

APPROVED

HAROLD GARY
Chairman

BOARD MEMBERS
CARL GREENWOOD
JOHN MOLLOY
ANTHONY GIANNICO
CRAIG PAEPRER

TOWN OF CARMEL PLANNING BOARD



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Town Planner

PLANNING BOARD MINUTES DECEMBER 10, 2014

PRESENT: CHAIRMAN, HAROLD GARY, CARL GREENWOOD, JOHN MOLLOY, ANTHONY GIANNICO, CRAIG PAEPRER

| <u>APPLICANT</u> | <u>TAX MAP #</u> | <u>PAGE</u> | <u>TYPE</u> | <u>ACTION OF THE BOARD</u> |
|----------------------------|-------------------------|--------------------|--------------------|-----------------------------------|
| Nejame & Sons | 44.9-1-16 | 1-7 | A. Site Plan | Planner to Prepare Resolution. |
| Ronin Property, LLC. | 74.11-1-20 | 7-8 | Extension | 1 Year Extension Granted. |
| Teakettle Heights Realty | 76.17-1-19 | 8 | A. Reso | Resolution Amended. |
| Hosch & Torres Subdivision | 53.15-1-40 | 8 | A. Reso | Resolution Amended. |
| Minutes – 11/12/14 | | 8 | | Approved. |

The meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Rose Trombetta

NEJAME & SONS – 133 GLENEIDA AVE – TM – 44.9-1-16 – AMENDED SITE PLAN

Mr. William Shilling, applicant's attorney addressed the board and stated the planning board approved the site plan for this site in 2010 (points to drawing). He said what we are seeking is approval of a modified site plan and we are also seeking a waiver of a public hearing which is pursuant to your code that's acceptable when the changes do not change the intent relative to the building location, square footage, circulation or the drainage. He said none of the issues are affected in any way. He said the property was very undesirable and wedged between a cemetery and a flat roofed garage. It had been foreclosed, unkempt and condemned. He said my client purchased the property in 2008 and got planning board site plan approval in 2010. He said in 2012 they went to the ARB and they approved the architectural change that was submitted to them (points to drawing). He said that site plan went to the building department and a permit was issued and in large part it was built. We came back to the planning board discovering that the architectural design was not satisfactory. He said when we became aware of the planning board's problems and objections there was a long line submissions by Peder Scott's office. In doing that they put back every component that was in your approved site plan 4 years ago. He said the present submission has very few indiscernible differences between them. That was a result of many meetings with Pat Cleary, the Chairman and Building Inspector. We tried to compile all the things that this board felt was absolutely necessary for this site. He said there were about 47 restorations that were put back on the site plan.

At which time, Mr. Shilling proceeded to discuss the 47 restorations that were added to the present site plan at the request of the planning board. He also said it is the same footprint, location, sidewalk and stairways. We put additional plantings around the perimeters and reduced the building height of the building and the square footage, circulation and drainage remain the same.

Mr. Shilling said in closing, this is an example that a site plan should be a collaboration. We know and respect the planning board's interest and design of buildings. He said we have a commercial owner ready to go with tenants that looking to rent. He said I respectfully request a real review of the approved plan versus the proposed plan. He asked that the board consider that this site plan is substantially the same; the differences are non-substantive and request not to have a public hearing because the issues that were addressed at four different hearings are the same issues that are here now.

Mr. Peder Scott of P.W. Scott Engineering addressed the board and stated the big question everyone has is what is the color of the roof. At which time, he displayed and passed around a sample of the roof from the manufacturer to the board members. He said the color is called "ocean blue" which is bluish gray in color.

Mr. Molloy said for the record it does not match the drawing and asked if what was being passed around was the color.

