

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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AICP,CEP,PP,LEED AP
Town Planner

PLANNING BOARD MINUTES
DECEMBER 9, 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>
Binns Family Trust	75.20-2-2	P.H. & Reso	1	Public Hearing Close & Resolutions Adopted.
Hamlet at Carmel	66.-2-58	A. Site Plan	1-5	Public Hearing Scheduled.
Western Bluff Subdivision	66.14-1-20	Subdivision	6-8	Public Hearing Scheduled.
Minutes – 10/27/21 & 11/18/21			8	Approved.

The meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Rose Trombetta

BINNS FAMILY TRUST – 5 VESCHI LANE SOUTH – TM – 75.20-2-2 – PUBLIC HEARING & RESOLUTION

Mr. Carnazza had no comments.

Mr. Franzetti had no comments.

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

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.

Mr. Cote moved to adopt Resolution #21-16, dated December 9, 2021; Tax Map #75.20-2-2 entitled Binns Family Trust SEQR Determination of Significance Negative Declaration. The motion was seconded by Mr. Frenkel with all in favor.

Vice Chairman Giannico moved to adopt Resolution #21-17, dated December 9, 2021; Tax Map #75.20-2-2 entitled Binns Family Trust Site Plan Approval. The motion was seconded by Mr. Cote with all in favor.

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

Mr. Franzetti read Mr. Carnazza's memo which stated the applicant propose to develop a 150 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. There will be "market rate" and "affordable" units on this project. 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. Will this project be fully built before any C.O.'s are issued? If this will not be the case, a C.O. issuance schedule should be submitted and approved as part of the Plat before final approval. Town Code required the entire project to be constructed before any C.O.'s are issued, however, if the project is approved with a C.O. schedule, showing how each "Phase" complies with the zoning code, I can issue C.O.'s before the project is fully complete. The Engineering Dept. needs to confirm this project conforms with section 156-28A(13) which reads "*adequate water supplies shall be made available the entire year for fire protection purpose...*".

Mr. Franzetti stated the applicant has been addressing the pages of comments. We need to talk about water and sewer going forward. They have noted comments about the permits that are needed, about references that are needed. They have re-performed the wetland delineation and they are meeting with the NYCDEP. They need to provide documentation on that. The SWPPP has been updated and will be submitted to the NYCDEP. He said a traffic study was provided and will submit the documentation to the Putnam County Department of Highway and Facilities. We should hire a traffic consultant to review and confirm it. 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. 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 §156-61J and K of the Town Code for additional information. He said this is moving along at a good pace. The water and sewer is something we still need to discuss and the applicant is aware of that.

Mr. Cleary stated at the last meeting we talked the update of the environmental review of the project. The applicant has done a very good job, but there were a couple of outstanding items that required some further clarification. The applicant has provided that. He said the applicant (The Kearney Group) will develop the project and also serve as the property manager once the project is occupied. As such, they will be responsible for administering the affordable housing program. The EAF has been updated to specifically address the following issues:

- The data for the updated traffic counts at the Drewville Road/Stoneleigh Avenue intersection are now available. Since the original 2006 traffic study, the volume of traffic at this intersection has decreased by 10.1% during the morning peak hour and 13.2% in the afternoon peak hour. As such, the 100-vehicle increase threshold established by the Planning Board has not been exceeded. It can be concluded that the project would not result in an additional significant adverse traffic impact at this location.
- The fiscal impact analysis has been updated. In summary, the analysis indicates that the development will result in the generation of \$874,706 in tax revenue, and produce municipal service costs of \$760,728 (this includes costs for police, fire and associated services, and also the cost to the Carmel Central School District) – resulting in a net surplus of \$113,978. As a result, no adverse fiscal impact will result from the proposed action.

Mr. Cote stated I'm not saying that the study is wrong, but that intersection is definitely busier now than it was years ago. He said maybe we should have our own traffic consultant review the numbers and give us an opinion.

Mr. Franzetti stated the intersection at Drewville Road and Stoneleigh Ave is slated to become a traffic circle (rotary). He said I don't know if this was included in the study or if it impacts the study at all. He said I just want to make sure the board and the applicant is aware of that.

Mr. Jeff Contelmo of Insite Engineering, representing the applicant addressed the board and stated with respect to Mr. Carnazza's comments, we are aware of the C.O's sectioning that he needs us to do and we will get that clarification on the map. As far as the adequacy of the water supply which is a zoning requirement and we have responded to in the past. We presented a water and sewer to the board and Town Engineer. We are in the out of district user for both sewer district 2 and water district 2. There is adequate water for that purpose. We have also met with the fire department based on the request of the board. They are very happy to hear that we are sprinkling all of our buildings despite your code requirements. We are above and beyond the code.

