

MINUTES OF A REGULAR MEETING OF THE HARBOR AND COASTAL ZONE MANAGEMENT
COMMISSION OF THE VILLAGE OF MAMARONECK HELD OCTOBER 21, 2009 AT 7:30 P.M. IN
THE COURTROOM AT VILLAGE HALL, MAMARONECK, NEW YORK

PRESENT: Mr. Steve Goldstein Chairman, Mr. Anthony Weiner Vice Chairman, Ms. Laura Schneider Mr. Tim Keebe, Mr. Cary Sleeper

ABSENT: Mr. Mark Karell, Mr. Birman, Ms. Janet Insardi, Village Attorney

The meeting was called to order at 7:35 P.M.

1. **Mamaroneck Boats and Motors**

John Hilds appeared and addressed the Board representing the Deutermann. Mr. Hilds stated the plan was submitted to the Building Department by the applicant's attorney Paul Noto last month. Mr. Goldstein stated that the Board has not received any plans, possibly all the plans went to the Planning Board for their meeting Thursday night. Mr. Hilds stated that he will check with Mr. Winter and make sure the plans get to the HCZMC board members for the next meeting. Mr. Hilds gave a brief rundown of the plan and stated that they wished to ascertain that the Board is satisfied with the plan presented. Mr. Goldstein asked where they are in regards to the violations on the property.

Mr. Hilds stated that he, Mr. Noto, Mr. Winters and Mr. Furey had a meeting and discussed the Building setbacks, the relocation of the fuel tanks, the placement of the Sea Tow building and the building in the side set back that will be remodeled. Mr. Goldstein asked about the court case and Mr. Hilds responded that it has been continued as a result of the submittals to the Planning Board. Mr. Goldstein then asked Mr. Deutermann whether he could confirm whether there had been any fuel sold, and Mr. Deutermann responded that yes fuel was sold.

The matter was adjourned to next month.

2. **Glattstein**

Daniel Natchez of Natchez Associates appeared and addressed the Board. Mr. Natchez stated that they were there for a structure permit for modification of the existing dock and seawall. Mr. Natchez stated that a letter was submitted to the Board by e-mail and he handed the chairman a color aired photo for the file. He believes that all questions raised by the Board have been adequately answered. Mr. Weiner asked about the swing arm shown on the plan and Mr. Natchez stated that it is not proposed. The docks will be secured by piles which will be vibrated or augured in.

Mr. Sleeper stated that he would like the piles to be as low as possible. Mr. Natchez stated that the piles are 10 foot above mean high water mark for a storm surge and that all alternatives were looked at and not considered good. The pilings will be either steel or fiberglass. Ms. Harrington stated that there will be 4 anchor piles and no chains and anchors. Mr. Weiner stated that he appreciates the response from Mr. Natchez to his previous concerns, and has no more concerns.

On motion of Mr. Weiner, seconded by Mr. Sleeper the application of Brian Glattstein 585 Lawn Terrace to rehabilitate and modify the existing docking facility and maintain existing seawall is an unlisted action under SEQRA unanimously

Ayes: Goldstein, Weiner, Keebe, Sleeper, Schneider
Nays:

Mr. Harrington stated that she believes that because it is occurring in the Wetlands it should be a type 1 action and will confer with the Village attorney Ms. Insardi.

On motion of Mr. Weiner, seconded by Mr. Keebe the matter is not inconsistent with LWRP.

Ayes: Goldstein, Weiner, Keebe, Sleeper, Schneider
Nays:

Mr. Natchez asked if the Board could email approval as their permit with the state will expire Friday without confirmation.

3. John J. Scarlatti Jr. Architect for 541 Wagner Avenue- One story living room/ dining room addition.

Mr. John Scarlato of 33 Bryon Road Armonk applicants architect appeared and addressed the Board. Mr. Scarlato stated that they set escrow last month. Mr. Goldstein stated that the Board has not received the plans to review. Mr. Scarlato stated that he paid the escrow and handed in 15 packets at the same time. Mr. Scarlato gave a brief description of the project to try to get things moving, he stated that the plan is to add to the front of the house a 15X24 foot living room, dining room addition. The addition is 425 square feet increase there will be a cultic installed for the addition. Mr. Goldstein would like the entire structures runoff to be handled by the cultecs if possible. Mr. Weiner would like a perk test done and Mr. Sleeper requested the applicant to supply an official survey. Mr. Weiner recommended the applicants architect confer with Mr. Furey before the next meeting to expedite matters. The matter was adjourned to November.

NEW BUSINESS

1. Russell and Patricia Wolff- 1045 Nautilus Lane Amendment of approved renovation of existing residence including minor addition swimming pool with patio, pathways and related work Daniel Natchez & Associates.

