

APPROVED

CRAIG PAEPRER
Chairman

ANTHONY GIANNICO
Vice Chairman

BOARD MEMBERS
RAYMOND COTE
ROBERT FRENKEL
VICTORIA CAUSA
JOHN NUCULOVIC

TOWN OF CARMEL
PLANNING BOARD



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RICHARD FRANZETTI, P.E.,BCEE
Town Engineer

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

PLANNING BOARD MINUTES
JULY 26, 2023

PRESENT: CHAIRMAN, CRAIG PAEPRER, VICE CHAIRMAN, ANTHONY GIANNICO, VICTORIA CAUSA, ROBERT FRENKEL, JOHN NUCULOVIC

ABSENT: RAYMOND COTE

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>TYPE</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
728 Route 6, LLC	76.22-1-54	A. Site Plan	1-3	Public Hearing Scheduled & Planner to Prepare a Resolution.
Greenpoint Tree Service	55.11-1-19,20	Site Plan	3-5	No Board Action.
Diamond Point Development, LLC	86.10-1-2 & 3	Site Plan	6-8	No Board Action.
Yankee Land Development	76.15-1-12	Subdivision	8	Public Hearing Scheduled.

The meeting was adjourned at 8:04 p.m.

Respectfully submitted,

Rose Trombetta

728 ROUTE 6, LLC – 728 ROUTE 6 – TM – 76.22-1-54 – AMENDED SITE PLAN

Mr. Carnazza read his memo which stated the applicant now has three food establishments at the former Lantern Pub. The applicant wishes to add 125 sq. ft. to the front of the left side of the building that will not encroach any further into the setback than what is already approved by variance in 1991 (provide the date(s) on the plat), however, the addition must also get the necessary front and side yard variances. Provide lot depth and width lines on the plat. Provide aisle width at the location of the 125 sq. ft. addition. A bollard and a fence may be needed to keep vehicles from hitting the building and for people to not dart out into the parking lot without being seen by drivers approaching Rt. 6. There is a variance granted on this site for parking. By dividing the space into now 4 separate spaces, there is no need for the parking variance. Parking complies with code.

A discussion ensued regarding whether a variance was granted for the side yard for the addition.

Mr. Walid Besharat of Rayex Designs, representing the applicant replied we received the variance at the last ZBA meeting.

Mr. Carnazza stated to make sure it is noted on the plat.

Mr. Besharat replied he will double check.

Chairman Paeprer stated one of Mr. Carnazza's comments was a bollard and fence may be needed to keep vehicles from hitting the building. He said he has been to the site numerous times and thinks it's a good idea to have.

Mr. Besharat stated we added two concrete pillars and one will have a sign that says "do not enter".

Mr. Carnazza stated we also discussed putting a railing up along that side so people wouldn't dart into the parking lot while people were driving out into the aisle.

Mr. Besharat stated we will put that on the plan for safety purposes.

Mr. Franzetti read his memo which stated this application encompasses a proposal to add 125 sq ft of additional retail space to an existing store. Per the applicant the existing parking and utilities will remain unchanged. 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. Putnam County Department of Planning (GML 239 n)

Applicant has submitted plans to Fire Dept, NYCDEP and Putnam County Planning dept.

2. Permits from the following would appear necessary:
 - a. NYCDEP – wastewater flows.
3. Vehicle Movement Plans should be provided which provide the following:
 - a. All turning radii for the site should be graphically provided. This includes the turning radii into the site ingress and egress.

b. It is unclear as to the type of vehicular traffic which will be entering the site and there is no definition regarding the delivery of goods to the site.

Applicant has submitted turning radii for cars. Turning radii should be provided for delivery, garbage and fire trucks.

4. The applicant has provided a separate water and wastewater use report. As the wastewater discharge enters into the NYCDEP wastewater treatment facility, the applicant will need to have the flows reviewed/approved by the NYCDEP.

Applicant has submitted water usage report to the Engineering Department. Approval is needed from the NYCDEP.

5. 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.