Chairman Paeprer asked will there be a retention pond on site to help in case of a fire?

Mr. Contelmo replied there are four large stormwater basins. Those basins are really not ideal for firefighting purposes. There are not large volume, some are shallow, that's not really part of the plan in terms of fire protection.

Mr. Franzetti stated we have talked about possibly having some kind of installation of a tank or extra storage in that area for fire suppression and that's why we are still reviewing the water the sewer reports on that. That's something that was mentioned to the applicant and they were looking into it.

Mr. Contelmo stated just to be clear, we are not looking into it. We did meet with the Town Engineer and reviewed the water and sewer reports that have produced. We also have a out of district agreement for both water and sewer and our out of district agreement is for much more flow then we actually need. Mr. Kearney has made the commitment to the Mr. Franzetti and the board that once things are settled on his programming and his conditional approvals are in place he will then reduce that commitment to be congruent with what we are looking for with this project which is substantially less then what the current agreement is. That will take some pressure off the district in terms of obligations going in the future. He said putting a tank in place for firefighting purposes is a slight challenge, but if we are asked to look at that, we will look at it.

Mr. Franzetti stated you should consider it. We talked about maybe the feasibility of it. Whether or not it's feasible is something you have to come back and let us know.

Mr. Contelmo replied we will look into that. As far as the water and sewer connections, we have obtained all approvals for water and sewer connections and we have modified those connections to accommodate the new arrangement. He stated as far as traffic is concerned, our firm did not prepare the traffic and environmental review. He said there is a slight decrease in traffic in the immediate area. As pointed out in the study, we're less then the threshold that the SEQR workbook says is significant which is 100 vehicle trips per hour. We are at about 50 vehicles. The previously approved senior housing project was hovering in the high 30's, so we're not talking about a significant change in traffic. He said if the board needs to have this looked at closer by your consultant, certainly do so and let us know.

Mr. Ken Kearney addressed the board and stated in regards to the water pressure as it relates to fire suppression, we have dealt with this issue in the past. What we ask is that as the architectural plans are submitted, there are tests that are run such as calculations that are done by our fire sprinkler company that has to meet certain requirements. He said we have had to use fire pumps at a couple of our locations to increase the fire flows. We respectfully request there be a condition of site plan approval that the Building Inspector has to sign off or agree with analysis of the calculations that the fire suppression company. I'm not going to build a project that has inadequate sprinkler flow. He stated in regards to the traffic, there has been a lot of movement at Putnam Hospital, such as Somers Orthopedic for example, a very large orthopedic provider that took up a tremendous amount of space in the hospital has moved to Danbury Hospital. There has been a shifting in office space, not only in the hospital but also office spaces in the that area that are empty. The traffic counts are down by 10%. The fellows who did this traffic study for us, have done numerous traffic studies for us and has always been accepted. He said we are waiting to see if we will secure the funding on the affordable units. We should hear before the end of the month. Normally, these funding rounds come out once a year, but because of COVID the state is backed up one year, so fortunately if we don't get funded in this round, they're coming out with another round, where applications would be due by late

February. If I wasn't funded, I would think the reason I wasn't was because of approvals, etc. He stated to satisfy any questions, he asked if there was a possibility of setting a public hearing and hopefully be back here in February for a resolution. That's my goal.

Chairman Paeprer stated now is a good time to move on to the architectural appearance of the buildings. Present with us tonight is our consultant John Anastasiou.

Mr. John Anastasiou addressed the board and stated we held a pre-submission meeting on November 10th and the applicant had eight drawings and each sheet had the 1st floor plan and front elevation of each building. Overall, it was well received. They showed a nice palette of material choices. The applicant gave a brief description of the layout and based on that submission I prepared a memo that was dated November 15th. The purpose of the memo was to give guidance to the applicant to complete their architectural review board package and to also help them in attaining the town's desire to implement a New England aesthetic into the architectural features of the buildings. He said the application that was received was incomplete. A bulk of the comments were just advising the applicant what needed to be further submitted to complete application in terms of drawings and other details, materials and color choices. He said a couple of days ago we received another set of drawings and I will be reviewing that and setting up another meeting with the applicants to review that package. Based on what we have seen, the initial aesthetic was well received. We had some comments about delineating the roof line making it more scalable rather than having a continuous ridge. We advised that perhaps the ridgeline needs to be broken down a little bit or create segments within the overall length of the building to make it more scalable and not make it monolithic. Bring it down into scale, so that it's a little bit more pedestrian friendly. In addition, we suggested that perhaps a couple different color palettes be prepared since this is a development that has multiple buildings, it could get a little monotonous if all the buildings have the same color palette. He said in the subsequent package that was submitted there are two schemes that are presented where they will alternate the colors, which is welcomed. He said the direction is there, we are just looking for more refinement of detail and articulation of the building geometry to make it more scalable.

