

APPROVED

HAROLD GARY
Chairman

CRAIG PAEPRER
Vice-Chair

BOARD MEMBERS
CARL GREENWOOD
ANTHONY GIANNICO
DAVE FURFARO
CARL STONE
KIM KUGLER

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
MAY 27, 2015

PRESENT: CHAIRMAN, HAROLD GARY, VICE-CHAIR, CRAIG PAEPRER, CARL GREENWOOD, ANTHONY GIANNICO, DAVE FURFARO, CARL STONE

ABSENT: KIM KUGLER

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>TYPE</u>	<u>ACTION OF THE BOARD</u>
Meadowland GM Showroom	55.11-1-8-10	1	P.H.	Public Hearing Closed and Bond Return Recommended to Town Board.
VIP Wash & Lube	55.12-2-5	1-2	Re-Approval	Re-Approval Granted for 1 Year.
Hosch & Torres Subdivision	53.15-1-40	2-3	Extension	Planner to Prepare Amended Resolution.
Teakettle Heights Realty	76.17-1-19	3-4	Reso.	Amended Resolution Adopted.

The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Rose Trombetta

MEADOWLAND GM SHOWROOM – 1952 ROUTE 6 – TM – 55.11-1-8-10 – PUBLIC HEARING - BOND RETURN

Mr. Carnazza had no comments.

Mr. Franzetti had no comments.

Mr. Cleary had no comments.

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

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

Mr. Greenwood moved to recommend full bond return to the Town Board. The motion was seconded by Mr. Paepfer with all in favor.

VIP WASH AND LUBE – 118 OLD ROUTE 6 – TM – 55.12-2-5 – RE-APPROVAL OF FINAL SITE PLAN

Mr. Carnazza had no objection to the re-approval of final site plan.

Mr. Franzetti stated the Engineering Department does not have objection to re-approval of the site plan as long as there are no changes being made to site. The Board should note that the Performance Bond and Engineering Inspection Fee for this project was previously approved in 2012 and should be modified to meet 2015 costs.

Based on the ENR costs from 2012 to 2015 the escalation is 8%. Therefore, the proposed Performance Bond and Engineering Inspection Fee should be increased from \$124,000 to \$134,000 and from \$6,200 to \$6,700 respectively.

The Board should note the following:

New York State Department of Environmental Conservation (NYSDEC) Requirements

- The project has coverage under the NYSDEC General Stormwater Permit for Stormwater Discharges from Construction Activities (GP-0-10-001), permit number NYR10V540. No expiration date.
- The project has coverage under the NYSDEC Freshwater Wetlands permit – Permit number 3-3720-00412/00001. Expires December 31, 2015. A re-approval must be sought prior to that date.

Mr. Cleary had no objection to the re-approval and the plan remains identical to the previous site plan.

Ms. Dawn McKenzie of Insite Engineering, representing the applicant and Mr. Sergio Santos, owner of VIP Wash & Lube were present before the board.

Chairman Gary asked Mr. Santos if he agreed with the increase of the bond and engineering fee.

Mr. Santos replied he agreed with the increase.

Mr. Greenwood asked what was the delay.

Mr. Santos stated he had to finish a previous project which has since been completed.

Ms. McKenzie addressed the board and stated it is a re-development with no increase impervious and there are no changes to the site plan.

Mr. Paepfer moved to grant re-approval of final site plan with all terms and conditions from the original approval to be carried (other than the increase of the bond and engineering fee) to this approval for 1 year. The motion was seconded by Mr. Greenwood with all in favor.

HOSCH AND TORRES SUBDIVISION – 490 LONG POND ROAD – TM – 53.15-1-40 – 1ST EXTENSION OF SUBDIVISION APPROVAL

Mr. Carnazza had no objection to extension.

Mr. Franzetti stated the Engineering Department does not have an objection to extension as long as no changes are being made to the site.

Mr. Cleary had no objection to the extension. He said this is delayed because of the cost estimate for the bond.

Ms. Dawn McKenzie of Insite Engineering, representing the applicant addressed the board and stated there was letter included as part of the submission from William Shilling's office, the attorney for the applicant which asked about delaying the posting of the bond until it was time to get the building permit. She said there are no public improvements proposed and that is allowed per the code.

Mr. Charbonneau stated in theory we are agreement with respect to what Mr. Shilling said in his letter, however, our code requires a submission by the applicant for the formal reduction of that amount.

Ms. McKenzie said they are not looking for a reduction in the bond amount; they are just looking for a delay in the posting of the bond. She said we agreed on the bond amount, it's about the timing of the posting of the bond.

Mr. Charbonneau said he is okay with that and so is the town attorney.

Chairman Gary asked what the bond amount was.

Ms. McKenzie replied according to the resolution, the bond amount is \$26,000.00 with a \$1,300.00 engineering fee.

Mr. Greenwood stated it has always been a standard practice in our resolution to require the bond before the maps are signed.

Mr. Carnazza said it is usually for public improvements.

Mr. Cleary said for public improvements the bond is always posted prior to the filing of the plat. He said this is the first time we ever had this request.

Mr. Charbonneau stated we are not the only community seeing that. It's a compromise.

Mr. Greenwood said I understand that, it's just a matter of setting a precedent and changing what we have done in the past.

Mr. Charbonneau said if an applicant makes a request, we will look at it.

Mr. Cleary said nothing could be done until the bond is posted anyway, so the building permit is now the stage where the bond gets posted. We are still protected, it's just different.

Mr. Stone moved to grant extension of final subdivision approval for 180 days. The motion was seconded by Mr. Paepre.

Mr. Greenwood asked if the resolution needs to be amended because we have written in a previous resolution that the bond is required before the signing of the map.

Mr. Cleary said we will have to amend the resolution.

Mr. Greenwood said we have to amend the resolution to eliminate that requirement.

Mr. Stone amended his original motion and moved to direct the Planner to prepare the extension resolution with a new bond submission date. The motion was seconded by Mr. Giannico with all in favor.

TEAKETTLE HEIGHTS REALTY – TEAKETTLE SPOUT ROAD – TM – 76.17-1-19 – AMENDMENT TO RESOLUTION

Mr. Carnazza stated this is for a resolution with an amended bond amount.

Mr. Franzetti stated this is for amended bond amount. The original bond amount was for each site. One was \$31,000.00 for the bond and engineering fee was \$1,550.00.

And the other site the bond amount was \$33,000.00 and \$1,650.00 for the engineering fee. The fees are being amended to \$20,000.00 and \$1,000.00 for each lot.

Mr. Cleary said and that's the resolution you have before you. It is simply the amending of the fees and the rest of the conditions in the original resolution remain the same.

Mr. Franzetti said the original resolution did not recognize the two sites.

Mr. Charbonneau stated the amended resolution reflects that there are two specific sites and that two specific bonds and engineering fees are required.

Mr. Giannico moved to adopt Resolution #15-06, dated May 27, 2015; Tax Map # 76.17-1-19 entitled Teakettle Heights Realty Subdivision Amended Final Subdivision Approval. The motion was seconded by Mr. Greenwood with all in favor.

Mr. Greenwood moved to adjourn the meeting at 8:25 p.m. The motion was seconded by Mr. Furfaro with all in favor.

Respectfully submitted,

Rose Trombetta