

HAROLD GARY
Chairman

TOWN OF CARMEL
PLANNING BOARD



60 McAlpin Avenue
Mahopac, New York 10541
Tel. (845) 628-1500 – Ext.190
www.carmelny.org

MICHAEL CARNAZZA
*Director of Code
Enforcement*

RICHARD FRANZETTI, P.E.
Town Engineer

BOARD MEMBERS
CARL GREENWOOD
JOHN MOLLOY
JAMES MEYER
ANTHONY GIANNICO
CRAIG PAEPRER

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

PLANNING BOARD AGENDA
JUNE 11, 2014 – 7:00 P.M.

MEETING ROOM #2

TAX MAP # PUB. HEARING MAP DATE COMMENTS

RESOLUTION

- | | | | |
|---|-----------|--|---------------------------------|
| 1. Paladin Center – 39 Seminary Hill Rd, Carmel | 55.10-1-1 | | Waiver of Site Plan Application |
|---|-----------|--|---------------------------------|

SITE PLAN

- | | | | |
|--|-----------|---------|-----------|
| 2. Hudson Valley Veterinary EMS – 559 Route 6N | 75.6-1-67 | 5/16/14 | Site Plan |
| 3. Lakeview Realty 168, LLC – East Lake Blvd | 76.22-1-4 | 6/3/14 | Site Plan |

MISC.

- | | | | |
|---|---------------|--|---|
| 4. Old Forge Estates – Baldwin Place Road | 75.15-1-19-40 | | Re-Approval of Final Subdivision Approval |
| 5. Minutes – 4/30/2014 & 5/14/2014 | | | |



A GREENBERG DESIGN GROUP

May 16, 2014

Harold Gary, Chairman & Members of the Planning Board
Town of Carmel
60 Mcalpin Avenue
Mahopac, New York 10541

Re: Hudson Valley Veterinary EMS - Gil Stanzione, DVM
559 Route 6N, Mahopac, New York 10541
T.M. 75.6-1-67

Dear Mr. Gary & Members of the Board,

As you will recall, last fall the Planning Board denied our application for site plan approval in order for us to make application to the Zoning Board of Appeals for several area variances. One of the major variances was the fact that 16 parking spaces in front of the existing building were on property that Dr. Stanzione did not own. When we appeared before the Zoning Board of Appeals, the board insisted that we either purchase the parking lot or get an irrevocable permit to use it. We have chosen to purchase the property from Putnam County. We appeared before the Physical Services Committee of the Putnam County Legislature which approved the resolution for my client to purchase the property. In addition, to that committee, the other legislators were present. They expressed support for this project and indicated that it is sorely needed in this location. The full legislature will approve the resolution of purchase at their June 3, 2014 meeting. I have attached a letter from the legislature indicating the above.

With the acquisition of this property, most of the variances are no longer required. In addition, the entrance to the rear parking lot will be located on Yorke Road. All exiting from the rear parking lot will be directly to Route 6N.

Therefore, I would appreciate it if you would place on your next agenda for a new denial and referral back to the Zoning Board of Appeals.

Thanking you in advance for your interest and cooperation in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,


Joel Greenberg, AIA, NCARB

Two Muscote Road North
Mahopac, New York 10541
P: (845) 628-6613 F: (845) 628-2807
Email: joel.greenberg@arch-visions.com



THE PUTNAM COUNTY LEGISLATURE

40 Gleneida Avenue
Carmel, New York 10512
(845) 808-1020 Fax (845) 808-1933

Carl L. Albano *Chairman*
Ginny Nacerino *Deputy Chair*
Diane Schonfeld *Clerk*
Clement Van Ross *Counsel*



Barbara Scuccimarra	Dist. 1
Sam Oliverio, Jr	Dist. 2
Louis D. Tartaro	Dist. 3
Ginny Nacerino	Dist. 4
Carl L. Albano	Dist. 5
Roger S. Gross	Dist. 6
Joseph Castellano	Dist. 7
Dini LoBue	Dist. 8
Kevin Wright	Dist. 9

May 16, 2014

Mr. Joel Greenberg, RA, Principal
Architectural Visions PLLC
2 Muscoot Road North
Mahopac, NY 10541

RE: Conveyance of real Property/Portion of Tax Map #75.06-1-67 Town of Carmel

Dear Mr. Greenberg:

At the May 15, 2014 Putnam County Physical Services Committee Meeting, the Conveyance of real Property/Portion of Tax Map #75.06-1-67 Town of Carmel was addressed on the agenda.

The Conveyance of real Property/Portion of Tax Map #75.06-1-67 Town of Carmel was approved unanimously, by the three (3) person board. This matter will be voted on by the Full Legislative Board at the June 3, 2014 meeting.