Applicant has added traffic pavement marking to the site plan. It is unclear if any signs are being added to the site.

6. 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.

7. The proposed floor plans provide for 10 ingress/egress to the buildings. The site plan only shows nine (9) ingress/egress to building. This should be clarified.

8. Nomenclature of doors on floor plan do not match those on the site plan. This should be clarified.

Mr. Besharat stated it is the access to the mechanical room. The door will not be active and it will be very rarely used. The signs for the site circulation traffic has been added.

Mr. Franzetti stated we need a sign schedule.

Mr. Besharat replied okay. He said it's a site that's existing, the alteration to the site is extremely minimal. 125 square feet is being added to make for egress and to make the building look better. There is no need for the square footage for the functionality of the store. The building is operational. We are trying to make the building safer and better looking. The loading zone was approved in the front and we indicated that on the plan. There will not be delivery trucks going in there. This building was put back to the original approved plan approved by the planning board.

Chairman Paepre stated you have the answers to the questions that Mr. Carnazza and Franzetti are asking. A lot of these projects are 95% complete, getting that last 5% takes a little bit extra work and that's what we're talking about.

Mr. Besharat apologized and said he will take care of it.

Chairman Paepre stated we are in support of this project and the site looks much better than it did previously. All we're asking you to do is cross some T's and dot some I's and we could move on.

Mr. Cleary stated I have no issues with respect to this. This was presented to us as an addition to the side of the restaurant that would accommodate pickups and drop-offs. Our

concern was that there would be a drive through or a pickup window. You indicated that it wouldn't be.

Mr. Besharat replied it's going to be fixed glass window. There is no drive through or walk up window. It will be strictly a take-out business.

Mr. Cleary stated there is no issue with respect to this. A condition of approval would be no drop off windows associated or drive through pickup.

Mr. Besharat replied no problem. That's fine.

Mr. Cleary asked will take-out customer pick-up operation occur outside of normal restaurant business hours?

Mr. Besharat replied it will be standard operating hours.

Mr. Carnazza stated to show the garbage truck on the plan.

Mr. Besharat replied I will do that.

Mr. Franzetti stated show us the information on the drawing.

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

Chairman Paeprer asked the Planner to prepare a resolution also.

GREENPOINT TREE SERVICE – 61 & 65 OLD ROUTE 6 – TM – 55.11-1-19,20 – SITE PLAN

Mr. Carnazza read his memo which stated the applicants proposes to merge two of the lots on the Merrieweather Estates Subdivision to construct a commercial building consisting of 10 spaces that will be rented for heavy commercial use. The property is in the C-Commercial zoning district. Define "Heavy Commercial Use". (2ND REQUEST)

- C-Commercial Zoning allows the following:
 - Fully enclosed establishments for the sale and repair of machinery and equipment
 - Wholesale storage and distributive establishments, including lumberyards
- Provide floor plans and elevations. (2ND REQUEST)
- Will each space have an office, bathroom, break room? Consider this in the parking calculation. Offices require parking at 1 space/200 s.f., not 1/1000 as proposed.

Mr. Franzetti stated this was submitted to provide the Planning Board with three (3) options regarding the location and orientation of the proposed building. It appears that configuration 1 is the best solution of the three (3) presented, however it does not address access for fire equipment around the building.

Mr. Cleary stated this is the initial plan that was presented to you. The board's initial response was this type of use (contractor's yard) which is typically messy and the kind of things we have concerns about. The way this is designed is all of that activity will be in front of the building, such as garage doors, parking, storage, etc. Your response to that was can you do better. Can you make it less impactful from a visual perspective? The applicant's engineer has presented the board with three alternatives. He said when you present alternatives, the board shouldn't be selecting the type of development this developer

wants to develop. They should have a preferred alternative and telling you this is the one I would like to build. He said the building is at angle from the road. Ordinarily, you want the building to be oriented directly on the road, so an angled building is unusual configuration to begin with. The initial comment was, can you straighten the building and can you put stuff in the back instead of the front. The engineer has done two things, the second alternative straightens out the building, but segments it. The parking and garage doors are still in the front. The third alternative puts those garage doors in the back and that's a plan that hasn't been fully developed, because the engineer doesn't want to go in that direction. He has indicated that there might be a problem with gaining access to the far portion of the building. That would be the ideal design with putting the garage doors and the parking behind the building.

