

APPROVED

HAROLD GARY
Chairman

CRAIG PAEPRER
Vice-Chair

BOARD MEMBERS
ANTHONY GIANNICO
DAVE FURFARO
CARL STONE
KIM KUGLER

TOWN OF CARMEL **PLANNING BOARD**



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*Director of Code
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RICHARD FRANZETTI, P.E.
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PATRICK CLEARY
*AICP, CEP, PP, LEED AP
Town Planner*

PLANNING BOARD MINUTES **FEBRUARY 24, 2016**

PRESENT: CHAIRMAN, HAROLD GARY, VICE-CHAIR, CRAIG PAEPRER, ANTHONY GIANNICO, KIM KUGLER

ABSENT: DAVE FURFARO, CARL STONE

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>TYPE</u>	<u>ACTION OF THE BOARD</u>
Thimm, Karl & Janis	65.17-1-15	1	P.H.	Public Hearing Closed & Planner to Prepare Resolution.
Frenkel, Robert	75.8-2-20	1-5	Site Plan	ECB Referral.
Meadowland Extension	55.15-1-20	5-9	Site Plan	ECB Referral.
Lexington Development Corp.	65.-1-2	9-16	Subdivision	No Board Action.
Baldwin Subdivision	86.11-1-1	16-17	Extension	Extension Granted.
MK Realty	55.6-1-44&45	17	Extension	Extension Granted.
Random Ridge	76.10-1-23	17	Extension	Extension Granted.
Charry Subdivision	54.19-1-1	17-18	Extension	Extension Granted.
Minutes - 2/10/2016		18		Approved.

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Rose Trombetta

Chairman Gary welcomed Vincent Franze, architect for the planning board.

Mr. Franze addressed the board and stated he appreciated the opportunity and is looking forward to working with the board.

THIMM, KARL & JANIS — 232 EAST LAKE BLVD - TM – 65.17-1-15 – PUBLIC HEARING

Mr. Carnazza said this is on for a public hearing; all of my comments have been addressed.

Mr. Franzetti said all engineering department comments have been addressed with the exception of the applicant is still working with the NYC DEP, they have received the negative declaration from them but they are finishing with the SWPPP comments.

Mr. Cleary said all of the site planning issues have been addressed and they have received there variance from the zoning board and there wetland permit from the ECB.

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

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

Chairman Gary asked the Planner to prepare a resolution.

FRENKEL, ROBERT – 43 TAMARACK ROAD – TM – 75.8-2-20 – SITE PLAN

Mr. Carnazza said the applicant proposes a new boathouse on Lake Mahopac and they are redoing the dock. They needed to be referred to the ECB for comments, they have already been to the ECB and they are waiting on approval from this board. I asked if the existing concrete dock is a bulkhead or a cantilevered dock because that is how we would measure and but it is a bulkhead which complies with zoning.

Mr. Franzetti said the application encompasses the proposal to install a 25 x 15 foot boat house and resurfacing of an existing concrete seawall. The project has a rain garden that is in conformance with the NYSDEC, the only comments I have about the documents that have been submitted is that a legend should be provided on the drawings and pursuant to Section 156-27 the high water mark should be marked on the drawing to understand where we will start and end the location of the dock. I have spoken with the applicant and I believe he has put them in the drawing but when I reviewed this they were not on the drawing at that time. This application has received coverage under the NYSDEC fresh land and water permit that will expire December 31st, 2018 and it has been before the ECB but they will need coverage under Section 89 fresh water wetlands.

Mr. Cleary said boathouses are regulated as private water related facilities we have a separate section of the code that deals with these specifically and there is a series of criteria that must be met. The applicant is addressing and complying with all of them, some don't apply and some have been clarified. The width of the boathouse is measured from the edge of the bulk head so the 25 foot extension into the lake is in compliance because the bulk head goes around the dock that is extended below the boathouse. That has been clarified but there is some question about the extent of the seawall repair and it is unclear what is going on right behind the dock if that is a concrete patio next to the rain garden it needs to be clarified. We need the elevation of the building, lighting and utility clarification is required and the other permits that Mr. Franzetti had mentioned.

Mr. Giannico asked if they will be required to show detail on there because of the bulkhead.

Mr. Cleary said yes we would like to see details as they move forward with this.

