

APPROVED

CRAIG PAEPER
Chairman

ANTHONY GIANNICO
Vice Chairman

BOARD MEMBERS
KIM KUGLER
RAYMOND COTE
ROBERT FRENKEL
MARK PORCELLI
VICTORIA CAUSA

TOWN OF CARMEL PLANNING BOARD



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MICHAEL CARNAZZA
*Director of Code
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RICHARD FRANZETTI, P.E.
Town Engineer

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

PLANNING BOARD MINUTES

JULY 28, 2020

PRESENT: CHAIRMAN, CRAIG PAEPER, VICE CHAIRMAN, ANTHONY GIANNICO,
ROBERT FRENKEL, MARK PORCELLI

ABSENT: KIM KUGLER, RAYMOND COTE, VICTORIA CAUSA

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>TYPE</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
Old Forge Estates	75.15-1-19	Resolution	1	Resolution Adopted.
Carmel Fire Department	44.14-1-24	Lot Line Adj.	1	Denied to ZBA.
Carmel Fire Department	44.14-1-24	A. Site Plan	1-3	Public Hearing Scheduled.
910 South Lake LLC	75.44-1-57&64	A. Site Plan	3-8	No Board Action.
Yankee Development	76.15-1-12	Extension	8	Applicant Did Not Show Up.

The meeting was adjourned at 7:53 p.m.

Respectfully submitted,

Rose Trombetta

OLD FORGE ESTATES – BALDWIN PLACE ROAD – TM – 75.15-1-19-40 – RESOLUTION

Mr. Carnazza had no comments.

Mr. Franzetti had no comments.

Mr. Cleary stated you have a SEQR Negative Declaration resolution before you to be voted on.

Vice Chairman Giannico moved to adopt Resolution #20-03, dated July 28, 2020; Tax Map #75.15-1-19-40 entitled Old Forge Estates SEQR Determination of Significance Negative Declaration. The motion was seconded by Mr. Frenkel with all in favor.

CARMEL FIRE DEPARTMENT – 94 GLENEIDA AVE – TM – 44.14-1-24 – LOT LINE ADJUSTMENT

Mr. Carnazza had no comments.

Mr. Franzetti stated all his comments have been addressed.

Mr. Cleary stated there are no further planning issues with respect to the subdivision lot line adjustment. He stated with respect to the site plan application which is the next agenda the applicant has addressed all of the site planning issues as well. There had been modifications made to the plan and the board had expressed some concern about how the site would physically operate. The applicant has provided explanations of those things. The addition to the facility is not resulting in using the facility for a lot of training activities. Most of that occurs at the county facility. The one issue that the board spent a lot of time on was the traffic flow behind the building. There have added signage to address the traffic movements behind the building.

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

CARMEL FIRE DEPARTMENT – 94 GLENEIDA AVE – TM – 44.14-1-24 – SITE PLAN

Chairman Paepre read Mr. Carnazza's memo which stated is it two-way traffic between the bank and the Fire Department rear parking area? Provide width of the driveway and one way or two way arrows.

Mr. Franzetti stated all engineering comments have been addressed. There are permits and referrals that need to be done. The applicant's engineer has acknowledged that they are needed.

Mr. Cleary stated many of my comments have been addressed. There are some modifications to the plan such as an elimination of one parking space. Perhaps the applicant's engineer could explain that.

Ms. Kathleen Gallagher of Insite Engineering, representing the applicant addressed the board and stated the big changes to the plan based on the comments that were

received from the last meeting includes the traffic circulation. The plans are now showing a one way exit from TD Bank. There is a two way entrance and exit from Vink Drive in order to accommodate refuse and emergency vehicles. A lighting plan was added to the drawings in order to show the light levels. There will be new additional lights over the garage bays as well as additional replacement lighting for all of the current lighting that's on site. They will all be upgraded to LED lighting. We have also added additional fuel information for the fuel tank that is located on the south side of the project. Additional architectural elevations were also included as part of this submission. Grading has been expanded to show fill calculations. We showed information regarding screening on the perimeter side of the property. There will be screening added to the cell tower, the existing screening that is there will be removed. We also included additional signage located in the rear.

