

APPROVED

HAROLD GARY
Chairman

CRAIG PAEPRER
Vice-Chair

BOARD MEMBERS
ANTHONY GIANNICO
DAVE FURFARO
CARL STONE
KIM KUGLER
RAYMOND COTE

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*

VINCENT FRANZE
Architectural Consultant

PLANNING BOARD MINUTES

NOVEMBER 29, 2017

PRESENT: CHAIRMAN, HAROLD GARY, VICE-CHAIR, CRAIG PAEPRER, ANTHONY GIANNICO, DAVE FURFARO, CARL STONE, KIM KUGLER, RAYMOND COTE

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>TYPE</u>	<u>ACTION OF THE BOARD</u>
McDonald's USA, LLC	55.11-1-41	1	P.H.	Public Hearing Closed & Bond Return Recommended to Town Board.
Ronin Property Group	74.11-1-20	1	P.H.	Public Hearing Closed & Bond Reduction Recommended to Town Board.
Easter Seals New York	55.11-1-23,24 25 & 27	1-2	P.H.	Public Hearing Closed & Site Plan Approved for Resolution.
Kamala Associates(Barnwal)	44.15-1-37	2-4	R. Site Plan	Public Hearing Scheduled.
Lincks, Joseph & Lynda & Colonial Park Assoc.	75.42-1-46 & 47	4	Extension	Extension Granted.
Minutes – 10/11/17		4		Approved.

The meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Rose Trombetta

MCDONALD'S USA, LLC – 1931 ROUTE 6 – TM – 55.11-1-41 – PUBLIC HEARING ON BOND RETURN

Mr. Carnazza had no comments.

Mr. Franzetti said all comments have been addressed.

Mr. Cleary had no comments.

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

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

RONIN PROPERTY GROUP – SECOR ROAD – TM 74.11-1-20 – PUBLIC HEARING ON BOND REDUCTION

Mr. Carnazza had no comments.

Mr. Franzetti stated there are still some outstanding items on the site that need to be addressed, so we recommend that the bond be reduced not returned.

Mr. Cleary had no comments.

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

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

EASTER SEALS NEW YORK – 97 OLD ROUTE 6 – TM – 55.11-1-23,24,25&27 – PUBLIC HEARING

Mr. Carnazza stated all his comments have been addressed.

Mr. Franzetti stated all his comments have been addressed.

Mr. Cleary stated all planning issues have been addressed.

Mr. Lino Sciarretta, counsel for Easter Seals New York addressed the board and stated we received variances from the ZBA since we last met. He said Easter Seals is proposing a pre-k for special needs children at the site to accommodate 20 children and 10 adult staff.

He stated given the time constraint, we respectfully request if the board desires to do so to close the public hearing and hopefully approve this project understanding that the Chairman would have to sign the resolution. He said this would just help us expedite things.

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

Chairman Gary stated I spoke to Mr. Cleary regarding the signing of the resolution. He said I don't think any of the board members have any objection to me signing it.

Mr. Cleary stated there are no special conditions, no unusual circumstances for this project so you consider that Mr. Chairman.

Mr. Cote moved to grant site plan approval for Easter Seals New York and authorize the Chairman to execute the resolution when it's prepared. The motion was seconded by Mr. Furfaro with all in favor.

KAMALA ASSOCIATES (BARNWAL) – 87 FAIR STREET – TM 44.15-1-37 – RESIDENTIAL SITE PLAN

Mr. Carnazza stated all the necessary variances were granted by the ZBA. He said I don't have any additional comments and this could move on to public hearing.

Mr. Franzetti stated there are no site improvements for the proposed project; the engineering department does not have any additional comments related to the project as long as there are no changes being made to the site.

Mr. Cleary stated he has no objection to moving this to the public hearing stage.

Mr. Joel Greenberg of Architectural Visions, representing the applicant addressed the board and stated if possible could they also have a resolution ready for the next meeting. He said there are no changes; the site is staying exactly as it is.

Chairman Gary asked if anyone around the board have any comments.

Mr. Cote asked what are you proposing for the area that was the office?

Mr. Greenberg said the zoning board granted a variance to convert that from an office to a studio apartment.

Mr. Cote asked when was the variance granted?

Mr. Greenberg replied October 26, 2017.

Mr. Cote stated when I read the meeting minutes from the zoning board, unless I was misreading it, I read that they removed the part of the condition that said once the property was sold.....

Mr. Carnazza interjected and said that was around Christmas time of last year.

Mr. Greenberg said in December of 2016, they were in front of the board for an interpretation. He said many, many years ago, the zoning board put conditions on that property. They granted the variances, however, as soon as the property was sold all the variances were voided, but back in December 2016 that was changed.

Mr. Carnazza said what happened was the zoning board made the variances personal. You can't do that. It has to be to the land not to the person.

Mr. Cote said it was an office, so when was the variance granted to convert it from an office to an apartment.

Mr. Greenberg replied October 26, 2017.

Vice Chairman Paepfer stated some time ago other things were proposed for this site and you withdrew them earlier on, correct?

Mr. Greenberg stated the zoning board was to legalize the two family house, the accessory apartment was approved back in December of 2016 and the conversion of the office to a studio apartment was done on October 26th.

Mr. Carnazza said it is not an accessory apartment; it is an accessory dwelling unit. The owner does not have to live on the site.

Mr. Furfaro asked essentially we are putting four units on this property, correct?

Mr. Carnazza replied that's correct. Which are there currently.

Mr. Furfaro said so it's all residential now.

Mr. Carnazza said that's correct. He said instead of being a mixed use, they considered this more restricted by making it all the same use.

Mr. Furfaro stated at the last meeting we talked about finding other properties in the area that have similar situations.

Mr. Greenberg stated I have done that already. At which time, Mr. Greenberg displayed a map of the area, pointing to all the multi-family houses along Fair Street. Some are owner occupied, some aren't. He said there are about 10 of them on Fair Street.

Mr. Furfaro stated he had no issues, pending the public hearing.

Mr. Greenberg stated at the zoning board meeting, the neighbors were notified and no one showed up.

Mr. Stone asked about the parking.

Mr. Cleary said he modified his parking layout and he is now compliant.

Mr. Greenberg asked the Chairman since we didn't have anyone show up at the zoning board meeting can we waive the public hearing?

Chairman Gary said we are going to schedule the public hearing.

LINCKS, JOSEPH & LYNDIA & COLONIAL PARK ASSOC. - 771 & 775 SOUTH LAKE BLVD - TM - 75.42-1-46 & 47 - EXTENSION OF LOT LINE ADJUSTMENT

The consultants had no objection to extension of lot line adjustment.

Mr. Joel Greenberg of Architectural Visions, representing the applicant addressed the board and stated we are waiting for the health department that's why we need the extension.

Mr. Furfaro moved to grant extension of lot line adjustment. The motion was seconded by Mr. Giannico with all in favor.

MINUTES - 10/11/17

Mr. Cote moved to approve the October 11, 2017 minutes. The motion was seconded by Mr. Giannico with all in favor.

Mr. Furfaro moved to adjourn the meeting at 7:20 p.m. The motion was seconded by Mr. Cote with all in favor.

Respectfully submitted,

Rose Trombetta