Regards,

Carl Albano
Chairman of the Putnam County Physical Services Committee

PUTNAM COUNTY LEGISLATURE

Resolution #139

Introduced by Legislator: Carl Albano on behalf of the Physical Services Committee at a Regular Meeting held on June 3, 2014.

page 1

APPROVAL/CONVEYANCE OF REAL PROPERTY/ PORTION OF TAX MAP NO.: 75.06-1-67/TOWN OF CARMEL

WHEREAS, the County is the possible fee title holder of a 7,897 square foot portion of the property designated and described as 559 Route 6N, Mahopac New York (Carmel TM # 75.06-1-67), which area is further depicted on the survey, dated July 8, 2013, prepared by Link Land Surveyors, PC, and the corresponding legal description, copies of which are attached hereto as Schedule "A" (hereinafter the "Property"); and

WHEREAS, the Property has historically been utilized as a parking area for the commercial establishment located at 559 Route 6N; and

WHEREAS, the County's possible ownership interest in the Property was only recently brought to issue; and

WHEREAS, such possible ownership interest cannot be definitively confirmed by a title search; and

WHEREAS, the County does not require the use of the Property; and

WHEREAS, Jolie Holdings, LLC is the owner of the balance of 559 Route 6N, Mahopac New York, which is improved by a commercial structure; and

WHEREAS, in order to resolve legal and/or title issues resulting from said possible encroachment, Jolie Holdings, LLC has offered to purchase whatever interest the County has in the Property for the sum of \$25,000.00; and

WHEREAS, the Putnam County Administration has reviewed said offer and recommends the acceptance of same; now therefore be it

RESOLVED, that pursuant to Chapter 31 of the Putnam County Code, the Putnam County Legislature approves of a quitclaim of the County's possible interest in the Property, as it is depicted on the survey, dated July 8, 2013, prepared by Link Land Surveyors, PC, and as further described in the legal description attached hereto as Schedule "A"; and be it further

RESOLVED, that Jolie Holdings, LLC shall pay the County the sum of \$25,000.00, together with payment of the appropriate Transfer Tax and Recording Fees; and be it further

RESOLVED, that Jolie Holdings, LLC shall be required, at its sole cost and expense, to obtain any/all necessary approvals as shall be necessary to effectuate the

Vote:

State Of New York

ss:

County of Putnam

I hereby certify that the above is a true and exact copy of a resolution passed by the Putnam County Legislature while in session on June 3, 2014.

Dated: June 4, 2014

Signed: _____

Diane Schonfeld
Clerk Of The Legislature Of Putnam County

PUTNAM COUNTY LEGISLATURE

Resolution #139

Introduced by Legislator: Carl Albano on behalf of the Physical Services Committee at a Regular Meeting held on June 3, 2014.

page 2

transfer of the Property, including, but not limited to such approvals as may be required by the N.Y.S. Department of Transportation; and be it further

RESOLVED, that upon the issuance of the aforesaid approvals, if required, and the receipt of the aforesaid monies by the County, the County's interest in the Property shall be conveyed in an "as is" condition by quitclaim deed; and be it further

RESOLVED, that the Putnam County Attorney is authorized to prepare said quitclaim deed, and the Putnam County Executive shall be authorized to execute said quitclaim deed on behalf of the County.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.



Vote:

State Of New York

ss:

County of Putnam

I hereby certify that the above is a true and exact copy of a resolution passed by the Putnam County Legislature while in session on June 3, 2014.

Dated: June 4, 2014

Signed: Diane Schonfeld

Diane Schonfeld
Clerk Of The Legislature Of Putnam County



LINK LAND SURVEYORS

New York State Licensed Land Surveyors

21 Clark Place Suite 1B
Mahopac, New York 10541
Phone 845-828-5857
Fax 845-821-0013

MEMBER OF THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS
WESTCHESTER PUTNAM ASSOCIATION OF PROFESSIONAL LAND SURVEYORS

Suggested Description Parking Lot Area

All that certain plot, place or parcel of land, situated and lying and being in the Town of Carmel County of Putnam, and State of New York bounded and described as follows:

Beginning on the westerly side of Route 6N (State Highway No. 9274-a), County Highway No. 1512 where the same is intersected by the property now or formerly land of Red Mills Shopping Center Inc. as described in Liber 850 C.P. 62 on the north and land now or formerly Jolie Holding Corp. on the south property as described in Liber 1570 c.p. 331.

