

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
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Town Engineer

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

PLANNING BOARD MINUTES **OCTOBER 27, 2021**

PRESENT: CHAIRMAN, CRAIG PAEPRER, VICE CHAIRMAN, ANTHONY GIANNICO,
KIM KUGLER, RAYMOND COTE, ROBERT FRENKEL, MARK PORCELLI,
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	P.H. & Reso.	1-2	Public Hearing Closed & Resolutions Adopted.
Delamere-Fitzpatrick Family Chiropractic	75.59-1-2	Special Site Plan	3-5	No Board Action.
Gateway Summit & The Fairways	55.-2-24.6,24.7 24.8	A. Site Plan	5-9	Denied to ZBA & Lead Agency Declared.
910 South Lake Blvd LLC	75.44-1-57,64	A. Site Plan	10-12	Lead Agency Declared.
Shallow Stream Properties	87.8-1-4,5,6	Lot Line Adj.	12-13	Denied to ZBA.
Putnam Humane Society	55.11-1-21	Waiver	13	Waiver of Site Plan Application Granted.

The meeting was adjourned at 8:24 p.m.

Respectfully submitted,

Rose Trombetta

FANTE SUBDIVISION – 419 UNION VALLEY ROAD – TM – 87.7-1-22 – PUBLIC HEARING & RESOLUTION

Mr. Carnazza stated this is on for public hearing. All zoning comments have been addressed. Variances were granted and are noted on the plat.

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 applicant has met the requirements for sketch plat as defined in §131-11.

I. Detailed comments:

- A Driveway maintenance agreement between lots 1 and 2 should be provided.

Applicant noted this will be provided in the Preliminary Plan Submission. These should be reviewed by Planning Board Counsel

- The Board should be aware that the drawing DOES NOT contain information regarding areas proposed to be reserved for open space.
- The Board should be aware that the October 1, 2021 cover letter indicated that no land is proposed to be reserved for open space and that a recreation fee will be paid in lieu of land. A note should be added to the drawing.
- A legend should be provided on the drawings.
- Show existing electric utilities the location the proposed electric utilities on the site will be run.
- Provide a construction sequence on the drawing.
- Septic system and well permits are required from the Putnam County Health Department. This should be established as a conditions of final subdivision approval.
- Additional details regarding the control of runoff from the driveway onto lot 2 must be provided.
- The amount of fill, if any, being brought to the site should be provided.
- All fill brought to the site must be certified per NYSDEC regulations and manifests/certification of the fill material being delivered should be provided. A note should be added to the drawing.
- The applicant has indicated that supplemental landscaping will be provided. A landscaping Plan must be provided.
- All plantings shall be installed per §142 of the Town of Carmel Town Code. Details should be added to the sheet D-1 and a note added to the drawing.
- All planting should be verified by the Town of Carmel Wetlands Inspector. A note should be added to the drawing.
- 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.

- Permits from the following would appear necessary:
 - NYSDEC - for stormwater.
 - PCDOH for well and SSTS.
- Should any public improvements be deemed necessary as part of the development of the tract, a Performance Bond and associated Engineering Fee must be established for the work. The applicant will need to develop a quantity take off for bonding purposes.
- Applicant indicated that this is not a requirement. 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.
- 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.

Mr. Cleary stated all site planning issues have been addressed and you have two resolutions to be voted on tonight.

Chairman Paeprer stated a lot of the comments that Mr. Franzetti is asking for, your client has and I think it's very reasonable for you to convey that to the board for the record.

Mr. Jack Karell, applicant's engineer addressed the board and asked if they wanted him to go over each of the comments.

Chairman Paeprer replied I want you to provide the responses to the Town Engineer.

At which time, 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.

Mr. Cote moved to adopt Resolution #21-11, dated October 27, 2021; Tax Map #87.7-1-22 entitled Fante Subdivision SEQOR Determination of Significance Negative Declaration. The motion was seconded by Mr. Frenkel with all in favor.

