

# **APPROVED**

**CRAIG PAEPER**  
*Chairman*

**ANTHONY GIANNICO**  
*Vice Chairman*

## **BOARD MEMBERS**

**KIM KUGLER**  
**RAYMOND COTE**  
**ROBERT FRENKEL**  
**VICTORIA CAUSA**  
**JOHN NUCULOVIC**

## **TOWN OF CARMEL** **PLANNING BOARD**



60 McAlpin Avenue  
Mahopac, New York 10541  
Tel. (845) 628-1500 – Ext.190  
[www.ci.carmel.ny.us](http://www.ci.carmel.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** **SEPTEMBER 28, 2022**

**PRESENT:** CHAIRMAN CRAIG PAEPER, VICE-CHAIRMAN ANTHONY GIANNICO,  
KIM KUGLER, RAYMOND COTE ROBERT FRENKEL, VICTORIA CAUSA,  
JOHN NUCULOVIC

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<b><u>APPLICANT</u></b>	<b><u>TAX MAP #</u></b>	<b><u>TYPE</u></b>	<b><u>PAGE</u></b>	<b><u>ACTION OF THE BOARD</u></b>
Kiwi Country Day School	77.17-1-31&32	A. Site Plan	1	No Board Action.
The ARC Mid-Hudson	66.15-1-10	A. Site Plan	2-3	No Board Action.
Messina Family Trust	65.6-1-36	Site Plan	3-4	No Board Action.
Jedlicka, Regina	64.13-1-16	Sketch Plan	4-5	No Board Action.
Town of Carmel Comprehensive Master Plan & Zoning Code			5	Discussion.
Minutes – 08/11/22			5	Approved.

The meeting was adjourned at 9:06 p.m.

Respectfully submitted,

Rose Trombetta

**KIWI COUNTRY DAY SCHOOL – 825 UNION VALLEY ROAD – TM – 77.17-1-31 & 32 – AMENDED SITE PLAN**

Mr. Cleary stated the primary issue with the board was what will the yurts be used for. Also, what has changed on the site. The submission included notes around the perimeter of the plan that to the changes of the drawing. Prior to you executing this, those notes should be reflected by physically taking out or removing those things on the plan. Mr. Cleary stated as per Mr. Carnazza's memo since this property now includes the single family residence, it has now been merged into the camp which will require a use variance.

Chairman Paeprer stated we should get the 2015 changes and the 2022 proposed changes and put it all on one map. The final map should be all inclusive.

Mr. Cleary stated the notes clarify it, but I would rather see the picture rather than the notes.

Chairman Paeprer asked if the yurts will be used for overnight activities.

Mr. Adam Thyberg of Insite Engineering, representing the applicant addressed the board and replied no. They will be used for programming during camp hours. Since, we were last before the board we met with Mr. Carnazza to discuss the uses of all the structures on the site and it has all be labeled and clarified. We have also provided additional detail with regards to the proposed gate at 31 Blossom and the yurts (points to map). He said essentially the yurts are like big tents. He said a use variance was previously provided for the director's residence use. We are simply re-locating it and I will be happy to go over it with Mr. Carnazza for his final interpretation of what needs to be done.

Mr. Cleary asked do you think you may not need the use variance?

Mr. Thyberg replied ultimately Mr. Carnazza will have to make an interpretation on it and we're hoping to come back in a couple of weeks and in the interim we could meet with Mr. Carnazza and get a final determination.

Vice Chairman Giannico asked if the yurts will be taken down after the summer season.

Mr. Thyberg replied they may or may not. They will not be used during the winter. It will be up to the manufacturer's recommendation.

Vice Chairman Giannico asked how are they anchored?

Mr. Thyberg stated there is a wooden platform and the yurt is attached to that.

Mrs. Causa asked how many yurts?

Mr. Thyberg replied we're proposing four yurts.

Vice Chairman Giannico asked Mr. Thyberg to get more details regarding how the yurts will be anchored, especially in the event of a severe storm with high winds.

Mr. Cleary stated I think it would be a benefit to have a fixed base that's there permanently, so if they are seasonal you could put them back in the same spot every year.

Mr. Thyberg stated we will get final clarification on whether or not we need a use variance.