Chairman Paeprer stated he agreed with Mr. Cleary. We should not be picking the alternative design. We could work with you in developing one. That area is industrial and not the prettiest part of the town, but we don't want to add to it. We don't want to see piles of firewood, wood chips, gravel, etc. in the front of the property.

Mr. Paul Lynch of Putnam Engineering, representing the applicant addressed the board and stated the applicant (Greenpoint) was supposed to be here tonight, but they couldn't make it. Their intent is to rent the units out to contractors and basically, they will keep their equipment and materials inside their units. They have no intent in allowing anyone to store anything out in front of their building units. He said you can't keep anything out in the front because of the turning radii of the trucks. At which time, he described how the trucks will turn and drive into the units. He continued and stated I will go through the other two layouts that we did, remembering that 42 feet is the number you need for a single unit body truck to able to make the turn.

A discussion ensued regarding on how you would police the contractors from keeping materials and equipment on the outside of the buildings.

Chairman Paeprer stated we could make it conditional, but then who is going to police it?

Mr. Carnazza asked would you be willing to put a note on the plat that nothing would be stored outside and in front ever?

Mr. Lynch replied we would have no issue with that at all.

Mr. Cleary stated that's the mechanism to ensure compliance.

Mr. Lynch stated he discussed this with the applicant in the beginning of the process. He said if that notation needs to be put on the plat, that's fine.

Chairman Paeprer stated showing us all the options are nice, but I would rather you come back here with the option you choose.

Vice Chairman Giannico he agreed with the Chairman, but the biggest concern is truck flow, turning radii and pulling in and out.

Mr. Lynch stated our intent tonight was to show you our preference and why (points to map) plan #1 and why the other two options don't work. He stated with site plan #2 knowing I need 42 feet, we take the buildings, make them parallel to the road and step them back to run along the base of the rock hut. It still allows me to have my stormwater and the parking in the front. Since I only have 26 feet to work with at the tight spots, the problem is I can't get a truck in and out without going through parked cars. With option #3 we tried to bring

everything to the back of the property, which is a great idea if you actually had the property to work with which I don't have. I have the 40 foot setback from the front yard to where my building could be. This drawing doesn't show any parking at all, because I can't put any parking spaces on the property. The math just doesn't work because of setbacks.

Mr. Cleary asked what is fixing the depth of the building?

Mr. Lynch replied 71 feet.

Mr. Cleary asked why is it 71 feet, why can't it be 63 feet?

Mr. Lynch replied I can't answer that question. The applicant would have to answer that question.

Vice Chairman Giannico asked do you have a rendering of any elevations?

Mr. Lynch replied no not yet, it was too premature.

Vice Chairman Giannico said we would like to see things in the back, logistically you may not be able to make it work, which means if you're going to put the doors in the front, give the building a little more character with the right doors in the front similar to a barn.

Mr. Frenkel stated there are a couple of ways to approach the aesthetics. One is the way Vice Chairman Giannico suggested and another way is screening from the street. He asked what type of screening will you be planning here?

Mr. Lynch replied we will screen it for year round use. It will probably be evergreens, coniferous type trees as opposed to a hard wood tree.

Mr. Frenkel asked about the property on the left side of his.

Mr. Lynch stated that's a separate tax lot that will be purchased and developed by someone else.

Mr. Frenkel asked will you be paving the perimeter of the building?

Mr. Lynch replied this will not be paved. We will leave it as a porous surface.

Mr. Carnazza said then you have to go to the Zoning Board for that. He stated to the right of your property (Durkin) they will be doing work on their property. When you're doing the architectural work, you may want to make sure that they are harmonious with each other.

Mrs. Causa asked if all of the parking spots are full will there still be enough room?