Vice Chairman Giannico moved to adopt Resolution #21-12, dated October 27, 2021; Tax Map #87.7-1-22 entitled Fante Subdivision Final Subdivision Approval to include comments by Town Engineer. The motion was seconded by Mr. Frenkel with all in favor.

DELAMERE-FITZPATRICK FAMILY CHIROPRACTIC – 87 ELLEN AVE - TM – 75.59-1-2 – SPECIAL SITE PLAN (HOME OFFICE)

Mr. Carnazza read his memo which stated the applicant proposes to legalize an existing Chiropractic Practice in the Residential Zone. The Code allows “Office of a Professional in a Residence”. This Professional office is now in the 2nd residence. Use Variance Required for the expansion of a pre-existing, non-conforming lot containing two one-family dwellings. Provide # of employees (you provided number of patients) The parking calculation now includes the residence, but you used the incorrect parking calculation. I provide the correct calculation below. There are several area variances required from the ZBA: Lot area, Depth, Side Yd. (Workshop), Rear Yd., Rear yd.(Workshop), Rear yd.(office), Rear Yd. (garage). The sign does not meet the requirements. 2 sq. ft. allowed, you provided 8 sq. ft. which is incorrect; the measurement for a sign is based on the smallest rectangle to encompass the entire sign. You left off the E-911 number. The chicken coop must be 15 ft. from the property line and provide an easement. The Architect claims they have an easement (please provide the easement for review). The owner of the adjacent property must obtain a variance and permit for the coop. It is not on this lot. I need to discuss this list with the Architect. The plan is still confusing.

Mr. Joel Greenberg of Architectural Visions, representing the applicant stated Mr. Carnazza is correct about the chicken coop. He said there is easement stating that the applicant has the right to use the chicken coop. He said if we need a variance the neighbor would have to apply for the variance.

Mr. Carnazza said it doesn't negate the requirement for the variance.

Mr. Greenberg stated so it would have to be a separate application from the other property owner.

Mr. Carnazza stated that's correct or move it onto their property.

Vice Chairman Giannico asked is it theirs to move or does it belong to the other property.

Mr. Greenberg stated the chicken coop belongs to Fitzpatrick and they have an easement to go on the neighbor's property to take care of the chickens.

Mr. Franzetti stated the applicant has noted the following referrals:

General Comments

The following referrals would appear to be warranted:

Mahopac Fire Department

Putnam County Department of Health

Applicant has noted this comment

Permits from the following would appear necessary:

Putnam County Department of Health for Septic.

The drawing indicates 850 sf of disturbance. This area of disturbance must be identified/delineated on the drawing. This area should include the proposed driveway modifications and rain garden.

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.

Applicant has noted this comment

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

Detailed Comments

1. Erosion and sediment controls for the site must be provided.
2. It is unclear if any additional electric utilities are being installed.
3. A lighting spill plan must be provided.
4. Stormwater control (erosion and sediment control) details must be provided
5. Paving (parking area) details must be provided. These must meet Town Code of 8" base, 3" binder and 2" top.
6. Guiderails details must be provided. These must meet Town Code.

The Board should note that the Engineering Department met with Mr. Joel Greenberg and the owner Mr. Fitzpatrick on September 22, 2021. The following was discussed:

7. Applicant was directed to place silt fencing up where there has been soil disturbance (upper driveway and Ellen Ave.);

This has been provided on the drawing. Additional details are required.

8. The only viable location for a turn off is at the upper western section of the driveway (left side as you go up the driveway;

This has been provided on the drawing. Additional details are required.

9. Guiderails are to be installed;

This has been provided on the drawing. Additional details are required.

10. Applicant was ok with restricting (not having) truck traffic go up driveway (the reason is that he is spending a lot of money for the driveway and does not want it destroyed);
11. Applicant is to address drainage issues from site and runoff from driveway. Per the owner there is an ice formation at the bottom of the driveway;

This has been provided on the drawing by the use of a rain garden. Additional details are required.