Thence running through the existing traveled way being known as Route 6N (State Highway No. 9274-a) County Highway No. 1512, the following four (4) courses and distances

1. South $66^{\circ}00'00''$ East 54.00 Feet to a point;
2. South $28^{\circ}00'00''$ East 17.00 Feet to a point;
3. South $51^{\circ}34'00''$ West 148.00 Feet to a point;
4. North $66^{\circ}22'00''$ West 40.06 Feet to a point to the westerly side of New York State Route 6N formerly Market Place;

Thence running along the westerly side of said existing traveled way North $29^{\circ}01'05''$ East 11.08 feet to the division line between Land now or formerly Jolie Holding Corp. on the west and the existing traveled way Route 6N formerly market place on the East;

Thence north along said division line North $40^{\circ}38'43''$ East 135.32 feet to the point and place of beginning.

Containing 7,897 Sq. Ft.

WORMSER, KIELY, GALEF & JACOBS LLP

399 KNOLLWOOD ROAD

WHITE PLAINS, NY 10603-1931

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April 22, 2014

By Email and First Class Mail

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*ADMITTED IN ME
**ADMITTED IN MN & NJ

Hon. Carl Albano, Chairman
Putnam County Legislator
40 Gleneida Avenue
Carmel, New York 10512
putcoleg@putnamcountyny.com

Re: Jolie Holdings LLC with Putnam County - Old Route 6N, Mahopac Falls, N

Dear Chairman Albano:

We are attorneys for Jolie Holdings LLC. As you may recall, our client had been scheduled to appear before the Physical Services Committee earlier this year relative to a certain former roadway parcel adjacent to its property at 599 Route 6N, Mahopac New York. As you know, our client's predecessor has improved and utilized the subject parcel for many years. At the time of the prior Committee meeting, it was believed that the parcel was owned by Putnam County. Indeed, the New York State Department of Transportation confirmed that they did not own the parcel but rather have continuing maintenance jurisdiction of same.

Since that earlier meeting was adjourned, we have had a title company perform a search of the subject parcel. Annexed is a copy of the title company's letter confirming that ownership of the roadway parcel cannot be confirmed and that in any event, there is no record conveyance of title thereto to the County. However, our title company has advised that it would be willing to insure title to our client upon (i) delivery of a quitclaim deed from the County to Jolie Holdings LLC; and (ii) the waiver by NYSDOT of their maintenance jurisdiction, which DOT has confirmed it would do at the County's request.

RECEIVED
PUTNAM COUNTY
DEPARTMENT OF LAW
2014 APR 24 AM 10:57

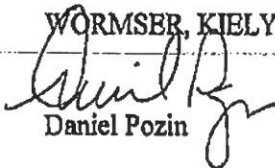
Accordingly, this letter is respectfully submitted seeking authorization from County Legislature through the Physical Services Committee, for the conveyance of whatever interest the County may have in the said parcel, if any, to Jolie Holding LLC via quitclaim deed. We also respectfully request that the County Legislature issue a formal request to NYSDOT to waive its maintenance jurisdiction as to same. Our client had previously delivered to the Physical Services Committee an appraisal for the subject parcel which assumed fee ownership by the County. Given that such fee ownership cannot be confirmed, but recognizing the undertakings being requested of your Committee and the County Legislature, our client has authorized that we offer on their behalf the sum of Twelve Thousand Five Hundred (\$12,500.00) Dollars in payment for the County's actions. We believe the addition of the subject parcel to the taxable roll, the development of our client's property with a significant new local business and the employment opportunities attendant therewith would be a boon for Putnam County as well as the Town of Carmel.

I am advised that you have already received a survey of the subject property. We will have a legal description prepared for incorporation into the quitclaim deed and forwarded under separate cover. If you have any questions, or require any additional information, please do not hesitate to let us know. Please also advise of your next Committee meeting in order that our client or its representatives may be present to answer any questions that may arise.

Thank you in advance.

Respectfully submitted,

WORMSER, KIELY, GALEF & JACOBS, LLP



Daniel Pozin

DP:mp
Enclosure
FA8544016ltr012.doc

cc: Hon. MaryEllen O'Dell, County Executive
Andrew W. Negro, Esq., First Deputy County Attorney
Joel Greenberg, RA, Principal, Architectural Visions PLLC
Gilbert Stanzione, Jolie Holdings LLC

Benchmark Title Agency, LLC

222 Bloomingdale Road, Suite 102, White Plains, NY 10605
(914) 250-2400 * Fax # (914) 422-1550

COPY

April 18, 2014

Daniel Pozin
Wormser Klely Galef & Jacobs
399 Knollwood Road
White Plains, NY 10603

RE: Title No. : BTA71632
Premises : Old Route 6N a/k/a Market Place , Carmel, NY 10512
Owner(s) : Unknown
Buyer(s) : Jolie Holdings LLC
Reference: Jolie Holdings LLC from County of Putnam

Dear Dan:

Please be advised that we have conducted a search in the County of Putnam to determine the owner of parcel known as: Old Route 6N a/k/a Market Place, near the intersection of Yorke Road, Town of Carmel, New York.