Mr. Joseph Riina of Site Design, representing the applicant addressed the board and stated the application as proposed has two major components of it, the first is to replace existing boathouse and the other is to reface or add a veneer to the existing seawall. With the existing outline of the current boathouse there is a concrete dock that extends out to the main shore line of which the high water line follows, the dock is an extension of the existing concrete wall that goes along the edge of the lake. There is a concrete patio which is currently in disrepair pending the approval of this application. The rain garden is in place already which was constructed for the previously amended site plan. The existing boathouse is a metal arch which looks like a corrugated quantum hut type structure and it extends off the concrete seawall. It has large steel beams that are anchored in there and it sits on top of that which has collapsed now. That is the main focus of this application; the re facing of the seawall or adding the veneer to it will complement the neighbor's seawall as well as match the existing wall on the property. This broken up area here is now a rain garden and this is an existing wood dock which is proposed to be cleaned up and painted, there is no site plan application part to that. This is the proposed boathouse which is 25 x 15 the existing is 21 x 13 so we will be adding 4 feet in depth and 2 feet in width. We are holding this line and this line of the existing boathouse. The proposed method of support for the boathouse is going to be 6 micro piles which are stainless steel piles a little less than 7 inches in diameter. It is a non-intrusive operation to install them they will be about 15-18 feet deep and they will support the main structure of the boathouse. The boathouse will sit on the piles here.

Chairman Gary asked what the scale is on that drawing.

Mr. Rena said 4 inch per foot, so the boathouse itself is a shell structure and it's going to contain a mechanical boat lift which will be operated by an electric border and a winch which will raise the boat up and down out of the water. It is a pretty straight forward structure, the maximum height requirement of 10 feet as per code. There will most likely be a light on the inside but not on the outside. So to the addition to the construction of the boathouse we are also proposing the bowler system which is a flexible hose that will lie at the bottom of the Lake. It is perforated to a low pressure air compressor which will pump air through it and the bubbling action will prevent ice from forming around the piles and

around the boathouse itself insuring the longevity of the structure. The second aspect of the project is the proposed stone veneer along the seawall; the veneer will extend from the property corner all along the seawall and concrete dock. That is going to be similar to the adjoining properties seawall and will complement that well. We have a detailed section of the seawall where this will represent the concrete wall and the veneer is going to extend out 5 inches it is going to be 4 inch stone and there will be some air space behind it with a concrete footing just below the mudline to support it. Those steel ties will tie the veneers into the existing concrete wall. In order to protect this area during construction we have the seawall and a plywood sheeting barrier will be installed parallel to the work to contain any sediment or disturbance that could affect the Lake. All of this work will be done with hand tools so there will be no heavy equipment that will go near the Lake for that portion of the construction. At the end this will be capped off and the existing concrete patio area will be topped with blue stone or a slate type surface on it. The ledge has been added over on the right side and we have indicated the high water mark following the perimeter of the seawall.

Mr. Franzetti said he wanted to let the board members know that the applicant went to the ECB first only because they had a prior application that did not need to go to the planning board. This was reviewed about a year and a half ago; they had to go to the ECB which is why they went there first. I have reviewed the rain garden calculations and my comments initially were to come to the planning board because they are adding the structure so it does need planning board approval. The ECB has been made aware of some of these issues and most of them have been addressed as requested by the ECB.

Chairman Gary said so it's still a possibility for us to send them back to the ECB.

Mr. Franzetti said yes definitely.

Mr. Giannico asked what the height of the boathouse is.

Mr. Riina said it is 10 feet.

Mr. Giannico said there is no bathhouse or anything, it's just a boathouse.

Mr. Riina said exactly it's just the mechanical lift and the lighting in there.

Mrs. Kugler asked what the plans were for the dock.

Mr. Riina said just to repaint it.

Mrs. Kugler so you're not replacing it you're just painting it.

Mr. Riina said correct.

Chairman Gary asked if the mechanical lift is inside of the boat house.

Mr. Riina said yes there will either be a harness or a lift which will go down into the water and will pull the boat out of the water.

Mr. Giannico asked if there are electrical services out there already.

Mr. Riina said no.

Mr. Giannico said so they will be required to submit that onto the plans as well.

Mr. Riina said yes we can add that on.

Mr. Paepre asked what the exterior of the boathouse is going to be made up of.

Mr. Frenkel said it will be a horizontal siding consistent with what is there now.

