

MINUTES OF A REGULAR MEETING OF THE HARBOR AND COASTAL ZONE MANAGEMENT COMMISSION OF THE VILLAGE OF MAMARONECK HELD ON JUNE 18, 2008, AT 7:30 P.M. IN THE COURTROOM AT VILLAGE HALL, MAMARONECK, NEW YORK

PRESENT: Mr. Steven Goldstein, Chairman  
Mr. Lewis Fechter  
Mr. Daniel Gallagher  
Mr. Morton Heilman  
Mr. Cary Sleeper  
Mr. Anthony S. Weiner, Vice Chairman  
Ms. Janet Insardi, Village Attorney  
Trustee Liaison Toni Ryan  
Mr. John Feingold, Environmental Consultant for the Village

Chairman Goldstein called the meeting to order at 7:37 p.m.

**APPROVAL OF MINUTES:**

On a motion by Mr. Fechter, seconded by Mr. Heilman the minutes of the Regular Meeting of the Harbor and Coastal Zone Management Commission (HCZMC) held on April 16, 2008 and May 21, 2008, were approved as amended.

Ayes: Goldstein, Fechter, Gallagher, Heilman, Sleeper, Weiner

Nays: None

Abstains: None

**OLD BUSINESS:**

**MAMARONECK BEACH AND YACHT CLUB –TO OBTAIN A PERIMETER PERMIT FOR A DOCKING FACILITY**

Chairman Goldstein said the Mamaroneck Beach and Yacht Club has requested for an adjournment to the next meeting of the HCZMC on July 16, 2008.

**NEW BUSINESS:**

**MAMARONECK BOATS AND MOTORS, INC. – 622 RUSHMORE AVENUE – REPAIR BULKHEAD**

Mr. Sande Lichtenstein, Esq., 159 West Boston Post Road, Mamaroneck and Mr. Deutermann, 100 Joshua Town Road, Lyme, CT, were present to represent the application.

Mr. Lichtenstein said they are seeking to repair the existing bulkhead at the Marina and that a partial part of the wooden bulkhead is to be fixed.

Chairman Goldstein said normally the Commission requires plans and drawings and would need more detail regarding the work to be done.

Mr. Lichtenstein said the pilings were repaired and showed the Commission pictures of the old pilings. The cost was \$2,500.00 for each piling for a total of \$5,000.00. Mr. Lichtenstein said the emergency repair was necessary because they hold the gas stops.

Mr. Furey said the Mr. Lichtenstein's pictures show that the pilings exist, but they need proof that the said structure was legally allowed to be in place and the Building Department records do not reflect that.

Mr. Lichtenstein said he will arrange an informal meeting with Susan.

Ms. Insardi said the EAF needs to be amended to reflect three actions.

Mr. Lichtenstein said they have not gone before the Planning Board.

Mr. Furey said everything has to be run through consistency with the LWRP and they need to provide drawings for work that has been done on the pilings.

Ms. Insardi said this can easily be remedied.

Chairman Goldstein said he would like the applicant to do the following:

- Combine all three actions
- Revise the EAF to reflect all three actions
- The EAF has no on ever single question and that is an impossibility and should be reviewed
- If an answer on the EAF is no the applicant needs to explain why

Mr. Furey noted that physical alteration is checked off as no.

Mr. Deutermann said they are doing repairs, not replacements.

Mr. Furey asked where the revised drawing reflecting what is being done. Mr. Furey said that physical alteration on the EAF should be checked off as yes. Mr. Furey said the new drawing should be in accordance to what the State approved and has to reflect what they are building.

Mr. Furey reviewed the necessary paperwork the applicant is required to submit and will submit a listing to Mr. Deutermann.

Mr. Deutermann said this is one of the only boatyards that have a fuel station.

Mr. Lichtenstein said they have to show that the pilings were replaced, not that they were legally there.

Chairman Goldstein said the Commission needs to know what is there/what exists and if the work was legally done.

Mr. Lichtenstein said he felt this was grandfathered because it was always allowed to be there.

Chairman Goldstein said if we combine all these things we can schedule a public hearing to deal with all of this at the same time.

Mr. Lichtenstein said the gas tank was erected according to Building Department regulations and that a new regime came in and said it's a new structure.

Chairman Goldstein said the applicant needs coastal consistency.

Mr. Lichtenstein said the rules changed when the employees changed.

Ms. Insardi asked Mr. Lichtenstein how soon he could get everything that is due.

Mr. Lichtenstein said he has the state permit and that expires in October.

Chairman Goldstein asked why didn't that come before the HCZMC. Mr. Lichtenstein thought that was something that was handled by the state. Chairman Goldstein asked if it was a DEC permit and Mr. Lichtenstein said it was.

Ms. Insardi October should be adequate time and that we would need a copy of the Army Corps of Engineers approval.

Chairman Goldstein said for the applicant to put together all the necessary documents and the Commission will review it at the next meeting. The applicant should also contact the Clerk/Treasurer regarding the \$5,000.00 escrow. A public hearing can then be scheduled for a date to be announced.

Ms. Insardi said according to Chapter 176 of the Village Code, when the Village needs consultants that is paid for by the applicant.

Mr. Deutermann said they are repairing the bulkhead and that he objects to the gas tank issue.

Chairman Goldstein asked the applicant to try to expedite this by combining all three issues.

Ms. Insardi said she hopes the applicant will submit what they have been asked to submit.

On a motion by Mr. Weiner, seconded by Mr. Sleeper to adjourn the discussion of the application of the Mamaroneck Beach and Yacht Club to an unspecified date, pending upon the applicant submitting the necessary documents. Ms. Insardi and Mr. Furey will submit a list of all necessary items to the applicant.