Chairman Paepre stated most of our comments have been addressed from the last meeting. The board would like to know more about the architectural renderings. He said there was one comment from Mr. Carnazza. Is it a two-way traffic between the bank and the rear parking area?

Mr. Porcelli said it's just an exit out of the bank, two-way to access the back for refuse and fire trucks.

Mr. Cleary asked what percentage of vehicles might travel that back driveway.

Mrs. Gallagher stated that location to exit is not used very often. Most people go through the drive-through.

Mr. Eric Neiler of H2M Architects and Engineers, representing the applicant addressed the board and stated we are at the beginning of our process with the Fire Department in terms of discussion. We have selected a material palette, but we have not finalized the color palette with them. He said the entire new apparatus bay will be brick veneer or ACMU. He said it's going to be masonry building, but whether it's brick or ACMU material which would be an 8x16 module but with the appearance of brick. That has yet to be determined. We will be wrapping the building with a watercourse, which will be either precast or potentially another color of ACMU, probably a split face at the base. We are looking at the three rows of glass. In addition to the apparatus bay, this project includes a new elevator and stair tower to make the building fully accessible. The main entry of the building will remain on the side facing Route 52, but there will be an entrance on Vink Drive, but that will be for members only or for fire department operations. We are going to strip the siding from the existing building and replace that with a face brick. It will be either a thin brick or potentially just actual face brick. We are looking at the cost of those two approaches. The end result is the building will be wrapped in masonry. The only place where we will be leaving the existing brick is on the untouched north side of the building where the masonry ends. He said it's going to be built appropriately for its urban setting. The brick palette and the masonry appearance will give it the right texture for an important civic building and blend in with the village environment.

Mr. Frenkel asked will the brick on the existing building be different?

Mr. Neiler stated it would be the same color. It will be unified. Also, we are looking at shingle roof over the apparatus bay, but that may change. We are considering going with a low slope membrane roof, where you would just see a parapet. It would actually bring the scale of the building down a little bit. The next time we come back

to the board we will bring the rendered elevations and sample boards of everything we are proposing.

Chairman Paepreer stated since this is such a key location for us, the renderings will be very helpful.

Mr. Frenkel asked if the new lighting going to be substantially greater then what's there now.

Mr. Neiler stated we would look to keep the site lighting levels down to what's reasonable for a parking lot. He said we need more lights at the bay doors, the response bays, but those lights will not trespass over the property edge.

Mr. Porcelli stated you had mentioned that you might change the elevation over the bay doors to a parapet from the gables, is that correct?

Mr. Neiler replied we are considering it. We are working through the budget of the project. My preference would be to keep it like it is.

Mr. Porcelli stated when you come back can you bring both elevations if you are considering one or the other.

Mr. Neiler stated if we are considering it, we will absolutely bring both.

Chairman Paepreer stated I'm not sure how long it will take you to get your renderings, but we probably could schedule a public hearing at the same time you bring the renderings.

Vice Chairman Giannico moved to schedule a public hearing. The motion was seconded by Mr. Frenkel with all in favor.

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

Mr. Porcelli recused himself and left the dais.

Mr. Neil Alexander of Cuddy & Feder, representing the applicant addressed the board and stated we are excited to start the dialogue about this project. We have some distinct thoughts in our head as to what we would like to pursue on this property. We are open to significant collaboration and conversation on that. We are now looking to put a 4th story on, looking for a multi-family project, 20 units 5 on each floor. The circulation pattern will be essentially around the building. So, we would raise the existing structures that are there and make the investment to go all new and clean. You would come in one way, go to the back of property around the building and then come out on the other side of the building from north to south.