12. The applicant talked about a pathway to the newly excavated area to park vehicles. I recommended that all site features be placed on the drawing for approval. However, I was not able to answer if the applicant does not install a feature and waited if this would affect any approvals or COs. Joel was directed to meet with Mike Carnazza to discuss this further.

13. Applicant is to meet with Mike Simone (Highway Superintendent) as the applicant has performed excavation at the south-east corner of the property and is now parking a car in the location;

14. The applicant was directed, as there is an application in front of the Planning board, that no work should be performed on the site until it is approved. The owner has performed some grading work at the top of the driveway and on Ellen Ave.

Chairman Paepre stated the board and applicant should note that complete submittal package of the approved drawings and documents must be submitted to the planning board office as part of final approval. We're asking that of everybody.

Mr. Cleary stated I don't have additional comments, just the issue of the significant pitch of the driveway and whether or not there could be an intermediate pull-off in case someone is coming up or down. Mr. Greenberg has located an area on top of the

driveway, but the issue the board raised at the last meeting hasn't been addressed. Whether you think this is satisfactory or not is an issue for the board to address.

Mr. Greenberg stated no trucks will be allowed on the driveway. The only people going up the driveway will be the patients. Also, in order to avoid conflicts of patients going up and down the driveway, there will be a 15-minute gap between appointments. However, we found a spot to pullover that Mr. Franzetti felt was adequate enough. He stated we will take care of additional details that the Town Engineer had in his memo. He said we discussed the drainage and rain garden which will be attractive and will be at the bottom of the driveway.

Mr. Cote stated this is shaping up to be a nice project, but my only concern is the issue raised by Mr. Cleary. I understand you're going to stagger the appointments 15 minutes apart, but the reality is we all know that doctors sometimes run a little late and patients show up 10 minutes early. He said it's a steep and winding driveway.

Mr. Greenberg stated it's a straight driveway, there are no turns except when you reach the top. He said we could put up signs or whatever the Town Engineer feels is necessary. He said we will take care of additional items and return in a couple of weeks.

Chairman Paeprer asked what was the feedback from the Highway Superintendent?

Mr. Greenberg stated there was a little area down passed the driveway on Ellen Ave that he used to park one of vehicles. After speaking to Mr. Simone, we decided to abandon that and it's not an issue anymore.

Chairman Paeprer asked has the fire department been there?

Mr. Greenberg stated we sent the application to them, but they haven't commented yet. He stated he will call the fire department to get feedback from them. He said the driveway we be repaved and we are putting a guardrail as suggested by the Town Engineer and a catch basin down at the bottom of the driveway, so nothing goes out onto Ellen Ave. The ice situation will be resolved because all the water is going into the rain garden.

At which time, a discussion ensued regarding where the pull-off will be on the driveway.

Mr. Cleary said when you come back to the board clarify on the drawing where the pull-off will be on the driveway.

Mr. Greenberg replied okay.

GATEWAY SUMMIT & THE FAIRWAYS MULTI-FAMILY HOUSING – ROUTE 6 – TM – 55.-2-24.6, 55.-2-24.7 & 55.-2-24 - AMENDED SITE PLAN

Mr. Carnazza read his memo which stated the applicant proposes to amend the previous approval for multi-family senior housing to include non-age restricted multi-family housing in the R-Residential section of the development. These are townhouse style, which is allowed by right in the R-Residential Zoning District. The layout will not substantially change, however, the change of code between the two types of housing necessitate two additional variances. SIDE YARD- 100 ft required, 40 ft. provided, 60 ft. variance required SEPARATION DISTANCE- 50 ft. required, 20 ft. provided, 30 ft. variance

required. I recommend additional GUEST parking. This is always an issue when dwelling units only have 2 parking spaces and are developed at high densities. I would recommend additional spaces, spaced along the main road so everybody has access to them.

