

APPROVED

CRAIG PAEPRER
Chairman

ANTHONY GIANNICO
Vice Chairman

BOARD MEMBERS
RAYMOND COTE
ROBERT FRENKEL
VICTORIA CAUSA
JOHN NUCULOVIC
NICHOLAS BALZANO

TOWN OF CARMEL
PLANNING BOARD



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MICHAEL CARNAZZA
Director of Code Enforcement

RICHARD FRANZETTI, P.E.
Town Engineer

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

PLANNING BOARD MINUTES
JANUARY 24, 2024

PRESENT: CHAIRMAN, CRAIG PAEPRER, VICE CHAIRMAN, ANTHONY GIANNICO, RAYMOND COTE, ROBERT FRENKEL, VICTORIA CAUSA, JOHN NUCULOVIC, NICHOLAS BALZANO

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>TYPE</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
14 Nicole Way, LLC	65.6-1-22	Bond Return	1	Public Hearing Closed & Full Bond Return Recommended To Town Board.
Pani, Fabian	75.17-1-52	Regrading	1	Public Hearing Closed & Planner Prepare a Resolution.
G & F Subdivision	55.-2-24.5, 6-1, 7-2 & 8-2	Bond Reduction	1	Public Hearing Closed & Bond Reduction Recommended To Town Board.
Carmel Terminals	55.11-1-23,24,27	A. Site Plan	2	Public Hearing Left Opened.
Crecco – DAG Route 6 LLC	75.19-1-8 & 75.20-2-5	Site Plan	2-7	Lead Agency Declared.
TTSHR, LLC	55.6-1-69 & 70	Res. Site Plan	7	Denied to ZBA.
Rosamilia, Massimo & Robert	87.8-1-2 & 3	Res. Site Plan	7-8	Removed From Agenda.
Doupis, Achilles	75.16-1-18	Waiver	8	Denied to ZBA.

The meeting was adjourned at 7:52 p.m.

Respectfully submitted,

Rose Trombetta

14 NICOLE WAY, LLC (ZAKON) – 1065 ROUTE 6 – TM – 65.6-1-22 – PUBLIC HEARING - BOND RETURN

Chairman Paeprer asked if anyone from the audience wished to be heard on the bond return.

Hearing no comments from the public, Vice Chairman Giannico moved to close the public hearing. The motion was seconded by Mrs. Causa with all in favor.

Mr. Cote moved to recommend full bond return to the Town Board. The motion was seconded by Vice Chairman Giannico with all in favor.

PANI, FABIAN – 112 STILLWATER ROAD – TM – 75.17-1-52 – PUBLIC HEARING

Chairman Paeprer asked if anyone from the audience wished to be heard on this application.

Hearing no comments from the public, Mr. Cote moved to close the public hearing. The motion was seconded by Mr. Frenkel with all in favor.

Chairman Paeprer asked the Planner to prepare a resolution for the next meeting.

G & F SUBDIVISION – GATEWAY DRIVE – TM- 55.-2-24.5, 6-1, 7-2 & 8-2 – PUBLIC HEARING - BOND REDUCTION

Mr. Carnazza had no comments.

Mr. Franzetti stated the original bond amount posted was 1.5 million. The applicant provided a breakdown of items that needed to be completed and that remains outstanding. The applicant has noted that the following work remains to be completed:

- Paving Top Course: \$60,000.00
- Guiderail: \$80,000.00
- Sidewalk: \$80,000.00
- Stormwater basin conversion: \$65,000.00
- Landscaping: \$35,000.00

This Department has no objection to the breakdown submitted. The work remaining totals \$320,000.00 which is 20% of the original bond amount.

Chairman Paeprer asked if anyone in the audience wished to be heard on the bond reduction.

Hearing no comments from the audience, Vice Chairman Giannico moved to close the public hearing. The motion was seconded by Mr. Nuculovic with all in favor.