Vice Chairman Giannico read Mr. Carnazza's memo which stated the proposal is to remove a garage and boarding house and rebuild a three-story, mixed use, frame building. A use variance is required from the ZBA for the mixed-use building. Only existing mixed-use buildings are allowed. The zoning table is incorrect. The map provides 16.1 ft front yard, the table provides 18.3 ft., the table provides 12 ft. side yard, the plat provides 13 ft., frontage is incorrect. I need to meet with the

architect/engineer. Several area variances are required. Need to clarify numbers before referral to ZBA. Where is trash enclosure? Label and provide details. Provide detail of the accessible route for somebody to access the commercial use via the accessible parking spaces. There does not appear to be a safe route to the front of the building. In addition, the accessible route cannot include stairs. The only access to the commercial appears to be using stairs. How much fill will be removed or added. Provide a detail of the lowest floor/commercial space. Provide a parking calculation. How did you come up with 30 spaces required? 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. This map needs more work and I'd like to meet with the designer to discuss.

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:

I. General Comments

1. The following referrals would appear to be warranted:
 - a. Mahopac Fire Department
 - b. New York City Department of Environment Protection (NYCDEP)
 - c. New York State Department of Transportation (NYSDOT)
2. Permits from the following would appear necessary:
 - a. NYSDOT – depending on improvements to the ingress/egress and connection into catch basins
 - b. NYCDEP – wastewater flows, and Designated Downtown are
3. Depending on the proposed intended change of use for the site, a traffic study should be considered.
4. The area of disturbance for the work has been provided as 0.4 acres. The threshold criteria of disturbances for the NYSDEC stormwater regulation are between 5,000 square feet and one (1) acre and over one (1) acre. The project will require coverage under the NYSEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001) and the development of Stormwater Pollution Prevention Plan (SWPPP) that has erosion and sediment controls.
5. The project is located in a NYCDEP designated main street area and will require approval and SWPPP for the NYCDEP.
6. All re-grading required to accomplish the intended development should be provided. It is unclear from the drawings provide the extent of cut and fill proposed for the site.
7. A stabilized construction entrance must be provided.
8. Vehicle Movement Plans should be provided which provide the following:
 - a. Graphic representation of vehicle movements through the site should be provided to illustrate how vehicles will be moving through the site and that sufficient space exists to maneuver vehicles on the site.
 - b. All turning radii for the site should be graphically provided. This includes the turning radii into the site entrance.
 - c. Available sight distances at each driveway location should be specified on plan. Any clearing along the edge of the roadway R.O.W. that may be

- necessary to assure appropriate sight distances are provided, should be identified. All calculations should be provided
- d. Slopes at the entrance way need to be defined. It is suggested that slopes of less than 6% be used for the first 20 feet of entry and that slopes of no greater than 8% be used entering the site.
9. The applicant will need to show if any work is being performed in the NYSDOT Right of Way (R.O.W.). If so, approval is required from the NYSDOT.
10. The number of employees should be provided so as to calculate the number of required parking spaces.
11. A landscaping plan for the rear and sides of the building should be provided.
12. All planting should be verified by the Town of Carmel Wetlands Inspector
13. All plantings shall be installed per §142 of the Town of Carmel Town Code.
14. A light spill plan should be provided
15. All curbs and asphalts should meet the specifications provided in the Town of Carmel Town Code.
16. Sidewalks, manholes and guiderails should be installed per §128 of the Town of Carmel Town Code.
17. The applicant should provide a separate water and wastewater use report.
18. A legend should be provided.
19. Signs (e.g., stop, yield, etc.) and pavement markings (e.g., do not enter, etc.) should be provided at the ingress and egress' of the site.
20. The applicant does not address stormwater runoff from the site. All existing drainage should be provided.
21. Additional details are required for the garbage enclosure.
22. Details for the location, height and type of exterior lighting, lights, along with a spill plan denoting illumination levels must be provided.
23. Gate valves shall be AWWA non-rising stem type, as manufactured by Mueller Company, Model A-2360-23, or approved equal, conforming to the latest AWWA Standard for Gate Valves - 3" through 48" - for Water and Other Liquids, AWWA Designation C-509.
24. Sizes up to and including 12" shall be 250 psi working pressure. The valve body and bonnet shall be ductile iron. All interior and exterior metal surfaces shall be coated with a two-part thermosetting epoxy complying with AWWA C550.
25. Valves shall have dual "O" ring seals, inside screw, resilient wedge seats in accordance with AWWA Designation C-550 and shall be constructed so as to provide unobstructed full port clearance when fully open and immediate complete closure when closed. The ends of the valves shall be mechanical joint.
26. All valves shall be arranged to open in counter clockwise direction unless otherwise specifically indicated and operating nuts shall be 2" square.
27. Valves shall be tested to a pressure of not less than two times the working pressure.
28. All hydrants shall be six inches in size with six-inch mechanical joint inlet connection and shall be equal to the Mueller Centurion A-421, with one (1) 4 ½ " pumper nozzle and two (2) 2 ½ " hose nozzles.
29. Water Service Saddles shall be equal to those manufactured by Mueller, Model 7 ½" x 1" SS Series Stainless Steel Saddle, Double Stud.
30. Corporation stops shall be equal to those as manufactured by Mueller Company, Model B-25000Series, NRS and of the size required. Such corporation stops shall meet the requirements of AWWA Specification No. C800.