Mr. Franzetti read his memo which stated as identified by the applicant it is necessary to obtain area variances from the Zoning Board of Appeals (ZBA) for building separation and property line setback. Creates a unique procedural situation. The applicant proposes the following three-step:

1. Initial project review with the Planning Board and SEQRA assessment based on a comparison of the current plans with the approved plans and the SEQ RA findings to confirm compliance of the revised projects, and then referral to the ZBA.
2. Seek two (2) area variances for the ZBA.
 - a. To allow a reduction in the side yard setback to 40 feet for the multi-family housing buildings in the Residential Zone for the projects in lieu of the required 100-foot setback.
 - b. To allow a reduction in the separation distance between multi-family buildings to 20 feet in the Residential Zone for the projects in lieu of the permitted 50-foot separation.
3. Provide the Planning Board with detailed review of the amended site plans and architecture for the projects after meeting with the ZBA. The Engineering Department has no objection to referring this project to the Zoning Board. The Engineering Department has reviewed information provided by the applicant and the State Environmental Quality Review Act (SEQRA) Lead Agency Finding Statements. Minimally a more detailed review of the following aspects of the project will be need to be performed:
 - Water and wastewater flows;
 - Stormwater management; and
 - Traffic impacts

The following should be noted as related to permits:

Putnam County Department of Health (PCDOH) Requirements

- The PCDOH approved the wastewater collection system plans and they are valid until October 12, 2022.

New York City Department of Environmental Protection (NYCDEP) Requirements

- The NYCDEP approved the Stormwater Pollution Prevention Plan (SWPPP) for this project on August 21, 2007.
- The NYCDEP provided a conditional extension to the August 21, 2007 SWPPP on October 29, 2012.
- The conditions of the SWPPP are now set to expire on August 22, 2022.
- The NYCDEP approved an extension of the design approval on May 13, 2010. The permit is set to expire on November 7, 2024.

New York State Department of Environmental Conservation (NYSDEC) Requirements

- The NYSDEC wetlands permit is set to expire on September 9, 2025.
- The NYSDEC granted a stormwater permit on June 18, 2007. According to the NYSDEC website, this permit is still in effect.
- The NYSDEC updated the General Stormwater Permit in 2020 (GP-0-20-001)
- Per the NYSDEC if a project was approved under an earlier version of the General Stormwater permit and is being built under an updated version of a General Stormwater permit, the applicant does not need to meet the updated technical criteria, only ministerial criteria.

Mr. Cleary stated this project has a long history before the Planning Board. The original development called for 150 senior housing units on The Fairways site. The development on the Gateway Summit site consisted of a hotel, conference center, retail, office and restaurant uses, a new YMCA and 150 units of senior housing. The SEQR review of these two combined projects involved a Generic Environmental Impact Statement, and established threshold guidelines for subsequent site plan applications, including the use of "SEQRA Threshold Evaluation Forms" created by the Planning Board. He stated this is amended to the plan that was submitted in 2016. It's a little bit different and there are elements to this that we never considered before, such as non-age restricted housing which has the potential to generate school kids and we haven't looked at that before. As a result of that and time has passed and traffic studies these days because of COVID issues, so some of these issues need to be re-visited. We need to go back and re-assess those issues and re-adopt another negative declaration prior to approving the project. They have done a very good job of submitting documentation to address that, but there are some issues that need to be cleaned up nothing of significance. As of result of that, we should re-assert our role as the lead agency and instead of relying on an outdated Neg Dec, sometime in the future we should redo that Negative Declaration. He said the two variances that are required are area variances and they are no subject to SEQR. I agree with both Mr. Carnazza and Mr. Franzetti to refer this to the Zoning Board of Appeals while they deal with the site plan issues that Mr. Franzetti noted and the environmental issues that need to be fleshed out as well. For the sake of advancing the project, I think you could consider a referral to the ZBA at this point in time. He said it's essentially the same project with different tenancies within the buildings.