Mr. Lynch replied yes, because you have 42 feet from behind the parking space. The number of parking spaces is based on what the code tells me I have to have. I don't think there will be that many cars there. Normally, a contractor will drive in park his car and take his truck. He may put his car in his unit.

Chairman Paepfer asked about restrooms.

Mr. Lynch stated there will be a small office and a bathroom in each unit.

Chairman Paepfer stated you have a lot of comments and to work with the consultants.

**DIAMOND POINT DEVELOPMENT, LLC – 4 BALDWIN PLACE – TM – 86.10-1-2 & 3 –
SITE PLAN**

Mr. Carnazza read his memo dated July 26, 2023.

Mr. Franzetti read his memo dated July 14, 2023.

Mr. Cleary stated the applicant has been doing a good job in demonstrating that the design of this facility would be sensitive to our concerns. What's most disconcerting to me is this is the applicant's third appearance before you and each time the project has been reduced in size. That worries me that the applicants are miscalculating the market or has under evaluated the property itself. It's a very big site, we're not going to get a chance to redevelop this site ever again. If they are getting it wrong, we have to understand that. We have to get it right. They have been working with our architectural consultant. The applicant provided a summary of the projected tax revenues for Phase 1 - which amounts to \$268,369.61. This does not include the ratable for Phase 2. It's a modest tax ratable for the type of use we're talking about.

Mr. Jason Sommer, applicant addressed the board and stated the reason we're shrinking the parcel actually is our consideration froms the last meeting. It has to do with phase 2. If phase 2 is not developed in 5 years it goes away. We believe that this phase 2 (points to map) will be reasonable within 5 years to develop. The national average of self-storage per capita is 8. Eight square feet per capita in a 5 mile radius. In Carmel, with the 5 mile radius here, it's 2.22. When we add these rentable square feet, it will be up to about 3½, which is still below what we think is feasible. Maybe in 10 years this other piece would be warranted, but with a sunset on that phase 2 we don't think it makes any sense.

Mr. Cleary asked is the issue the absorption rate?

Mr. Sommer replied yes, its absorption. We estimate about 30 months to get fully leased for this amount of square feet. It's about 80,000 rentable square feet.

Mr. Cleary stated that's useful information and provide the documentation to us related to that.

Mr. Sommer replied okay.

At which time, Mr. Frenkel read an article from the Wall Street Journal regarding self-storage rents drop by records as boom from the pandemic cools. He stated I heard the statistics you quoted, but I would like to see a written economic market analysis that is up to date in terms of these statistics and shows us that there's a potential for success for this project.

Mr. Sommer stated in the Wall Street Journal two days ago, Blackstone just sold their portfolio of self-storage, 127 units for 3 billion dollars to public storage. They bought if for 1.2 billion dollars 2 years ago. It is very lucrative. He said you mentioned the average rate is \$15. The rate in Carmel within the 5 mile radius is the achieved rate at the public storage up the street, Cube Smart as well as Extra Space, are all over \$30 per square foot. This market is actually double what the national average is.

Mr. Frenkel stated it's interesting to hear, but I would like to see an analysis in writing.

Mr. Sommer replied I could show you our proforma, but I don't think I could put in writing what the other facilities rates are. We could show you the absorption rate too. This is our 14th self-storage facility we've done. Eight of them are in the northeast.

Chairman Paeprer reiterated this is the gateway to our community, from Yorktown to Mahopac. It's concerning for us.

Mr. Sommer stated we could give you the references of our lenders. The financing for this is going to be by one of the largest commercial real estate family offices in the country. It's certainly financially backed.

Mr. Frenkel stated he wasn't happy with the architectural elevations. It looks like a factory. It's just straight lines, I don't see any creativity. We talked about putting in a barn like structure and I don't see anything along those lines there.

Mr. Sommer stated we tried to dress up the front of it on Route 6, but you don't like that building on Route 6.

Mr. Frenkel stated the entry building is fine, I'm talking about the main building behind the entry building. It doesn't look nice. It's a monstrosity.