Mr. Cote moved to recommend the bond reduction to the Town Board. The motion was seconded by Mr. Frenkel with all in favor.

CARMEL TERMINALS – 79 OLD ROUTE 6 – TM – 55.11-1-23, 24 & 27 – AMENDED SITE PLAN

Mr. Carnazza had no comments.

Mr. Franzetti stated I still have comments that needed to be addressed. The folks from Insite Engineering sent me some additional information today, but I haven't had a chance to review it. It has to do with the stormwater prevention plan, water and wastewater report that we need to work on, stormwater maintenance agreements and any public improvements that's going to be part of the resolution. He said there were just some minor comments, it's more good housekeeping for the project that needs to be completed prior to this approved for resolution to move forward.

Mr. Cleary stated there is one final piece that needed some clarification which is the retaining wall or dyke that's being added, that there is some excavation or grading necessary. We just need to know how much.

Chairman Paeprer asked Mr. Thyberg if he was aware of the comments that were just mentioned.

Mr. Adam Thyberg of Insite Engineering, representing the applicant addressed the board and stated we responded to those comments today. Mr. Franzetti hasn't had a chance to review it and we're going to continue to coordinate with his office on the logistics of the abandonment of the sewer service and the reconfiguration of the water service

Chairman Paeprer asked if anyone in the audience wished to be heard on this application.

Mr. Cleary reminded the board closing the public hearing starts the clock.

Mr. Thyberg asked the board if the Planner could draft a negative declaration in anticipation of all these issues being addressed by the next meeting.

Chairman Paeprer replied yes.

The public hearing was left opened.

CRECCO – DAG ROUTE 6 LLC – 395 ROUTE 6 – TM – 75.19-1-8 & 75.20-2-5 – SITE PLAN

Mr. Carnazza read his memo which stated the applicant wants to add 2 contractor warehouses (10,000 s.f. and 3,240 s.f.) to the rear of their property on Route 6, in Mahopac. There is currently a dog daycare and a two-family dwelling that will be removed. The new zoning code is allowing contractor yards. The current mixed use is being removed. Wholesale Storage and Distributive Yards are permitted in the C-Commercial Zone. Variances are required from the ZBA for the following:
Side 25 ft., (3,240 s.f. bldg.) 7 ft, 18 ft. variance needed.

Mr. Franzetti read his memo dated January 19, 2024.

Mr. Cleary stated this an interesting application. You all know the site. It's the property that has the pools that sit right on Route Six. There's that large parking lot in the front and the Dog Daycare facility way in the back. These two buildings would be behind that building so virtually invisible from Route 6. Nevertheless, they will be visible from the Trailway which is right behind the property between Buckshollow Road. While we're not so

concerned about the typical thing we'd be concerned about views from the roadway, the views in this case are from the Trailway. This applicant owns the adjacent property the Freight Liquidator site as well. Currently they kind of share the common boundary which is the access to both sites. He said without that there's not enough room to squeeze through the existing building to get to the back so they need that adjacent property to provide access to the rear. They are proposing an easement in the corner which would give them that formal right of access.

Mr. Adam Thyberg of Insite Engineering, representing the applicant addressed the board and stated that there is access to Buckshollow Road, but for some reason it needed to be accessed from Route 6.

Chairman Paeprer asked if Buckshollow Road is currently open for access.

Mr. Nick Crecco, owner of the property stated we are currently in contract with Freight Liquidators and we are proposing to give us a permanent easement so there'll be a complete ingress and egress on both ends of the property, the existing on Buckshollow Road which crosses the bike trail and Route Six which will be between the existing dog place and Freight Liquidators is as we know today and that'll be a permanent easement that will deed to both properties allowing that access and that easier flow of traffic in either direction.