Mr. Scott replied yes, that is the actual color. He said we still have the same pallet on the stucco finish; we have the stone base which is depicted on the picture. At the corners, we have built up columns where we have a white and beige relationship between different vertical elements. The center arch would be white and in that same color palette it

extends around all sides of the building. He said we are putting the same blue roof one high, one low over the doorway. He said all aspects of the building are made to conform to the earlier approval. He said there is a slight difference; we eliminated the horizontal wood materials on the initial approval because we want to keep the building lower. He said the previous Nejame & Sons sign was superimposed onto a horizontal element which extended above the roof. In reducing the size of the building we eliminated that and put the Nejame sign low on the building above the front canopy. He said there are spaces between the windows to emulate columns somewhat similar to the earlier building.

Mr. Molloy asked if the columns are round or square.

Mr. Scott replied the columns are round and the bases are square made out of fiberglass. And the base is about 8" tall.

Mr. Paepre asked when was the last public hearing?

Mr. Shilling replied in 2010.

Mr. Paepre said he was a little skeptical but not having a public hearing now, why not have the people that live there now come and voice their opinion.

Mr. Shilling said if the intent is to bring the site plan back into compliance with 2010, there would be no need for another public hearing because the public was heard on almost the same site plan that was heard in 2010. He said if we came back for an extension of the 2010 site plan there would be no public hearing. He said in my opinion, bringing it back to where we did, is almost like an extension of the site plan that was approved in 2010.

Mr. Molloy asked if this is the building they intend to build.

Mr. Scott replied if this is approved we will be filing for a building permit from the building department to complete the work.

Chairman Gary stated I think they will build that building, because there are a lot of eyes looking at it.

Mr. Greenwood said when you compare the color drawings from both drawings; the only thing that is substantially different is the metal roof. He said most of those roofs have a shine to them. They have a satin finish to them. He said driving down the main street in Carmel that type of material is not present at all. He said my concern is how much it stands out above other buildings and the openness there. He said the original one blended in more. He said the blue color is substantially different from any other roof visions along that stretch of Main Street. He said the building will stand out and that's what we were trying to avoid from the beginning. He said you have done a lot to make it architecturally blend in with everything else there. He said changing it to a more earth tone color would tone it down a lot.

Mr. Scott said the initial approval was based on a grayish blue asphalt shingle timberline.

Mr. Greenwood said that doesn't stand out as much as a metal roof. He said a metal roof always has a sheen to it and when it's wet it is much different than an asphalt single.

Mr. Scott said we have a steep roof now, because we putting a façade back on an existing building so our pitches are slightly steeper. He said it wouldn't be advantageous for asphalt because of our roof pitches.

Chairman Gary stated personally you brought the building back almost to its original approval, especially in its look. He asked Mr. Scott if he wanted to take another look at it and see if there is another earthy color that would blend it.

Mr. Scott said if my client was here, I would be much more at ease at picking another color. He said we can possibly make it a condition of review.

Chairman Gary stated if the board approves the design of the building we also take into consideration the characteristics of the roof. He said I would recommend to the board that they give you that opportunity.

Mr. Shilling stated the options being presented tonight are we could either approve the architectural design that has been presented. And as I hear it the only issue is with the roof color.

Chairman Gary stated I understand why they want to use that type of material for the roof because of the longevity of it. He said if this color blends out like that, then I think that will enhance us to have a public hearing.

At which time, Mr. Scott passed around a sample of palettes that are available for metal roofs to the board members.

Mr. Greenwood said I tend to differ with the idea that you couldn't do something other than a metal roof.

Mr. Molloy said they are trying to make the blue roof look like when you are looking into a pool and I could understand from a marketing point of view why they would want to do that, but for an eye pleasing point of view as you drive by a blue roof doesn't do anything for me. He said the darker color (points to the color) in front of him the blueish gray is a lot darker then the picture. He asked if that was the color they were proposing.

Mr. Scott said the sample that you have is the color we are proposing.

Chairman Gary said that is not a bad color. He said the color in the drawing is not the same color that is front of them.

Mr. Giannico said looking at it; it goes from a gray to a blue depending on the sunlight.

Mr. Molloy said I have a problem calling it blue, that's gray with a little blue in it and I am not opposed to that. He said in the resolution it should have that manufacturer, that stock number and ocean blue color.

Mr. Scott said that's fine.