Mr. Jeff Contelmo of Insite Engineering, representing the applicant addressed the board and stated this project went through a unique environmental assessment that is done under the guise of what's called a Generic Environmental Impact Statement. He stated my firm got involved in with this project in 2004. There were some early master plans developed for what was a 7 lot subdivision. Lot 1 was to contain a hotel which fronted on Route 6. Lot 2 was a restaurant, lot 3 was a pharmacy, lot 4 was a small office building, lot 5 was a YMCA and lots 6 and 7 were senior housing of 150 units each totaling 300 units. This comprehensive environmental review process by way of a Generic Environmental Impact Statement took place between 2004 and 2007. That involved review by the town, public input from the town and input from all the approving agencies including the DEC, DOT, DEP, Putnam County Department of Health and Putnam County Planning. It also had a very involved review by the river keeper and the watershed Inspector General. It yielded what everybody thought it was a good plan. He said because it was a GEIS, a process was developed where future portions of this when it came forward would be measured against the thresholds that were established for each of the lots and the project overall. We have gone through that process with the board between 2008 to present. At the end that process, a few things happened. The State and DOT decided they were going to eliminate the bridge on Route 6 and put the bikeway in under Route 6 through a culvert. He said our client partnered with the DOT. The DOT spent \$3 million to do that. \$1 million of it was from the property owner. They worked jointly together to put the bike path through there. After that the applicant decided to put his entrance in. There is a cobblestone entrance with a center island and trees. All of those improvements were done by the applicant sometime in 2009 for another million-dollar investment which included not just that entrance, but the extension of all the water, sewer and gas services from Old Route 6 and points on Route 6 up into the property to allow what will be a town road to access six of the seven lots. The developer of the hotel has not seen the market to pull the trigger on that project. That developer also pursued an assisted living proposal that came before your board several years ago. He

said that project is not controlled by the applicant for this project, but this applicant does control lots 2 through 7. We are here tonight to only talk about lots 6 and 7. In 2009 we concluded all of our environmental reviews and procured all of our permits from all the different entities involved. We were fully approved and ready to break ground.

Unfortunately, we were a year late and the real estate market bottomed out. What happened in 2009 to 2016 was a lot of nothing. We continued to renew our approvals and wait for the market to come back. Unfortunately, the market came back slow overall, but especially slow for senior housing developments in the Town of Carmel. A senior housing development attracts only a small part of the market, so you need a robust setting to be able to draw a financeable buildable project. Unfortunately, that didn't happen in the period from 2009 to 2016, but we did keep all our approvals up to date. In 2016, we got a builder who wanted to partner with the property owner and do a project. We came back to this board and the project included cottages, town homes and an apartment style multi-family building. To make all of that work, the builder needed to go to three stories over parking in lieu of the code permitted two stories over parking. We went to the ZBA and the variances were granted. Again, market twists and turns the builder decided not to continue. Since 2016 to present we continued to keep approvals up to date for the 300 units on lot 6 and 7. He said the pandemic changed housing needs regionally. We have seen a big influx of people from the city who want a house with a couple of extra rooms to be able to work from home. Recently, through the Zoning Board of Appeals the multi-family provision could be applied to properties in the R-residential zone. A portion of our property is in the R-residential zone which allows us to take some of the 300 units and make them non-age restricted, therefore, opening up the market and putting us in a better position to come up with a viable project which is financeable and buildable. And that's where we are today. The applicant has been talking to several builders who are very excited to come to Carmel and build this type of project with these types of units. As part of it, we work with them to come up the footprints, architecture programming that would be involved with the project. The project remains essentially the same as originally approved in back in 2009. We have two parcels totaling about 150 acres. Each of those parcels is arranged with infrastructures associated with roads, sewer, water, drainage and stormwater management. Those basic utilities in that infrastructure stays relatively the same. We have changed the unit types and the arrangements of how the unit types are set up.

