “FINAL....”. The applicant’s engineer is requesting a waiver of the tree plan. I visited the site with Chairman Paeprer on 10/12/21. There are only ½ dozen trees in the area of disturbance and the owner stated that he will be planting many trees to replace the trees he is removing to buffer the house from the adjoining properties. Variances granted and are noted on the plat. All Final Plat zoning details are provided.

Mr. Cleary read Mr. Franzetti’s memo which stated the Engineering Department has no objection to subdivision being presented. He stated there are other permits and approvals that are required and will be conditions of subdivision approval.

Mr. Cleary stated my comments are the same as Mr. Carnazza. The applicant has indicated that the amount of tree removal is minimal (approximately 6 trees, between 6” and 8” dbh), and is requesting a waiver of the tree plan.

Chairman Paeprer stated he visited the site last week, and the majority of the work that needs to be done is to remove brush. The owner of the property owns a nursery (garden center) and I have no doubt in mind that when the project is done the property will look a lot better then it is today.

Mr. Charbonneau stated he reviewed the two easements that affect the property and are clearly noted on the map as well, there are no issues with respect to those.

Mr. Cote stated he had no problem with waiving the tree plan.

Mr. Porcelli was in agreement.

Mr. Cote moved to schedule a public hearing. The motion was seconded by Mr. Porcelli with all in favor.

Mr. Karell asked if a draft resolution could be prepared if there is objection at the public hearing.

Chairman Paeprer asked Mr. Cleary to draft a resolution for the next meeting.

Mr. Cleary stated it will include the waiver of the tree plan and any requirements from the Mr. Franzetti.

HAMLET AT CARMEL – STONELEIGH AVE – TM – 66.-2-58 – AMENDED SITE PLAN

Mr. Carnazza read his memo which stated the applicants propose to develop a 120 unit Multi-Family Development with the necessary parking and recreation spaces on 35.28 acre parcel. This project is for all ages, not a Multi-Family Dwelling for the Elderly. The ZBA interpreted that Multi-Family Dwellings are permitted in the R-Residential zoning district in May of 2021 and that 5 units/acre are permitted in July of 2021.

I spoke to the Engineer about the Garden Type Apartment requirement. Variance is not required for section 156-28A, however, upon completion of the building(s), the applicant

will need to submit the average elevations for review/approval BEFORE a Certificate of Occupancy will be issued.

Mr. Cleary read Mr. Franzetti's memo which stated The Engineering Department advised the Planning Board we had met with applicant on October 5, 2015. The following should be noted:

- The re-approval request is for the previously Planning Board approved site, any site changes which may be contemplated by the applicant may trigger a new site review process and regulatory review.
- The performance bond and engineering inspection fee will need to be increased to reflect current costs.
- Stormwater maintenance agreement and bond will be required.
- The Out of District (OOD) Water and Sewer agreements will need to be updated to reflect the proposed use. The applicant is in the process of amending the existing OOD water and sewer agreements. The amendment will result in a reduction from the previously approved flow of 72,000 gpd (for water and sewer) to 42,000 gpd of flow (for water and sewer). The Engineering Department performed a flow assessment and the reduction is acceptable.

This Department met with applicant on September 29, 2021 regarding this comment and comments related to the water/wastewater report (this document is still under review). The applicant has noted that they will meet with the Town Board to have the water and sewer OOD approvals lowered to 32,230 gallons per day.

Mr. Cleary stated the applicant has responded to the most recent review comments as follows:

- The applicant has clarified the intention to develop "middle-income" housing. The project is proposed to include 75 units of affordable housing, 57 units of which will be available to households whose income is 60% of AMI₁ (for a family of four, the income limit calculates to approximately \$69,000). 9 additional units would be made available to households with incomes between 80% - 90% of AMI. These units would serve households with incomes to approximately \$99,000. Additionally, 15% of the units (12 units) would be set aside for essential workers. Clarify who will be responsible for administering the affordable housing program.
- The Applicant has submitted their HCR funding application, which documents the project financing.
- The Applicant has submitted a Community Service EAF Excerpt, prepared by Tim Miller Associates, which documents the following:
The unit/bedroom count is now fixed. As a result, the project will generate a population of 372 new residents and 46 new school-aged children. The educational costs of these students is projected to be between \$275,000 – \$550,000 annually, and the project will generate ¹ The Putnam County 2021 AMI is \$81,700. \$613,357 annually in school taxes, which would completely off-set the increased educational costs of the new students.
The site currently generates \$156,465 annually in real estate taxes to all taxing jurisdictions. The proposed development is projected to generate \$945,940 annually in taxes (a net surplus of \$881,845).
- The Applicant has clarified that there would be no discernable difference in the demand for community services (fire, police, EMS, etc.) between the previously approved market rate development and the proposed affordable housing.
- The Applicant conducted updated traffic counts at the Drewville Road/Stoneleigh Avenue intersection during the last two weeks of September. The results are not