Mr. Shilling said if we committed to that roof, would this board approve the design presented before them. He said if the roof issue is settled, is there really a need for a public hearing? He said all the questions have already been asked and answered during the 2010 site plan approval. He respectfully requests that you accept the proposal submitted this evening with the roof that the board finds acceptable and respectfully request a waiver of a public hearing for reasons I have stated another of times.

Chairman Gary said I think we should take into consideration the design of the building and hold off on the texture of the roof. He asked Mr. Charbonneau if we could do it that way.

Mr. Charbonneau stated so do you want to put the waiver of the public hearing to a vote or are you going to.....

Chairman Gary said we are not going to call a public hearing.

Mr. Cleary said the approval would be this amended site plan with the exception of the color of the roof, which could be a building permit issue. It would still have to come before you. He said you are withholding that authority, but it allows them to keep working.

Mr. Greenwood said my question pertains to the roof. He said I am not committed to a metal roof and that type of roofing material does not comply with what's on the Main Street.

Mr. Shilling said I don't know what scheme you are seeing in that particular area. There is a flat deli, there is a mixed residential..... He said getting the roof done is the first thing my client has to do to secure the building.

Mr. Greenwood said I understand that, but we didn't put him there, he put himself there.

Mr. Shilling stated we are through that.

Mr. Greenwood said I agree with you, but you would be hard pressed to show me along Main Street where you have that type of roofing and that type of material.

Mr. Shilling said if we are not committed and we are not accepting the fabric and color of the roof then we haven't achieved what we are looking for this evening. He said because our number one priority is to get the building secured. He said I thought there was a general consensus that roof's color was acceptable to members of the board. He said I don't think it is a fair reason to send us back.

Mr. Greenwood said it is when you take into consideration the difference between the designs of the building from what was originally approved and what you are presenting now. He said that metal roof with that color is going to stick out which was not what this board wanted and not what the general public wanted.

Mr. Shilling said it is a gray roof that won't stick out. He said I think you are being subjective and I don't agree with.

Chairman Gary said this board could approve that building with asphalt shingles and dark color and six months down the road he could apply to the building department and change it to that color and material. Everyone needs to realize that. We can't legally bind that, but we could request you do some things. He said we need to work out something that would look reasonable. We are spending a lot of time to try and make this building to fit into that community.

At which time, Mr. Scott proceeded to describe the differences between the roof shingles and metal roof.

Chairman Gary said I am trying to get everyone to understand that the metal roof you want to put up is not something we could object to. He said we have no power to object from him doing that. He said we should tone this color down to the best that we can.

Chairman Gary asked Mr. Scott if the original roof was asphalt.

Mr. Scott replied yes with a lower pitch.

Chairman Gary asked and the top part is metal. He asked is that roof on?

Mr. Scott replied yes and we immediately eliminated the points in the front and lowered the entire building. We took feet off the building. He said if anything it's less visual because it is lower.

Chairman Gary asked Mr. Scott why they eliminated the asphalt.

Mr. Scott said we have a steel structure in place in the building already. The beams are designed, everything is in place. He said by putting in the parapets on all four sides of the building, it would be able to hold much more snow. He said I had to find a way to keep the beams intact in terms of strength. He said metal roofs are significantly less weight than an asphalt roof.

Chairman Gary asked if the roof was raked roof.

Mr. Scott replied yes.

Chairman Gary asked if there is another metal roof that is not ribbed but has that shingle.

Mr. Scott replied not.

Chairman Gary said yes there is. He asked if he would consider looking into that.

Mr. Scott stated you mean looking into something that is not ribbed.

Chairman Gary said yes. He said I have seen them; they look like shingles and come in 4 feet slabs.

At which time, a discussion ensued regarding rendering and the actual sample of the roof color.

Chairman Gary stated I don't think we could tell them they could either put a horizontal tab roof or ribbed roof on, but we could tell them the color sample that you presented to us must be same as the rendering that you have here.

Mr. Scott said we have no problem doing that.

Chairman Gary asked the board members if this is something we could go with.

Mr. Greenwood said it is closer.