Mr. Cleary stated that's critical. We want to have that access both ways. He said we need to see how vehicles are going to move through the site. The issue with these uses is they've been problematic for us in the past. A contractor building where all the activity occurs inside the building is fine, contractors that are sloppy and store stuff outside that's problematic. The good news is right now the back of the property is real problematic, so cleaning it up is a significant advantage for us, but we need to clean it up with a use that remains a clean and tidy use so everything has to happen in the buildings. If there is outdoor storage you have to define it on the site where is it going to occur we would enclose it and so forth. The notion of how the site will be used has to be clarified quite clearly and our approval. Our approval is going to have to be very clear in what these buildings are going to be used for. A significant issue which is the visual impact of these buildings from the Trailway. They have given us some elevations, it's a steel building. He said right now there's some landscaping along the property line kind of raggedy nothing significant, either screen the heck out of it so the buildings are invisible and we really don't care what they look like or make sure the buildings are really attractive buildings so if you do see them from the Trailway it's not a visual issue. Right now, the elevations don't indicate a wonderful looking building it's kind of a typical industrial building. If they're going to be visible, your role as the architectural board will be to improve the appearance of those. There is plenty of parking, the dog use will stay there. The parking that's required for this is sufficient on the site they've identified the parking spaces. Lighting needs to be identified. What security measures are you going to have? Will there be razor ribbon on the fences or on the buildings to secure. All of those things need to be clarified.

Chairman Paeprer asked for an overview of the project.

Mr. Thyberg stated it's a 4.8 acre site in a commercial zone between Route 6 and Buckshollow Road. There's currently a 12,000 ft. building that houses the Dog Daycare boarding business and the associated 14,000 ft. enclosure. That's all going to remain. We clarified the two family dwelling that's going to be removed in that location. The applicants are seeking to construct two buildings, one is a 10,000 foot building, which will be used for contractor offices and storage. They're going to be contractor units with overhead doors (points to map).

Chairman Paeprer asked if the trucks will be pulling into the building or will they be parked outside.

Mr. Thyberg replied some trucks may be outside some of them will be internal.

Chairman Paeprer asked what about materials, such as gravel, sand, dirt, wood chips, etc.

Mr. Crecco stated the concept of this is to rent space. There's a high demand in the area for instance a plumbing contractor an electrical contractor, woodworking contractor. We're not looking to do piles of gravel and sand. The building design is very similar to what's behind us, what's across from us and I think we've proven ourselves as well everything that we do we're always doing something a step ahead and always want to beautify the area for the community. Especially being on the bike trail. We were to the point of renting it as space just to help pay the taxes and expenses to maintain this property. The post COVID world, we're back on our feet and we want to clean this area. The 10,000 square foot building will harbor five individual contractor condominium. Each one will have their own individual meters. Contractors such as electricians and plumbers and people who just need a workspace where they can park their vehicles indoors. The second floor would be half of a loft and the average space per unit is 40 wide and 50 deep creating a 2,000 square foot footprint and a loft of creating an additional 1,500 square foot within the same space with a half a bath per unit. We just want to clean it up with as less disturbance as possible. It's all pre-existing millings on the floor and we'll do all new black top screen the bike trail put slots into the fence and just clean it up for the Buckshollow pedestrians and those that use the bike trail. It's not visible from the Route 6 area, it's mainly from the Buckshollow area, but it'll be no different than what is existing around us today. We've addressed the lighting factor. We're going to put light LED lighting to create a very well illuminated area during the nighttime and get rid of what is there now. The 3,400 square foot building will have the same concept, but my brother and I are keeping that 3,400 square foot building with the one garage door for ourselves. We do our own maintenance and construction for all the properties we have in town.

Chairman Paeprer asked if there will be residential units.

Mr. Crecco replied no.

Vice Chairman Giannico asked will there be office space in each of the units?

Mr. Crecco replied each of the units will be the 2,000 square foot footprint and they can build out a small office. Each unit will house a half bath creating individual units for that contractor. There will be a half bath and a 1,500 square foot loft if they choose to build out the loft. It won't be a yard where we're housing outdoor gravel or sand.

Mr. Carnazza stated they are actually getting rid of a dwelling unit there and it will become more conforming which is good.