Chairman Gary asked if he is matching something that is already there.

Mr. Frenkel said it is just intended to be a simple garage on pilings.

Mr. Riina said the current boathouse that is there is falling into the water and it is just a mess.

Mrs. Kugler asked Mr. Carnazza if there are any regulations with bubblers in the lake.

Mr. Carnazza said no not at this time, which is something that was discussed but has not happened yet.

Mrs. Kugler said I know there has been past history with people on the lake with bubblers and neighbors complaining about them.

Mr. Carnazza said well at the moment there is nothing written about that.

Chairman Gary said it looks very good, he then asked the Board if they had any other questions.

Mr. Cleary said we can refer them back to the ECB.

Mr. Riina said basically they gave us a conditional approval.

Mr. Franzetti said he has addressed the issues that I had but they do need to add the electrical drawings onto the maps. This has been through the ECB and it is going through there process the only reason it came here is during the process they realized there was a structure being built and it had to be reviewed by the planning board.

Chairman Gary said let's give a set of drawings to Mr. Franze for his review and we can recommend him back to the ECB for a wetland permit. In the process if there is any other recommendations just come back here for the next meeting.

Mr. Riina said we will get the revisions done with the electrical service so you will have a more current set of plans.

Chairman Gary said to meet with Mr. Franze to review them and you won't need to come back here to discuss.

Mr. Cleary said I think it is fairly straight forward.

Chairman Gary said I don't think they will need to come back to the board, so just follow the process of going back to the ECB and we will give Mr. Franze your drawings and he will contact you if he needs you.

Mr. Riina said on behalf of Mr. Frenkel the only thing I want to put forward is he would like to get the stone veneer work done this spring before the lake levels go up too much so if you can keep that into consideration and hopefully we can do this quickly.

Chairman Gary said I don't think we will be doing anything that's going to hold you up I think it can move along.

MEADOWLAND EXTENSION – 1979 ROUTE 6 – TM – 55.15-1-20 – SITE PLAN

Mr. Carnazza said the applicant proposes a 7,475 square foot automotive service building and parking for vehicles on Route 6 in Carmel. This project must be referred to the ECB for comments, provide striping for all parking and loading spaces, provide an onsite circulation plan and I also need a better explanation on what you are doing here. Is everything going to be centralized across the street, I'm not understanding the exact operation that is being proposed.

Chairman Gary asked if they are building a building.

Mr. Carnazza said yes you have to build a minimum of 5,000 square feet.

Mr. Franzetti said preliminary comments from the engineering department are general comments that this needs to be referred to the Carmel Fire Department, regulatory permits that will be required for this application are NYCDEP stormwater pollution prevention plan, NYSDEC stormwater wetlands permit, NYSDOT road entrance permit, Carmel ECB permit and Carmel sewer and water connection permits. Re grading required to encompassing the development should be provided; the plan should specify the total area to be disturbed as well as the extent of new impervious area to be created so the SWPPP requirements can be defined. Should any public improvements be deemed necessary, a performance bond and an engineering fee must be defined. Those are my general comments; I have 21 detailed

comments that will be provided directly to the applicant because it is missing a lot of detailed information on this application.

Mr. Cleary said we have a use category in the commercial zone for automotive services and sales lots that are allowable in the commercial zone. This however is in the commercial business park zone so we don't have a similar category, however it is not a sales lot it is just a service facility for Meadowlands so that needs to be clarified. So this will have to be determined by Mr. Carnazza to see how this use will be classified. We do have special permit criteria for new and used car lots in 156-29 for criteria that relate to those. One is a setback in the front yard which would be fine but we do have side yard setback that we are generally okay with, with the exception of grading going right up to the property line. If they are removing the existing trees that would mean they are encroaching into the buffer so that needs to be clarified. All repair work has to be fully enclosed and the applicant is building a building to do that work, none of the work can be done outside. Buffering and planting will be a requirement as well and we do have residences to the south and to the west as well so weather or not we will need to add some landscaping to the bottom is a question. They are proposing some drainage at the bottom which would take out some of the existing trees, it is a heavily wooded property today so we may want to see some buffering at the end of the property. The vast majority of the property is a state regulated wetland, they are staying out of the wetland area and the buffer with the exception of some grading that will go into the buffer. They may require state DEC wetland permit if that grading is extensive. There are car wash facilities proposed in the building so we typically want to know how they will be recycling water if it is recycled. Is this prepping new vehicle's to be sold or is it full service for any vehicles. They are also proposing large lots for storing vehicles, as Mr. Carnazza indicated they are not striping spaces; we would want the parking spaces to be identified and indicated on the plans. Are you proposing lighting in the area, is it going to be fenced or gated and also is there a pedestrian connection between the two locations. We would need to see a pedestrian crosswalk if that is the case.