31. Curb valves (stops) shall be equal to those as manufactured by Mueller Company, Model H-15214 and shall conform to AWWA Specification No. C800.
32. Curb boxes shall be equal to those as manufactured by Mueller Company and similar to Mueller extension type with arch pattern base model H-10314 all extension rods shall be stainless steel.
33. All fire hydrants shall be the approved AWWA type fire hydrants in conformance with the American Water Works Association Standard for Fire Hydrants for Ordinary Water Works Service, AWWA Designation C502, and shall have a 5-1/4" valve opening, a 6" mechanical joint inlet complete with an auxiliary gate valve (close coupled), a 6" mechanical joint shoe, and all appurtenances.
34. Fire hydrants shall be rated for a working pressure of 250 Psi. Fire hydrants shall be sized for a 4'-6" bury.
35. 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.

Mr. Cleary stated Mr. Franzetti and Mr. Carnazza touched on most of the issues. The primary issue with respect to this is this is a prohibited use. They do need the use variance for this. You will be required to deny this application and send this to ZBA for that use variance. He said if there is any commentary you would wish to send to them with respect to the comprehensive plan for example that would be done in that referral to the ZBA. The documents are lacking in a lot of areas, because the plan is evolving. So, the plan that we reviewed is different from what Mr. Alexander has described to you this evening. He said I think they are trying to get a sense from the board with respect to your sense of the project. We would want to know the tenancy of the units. Are they condominiums or rental apartments? The number of bedrooms in each unit is relevant. He said a number of area variances will be required for this. Again, this use is prohibited, however, the multi-family residential use previously existed in the town zoning prior to the up zoning. Unfortunately, that section remains in the zoning code, so the dimensional regulations for multi-family residential buildings is still in the code even though the use is prohibited and those regulations give some guidance to how we regulated these in the past, for example they required 10 foot buffers around the parking areas in this particular instance the parking on the south side of Route 6 is on the property line, on the west side it is about 2 feet off the property line. He said a variance is required for off-street loading. He said the access is a significant issue. There are state highways on both sides. There is currently one driveway in and they are proposing a one way in and a one way out. That needs to be looked at. He said the elevation rises steeply from South Lake Blvd, so having an understanding of the grading plan, stormwater plan and utility plan is very important. He said typically for a residential use there would on site usable open space. That is requirement in other zones. None is provided in this case and that is something the board would want to see as an asset to a residential building on a site like this. He said this is a critical parcel in the hamlet, so having our architectural consultant involved is very imperative.

Chairman Paerprer asked is this going to be multi-use or residential?

Mr. Alexander stated the consultants have all good points, such as sewer, water, stormwater, landscaping and lighting. He said we are struggling candidly at trying to figure out exactly how to make it mixed use given the existing retail in the area. He said given the occupancy of the existing retail in the area, recognizing that we are

trying to put a product together that brings up the area is our intention. He said we are trying to factor all that in. He said our preference would to be pure multi-family. We would like to be completely multi family, because we are struggling with what use you could put in that wouldn't compete with existing uses. He said one of things we were thinking about is maybe some sort of small gym use. That would be an amenity for people living there and also for personal training use. He continued to discuss the uses for a small gym.