Chairman Goldstein said traditionally the commission does not meet in August and that he does not want to slow this down. A meeting might be scheduled for August 6<sup>th</sup> and that will be determined at the next meeting of the Commission on July 16, 2008.

Mr. Fechter asked how could the applicant come before the Commission without the necessary documents. Mr. Furey said the Building Department gives an unbelievable amount of guidance to help applicants so their package is complete and that they told Mr. Deutermann what was necessary.

Ms. Insardi said the Commission determines if the application is complete and if they want any additional information.

**MAMARONECK UNION FREE SCHOOL DISTRICT – CAPITAL IMPROVEMENT PROJECTS TO ALL SCHOOL BUILDINGS**

Chairman Goldstein has recused himself from the review of this application and turned the gavel to Mr. Weiner.

Ms. Syrette Dym, AICP, Saccardi & Schiff, Inc, 445 Hamilton Avenue, White Plains, Ms. Meryl Rubinstein, Assistant Superintendent for Business Operations for the Mamaroneck Union Free School District and Mr. Anthony Cattalano, 709 West Avenue, White Plans, were present to represent the application.

Ms. Dym reviewed a document identifying a broad range of projects district wide and said they are in the process of making revisions to the document. Ms. Dym said they are here for a consistency review and to hear the Commission's comments on what is necessary for the consistency review. Ms Dym said this application is different because of mandates from the State Education Department. Ms. Dym described the funding procedures for a school project mandated by the state. Ms. Dym said once she gets the comments from the HCZMC and the Village Board she will revise the document identifying the broad range of projects district wide.

Mr. Furey said he understands the point that the applicant is at. Mr. Furey said with regards to the implementation of stormwater management and the increase amount of runoff, a rubber field would increase the runoff. Mr. Furey noted that a synthetic field does not have to meet all the stormwater criteria.

Mr. Cattalano discussed synthetic surfaces and impervious surfaces and described the layers of synthetic turf and what they are composed of and how the drainage functions. Mr. Cattalano said the intent should be that the post development flow conditions will not exceed the pre-development flow.

Mr. Weiner said the document is not up to date. The issue is consistency with the LWRP. Mr. Weiner is uncomfortable to say the drainage system is going to be consistent with the LWRP. Mr. Weiner said the Commission needs more information and that the document needs to be updated. The applicant needs to provide more information on drainage and they could do a perk test.

Mr. Cattalano said a perk test is not applicable.

Mr. Weiner said more information is needed and they should also designate the areas that are historic areas.

Ms. Dym said the document before the Commission is a draft and that they are here to get comments and revise the document accordingly.

Mr. Weiner said the application is incomplete.

Mr. Furey said we could put together a list on the drainage perspective. Mr. Weiner said there should also be a list for consistency. Ms. Dym asked where they would get this list and Mr. Furey said he would provide the lists. Ms. Insardi said we can address the LWRP issues, consistency issues and address policies in the LWRP and the details of whether it is applicable or not.

Mr. Gallagher said the yes and no questions are important and that if there is a no answer, there should be a narrative regarding that answer.

Mr. Gallagher asked if it will show the existing runoff and the proposed runoff. Mr. Furey said he can come up with that and suggest a model.

Mr. Gallagher said he wanted to know that there would be no impact on chemicals running from the field that would effect the quality of water runoff. Mr. Furey said they should list a few different infill materials.

Mr. Furey said regarding water quality treatment, there are certain specified practices and non-standard practices. Mr. Furey said water is going to be stored and the redevelopment allows us to play with the technology to achieve the water standard.

Ms. Rubenstein said they are land locked and there is no room for additional fields and they would increase the level of usage by the use of an artificial turf system.

Mr. Gallagher asked specific questions about the form regarding the handling of the water flow, chemical runoff and where the sewage runoff comes from. Ms. Dym said in some of the buildings work is being done on the sewage and bathrooms.

Mr. Weiner said he wants to be focused on the consistency test.

Ms. Dym said she will revise the document for the entire process and prepare a memo to the HCZMC.

Mr. Weiner said the applicant will be provided with a list of what needs to be done.

Mr. Gallagher asked what level of comfort does the HCZMC have with the drawings. Ms. Insardi said the HCZMC should be able to make a determination with conceptual drawings.

Ms. Dym said Mr. Cattalano will communicate with Mr. Furey regarding what needs to be done.

Mr. Weiner said he has a problem approving a concept. He will rely on discussions with Mr. Furey and Mr. Cattalano to make a consistency decision. Mr. Weiner said we need to get enough information about what is going on. Mr. Weiner said we will take our time to go through the SEQRA declaration. Mr. Weiner said the escrow is set at \$5,000.00 and should be submitted to the Clerk/Treasurer and that Mr. Furey or other consultants that are necessary will draw against that.

Ms. Dym asked if Mr. Furey and the HCZMC can be clear on what they are asking to be provided. Mr. Weiner reviewed what the Village requires by law.

Mr. Weiner said Mr. Furey will work with Ms. Dym's team and the HCZMC about what needs to be provided.

On a motion by Mr. Gallagher, seconded by Mr. Sleeper to adjourn the discussion of the application of the Mamaroneck Union Free School District until all the necessary material are submitted by the applicant.

Ayes: Fechter, Gallagher, Heilman, Sleeper, Weiner  
Nays: None  
Excused: Goldstein

**ADJOURNMENT:**

There being no further business to come before the Board, on a motion by Mr. Heilman and seconded by Mr. Gallagher the meeting was adjourned.

Ayes: Fechter, Gallagher, Heilman, Sleeper, Weiner  
Nays: None  
Excused: Goldstein

PREPARED BY:

ELIZABETH A. DREAPER

RESPECTFULLY SUBMITTED BY:

AGOSTINO A. FUSCO  
CLERK-TREASURER