yet available. If these counts indicate a significant increase in background traffic volumes, then a full analysis of all three intersections studied on 2007 will be redone. The 100-vehicle threshold presented by the Applicant is the appropriate metric.

- The Applicant has documented that remote workers constitute an increasing large percentage of the workforce, resulting in decreased peak hour traffic volumes.
- The site disturbances have been clarified. The 2008 plan's 23.9 acres of disturbance and 6.3 acres of impervious surfaces has been reduced to 20.3 acres of disturbance and 6.1 acres of impervious surfaces.
- The anticipated water usage is approximately half of the flow originally allocated for this site.
- A stormwater management plan is provided on Drawing SP-3. Review by the Town Engineer is required.
- The Applicant has clarified that the visual impact of the project will be generally similar to the 2008 plan. The development footprint will be smaller, and a greater number of existing trees will be preserved along the site's perimeter. However, the current plan includes 2½ story buildings instead of the 2 story buildings in the prior plan, which may be more visible.

Mr. Jeff Contelmo of Insite Engineering, representing the applicant addressed the board and stated we have a submitted a comprehensive response to issues primarily related to environmental review as well as questions related to fiscal and traffic impacts. The traffic analysis has not been completed as of yet. He stated relative to Mr. Franzetti's comments, we have responded to most of his comments. There are a couple of open issues, such as the traffic and the out of district water and sewer agreement. We have an executed water, sewer agreement for 72,000 gallons a day flow. Our project right now is proposing for 32,000 gallons a day, so it's less then half. The applicant has agreed to amend the agreement that exists between the district and the property owner to reduce the allocation. With regards to architectural review, we submitted architectural drawings. All our buildings have a similar style.

Mr. Ken Kearney addressed the board and stated what we have done in other municipalities in regards to architectural review is the planning board would appoint a sub-committee to arrange zoom calls with our architect and have gone back and forth on issues. That would be my suggestion to the board. He said I have worked with the same architect for 25 years. With all of our buildings we do not use vinyl siding, we use hardiplank siding. He said the affordable and mixed income building will look the same on the inside, but the inside will look a little different. We have applied for funding and we will probably hear something by Thanksgiving or December. The initial response was very well received.

Chairman Paeprer stated he also thought it was a good idea to have the architects and a couple of board members involved early in the process.

Mr. Frenkel said I think we should do better then what was built in Somers.

At which time, the board members and applicant continued to discuss the architectural review process.

Mr. Frenkel stated you have made a substantial case with comparing the tax revenue, post project to pre-project that there will be an increase. You have also shown when you compare the cost of the development to the taxes, you have shown a marginable excess over that. He asked what is being left on the table in terms if the entire project was market rate housing, what the difference between that number would be versus the revenues as you are projecting them?

Mr. Kearney stated it is a complex question with a complex answer. In the 25 years of doing this, I have found with the mixed income that affordable which I haven't developed one nor have I seen a project in New York State that "carries their own weight" in regards to taxes. A mixed income affordable project does not generate enough income to carry that. This is the first time in my career that I have been able to mitigate the impact. We are building 75 units at market rate next door at full taxes at a tax rate that is rather substantial. This is first time in 30 years that I have been able to offset the impact with market rate as opposed to affordable.

Mr. Frenkel stated looking at what was submitted, the market rate units are valued at \$16 million and the affordable portion is valued at \$7 million. If this was completely market rate are we saying the valuation would be \$32 million?

Mr. Kearney replied hypothetically or consequently it could be \$14 million if it was 100% affordable.

Mr. Frenkel asked what would be the tax result of \$32 million?

Mr. Kearney replied you would have to double what the market rate is.

Mr. Frenkel asked what would be the tax revenue?