At which time, Mr. Contelmo displayed a color-coded map showing lots 6 and 7 and zone lines consisting of residential and commercial. He said lot 6 is primarily senior housing with a small group of non-age restricted housing and lot 7 is all non-age restricted housing totaling 186 non-age restricted and 114 of the age restricted housing. The age restricted is the same architecture as it's been all along. The non-age restricted are all townhomes. He said our age restricted portion is 100% conforming to zoning. With the non-age restricted portion of the code a couple of things change. One is the perimeter setback goes from 40 feet to 100 feet and secondly, age restricted has no separation requirement between buildings and non-age restricted has a 50-foot separation between buildings. So, we are seeking the two variances for the separation between buildings and 100 foot setback. He said we are trying to keep that great project in the same form, but make it work as best we can with the code and market. Lastly, if we get the variances that we need, we'll then jump into all the details that pertain to all the revisions we have to do. Our mission this evening is to get a referral to the ZBA and if successful come back with all the details.

Vice Chairman Giannico asked do you think the 3 story townhomes for the age restricted portion will have an appeal?

Mr. Contelmo replied that's not-age restricted. At which time, he pointed to the map showing the what's age restricted and non-age restricted. He said all of the uphill units are 3 stories. None of the 3 story units are age restricted.

Mr. Frenkel asked if these units will be offered as a condominium?

Mr. Contelmo replied I don't think that decision has been made yet. He said the current arrangement we have approvals for are for a condominium and we are on that same track right now.

Mr. Frenkel asked if they could find out what the taxes would be if it's not a condominium.

Mr. Contelmo replied I could certainly ask that question, I'm not sure if it's a feasible option to builder/developer, but I'll ask the question.

Chairman Paeprer asked is this project all in the Town of Carmel?

Mr. Contelmo replied this land is 100% in the Town of Carmel, but it involves two school districts.

At which time, a discussion ensued regarding the two school districts and how the taxes are allocated to each town.

Chairman Paeprer asked if fire department review was done.

Mr. Contelmo stated we have had fire department review as far as the roads, unit locations and 3 story buildings over parking is concerned. He said we have no problem meeting with them again.

Mr. Carnazza asked if the lot lines will stay exactly how they are.

Mr. Contelmo replied there is a filed map for this as part of the original 2009 approval that established the 7 lots and their arrangements. We are proposing a slight amendment to the two lots. He said when we return we will have to get a lot line adjustment or subdivision approval to re-arrange the lots between lots 6 and 7.

Mr. Carnazza asked will it be worth putting all the non-age restricted on one lot and the age restricted on a separate lot?

Mr. Contelmo replied it really doesn't matter.

Chairman Paeprer stated this board we be lead role in architectural review also.

Mr. Contelmo replied okay.

At which time, Mr. Cote moved to declare lead agency. The motion was seconded by Mr. Porcelli with all in favor.

Mrs. Causa moved to send the application to the ZBA. The motion was seconded by Mrs. Kugler with all in favor.

910 SOUTH LAKE BLVD LLC – 910 SOUTH LAKE BLVD – TM – 75.44-1-57 & 64 – AMENDED SITE PLAN

Mr. Carnazza read his memo which stated the applicant proposes to remove a garage and boarding house and rebuild a three-story, multi-family building. A use variance is required from the ZBA for the multi-family in the C-Commercial Zoning District. Several area variances are required from the ZBA. Is trash enclosure location accessible by the hauler? Provide details. Provide a guardrail and wheel stops along Rt. 6 at the parking area. How much fill will be removed or added? Will there be blasting for this project? The architectural consultant needs to be part of this process. It is a redevelopment that is going to set the bar for that area of the village. This project needs to be referred to ECB once it is nearly complete. I recommend additional GUEST parking. This is always an issue when dwelling units only have 2 parking spaces and are developed at high densities. Getting a variance in the downtown area that already has a parking issue might not be granted.

Mr. Franzetti read his memo which stated this application encompasses a proposal to replace two existing buildings with mixed use (retail and multi-family) with a new multi-family single building. Based upon review of this submittal, the Engineering Department offers the following preliminary comments:

General Comments:

1. The following referrals would appear to be warranted:
 - Mahopac Fire Department
 - New York City Department of Environment Protection (NYCDEP)
 - New York State Department of Transportation (NYSDOT)
2. Permits from the following would appear necessary:
 - NYSDOT – depending on improvements to the ingress/egress and connection into catch basins
 - NYCDEP – wastewater flows, and Designated Downtown area
3. An electronic version of a Short Environmental Form must be provided.

