

MINUTES OF A REGULAR MEETING OF THE HARBOR COASTAL ZONE MANAGEMENT COMMISSION OF THE VILLAGE OF MAMARONECK HELD MAY 19,2010 AT 7:30 P.M. IN THE COURTROOM AT VILLAGE HALL, MAMARONECK, NEW YORK

OLD BUSINESS

1. **Evans Associates- Richard & Caroline Alter – 1000 Taylors Lane – Evans Associates Environmental Consulting, Inc – Development of a 3 lot subdivision. One of the proposed lots contains an existing single family residence. (No new material received – Table to June Meeting**
2. **Mark Mustacato, Architect, for 0 Oakhurst - Proposed one family residence. Mustacato address is 105 Calvert Street, Harrison 10528**
3. **Mamaroneck Beach and Yacht Club – 555 South Barry Avenue- Structures Permit- Ocean & Coastal Consultants, Architect.**

NEW BUSINESS

1. **New Waverly Avenue Associates-441,441,524, 532 Waverly Avenue – Demolition of existing buildings and parking garage, renovation to one existing building, construction of parking lot.**

MINUTES

January 2010

March 2010

April 2010

Roll Call.

Present: Anthony Weiner, Carl Birman, Peter Jackson, Bert Siegel, Laura Schneider, Jim Bilotta, Christie McEvoy-Derrico, Counsel (Not voting), Keith Furey, Consulting Engineer (Not voting).

Absent/Excused: John Winter, Building Inspector, Susan Favate, BFJ Planning.

Meeting opened 7:40 P.M.

Motion: To appoint Bert Siegel as chairman for tonight's hearing

Action: Approve, Moved by Carl Birman, Seconded by Peter Jackson.

Vote: Motion passed (summary: Yes = 5, No = 0, Abstain = 1).

Yes: Bert Siegel, Carl Birman, Jim Bilotta, Laura Schneider, Peter Jackson.

Abstain: Anthony Weiner.

Mr. Siegel asked if the Board should go into executive session.

Mr. Birman stated that the Board should do other cases first than the executive session.

1. Evans Associates- Richard & Caroline Alter – 1000 Taylors Lane – Evans Associates Environmental Consulting, Inc – Development of a 3 lot subdivision. One of the proposed lots contains an existing single family residence. (No new material received – Table to June Meeting

Tabled

2. Mark Mustacato, Architect, for 0 Oakhurst - Proposed one family residence. Mustacato address is 105 Calvert Street, Harrison 10528

Mark Mustacato addressed the Board.

Elliot Senor engineer addressed the Board

The neighbor stated that they wanted an engineer to look at plan have not received anything as of yet.
Mr. Furey stated that he hasn't either
Mr. Weiner apologized for the delay.
Mr. Jackson stated that the builder offered to place a berm on the property to hold drainage on the property.
Ms. Derrico stated she received a letter from Donald and Susan L.

On motion of Mr. Jackson seconded by Mr. Birman the Public Hearing was closed.

The Board discussed the one family residence on 0 Oakhurst and found it to be a Type II action and not inconsistent

Vote: Motion passed (summary: Yes = 5, No = 0, Abstain = 1).

Yes: Anthony Weiner, Bert Siegel, Jim Bilotta, Laura Schneider, Peter Jackson.

Abstain: Carl Birman.

Motion: Type 2 action

condition as built survey. Plans dated 4/21/2010 prepared by ES, Action: Approve, Moved by Peter Jackson, Seconded by Bert Siegel.

Vote: Motion passed (summary: Yes = 5, No = 0, Abstain = 1).

Yes: Anthony Weiner, Bert Siegel, Jim Bilotta, Laura Schneider, Peter Jackson.

Abstain: Carl Birman.

3. Mamaroneck Beach and Yacht Club – 555 South Barry Avenue- Structures Permit- Ocean & Coastal Consultants, Architect.

The Board discussed whether or not to open the matter as a public hearing.

Motion: To open the public hearing

Action: Approve,

Moved by Carl Birman, Seconded by Jim Bilotta.

Vote: Motion passed (summary: Yes = 4, No = 0, Abstain = 2).

Yes: Bert Siegel, Carl Birman, Jim Bilotta, Laura Schneider.

Abstain: Anthony Weiner, Peter Jackson.

Len Aubrey 727 Shore Acres Drive stated he was here as the past President of Shore Acres.