**THE ARC MID-HUDSON – 575 DREWVILLE ROAD – TM – 66.15-1-10 – AMENDED SITE PLAN**

Mr. Cleary stated we all had comments on this application. Essentially, they are proposing to expand the parking lot behind the existing building. This is above and beyond what the parking requirement is for the site. The first issue is why the additional parking. Will the site be used more intensively? He said it is generally well designed and in the right spot, but they have a zoning compliance issue which is that our code requires 20' x 10' parking spaces. You could have an 18' parking space if there is a 2' parking bumper and overhang. The way it's designed the 2' overhang would be in area with a new sidewalk. You can't overlap. You have room to move the sidewalk and gain the 2', otherwise if you can't make it, you need a variance. Can an internal curbed planting strip between the two rear parking bays be provided, similar to the planting strip in the front parking lot? In addition to the aesthetic benefits of additional landscaping, providing shade trees in parking lots helps to minimize heat island effects. A stormwater management plan was not included in with the site plan documents. The way in which runoff from the new impervious surfaces is treated, must be addressed. New pole mounted light fixtures are proposed at several locations in the new parking lot. Identify the illumination levels along the property lines (in footcandles).

Chairman Paeprer asked why are you proposing this and will there be electric car charging stations since you're adding 51 parking spaces? He stated he was also concerned about how the fire trucks will get to the back with the new proposal.

Mr. Adam Thyberg of Insite Engineering, representing the applicant addressed the board and stated we are seeking to add 51 parking spaces. He said ARC is an organization that provides support and day services for people with disabilities. They offer transportation services as part of their program. They are seeking to keep more of their fleet on site as well as to provide a little more parking for visitors and employees. The primary motivation for the additional parking spaces is to be able to store more of their vehicles that they use for transportation. He said there are no proposed changes to the facility use or the intensity of use and no proposed changes to the building as well. In addition, to the additional parking spaces, we're proposing the improvements in the front of the building to improve accessibility to the facility and meet current standards. It includes reconfiguration and regrading of some of the parking, sidewalks and proposed ramps (points to map). He said we are open to providing EV charging stations, but these additional spaces are really to serve existing fleet vehicles. He reiterated we are not increasing the intensity of the use.

Chairman Paeprer asked will you be doing work in the front parking lot?

Mr. Thyberg stated the limit of the work in the front is essentially the end of the existing parking spaces against the buildings (points to map). He said there is an existing retaining wall there that is about 16' wide, so we're widening that to 24'. We will be happy to provide a maneuvering plan to show the vehicles traversing.

Mr. Thyberg asked Mr. Cleary with regards to the 18' spaces, do you recommend we switch out the sidewalk that goes right to the curb and provide a 2' long strip or just a wider sidewalk?

Mr. Cleary stated in the case of this use any portion of a sidewalk is probably going to be used. It would be confusing. I think we would want a discreet sidewalk and overhang.

Mr. Cote asked if they are looking to park the smaller buses and vans?

Mr. Thyberg replied that's the primary motivation for this. They want to keep these vehicles at this facility.

Mr. Cote stated being these buses and vans are bigger then cars, he asked can you try to look at it and get the spaces to 20?

Mr. Thyberg replied yes, we will take a look.

Chairman Paeprer asked can you take a look at possibly putting in EV charging stations.

Mr. Thyberg replied will do.

Mr. Charbonneau stated our code doesn't have a provision for that, but obviously there is a trend towards that in public and municipal parking which will probably extend to private facilities. He said it's certainly something the board could consider, but at the same time you have to balance that against the rights of the property owner that doesn't want to install 24/7 charging station especially in the rear of the property where it's not visible from Drewville Road.

Chairman Paeprer stated I'm suggesting to put it in the front of the building.

Mr. Thyberg stated we will take a look.

Mr. Cleary asked for clarification on whether the parking lot is going to be for the regional transportation fleet or just for this facility.

At which time, the board members and Mr. Thyberg continued to discuss EV charging stations.

Vice Chairman Giannico asked if the fleet vehicles will park in the front and rear of the building.

Mr. Thyberg replied the front hasn't changed much. The configuration of the parking and the handicapped spaces has been made more efficient. The fleet vehicles will park in rear parking lot.