Chairman Gary shouldn't they show an entrance?

Mr. Cleary said yes there is an entrance with one driveway that snakes it way through the back to where the building is being constructed.

Mr. Carnazza said this was here a few years ago as a landscaping yard which never happened.

Mr. Giannico asked where the parking lot for the vehicles would be.

Mr. Franzetti said to the back of the building.

Chairman Gary asked if that is behind the brick building that is right on Route 6.

Mr. Cleary said yes there is a brick building there.

Mr. Giannico asked if the area is primarily wooded right now.

Ms. Dawn McKenzie of Insite Engineering, representing the applicant replied yes that is correct.

Mr. Giannico asked how wooded the parking lot will be, it could be a security issue for the vehicles if it's not visible from Route 6 so that is something to think about.

Mr. Cleary said that's a good point are there going to be high intensity security lights because those can be offensive but could be needed in order to secure the site.

Ms. McKenzie said this is not intended to be a place for customers to come drop off their vehicles, all of that will happen at the dealership across the street. This is strictly going to be a place for employees to do service on vehicles, prep work and to store inventory. They are running into a space issue across the way but it will be placed better for them to move some of their services and vehicles across the street. What we are doing is providing a large vehicle storage area which should be able to hold up to 180 cars. Because it is inventory they will double park vehicles and just fill the space because customers aren't going to be driving in and out of there. It is also proposed to be vehicle storage across from the driveway, we will still have the full width access driveway to comply with the code and it will be pushed out to provide storage for another 30 cars. This area here will be marked out and designated for more vehicle storage because what they need is more space to put their inventory. We have provided some buffer plantings along these areas here where we are pushing some of the grades close to the property line to provide some screening. One thing you need to understand about this site is this is going to be set down probably 15 to 20 feet below the uses up in this area including the residences and apartment complex. In that area we have provided a 6 foot high fence and planted some evergreens there as well.

Mr. Paepre asked about the issues that were discussed about the fencing and the lighting for all those cars.

Ms. McKenzie said I would have to ask them about the fencing because we were not directed to provide fencing around the entire site.

Mr. Paepre said I would just assume for security purposes, but what about lighting.

Ms. McKenzie said there is lighting shown on the plan but what we have done is we proposed similar lighting level to what they are providing across the street at the dealership. Not the high intensity lights around the building where they are displaying cars, it's the back area where they will have their mass inventory. We are actually proposing the same fixtures they installed across the street, they are the same height and it is strictly in the area where the cars are. Around the building itself we will use building mounted lights, mounted at 14 feet high, they will be fully shielded to light up the area around the building.

Mr. Carnazza asked if they will provide a spill plan for all the lighting.

Ms. McKenzie said yes, we will provide that in our next submission. One thing I want to point out and I know Mr. Franzetti said there are a lot of holes in our submission but that is because we haven't been to the board yet and we wanted to get your initial comments before we move forward.

Chairman Gary asked if the property abuts a housing development.

Mr. Cleary said yes, Hughson Commons.

Ms. McKenzie said Hughson Commons is up here and it is actually 20 to 30 feet above the site so it will be above all of the light fixtures and we are taking some trees out here but you can't develop the site without it. We are constrained by the wetland and the buffer but in order to develop it you needed to do some grading into the buffer but we minimized that as much as we could. We have to provide onsite stormwater so what we have done is we graded the site to drain all the way to the back because this is really the only place we can put the storm water basins.

Chairman Gary said the reason I asked you is because once this application goes through and gets to the public hearing, the lighting is going to be the biggest issue. We will have this building filled with people worried about all the lighting.

Ms. McKenzie said but to a certain degree I believe you aren't going to be able to see a lot of the lighting from the road except in the winter when there are no leaves on the trees and this entire area is wooded, even though it is at a lower elevation.

Chairman Gary asked if they would be taking any people across that parking lot to look at the cars.

Ms. McKenzie said that is not the intent, they aren't even putting up a sign.