Mrs. Causa asked is this just for storage, no work will be done in there?

Mr. Crecco replied I don't know what they will doing.

Mr. Cleary state that's why I said that all has to be clarified, because then that becomes manufacturing or fabrication use. That's different from a warehouse use, different from an office use. It all has to be clarified and documented so we know what we're approving and can enforce the use of the property in the future.

Mr. Frenkel asked what controls measures will be put in place for waste disposal?

Mr. Crecco said we're not going to put an auto body shop or a mechanic shop or anything like that.

Mr. Frenkel stated whatever you may have, how do we know that there's not going to be problematic waste disposal.

Chairman Paepre stated we need to know what's going on inside the buildings.

Mr. Frenkel said but it doesn't sound like it's going to be defined as to what particular business are going to be inside.

Mr. Thyberg stated in our next submission we'll include a use table on the site plan and we'll break down employees, the types of businesses that we're proposing and get into some of that detail.

Mr. Frenkel asked during construction phase will the existing businesses be shut down?

Mr. Thyberg stated the only disruption on the existing site that'll happen during construction will be the play enclosure that they have during the construction of the septic. Otherwise, everything should be able to continue operating seamlessly. Once the construction is complete the fence will go back up and then it'll be turned back over.

Mr. Cote asked what is the height of the proposed new buildings.

Mr. Thyberg stated based on the definition in the code, I believe we go to half the height to the peak and we have that on the larger of the two buildings. It's 33.6 feet to the town definition

Mr. Cote asked what is the height of the existing building.

Mr. Thyberg replied he doesn't know, but will get that information.

Mr. Cote asked if the doors and garages will be facing Buckshollow Road.

Mr. Thyberg replied that's correct.

Mr. Cote asked do you intend to use the ingress and egress from Buckshollow Road or do you expect the contractors to drive from Route 6 and around.

Mr. Crecco stated the concept is to use Buckshollow more than Route 6, but the ingress and egress will be available by easement in both ends. The intention is for the tenants to come in through Buckshollow Road.

Mr. Balzano asked how much traffic do you expect to generate at the Buckshollow entrance?

Mr. Crecco stated I don't think it would change much more than is existing, because we have a few rentals there as it exists now. It's not a steady in and out retail type of a concept. Mr. Thyberg stated we will include a use table and anticipated number truck trips.

Chairman Paepre stated that would be very helpful.

Mr. Franzetti stated you probably have to put additional signage in there so that the contractors who are using it will know how to stop and how to enter.

Mr. Thyberg stated we'll look at it if we want to put in some stop measures or signs. We'll take a closer look at that.

Chairman Paeprer asked what is the purpose of the pools and statues that are there?

Mr. Crecco stated that was a variance that was approved with Ken Laurel and D'Agostino's from the Zoning Board, which gives them the right to display those pools. He pays us rent to use that property and I rented him the whole front grass area, pasture area and lawn area on Route 6. It was pre-us owning it and we just continued.

Chairman Paeprer asked does he still actively pay you to advertise those pools.

Mr. Crecco replied he pays to rent the property.

Chairman Paeprer stated looking at this whole site now, I believe, together if we do this right we could have a much nicer looking property than what it looks like today. I'm not sure the pools are great entrance to your business there. He asked if the dumpsters in the rear will remain.

Mr. Crecco replied no.

Mr. John Crecco, co-owner of the property, addressed the board and stated behind the location there are 40 dumpsters, there's a junk yard and cars and we want to remove all of that. We want to put up two beautiful buildings like we've done to 20 other properties in town. Aesthetically we want to make it look amazing. If you drive by that area right now to the left in front all over there's about 10 buildings exactly like we're proposing, but they look a little old we want to make it beautiful. There's nothing more than the area has already. There's a big need for businesses like landscapers that have trucks with all of their equipment, but they're not allowed to park in residential driveways, but they do and they're getting fines and people are coming to us complaining. This is really the purpose of these garages, there's a big demand. There's a lot of them all over the town and they are all fully rented. These businesses are coming to us with a hardship saying we need to place to park our equipment. He said not only are you helping local businesses, but you're also helping the area. Right now, it's not to our preference to look at something like this. It's a disaster and we had meetings with certain people in town and everybody agrees that it needs to be fixed up and addressed.