Chairman Paeprer asked what is the material for the siding?

Mr. Anastasiou replied the applicant has proposed is a fiber cement siding. It's going to be in different colors. It looks like traditional wood siding, but it's a fiber cement material and it comes pre-painted from the factory.

Mrs. Kugler stated the applicant has been very supportive and their ideas are great. We had talked about adding more of a New England style approach to the buildings, adding some lights to the windows, adding shutters which they have shown on the new drawings. We are headed in the right direction so far and I like what we're seeing. Seeing color samples later on will be a big help.

Chairman Paeprer asked when will we see renderings and samples of materials?

Mr. Kearney stated normally we bring that for the public hearing.

Mr. Frenkel asked about landscaping.

Mr. Anastasiou stated the original submission didn't include any of that, so one of my comments were to provide it on a site plan showing landscaping opportunities, signage, lighting, etc.

Mr. Contelmo stated we have that showing on this drawing (points to map). He said it shows schematically the evergreen trees, large deciduous trees, foundation planting shrubs and special seed mixes. The lighting is laid out as well.

Mr. Frenkel stated I see trees on the outside, but what about trees in the inside?

Mr. Contelmo said we have some evergreen trees in key areas for screening purposes and then we have rhythm of larger deciduous trees that line the roadways in certain areas and around the parking lots.

At which time, a discussion ensued regarding the different types of trees showing on the drawings.

Mr. Kearney asked Mr. Anastasiou if he received the 2nd submission from his architect.

Mr. Anastasiou replied yes, we did receive an updated package a couple of days ago that was more substantive than the first package we received. It hasn't been fully reviewed yet, but he had a cover letter that addressed my comments from my memo and there were additional drawings.

Chairman Paeprer stated we could do some zoom meetings to go over the 2nd submission with the architects and a couple of board members.

Mr. Cleary stated we have been challenged to articulate what is a New England feel mean, we now have an expert to help translate that with respect to the design.

Mr. Porcelli stated I think what we're looking for is something before the public hearing to see where it's headed.

Vice Chairman Giannico stated we want to all agree on the physical structure. What the roof line is going to look like. What the elevations is going to look like. We all need to be agreement with that. The colors can and will follow.

Chairman Paeprer stated at this point I willing to schedule a public hearing for the second week in January. During that time, please work with Mr. Franzetti to work on the traffic and water situation. He said if everyone agrees we should make a motion to schedule a public hearing for the second week in January and working in parallel with the architect and Mr. Franzetti on the water.

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

WESTERN BLUFF SUBDIVISION – 350 WEST SHORE DRIVE – TM – 66.14-1-20 – 3 LOT SUBDIVISION

Mr. Cleary read Mr. Carnazza's memo which stated the applicant proposes a three-lot subdivision off West Shore Drive in Carmel.

- Wetland Permit is required from the ECB.
- The easements must be submitted to Town Counsel for review. (Lot 3 to Lot 2 and Lot 1; Lot 2 to Lot 1, etc.)
- All zoning comments have been addressed. I have no further comments for Preliminary Approval.

Mr. Franzetti read his memo which stated the project encompasses subdivision of a 14.79-acre parcel into three (3) lots. The project is located on West Shore Drive. The Engineering Department offers the following preliminary comments on the preliminary subdivision plan provided:

General Comments

The following referrals would appear to be warranted:

- a. Mahopac Fire Department - application submitted May 2017 and per the applicant no response has been provided. The applicant called the MVFD in 2018.
- b. Town of Carmel Environmental Conservation Board - application made to ECB in May of 2017 and a resubmission was made on July 14, 2021.

The ECB directed the applicant to proceed with NYCDEP Stormwater Permit and PCDH permitting and return to the ECB upon resolution of permitting with those Departments. Therefore, the applicant has not received coverage under the §89 Freshwater Wetlands of the Town of Carmel Town Code and will need to do so prior to any site work being performed.

Per the applicant all comments by the ECB have been included in the drawings.