Mr. Kearney replied the tax revenue on the market rate is approximately \$600,000, so it would be double that.

Chairman Paeprer asked have there been any conversations with the fire department with regards to the driveway going to the complex?

Mr. Kearney replied we will reach out to the fire department. The buildings will have 100% sprinkler system.

At which time, Mr. Contelmo pointed to the drawing showing the southernly entrance to the hospital which was constructed as part of a joint project between the former property owner of our property and the hospital. That joint project included construction of a southernly access for the hospital that continued straight through into our property. Right now, the hospital peels off of that common driveway in two locations. The first one brings you to the emergency room and the second brings you to the parking lot. That's the way it was planned and approved as part of the original approval. There was a full DEIS and FEIS done for this project. He added your application process includes a submission to the fire department which we do and we usually don't hear from them.

Mr. Cleary stated just to be clear the geometry of that driveway from the original approval has not changed. We have spent a lot of time making that work properly. That's not changing. Whether the fire department wants another standpipe or hydrant, that's what they will focus on, not changing the access.

At which time, a conversation ensued regarding the hospital entrance and maneuvering of ambulances and the driveway to the proposed property.

Mr. Cote asked what is the definition of an essential worker, because you have 15% or 12 units set aside for an essential worker.

Mr. Kearney stated New York State is very careful to allow preferences. When COVID hit, they said you could use a preference for essential workers. The preference is still in effect, so if we get funded that preference would stay, but they could roll it back. An essential worker is a very broad range. Basically, anyone that works in a hospital, such as a janitor, clerical, etc.

Mr. Cote stated you show a bus shelter on the drawing, have you communicated with the PARC to have a bus come through there?

Mr. Contelmo stated we met with the school director of transportation based on the comments from the last meeting. We talked about bringing the bus into the complex and turning it around at the first intersection and providing a bus shelter there. We have incorporated that into the plan and have submitted it back to them, but we haven't heard back from them yet. As far as the County bus, we haven't spoken to them yet. There was some talk about that in the DEIS, I will research it and revisit that issue with them.

Mr. Kearney stated we are fortunate that we're the last stop before the county and town line.

Mr. Cote asked have you done a study to determine or figure out how much affordable housing Town of Carmel needs?

Mr. Kearney answered I will get that for you. He said there was one done for all of Putnam County, I will say the Town of Carmel's needs exceeds the 75 units here.

Mr. Frenkel ask if whether the staff of Putnam Hospital would be prime candidates for the affordable housing?

Mr. Kearney replied if they keep the 15% of essential workers as part of the count, I think the prime candidates for some of the affordable units, I think we will see that. On the market rate side, I think we will get some interest. I think it will make it easier for the hospital to attract and retain help.

Chairman Paeprer stated we have a little bit of work to do. We'll engage the architectural firm and our teams earlier rather than later as you work on the infrastructure comments.

70 OLD ROUTE 6, LLC – 70 OLD ROUTE 6 – TM – 55.11-1-15 – RE-APPROVAL OF FINAL SITE PLAN

The consultants had no comments.

Chairman Paeprer asked how long has this project been around?

Mr. Cleary replied a very long time and the issue with this is the approval carried with it mitigating measures and cleanup measures associated with it which were a benefit to the

community. So, if we could keep those in place through re-approving this, that's benefit to everybody.

Chairman Paeprer asked if anyone has been out to the site lately?

Mr. Carnazza replied I have been there several times. The cleanup has gotten much better. He still has a little work left to do, but he's been working on it.

Chairman Paeprer asked can we continue that progress?

Mr. George Vignogna, Owner of property addressed the board and stated everything that needed to be done for the DEC's approval has been completed. Actually, there is nothing left to do as of two weeks ago. It's completely done.

Chairman Paeprer asked what is the future of that property?

Mr. Vignogna replied I'm trying to sell it. I have two prospective buyers now.

Mr. Cote moved to grant re-approval of final site plan for 1 year. The motion was seconded by Mr. Frenkel with all in favor.

MINUTES – 08/25/21 & 09/09/21

Mr. Frenkel moved to approve the minutes as corrected. The motion was seconded by Mr. Porcelli with all in favor.

Mr. Cote moved to adjourn the meeting at 7:45 p.m. with all in favor.

Respectfully submitted,

Rose Trombetta