Our examiner was unable to determine the owner of this parcel. He found no deeds of record to said parcel in the County of Putnam, nor any document of conveyance to the County of Putnam. His determination is that the owner is unknown.

This company's liability for this search is limited to the amount paid for same and extends only to the applicant named above. This is not a policy of title insurance.

Very truly yours,
Benchmark Title Agency, LLC


By: Loriel De Caro



SITE PLAN APPLICATION

PLANNING BOARD
Town of Carmel - Town Hall
Mahopac, NY 10541
(845) 628-1500

The Complete Application shall consist of 11 Application Forms; 11 short EAF Form; 2 Disclosure Statements; 5 Site Plans & The Appropriate Fee

Date Submitted: 5/30/2014 Fee Paid \$ 800.00 Tax Map # 76.22-1-4

Applicant's Name, Address, Telephone # & Email Address: LAKEVIEW REALTY 168, LLC
466 ROUTE 6, MAHOPAC, NY 10541

Owner's Name, Address, Telephone # NICK CRECCO, 466 ROUTE 6, MAHOPAC, NY 10541

Firm Responsible for Preparation of Plan: ARCHITECTURAL VISIONS, PLLC

Firm's Address, Telephone # 2 MUSCOOT ROAD NORTH, MAHOPAC, NEW YORK 10541 845 628-66

Name & Address of Project: LAKEVIEW REALTY 168, LLC, EAST LAKE BLVD., MAHOPAC, NY

Zoning District: R-120 Lot Size: 8103 SF Existing use: VACANT

Number & Dimensions of Existing Buildings, if any: NONE

Total Floor Area and Height of Existing Buildings, if any: NONE

Number of Existing Parking Spaces: 0 # Proposed: 0

Percentage of Lot Covered by Buildings and Parking: 0

Does Existing Use Comply with Zoning Requirements: YES

If Not, Describe Non-Conformities: _____

Deeds recorded in County Clerk's Office - Date _____ Liber _____ Page _____

Are there Liens, Mortgages or other Encumbrances on the Site? _____

Are there any Easements relating to the Site? _____ If yes, attach copies of same.

Is Public Sewer & Water Available NO

Does the Site Contain Wetlands, Steep Slopes or Other Environmental Constraints? NO
(Wetlands should be flagged in the field and on the map).

Is the site adjacent to NYC Watershed Lands? NO

Are any waivers of site plan regulations requested? YES If so, List: TOPOGRAPHY

Have you sent your application to the Fire Dept? Yes _____ No X

Applicant's Signature: [Signature] Date: 6/2/14

Owner's Signature: [Signature] Date: 6/2/14

Brief Description of Project: CONSTRUCT TWO DOCKS AND BOAT SLIP

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: LAKEVIEW REALTY 168, LLC			
Project Location (describe, and attach a location map): EAST LAKE BOULEVARD			
Brief Description of Proposed Action: CONSTRUCTION OF TWO DOCKS AND BOAT SLIP			
Name of Applicant or Sponsor: NICK CRECCO		Telephone: _____	
		E-Mail: _____	
Address: 466 ROUTE 6			
City/PO: MAHOPAC		State: NY	Zip Code: 10541
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO YES
			x
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO YES
CARMEL ECB, ZBA AND BUILDING DEPT.			x
3.a. Total acreage of the site of the proposed action?		<u>0.186</u> acres	
b. Total acreage to be physically disturbed?		<u>0</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>0.186</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	X	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>LAKEVIEW REALTY 168 LLC</u> Date: <u>5/30/2014</u>		
Signature: <u><i>Jale Green</i></u> <u>PROJECT ARCHITECT</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		



June 9, 2014

Mr. Harold Gary, Chairman
Town of Carmel Planning Board
60 McAlpin Avenue
Mahopac, NY 10541

Re: Old Forge Estates
Re-approval of Final Subdivision
Baldwin Place Road
TM #75.15-1-19 thru 40

Dear Chairman Gary and Members of the Board:

We request the above referenced project be placed on the next available Planning Board agenda for re-approval of the subdivision.

Please be aware that the applicant has paid the engineering inspection fees for the project. In addition, and at the Town's request, the applicant installed watermain across their property connecting Water District #13 to Water District #10.

Sincerely,

PUTNAM ENGINEERING, PLLC

A handwritten signature in black ink, appearing to be 'PML', written over a horizontal line.

Paul M. Lynch, P.E.
PML/tal

cc: Applicant

(L01432)