Chairman Paepre stated he was there this morning. There is an upholstery place and cab company existing now. What will happen to those businesses?

Mr. Alexander said they will all leave.

Mr. Willie Besharat, applicant's architect addressed the board and stated Mr. Carnazza's comment talks about mixed use, we are proposing to get away from the existing mixed use completely and just making it multi family. He said we are going to tear down both buildings and the garage will be removed. It will become part of the parking lot. He said you will only have a single building on that site. He said all the technical aspects, landscaping, lighting, drainage, traffic study, etc., we will take care of all that. Right now, we just want to know what the board thinks of the project.

Mr. Alexander stated the additional units help us get into providing the higher quality architecture that you are looking for. He said right now, everything is very preliminary.

Mr. Besharat stated we met with DOT on the site and they suggested it would be better to go in one way and come out one way. They felt it would be a safer access onto Route 6N.

Chairman Paepre stated that as you may know we are currently underway with the downtown revitalization and the master plan. He said you have 4 or 5 pages of written comments and you need to work with the consultants.

Mr. Frenkel asked if they know how many bedrooms will be in the units.

Mr. Besharat said we could provide you with the breakdown of the units. We have a floor plan showing the units.

Mr. Louis Cardillo, applicant addressed the board and stated there are 15 units existing. There will be 16 units with 2 bedrooms and 4 units with 1 bedroom, totaling 20 units.

Chairman Paepre asked are there any four story buildings in the town?

Mr. Charbonneau said only the County office building.

Mr. Besharat stated there are 3 stories there now. He said when we started looking at the numbers and the cost of developing the site versus investment on return; it would make more sense to go with the additional story to make it viable for investor to do what he has to do with it. He said this will be high end rentals; it will not be affordable apartments. Eventually we will show the board on a much larger scale what we are doing with plantings, lighting, curbing, drainage, etc., etc.

Chairman Paepre stated with this being a prohibited use, we really have to talk about how this fits in with the downtown revitalization master plan.

Mr. Cleary stated that's correct. Is it premature, given the comprehensive plan? Should that come first, it's a cart before the horse question. The Town Board elected not to impose a moratorium, so applicants certainly have a right to advance applications, but we shouldn't be processing something that's contrary to the vision that's evolving with the comprehensive plan.

Chairman Paepre stated we all like the idea of a downtown revitalization, we know those buildings have been there for a long time and there are plenty of improvements that can be made, we just need to make sure all our ducks line up.

Vice Chairman Giannico stated I like the idea and there are a lot of comments.....

Mr. Alexander stated it has a lot of work to go. What we were looking to do was to make sure there was traction to the idea of bringing residential as multi-family as a use to the Hamlet. We wanted to make sure it was okay with it being 100% multi-family project. We were hoping that maybe the board would circulate notice of intent to be lead agency since we know what permits would be needed. He said it's a use variance and we have a lot of work to do. The applicant wanted to advance the idea enough to have an intellectual conversation with you and provide input.

Chairman Paepre stated this will eventually have to go to the zoning board. We are not ready to send it to the zoning board. He said work with the consultants and we will go from there.

At which time, a discussion ensued regarding a 3 story building versus 4 story building and traffic concerns.

Mr. Cleary stated Mr. Alexander asked for designation of lead agency. Typically, you want to have the project fixed a little more before you circulate that.

Chairman Paepre agreed with Mr. Cleary. We are not ready for that. He said let's see where this goes.

Mr. Porcelli returned to the dais.

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

The applicant did not show up. Application was held over.

Mr. Frenkel moved to adjourn the meeting at 7:53 p.m. The motion was seconded by Vice Chairman Giannico with all in favor.

Respectfully submitted,

Rose Trombetta

Created by Rose Trombetta