- c. Putnam County Department of Health – needed for water and SSTS

The applicant has met and received comments from the PCDOH. Per the applicant upon approval of the project by the Carmel Planning Board, we will submit to PCDH for final signatures.

- d. Town of Carmel Highway permit - needed for the driveway.

A Curb Cut Permit is required from the Putnam County Department of Highway and facilities (PCDHF).

Applicant had previously noted the need for these referrals/permits. None have been provided

A Stormwater Pollution Prevention Plan (SWPPP), as detailed by the New York State Department of Environmental Conservation (NYSDEC) is required.

A SWPPP has been provided. The applicant will need to apply for coverage under the NYSDEC General Permit for Construction Activities (GP-0-20-001)

A SWPPP, as detailed by the New York City Department of Environmental Protection (NYCDEP) Pursuant to §18-39 of the NYCDEP Watershed Rules and Regulations is required.

The applicant provided an approved SWPPP from the NYCDEP.

Should any public improvements (i.e., stormwater controls, etc.) 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. No update has been provided. 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 has noted the need for this bond. No update has been provided.

Detailed Comments

1. Information regarding any/all easements (water, sewer stormwater etc.) should be provided;

The applicant has provided the following proposed easements, as shown on the Subdivision Plat by metes and bounds:

- Access and utility easement over Lot #3 in favor of Lots #1 and #2.
- Access and utility easement over Lot #2 in favor of Lot #1.
- Drainage and maintenance easement over Lot #1 in favor of Lot #2.

These should be reviewed by Planning Counsel

2. All re-grading required to accomplish the intended development of each lot must be shown.

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.

3. Any existing PCDOH approvals for either lot should be submitted, for the Board's records.

Applicant has noted comment and will provide copies once approved by PCDOH.

4. Graphic representation of vehicle movements through the site should be provided to illustrate that sufficient space exists to maneuver all types of vehicles anticipated at the site.

The applicant has graphically provided this information at the modified site entrances for a UPS truck. Turning radii should be provided for vehicles at the proposed residences. In addition, it should include turning radii for fire trucks or any other delivery trucks that are going up that road.

Mr. Cleary stated we are at the preliminary review stage on this application. We adopted the negative declaration in 2018 allowing them to go to DEP. There are a couple of details that need to be submitted. He said this is the 3-lot subdivision that shares a common driveway throughout, so Mr. Franzetti's comment about circulation is a relevant comment because it's not a town standard road. Access for the fire department and delivery vehicles is a concern and we should know a little bit more about that. Clarification if lighting is proposed along the common driveway. A specific site investigation is required to determine if the documented presence of "Large Twayblade" (*Liparis lillifolia*) 1961-06-17 – endangered/threatened species is present on the site. The applicant has clarified that an open space reservation is not proposed, and a fee-in-lieu will be provided. The applicant has clarified that the previously proposed retaining wall has been removed from the plan. The plan has been revised to note that all driveways will be compliant with the maximum grade provisions. Sight distance improvements are required consisting of trimming vegetation along the site's frontage. If located within the right-of-way, Town approval will be required.

Mr. John Kellard of Kellard Sessions, representing the applicant addressed the board and stated at the last meeting, I thought the board was in line with moving to a public hearing once the engineering comments were satisfied. He said we will provide a turnaround at each house. We're thinking of providing grasscrete pad at each house to accommodate a UPS truck or fuel truck.

Mr. Franzetti stated you need to show it on a drawing.

Mr. Kellard replied will do.

Mr. Cleary stated this is an oversized parcel and there is plenty of room to do this on the site.

Mr. Kellard stated it's a 15-acre parcel, we are requesting a subdivision of three lots averaging about 5 acres in size. We are servicing the lots with a common driveway. We have one curb cut on the County road, we have a short stretch of driveway which will be accessed by the three homes. One house branches off at about 75 feet into the site, the other two homes continue up on a common driveway. Once it passes the first lot, the remaining portion of the driveway is private. He stated we have an agreement with the health department on the location of wells and septic. We did all our testing for stormwater and we received NYCDEP approval.

Chairman Paeprer stated we could move on to a public hearing subject to clarifying the endangered species and Mr. Franzetti's comments.

Mr. Cote moved to schedule a public hearing subject to addressing the issues that were outlined by our consultants. The motion was seconded by Vice Chairman Giannico with all in favor.

MINUTES – 10/27/21 & 11/18/21

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 7:58 p.m. with all in favor.

Respectfully submitted,

Rose Trombetta