Mr. Sommer stated we took every one of the board's architect, Mr. Anastasiou with our architect. It is a self-storage building, it's not a barn. He asked if screening would help.

Mr. Frenkel stated that some of the self-storage buildings available to see online show false windows, glazing, overhangs and peak roofs.

Chairman Paeprer stated just because it's a self-storage facility, doesn't mean it has to look like one.

Mr. Sommer stated what we tried to do, is the area that's visible the street and that's the building on Route 6, we tried to make it architecturally pleasing.

Chairman Paeprer stated and it's well done.

Mr. Adam Thyberg of Insite Engineering, representing the applicant addressed the board and stated the applicants have been diligent about seeking input from the board's architect and they have been actively incorporating his feedback into the design. Most of the feedback we have gotten has been related to design details on the façade of the building. They have responded to every one of his comments. He said the revised plan has been submitted to the architect, but we haven't gotten a response yet.

Mr. Cleary said we will need to hear his reaction to your revised plans. The form of the building is what's important, such as no peak roofs, not so much the quality of the materials.

Mr. Thyberg stated you want to see some kind cornice line, parapets, gables and overhangs.

Vice Chairman Giannico stated maybe change the roof line, add cupolas.

Chairman Paeprer stated I understand it will be hidden by trees, but let's design and build it as if it's your house.

Mr. Sommer stated we could work on the roof line. That's a reasonable request.

At which time, a discussion ensued regarding the 5 years to build in phase #2 construction.

Mr. Carnazza stated we will hold your bond until everything is completed.

Mr. Franzetti stated I think the board is basically saying we want something that emulates a barn. Make it look like a barn.

YANKEE LAND DEVELOPMENT – BAYBERRY HILL ROAD & OWEN DRIVE – TM – 76.15-1-2 – FINAL SUBDIVISION

Mr. Carnazza read his memo which stated the applicant now proposes to divide the original lot (109.905 acres) into two lots. The two lots will then be re-subdivided into the lots that make up the current Yankee Land Development. The reason for this process is to allow flexibility in the development. If they make two lots now and only subdivide one of the lots now and one later, they can do the development in two parts since the Planning Board frowns on “Phasing”. I have no objection to the Two-Lot Subdivision. This will facilitate the later subdivision as shown on “Yankee Land Development”

Rich’s memo said the project received Preliminary Plan approval as provided in the February 15, 2012 Preliminary Subdivision Approval for the Planning Board of the Town of Carmel (Resolution # 12-04). The approval was for a 14-lot subdivision on a 110 acres lot at the end of Bayberry Hill Road. The applicant is now requesting a new subdivision to create a two (2) lot subdivision where Lot 1 is 53.893 acres and Lot 2 is 55.996 acres. The drawing provided shows a single home of each parcel. The applicant plans on further subdividing these lots in the future to match the current approved subdivision. This Department has no objection to the subdivision being presented.

Mr. Cleary stated a lot of work went into the 14 lot preliminary approval subdivision. It was a very complicated project. He said this is his way around phasing. No changes to the two-lot subdivision plan have been made, and the Board can now schedule the public hearing on what is now classified as a minor subdivision.

Chairman Paepre asked for clarification that the lots will be subdivided into approximately 50 acres each and once subdivided seven houses will be built on each parcel.

Mr. Edward Delaney of Bibbo Associates, representing the applicant replied that’s correct. He stated it’s a unique piece of property. I have been in front of the board for 12 years on this property. The original 14 lots were divided into 7 lots with its own road, the other 7 lots with its road, drainage, septic and wells. This has all been approved by the Putnam County Health Department many years ago. We would like to go right to preliminary approval and then take it from there.

Mr. Carnazza stated this is a minor subdivision, so they could go right to final approval.

Mr. Cleary stated the next step is to schedule a public hearing.

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

Vice Chairman Giannico moved to adjourn the meeting at 8:04 p.m. The motion was seconded by Mr. Frenkel with all in favor.

Respectfully submitted,

Rose Trombetta