Mr. Franzetti stated he will provide the applicant with the other comments, because there are too many to go through.

Mr. Cleary stated the applicant has re-submitted a site plan application that was originally presented to the Planning Board in 2020. That project involved demolishing an existing 14-unit apartment building and adjacent garage/workshop, and replacing them with a new 3-story, 15-unit multi-family apartment building, a new 30 space parking area, and associated site improvements.

The current plan has been modified as follows:

- The number of dwelling units has been increased from 14 to 18.
- The building footprint has been enlarged from 4,732 square feet to 4,780 square feet.
- The overall building square footage has been increased from 14,196 square feet to 14,340 square feet.
- The building has been setback further, from 16.1' to 39.1'.
- The number of off-street parking spaces has been increased from 30 spaces to 36 spaces.

He stated with the first submission, some of the concerns we had related to the access points. This application is one way in and one way out. We were concerned whether or

not that was appropriate given its location. Should it be a single driveway and that issue was never resolved. That's still a topic to be discussed. He said now that it's being used a multi-family residential use, there is no open space being provided on the site for the residents of the property. Can any be provided, there isn't much room left on the site. He said this plan includes an entire perimeter of plantings around the edge of the property. A site lighting plan is required. Architectural plans, elevations and project renderings are required. Given the location of this site in the hamlet, review by the Board's architectural consultant is recommended.

Mr. Michael Mastrogiacomo, applicant's engineer addressed the board and stated we are taking down the existing structures. He stated since I took over this project, we tried to reduce some of the variances. We pushed the building back and made it a little longer. We created some green (lawn) space in the front. We kept the parking layout as it was before to maximize the number of parking, because we need a lot of parking spaces. We have ingress and egress around the building. The rear of the building has handicapped accessibility to the first floor of the residential building and there will be elevator to go up and down. We provided drainage for the rooftop. We are planning on using pervious asphalt for the driveway and parking area instead of impervious asphalt to reduce the amount of drywells and any effects to the surrounding neighbors and Route 6N.

Mr. Frenkel asked if this will be rentals or for sale units.

Mr. Mastrogiacomo replied they will be rentals.

Chairman Paeprer asked how many rentals are proposed?

Mr. Mastrogiacomo replied 18 units with two bedrooms in each unit.

Mr. Frenkel asked what do you envision for the façade?

At which time, Mr. Mastrogiacomo displayed elevation renderings to the board.

Chairman Paeprer stated it fits well with the downtown revitalization. This will improve the area significantly once you get through the hurdles.

Mr. Cote stated parking in that area has always been a significant problem. He asked can you take a hard look and try to get the number of spots increased beyond?

Mr. Mastrogiacomo replied we have tried every which way. He said we can make these 90 degrees (points to map) and could probably pick up two more spots in the front, but then it will minimize the amount of green space in the front and would take away from the front of the building.

Mr. Carnazza stated I don't think we want parking in front of the building.

Mrs. Kugler stated I like that the parking is in the back. Right now, what lies on Route 6N is an eyesore. Keeping the cars parked in the back is much more beneficial for the downtown area.

Chairman Paeprer stated at this point the applicant should work with the consultants on some of these issues and declare ourselves as lead agency.

Mr. Franzetti stated that will help the process with the NYCDEP. It is in a designated main street and a SWPPP has to be reviewed and approved by them.

Vice Chairman Giannico moved to declare the Planning Board as lead agency. The motion was seconded by Mr. Cote with all in favor.

SHALLOW STREAM PROPERTIES INC – 145 & 153 SHINDAGEN HILL ROAD – LOT LINE ADJUSTMENT

Mr. Carnazza read his memo which stated the applicant proposes to move a lot line to create two compliant lots off Shindagen Hill Rd. 156-61M (e) A lot line adjustment shall not result in additional lots, any lot becoming substandard nor increase/decrease any lot by more than 20% or 20,000 square feet of its original lot area. Provide details showing compliance with this section. It does not appear that the submittal is in compliance with this section. If it is not, a minor subdivision can be submitted to achieve the same lots. 156-61M4(a)[1] Proposed project name or identifying title (must include "lot line adjustment" in the title). Provide Lot Line Adjustment in title on S-1.