Mr. Giannico said you would have to state that manufacturer in that color sample for the record.

Chairman Gary said the drawing (points to lower right hand corner) must be that color.

Mr. Scott replied okay.

Chairman Gary asked Mr. Shilling if that was okay.

Mr. Shilling said yes.

Chairman Gary said to the board members this is the one way to get this moving.

The board members agreed with the Chairman.

Mr. Greenwood said it is more in line with what was originally approved.

Mr. Paepfer said otherwise you would have to have a public hearing.

Mr. Greenwood replied you would. The whole idea is to get it back as close as possible to what we originally approved.

Mr. Giannico asked for confirmation about the round columns with square bases.

Mr. Scott stated that's correct, round columns with square bases.

Mr. Greenwood asked if the landscape rocks that are presently there will it be changing at all to comply with what's here? In particular the stairwells.

Mr. Scott said the stairwells already exist.

Mr. Greenwood said so are they staying?

Mr. Scott said it's all staying.

Mr. Greenwood said so the drawings don't match with what's there.

Chairman Gary said we should get the building approved, but they should come back.

Mr. Scott said we could bring samples to the building department for review.

Chairman Gary asked Mr. Franzetti if he understood what the board was looking for tonight?

Mr. Franzetti replied I do.

Chairman Gary stated to Mr. Scott to have someone meet with the Engineering Department and brief them on what you are going to do on the exterior.

Mr. Scott said we will bring big sample boards to show what we intend to do.

Chairman Gary asked Mr. Cleary what's next.

Mr. Cleary stated if you are not going to have the public hearing on it, it would be to prepare a resolution of an amended site plan for adoption at your next meeting.

Chairman Gary said but they still will have to come back.

Mr. Cleary said as you indicated to demonstrate compliance with the Town Engineer.

Mr. Greenwood said we have to have another meeting for a resolution, I don't see a problem with it being complete by the time of the resolution. We didn't request that much as far as colors and they should clarify all the questions that were brought up tonight.

Mr. Shilling asked about the public hearing be waived.

Mr. Greenwood said I don't have a problem with that as long as we get as close to that originally approved drawing as far as the colors.

Chairman Gary asked the Planner to prepare a resolution.

RONIN PROPERTY, LLC – SECOR ROAD – 74.11-1-20 – EXTENSION OF FINAL SITE PLAN APPROVAL

Mr. Carnazza had no comments.

Mr. Franzetti stated he had no objection to the extension of site plan approval.

Mr. Cleary had no objection to the extension.

Mr. Greenwood moved to grant 1 year extension of final site plan approval. The motion was seconded by Mr. Paepre with all in favor.

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

Mr. Cleary stated the resolution needs to be revised because the owner's name on the resolution does not match the owner's name on the application. It needs to be changed for bonding purposes. He said the resolution would change to **16 Lake Road.**

Mr. Greenwood moved to amend final approval resolution for Teakettle Heights Realty. The motion was seconded by Mr. Paepre with all in favor.

HOSCH & TORRES SUBDIVISION – LONG POND ROAD – TM – 53.15-1-40 – AMENDED RESOLUTION

Mr. Cleary addressed the board and stated Hosch & Torres is a modified bond and inspection fee amount.

Mr. Franzetti stated as per the request of the applicant I double checked the bond and inspection fee amount and I over billed on some of the bonding so the resolution needs to be amended.

Mr. Greenwood moved to amend Hosch & Torres resolution to the bond and inspection fee amounts that were set forth by the Town Engineer.

Mr. Molloy asked what the amounts were.

Mr. Cleary said the bond was originally \$32,000 and it's been changed to \$26,000 and the inspection fee went down to \$1,300.00 from \$1,600.00.

The motion was seconded by Mr. Molloy with all in favor.

MINUTES – 11/12/14

Mr. Molloy moved to adopt the minutes. The motion was seconded by Mr. Greenwood with all in favor.

Mr. Greenwood moved to adjourn the meeting. The motion was seconded by Mr. Paepre with all in favor.

Respectfully submitted,

Rose Trombetta