Chairman Gary said people will go across there once they find out there are more cars across the street and the intent is to sell the cars.

Ms. McKenzie said the way we expect the customers to utilize the site is customers would drop off and pick up their cars at the dealership. The staff would be driving their cars across the street to do whatever work they need to do, come out of the site, make a right and go through the back entrance through Old Route 6. We will be going to the NYS Department of Transportation, we need a permit from them and we will go through the whole process with them so we can get their feedback as well. If we push it further downhill we will have a harder time getting in and out so we will do more disturbances with the entrance into the wetland buffer. That's why we kept it up high so we will work down into the site, you start up here at the road at an elevation of 402 and you drive down into the site, the building is 18 feet lower than it is from the road. From Route 6 you won't even see this because it's set so far back into the site.

Chairman Gary asked if they will build a wall.

Ms. McKenzie said we are not proposing a retaining wall.

Chairman Gary said it's an elevated slope so it's going to be 18 feet.

Ms. McKenzie said gradually because you start here and you go down from 402 to 386. The land is graded.

Mr. Carnazza asked if there was going to be a drop off or a slope.

Ms. McKenzie said it is going to be a graded slope we are not proposing any retaining walls as part of the project.

Chairman Gary asked if the slope is going to slope down into their property.

Ms. McKenzie said yes, the slope will be vegetated.

Chairman Gary said to meet with the consultants to solve a lot of the issues. You also need to give Mr. Franze a copy of the plans so he can review them.

Ms. McKenzie asked if they can be referred to the ECB.

Chairman Gary said yes.

LEXINGTON DEVELOPMENT CORP – WIXON POND ROAD – TM – 65.-1-2 –SKETCH PLAN

Mr. Carnazza said the applicant proposes a 4 lot subdivision off Wixon Pond Road in Mahopac, this has been here on and off for several years. This project must be referred to the ECB for comments, the shed on the property now is formally Jedlica it is the triangle just between the middle of the road that goes over the property line and will be in the right of way eventually because this is going to be a Town road.

Chairman Gray said that is not this board's obligation to get rid of the shed it's his obligation before he even presents it to us.

Mr. Carnazza said lot 4 covers the whole wetland and one building lot.

Mr. Franzetti said this is a 4 lot subdivision on a 29.6 acre parcel, the roadway is proposed for dedication to the Town of Carmel. The applicant submitted the information for interpretation from the engineering department as the use of gravel for part of the driveway, he called it a driveway but if it's going to be dedicated to the Town then it is a roadway. As the applicant intends on dedicating the road to the Town of Carmel it must meet all of the Town of Carmel requirements and therefore must be paved.

Chairman Gary said the shed also must be moved.

Mr. Franzetti said I'm not concerned about the shed at the moment there are comments from 2013 that still have not been addressed. I can forward the other comments but just the general comments are this must be referred to the Carmel Fire Department; they will need a NYCDEP and NYSDEC stormwater pollution prevention plan. They also need DEC fresh water wetland permits, ECB permits, a SWPPP; they need to identify stormwater maintenance agreements and performance bonds for that.

Mr. Cleary said we have been wrestling with this subdivision for years; the biggest issue is the gravel roadway. They have fairly significant encroachments into that wetland and wetland buffer area, they have been working with the DEC, DEP and ECB to mitigate some of those impacts. Their best shot at doing that will be the gravel roadway, it doesn't meet our standards and that's why they are here tonight to discuss that.

Chairman Gary said there is one thing that we must always look at that is not obsolete but certain things just can't be done. We can try to get around things but if there is something in the wetlands that can't be compensated for then you just can't do it.

Mr. Ron Wegner from Cronin Engineering, representing the applicant said the shed will go; at this point we won't need it. In that same tone we had issues with the Dolphins who has a shed also. We were asked to provide some land for them to make their lot more zoning compliant and we agreed to that. This project has a very long history; we initially proposed an open development subdivision. Our first meeting was in August of 2003 when we introduced the project; we were looking for an open development subdivision. We provided a conventional subdivision layout to prove our lot count; we came back in 2004 to address some comments. At that point we were sent to address further comments and get some consensus from the DEP to make sure we were allowed to do this. We spent some time; there was another storm water consultant who came on board where we eventually came back in 2009. We had stormwater plans put together, we had a SWPPP prepared and we were still looking for the open development subdivision where at that point we were guided by the board to present a town owned road. That was the direction we were given. He said from there we made some plan revisions and at the end of 2010 we got our referral to the ECB that we were looking for. It took us some time to get things together we had to get a wetlands consultant. In 2013 we came back here to refresh you about the project and once again get a referral to the ECB which you granted to us. Following that we went to the ECB in 2013 and they told us we needed to get the wetlands reflagged and surveyed which we did. We also needed to update the survey plan, we returned in 2014 to the ECB where we got positive feedback from them and they told us that we need to satisfy the DEP. Since then we have gone out to the DEP and they did some soil testing.