Mr. Franzetti read his memo which stated the Town of Carmel Engineering Department does not have any comments regarding the lot Line adjustment being proposed. The applicant should note the following, per §156-61 M. of the Town of Carmel Town Code:

- Signature book for Planning Board Chairman to endorse approved plat.
- The scale of the inset drawing should be 1" = 800'
- Location of all structures, wells, and septic systems.
- Putnam County Department of Health approval.

Mr. Cleary stated with all lot line adjustments clarify the purpose of the proposed lot line adjustment. Are new homes proposed to be built on the lots? The applicant should clarify if either of the newly proposed lots are environmentally constrained (with regulated wetlands, watercourses, steep slopes, etc.). Obviously, creating new lots that are undevelopable is not advisable.

Mr. Paul Lynch of Putnam Engineering, representing the applicant addressed the board and stated testing has been done for Health Department purposes and there are viable percolation and deep tests. The applicant is currently under construction with his house and that's the reason why they want to move that lot line. Lot 1 will have one house which they will live in and lot 2 has a viable area for septic (points to location on map).

Mr. Carnazza asked do you currently have three lots on the property? Isn't there a landlock lot in back?

Mr. Lynch replied there are three tax map numbers.

Mr. Carnazza said so you're making two lots out of three lots.

Mr. Lynch replied that's correct.

Vice Chairman Giannico asked will the lots be conforming?

Mr. Cleary replied yes.

Mr. John Gilmore, owner of property addressed the board and stated when he bought it there were three tax lots with two deeds. Somewhere along the line someone didn't combine the back piece into the front piece.

Chairman Paerprer said this application will need some variances.

Mr. Cleary replied yes for the excessive size (20%).

Mr. Carnazza stated you are only allowed to transfer 20,000 square feet or 20% of the lot area and you're doing more on both lots but, you're making compliant lots.

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

PUTNAM HUMANE SOCIETY – 71 OLD ROUTE 6 – TM – 55.11-1-21 – WAIVER OF SITE PLAN APPLICATION

Mr. Carnazza read his memo which stated the applicant purchased the property across the street from the Humane Society to get the dogs and dog walkers off Old Route 6 which is safer for them and also the dogs will now be walking on grass and not blacktop. They propose to add a fence with a gate for security. I have no objection to the waiver of site plan approval.

Mr. Franzetti read his memo which stated the Putnam Humane Society purchased as a 1.026 parcel across from their existing facility. The purpose of this is to have an area for dogs to be walked. The proposal includes the addition of a six (6) ft tall black chain link fence. The applicant is requesting a waiver of site plan application for the referenced project. The Town of Carmel Engineering Department does not have any comments regarding the request as long as there are no changes being made to the site.

Mr. Cleary stated he had no objection to the waiver request. One minor item it is recommended that an appropriate cross-walk location be identified on Old Route 6, and properly designated.

Mr. Carnazza stated there are some flashing signs there that they may be able to situate a little better. They could put them in a better spot.

Ms. Michele Dugan, President and Shelter Director of the Putnam Humane Society addressed the board and stated she has been with the Humane Society since 2000. She stated we purchased the vacant property across the street and we closed about a month ago. We walk the dogs there instead of up and down Old Route 6. At which time, Ms. Dugan displayed photos of staff walking the dogs up and down the road and the vacant land which is about an acre of property. She said the dogs are much happier.

Mrs. Causa moved to grant waiver of site plan application. The motion was seconded by Mr. Frenkel with all in favor.

Vice Chairman Giannico moved to adjourn the meeting at 8:24 p.m. The motion was seconded by Mrs. Kugler with all in favor.

Respectfully submitted,

Rose Trombetta