Daniel Natchez applicant's consultant appeared and addressed the Board. Mr. Goldstein stated that for the record he is an adjoining neighbor and will recuse himself if required. Mr. Natchez stated that it is not necessary. Mr. Natchez described the changes to the plan as per the Boards request, and explained that the retaining wall in the front yard was removed and the lawn gradually sloped. The DEC permit reviewed by the EPA and Mr. Furey. Ms. Harrington stated that Mr. Furey would like the NE and SE corner of the silt fence be moved. Mr. Natchez stated the contractors will move the silt fence as

requested, and amend page 8 of the EAF. Mr. Natchez stated that hay bales are around the drain inlets, Mr. Sleeper requested that hay bales be put around the silt fence area also.

Mr. Goldstein asked what other changes have been made to the plan. Mr. Natchez stated that a flag pole has been added to the plan. Mr. Goldstein questioned why, and Mr. Natchez answered that it is a nautical waterfront property and the owner would like a flag pole. Mr. Weiner stated that a flag pole is out of the Boards preview. The front yard removal of the retaining wall was discussed and Mr. Natchez responded that the water will drain the same way as it is now.

On motion of Mr. Weiner, seconded by Mr. Sleeper this is a unlisted action under SEQRA

Ayes: Goldstein, Weiner, Keebe, Sleeper, Schneider

Nays:

2. AW Oakwood LLC/ Andrew Weiss 803 Oakwood Road-

John Hilds applicant's consultant appeared and addressed the Board. Mr. Hilds stated the Army Corp of Engineers and the DEC approved the application as well as the Department of State issued a consistency finding. The applicant wishes to replace the bulkhead which is close to failing with a cantilevered steel sheet bulkhead, it will be a free standing wall 40 feet deep with a painted finish. He explained the drawbacks of plastic sheeting to the Board stating that plastic drove around an obstruction causing interlock failure. Timber sheet piling would have to be at least three feet in width. The existing ramp would be stored by the contractor during construction and reinstalled when the bulkhead is finished. The new bulkhead will straddle the existing line. Ms. Schneider asked how long the wall will last. Mr. Hilds responded 25-30 years guaranteed possibly lasting 60 years, because there is no load above it should last a very long time. Ms. Schneider stated she is concerned with the impact on the habitat. Ms. Harrington stated that the DEC issued a permit therefore it is not an issue any birds will move while construction is being done.

Mr. Natchez stated that historically the creek disappeared decades ago. Mr. Hilds stated that if the bulkhead that is there now failed it would erode into the neighboring properties. Mr. Weiner questioned the placement of the pilings and Mr. Hilds said 4 new pilings will be placed in a slightly different location. Ms. Harrington stated that part of the Army Corp of Engineers permit states that if the piles or dock in any way compromise navigation they will have to be removed at the property owner's expense. It was stated that Mr. Furey has the escrow check and plans to review.

A public Hearing will be set for next month and Mr. Furey should have a preliminary review to the Board by then. Ms. Harrington asked if there was a contract with the adjacent neighbors regarding the alignment of the docks.

Mr. Goldstein stated that the application must be properly noticed for the Public Hearing and that Mr. Weiss should check with Ms. Insardi regarding neighbor's notification.

Mr. Hilds stated that the current pilings will be pulled not cut. Mr. Goldstein stated that the Harbor Master will be consulted.

The required number of copies was discussed and Mr. Hilds was told to check with the Village Attorney.

On motion made by Mr. Weiner, seconded by Mr. Sleeper the Board declares intent to be Lead Agency.

Ayes: Goldstein, Weiner, Keebe, Sleeper, Schneider

Nays:

On motion of Mr. Weiner, seconded by Mr. Sleeper the Public Hearing was set for November 18, 2009.

Ayes: Goldstein, Weiner, Keebe, Sleeper, Schneider

Nays:

MINUTES

On motion of Mr. Weiner, seconded by Mr. Keebe the minutes of June 17, 2009 were approved.

Ayes: Goldstein, Weiner, Keebe, Sleeper, Schneider

Nays:

On motion of Mr. Weiner seconded by Ms. Schneider the minutes of July 15, 2009 were approved.

Ayes: Goldstein, Weiner, Sleeper, Schneider

Nays:

Abstained: Keebe

On motion of Mr. Keebe, seconded by Ms. Schneider the minutes of September 16, 2009 were approved.

Ayes: Weiner, Keebe, Schneider

Nays:

Abstained: Sleeper, Goldstein

NEW BUSINESS

Mr. Goldstein stated that they received from the Planning Board notification of intent to be Lead Agency for Murphy Bros. self storage and cabinet shop. The Board would like to have the applicant come before them for review.

ADJOURNMENT

On motion of Mr. Weiner, seconded by Mr. Keebe the meeting was adjourned at 8:45 pm.

Minutes prepared by

Francine M. Brill