Mr. Carnazza asked if this board told you not to do the open development or if it was the Town Board.

Mr. Wegner said it was a discussion of this board which I found in the minutes.

Chairman Gary asked why did we tell you that you can't have open development.

Mr. Wegner said the concern at the time was the width of the road and fire truck access. In the current condition there is this gravel road that varies at 10 ½ feet apart to a maximum of 19 feet.

Chairman Gary said you couldn't meet what is required of open development for that road.

Mr. Wegner said actually we could but we were guided by this board in February of 2009 to go with the town road. We went to the DEP; we did stormwater testing and found some surprisingly good soils where our stormwater facilities were proposed. For stormwater purposes the one place we really have to work with is the entrance and we are providing improvements to what is there. It is not good access and we have 7 residences here that currently gain access through this site. We are looking to improve that for environmental purposes, we are looking for gravel towards the entrance of the subdivision. This brings up here to request we get an interpretation from you.

Chairman Gary said the board told you that you couldn't have open development because the beginning of the road could not be brought up to standards for the open development.

Mr. Wegner said I have the original plan here and in the first plan we were looking to follow the existing roadway. We went and showed conventional roadways.

Mr. Cleary said the common driveway that was proposed for the original open development was found to be less preferable than a town standard road. We directed the applicant to provide the town standard road with an emergency access to all lots.

Mr. Wegner said if the town cannot accept the road with a gravel surface, we would be happy to make it an open development subdivision.

Chairman Gary said I don't think we could get the town to accept the gravel road, why can't you pave the road.

Mr. Wegner said because of stormwater, water quality and DEP treatment.

Mr. Carnazza said you can't do it or it's too expensive to do it.

Mr. Wegner said there are limitations with ground water and the flatness of it, we can provide some mitigation but meeting their requirement of separation to ground water.

Chairman Gary said it would be too costly; otherwise you could build a road through anything if you want to pay the cost.

Mr. Wegner said it's the permitting process with the City of New York.

Chairman Gary said the City would give you a permit to build it, if it's built to their standards. The idea is you don't want to build it to their standards because of the expense of it; it would cost more than all of the property up there.

Mr. Franzetti said in that specific area at the front end of the property it is the buffer zone and if you notice it is a very skinny area to go in. The DEP, the State and the engineering department will require them to treat that area. He will have nowhere to put anything so the site would be constrained that way.

Chairman Gary said yes but you can build anything if you have the money.

Mr. Franzetti said yes you are correct.

Chairman Gary said that's the problem with open development, now he is coming back and he wants to make it a gravel road and the town isn't going to accept it.

Mr. Wegner said it would be the impact on the wetlands.

Chairman Gary asked what they are proposing to put in front of this board tonight to move this along.

Mr. Wegner said we have 7 residences that gain access through our site; we are looking to develop 4 houses in the better part of the land. There are wetlands through the middle of the site so we are avoiding them as much as possible. We can provide stormwater treatment for all of the town standard roads beyond this point. From this point forward the issue is providing the stormwater treatment, we are definitely providing an improvement over what is there. We have wetlands here with very high ground water, we have done test holes, here on the hill and in the back is great soil. One of the stormwater treatment requirements is separation from ground water; we can provide some other treatment like a grass swale. Providing full treatment to the NYCDEP's requirements will be quite difficult.

Chairman Gary asked where is this property located?

Mr. Carnazza said it is adjacent to the back three holes of Mahopac Golf Club on Wixon Pond Road on DeLiso Lane.

Chairman Gary said the town will not accept a gravel road as a town road, what is the next thing that you are proposing.

Mr. Wegner asked what our limitations would be if we go with an open development subdivision.

Mr. Carnazza said right now I believe there may be a moratorium currently on new open development applications.