Chairman Paeprer stated to come back in two weeks if you're ready and also respond to Mr. Franzetti's comments.

#### **MESSINA FAMILY TRUST – 174 WIXON POND ROAD – TM – 65.6-1-36 – SITE PLAN**

Mr. Cleary stated this is an existing business that's operated out of this site in residential zone from the 1970's. There are no physical changes to the site, it's legalizing the commercial use in the residential zone. He said a use variance is required. There are a lot of buildings and structures on the site and a number of area variances that are associated with legalizing those existing buildings.

Chairman Paeprer stated this has been non-conforming since the 1970's. What happened now?

Mr. Paul Lynch of Putnam Engineering, representing the applicant addressed the board and stated the applicant received a violation for running a family business on the property.

Chairman Paeprer stated I see this as more of a zoning issue than our board issue. I do like the idea of cleaning up and legalizing it. He asked about a slab that isn't on his property.

Mr. Lynch stated the applicant is aware of it and it will be removed. I will note it on the drawings.

Vice Chairman Giannico asked about the fill on the property. He asked if any tests have been done.

Mr. Lynch stated not that I'm aware of.

Vice Chairman Giannico said to provide a test report on the soil.

Mr. Lynch replied okay.

Chairman Paeprer stated before we could move forward we need to see a soil report because of the large amount fill that's on the property.

Mr. Lynch replied we will get a report.

Chairman Paeprer stated I think we should hold this over until we get a report.

Mr. Cleary asked for further explanation as to how this site operates. Is the fill from a job and brought to the site? Is it a staging area for the work they do off site? Or is it simply the office operation for the irrigation company.

Mr. Lynch stated from what I understand it is strictly the office operation and they do have some materials that they bring to the site. I'm unaware of the fill issues, but we will get it tested.

#### **JEDLICKA, REGINA – 334 AUSTIN ROAD – TM – 64.13-1-16 – SKETCH PLAN**

Mr. Cleary stated this is a two-lot subdivision and the plan indicates that the back lot will be a landlocked parcel. It will not have frontage on the primary street. Typically, we address that through a 280A referral to the Town Board. The two lots are fully compliant. He said the existing home will remain and the new lot will support a new dwelling. There are accessory structures on that lot that will have to be removed. A variance is required from the ZBA for lot 1, depth line exits and re-enters the lot. He said there's plenty of room to do this. The obstacle for this application is the landlocked parcel.

Mr. Joel Greenberg of Architectural Visions, representing the applicant pointed to map to show all the existing structures, such as the well and septic. He said the health department tested the soil and it passed. He said since it goes through another piece of property; a variance will be required. Another variance that is required is a 280A variance from the Zoning Board because the new lot #2 does not have any frontage on Austin Road. He said once the lot is sold and built, they will have legal access to go from Austin Road to their driveway (points to map). The owner of lot #1 will give lot #2 the easement to access the property. Once the easement is done, I'll submit it for Mr. Charbonneau's review.

At which time, a discussion ensued regarding the trailer that's existing on the property.

Mr. Greenberg stated the trailer will be removed. He said at this point, we are looking to be referred to the Zoning Board for the variances.

Mr. Cleary stated the lot width variance is the Zoning Board and the open development is a Town Board approval.

Chairman Paepre stated I don't think we should send this to the Town Board until all comments have been addressed.

### **TOWN OF CARMEL COMPREHENSIVE MASTER PLAN AND ZONING CODE DRAFT – DISCUSSION**

Mr. Cleary and the board members began reviewing the Goals and Objective chapter of the draft Comprehensive Plan, focusing on the 12 objectives associated with Goal 1 – *Allow development in a pattern consistent with the conceptual land use plan* and 13 objectives associated with Goal 2 – *Promote diverse economic development opportunities*. An extended discussion ensued.

### **MINUTES – 08/11/22**

Mr. Frenkel moved to accept the minutes. The motion was seconded by Mr. Cote with all in favor.

Vice Chairman Giannico moved to adjourn the meeting at 9:06 p.m. The motion was seconded by Mr. Cote with all in favor.

Respectfully submitted,

Rose Trombetta