Chairman Paeprer stated he was in full agreement and we now have an opportunity to fix it. The whole bike path is very industrial and very sloppy in the backyard. When we get done with this project this should be the nicest looking front yard to the bike path that we have in town.

Mr. Thyberg stated there is a hedge row on the frontage on Buckshollow Road that kind of runs along. There's a fence and hedge row and it has some bald spots in it. The intention is to fill that in and to complete the screening along the bike path. That's part of the plan and it's labeled on the plan. It's all part of the screening for the project.

Mr. Frenkel asked if there was any concern about lighting spilling over to the neighborhood.

Mr. Thyberg replied we're going to provide a light spill plan, but the lights that we'll be using are building mounted lights. They'll be there to provide security and just to illuminate the area directly around the buildings themselves. I think the intention is going to be that they

will run on a photo cell during operating hours and then after hours they'll just run on motion sensors for security purposes. Through the lighting analysis that we'll do we'll make sure that there's no light spill off the property.

Mr. Frenkel moved to declare the Planning Board as lead agency. The motion was seconded by Mr. Nuculovic with all in favor.

TTSHR, LLC – 25 & 27 SEMINARY HILL ROAD – TM – 55.6-1-69 & 70 – RESIDENTIAL SITE PLAN

Mr. Carnazza stated basically it's the same comments from the last meeting. The parking calculations were added and six variances are required from the Zoning Board.

Mr. Franzetti read his memo dated January 19, 2024.

Mr. Cleary stated are no outstanding issues with respect to any of the planning issues. The site is not a problematic site it's just the use is problematic. As Mr. Carnazza indicated this is all about the variances. We've cleared the hurdle of all technical site plan related issues so I think it's time for them to go to the Zoning Board.

Chairman Paeprer stated as it stands it is more of a Zoning Board issue than Planning Board, however this gives us an opportunity to clean up this property.

Mr. Carnazza said that whole area is multi-family.

Chairman Paeprer stated it fits and it's hidden in the back of the driveway.

Vice Chairman Giannico stated it still maintains quite a bit of open space which is a benefit.

Mr. Cleary stated while it's not required we asked them to give us the calculations if it were and it's four times what would be required if it were required.

Vice Chairman Giannico stated to me that's a positive when we're looking at projects like this.

Chairman Paeprer stated we want to bring this all up to safety and fire codes.

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

ROSAMILIA, MASSIMO & ROBERT – 585 UNION VALLEY ROAD – TM – 87.8-1-2 & 3

Chairman Paeprer stated the application was removed from the agenda.

Mr. Franzetti stated he was at an adjacent site there earlier today. There was a lot of noise coming off of 585 Union Valley Road. I just wanted to make the board aware of that noise, as in tree cutting, trucks being dumped out.

Mr. Carnazza stated there is a landscape operation going on at the property so they're not just parking there.

DOUPIS, ACHILLES – 441 ROUTE 6 – TM – 75.16-1-18 – WAIVER OF SITE PLAN APPLICATION

Mr. Carnazza stated they're not doing anything that's going to change the use. What they're doing is putting a roof and a facade over the top of the sidewalk that goes along the front of it. A variance is required from the ZBA for front yard. If they can get denied for the variance, I have no objection to the granting of the waiver of site plan.

Mr. Franzetti had no comments.

Mr. Cleary stated no issues from a site planning perspective at all. They need the variance.

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

Vice Chairman Giannico moved to adjourn the meeting at 7:52 pm. The motion was seconded by Mr. Frenkel with all in favor.

Respectfully submitted,

Rose Trombetta