Mr. Wegner said this is an old one.

Mr. Carnazza said new meaning something that they haven't seen.

Mr. Wegner said okay understood.

Chairman Gary said the board would have to refer it to open development but they got turned around and wouldn't accept it so why would you try for it again.

Mr. Cleary said I suppose they could give us a new open development with a different common driveway that is designed more as a road as opposed to a driveway. The only problem is it will bring us back to the same point of stormwater.

Chairman Gary said this board would have to decide whether they want him to do that.

Mr. Cleary said to me it seems like the same issue, it is how they would deal with the stormwater of an enlarged driveway/roadway.

Mr. Wegner said the gravel would help me with that.

Mr. Franzetti said but then you wouldn't be getting a town dedicated road.

Mr. Wegner said correct we are okay with that.

Mr. Paepre asked if they don't get a town dedicated road they need to maintain it themselves.

Mr. Carnazza said that's correct.

Mr. Wegner said and that was our original application that's what we wanted from the start.

Mr. Paepre asked if that is the only option right now.

Mr. Cleary said he can't get back to the buildable portion of the property without improving that road.

Mr. Giannico said but they can improve it to accommodate delivery and fire trucks providing it is still gravel.

Mr. Carnazza said yes better then now but not to town standards.

Mr. Giannico asked if they are proposing gravel, they would make it wider?

Mr. Wegner said yes and bigger curves.

Mr. Franzetti said it would have to be noted somewhere in the file legally that the road can never be paved or dedicated unless they meet the stormwater standards.

Chairman Gary said the planning board would not let this be an open development road because you couldn't make that road sufficient for example for emergency vehicles. What is the next avenue we could legally take?

Mr. Paepre said if we can't accept the gravel road and the open development wouldn't work, then option 3 is making it a private road.

Mr. Cleary said the problem with private roads is they turn into public roads.

Chairman Gary said the private road came up before and what knocked that down was that the Town Board is not in favor of something like that because the residents would come to them wanting that road plowed. I don't know what we can do to accommodate this.

Mr. Charbonneau said I don't think it is necessary for the board to figure it out.

Chairman Gary said well we can't move this along with what he is presenting to us, if he goes back and comes up with an acceptable presentation that the board can act on then that is what we will do.

Mr. Wegner said you have provided the guidance in the past to go with the town road. We have two other options for open development and private road, we have existing conditions we are just looking to improve it. It is essentially a private road and we would be happy to continue to keep it that way.

Chairman Gary said this board will not act on it as a private road, we are not trying to change the standards of the road servicing those houses that are there already, and we are talking about when you go past there to where the new houses will be.

Mr. Wegner said beyond that we can go to town road standards.

Chairman Gary said that's not the problem. You have to get there.

Mr. Wegner said we have an existing private road right now that gets me to there.

Mr. Cleary said we would never want a situation where we have a sub-standard road or driveway and then it becomes a standard acceptable road at the end of the stretch.

Mr. Carnazza said a road has to be attached to another road or else it's not a road.

Mr. Wegner said we could go with a private gravel road.

Mr. Cleary reiterated we typically do not like private roads.

Chairman Gary said the planning board can hire an engineering firm at your expense to come in and consult the board on how they would make it work.

Mr. Wegner said we have been through this since 2003.

Chairman Gary said well we would do that to see whether it is feasible and how it will be done. They can come up with the idea but it will have to be paid for.

Mr. Frank Bracca, one of the owners of Lexington Development Corp addressed the board and stated the bottom line is everything comes down to economics and when it comes to a point of looking at it and you put numbers to it, in order the build a bridge as an example would cost about a half million dollars. He said that property is not worth that kind of investment. We are trying to put 4 houses in which will benefit this town economically; we have been going back and forth for years. If we can put the gravel road as a private road, we will widen it to handle a truck coming in and maintain the space. We will give you a gravel road that a truck can go on, we will get better access to the 7 houses above us and the end result is there will be 11 houses that will benefit from this road.

Mr. Carnazza said the school bus can't go up there.

Mr. Bracca said buses don't go down every road in town. They go to a central location that you can walk too.

Mr. Carnazza said I'm saying it starts there, and then they won't want to pay to pave it or pay taxes.

Mr. Bracca said what they would be maintaining is gravel.

Chairman Gary said you're dealing with the DEP; they don't want that road paved.

Mr. Wegner said not the first section.

Chairman Gary asked what the footage is of that road that they don't want paved.

Mr. Wegner said about 650 feet maybe 700.

Chairman Gary said that's almost the whole road.

Mr. Wegner said no the road is almost 2000 feet.

Chairman Gary asked if there is such a thing where the road is paved and in certain sections the road is not paved.

Mr. Cleary said yes.

Chairman Gary said the only problem with that is I don't know the standards on that road.

Mr. Cleary said it does not comply with our standards.

Chairman Gary asked if there are standards on paving parts of the road.

Mr. Franzetti said yes there are standards maybe for the State and DOT, but not for the Town of Carmel.

Mr. Cleary said we don't accept that.

Chairman Gary said we are trying to help you but we can't go against town standards.

Mr. Bracca said we can't financially build a bridge to go over it.

Chairman Gary said we know what you are trying to do, we know what you have presented to us and we know what the board wants to be done but the only thing I can suggest is we take another look at the whole process and come back in April after we have gone through every process.

Mr. Wegner said okay.

The board members were in agreement with the Chairman.

Chairman Gary said we may have to seek outside consultation. Something the board can stand on and take to the Town Board. He said there will be expense to do that. Is that okay? He said we will try to help you.

Mr. Bracca said that would be fair.

BALDWIN SUBDIVISION – 150 ROUTE 6 – TM – 86.11-1-1 – EXTENSION OF FINAL SUBDIVISION APPROVAL

Chairman Gary asked why do you need an extension.

Ms. McKenzie of Insite Engineering, representing the applicant stated as the board is aware this subdivision received approval in anticipation of two site plan applications which have also received approval from the board. This was the PCSB and Route 6 Retail site plan. She said those projects have approval resolutions and we are currently wrapping up our outside agencies approvals. We are still dealing with the NYCDEP and Putnam County Department of Health; we expect to be done with them in 45-60 days. We are looking for an extension of our approval so we can wrap it up with them.

Mr. Paepre asked if this is 6 months.

Chairman Gary said yes 6 months, can we get a motion for extension of final subdivision approval.

Mr. Giannico moved to grant final subdivision approval for 6 months. The motion was seconded by Mr. Paepre with all in favor.

MK REALTY - ROUTE 6 & OLD ROUTE 6 - TM - 55.6-1-44 & 45 - EXTENSION OF FINAL SITE PLAN APPROVAL

Mr. Carnazza said this is on for an extension of final site plan approval; I have no objection to the extension.

Mr. Franzetti said the engineering department has no objection to approving the site plan extension. The board should be made aware that the stormwater pollution prevention plan from the NYCDEP is set to expire in August of this upcoming year. The Town of Carmel ECB permit is set to expire in July of this year and they need to update their bond amount as it was last provided in April of 2006. Based on records since it was developed in 2006 it should be increased to current day costs.

Ms. McKenzie said when the re-approval was granted in March the bond amount was increased by at least 20%.

Mr. Paepre moved to grant an extension for final site plan approval. The motion was seconded by Mrs. Kugler with all in favor.

RANDOM RIDGE - KENNICUT HILL ROAD - TM - 76.10-1-23 - EXTENSION OF FINAL SUBDIVISION APPROVAL

Mr. Paul Lynch of Putnam Engineering, representing the applicant said we got the approval 6 months ago; we are still working on getting our SWPPP approved from the NYCDEP.

Mr. Paepre moved to grant an extension of final subdivision approval. The motion was seconded by Mr. Giannico with all in favor.

CHARRY SUBDIVISION - 85 WASHINGTON ROAD - TM - 54.19-1-1 - EXTENSION OF FINAL SUBDIVISION APPROVAL

Mr. Lynch said this is a two lot subdivision where one of the lots will be sold to the NYCDEP and he is just having trouble getting a closing date set up with them.

Mrs. Kugler moved to grant an extension of final subdivision approval. The motion was seconded by Mr. Giannico with all in favor.

MINUTES - 2/10/2016

Mr. Giannico moved to accept the minutes of February 10, 2016. The motion was seconded by Mr. Paepfer with all in favor.

Mr. Giannico moved to adjourn the meeting at 8:40 p.m. The motion was seconded by Mr. Paepfer with all in favor.

Respectfully submitted,

Rose Trombetta