Mr. Siegel stated that Mr. Aubrey could only comment on the new material.

Daniel Natchez of Daniel Natchez Associates stated he was representing Shore Acres and Mr. Golub, listing a number of discrepancies in Part 2 of the EAF

Ms. Derrico stated that Type 1 can but is not required to use the EAF.

Mr. Golub stated that if any permission is granted it is his wish that it doesn't interfere with his littoral rights.

Mr. Fredman an environmental lawyer addressed the Board.

Motion: To Close the Public Hearing

Action: Approved

Moved by Peter Jackson, Seconded by Jim Bilotta.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 6).

Yes: Anthony Weiner, Bert Siegel, Carl Birman, Jim Bilotta, Laura Schneider, Peter Jackson.

Mr. Weiner stated the SEQRA issue of segmentation is important, until they receive a Dept. of State permit no work can be done.

Ms. Derrico stated the Board can bind MB&YC to comeback for a perimeter permit without delay and that wording can be in the resolution.

The Board discussed the Draft Resolution.

Ms. Derrico stated the Commission can ask Mr. Noto to have his client to resolve the perimeter permit in a timely fashion 5-6 months after the boating season is over on November 1, 2010

Motion: Type 2 action

Action: Approved

Moved by Peter Jackson, Seconded by Jim Bilotta.

Vote: Motion passed (summary: Yes = 5, No = 1, Abstain = 0).

Yes: Bert Siegel, Carl Birman, Jim Bilotta, Laura Schneider, Peter Jackson.

No: Anthony Weiner.

Ms. Derrico stated for the record Mr. Furey corrected the EAF as suggested by Mr. Natchez and will make it part of the record.

Mr. Furey listed the changes.

- 1. page 6 of 21 #7 single phase project. (1) deleted all references to phasing.**
- 2. part 2 p11 #1 other impacts reconstruction SP-1 dated 5/10/10**
- 3. re: removal of rock reef, the commission is not allowing replacement therefore not applicable**

Ms. Schneider asked if there would be an environmental impact, and Ms. Derrico responded that there is no environmental impact.

Mr. Furey continued that no work will be permitted over the rock outcropping.

Mr. Furey stated that no work will be allowed over the rocks not

- 4. page 17#13 other impacts positive**
- 5. page 17#14 storm damage repair to allow marina to operate**
- 6. Page 20-21 changed to repair of storm damage plan dated 5/10/10 to allow marina to operate.**

Motion: Adopt the Resolution as amended

Action: Approve, Moved by Carl Birman, Seconded by Jim Bilotta.

Vote: Motion passed (summary: Yes = 5, No = 1, Abstain = 0).

Yes: Anthony Weiner, Bert Siegel, Jim Bilotta, Laura Schneider, No: Carl Birman, Peter Jackson

Ms. Derrico read the Resolution into the record and clauses into the record.

Mr. Noto stated that he had no issue with the 5 month condition.

The Board discussed the pile and the removal of one integral pile.

Mr. Siegel stated that when the Club receives a perimeter permit they can move any piling or dock without an EIS.

Mr. Furey stated that in the event the pile by the rock must be removed and the outboard pile of (C) dock adjacent to the Golub property will not be replaced. Plan further revised 5/19/10 and signed by all parties.

Motion: To approve the Resolution as amended to incorporate all terms and conditions Not inconsistent with LWRP,

Action: Approve, Moved by Peter Jackson, Seconded by Carl Birman.

Vote: Motion passed (summary: Yes = 5, No = 1, Abstain = 0).

Yes: Bert Siegel, Carl Birman, Jim Bilotta, Laura Schneider, Peter Jackson.

No: Anthony Weiner.

NEW BUSINESS

- 1. New Waverly Avenue Assoiatws-441,441,524, 532 Waverly Avenue – Demolition of existing buildings and parking garage, renovation to one existing building, construction of parking lot.**

Mr. Jackson recused himself.

Joe Cermele of Site design consultants addressed the Board.

Site now has buildings 441/442 in a Brownfield site; contamination on site has an approved remediation plan by DEC.

524 the 2 story building will be renovated.

The truck wash building is to be demolished.

The 100 year flood plain extends into 441

Mr. Cermele and the Board discussed the improvements to the site regarding landscaping, drainage, lighting.

Mr. Furey stated that the matter is before the Commission for consistency review with the LWRP. The Planning Board has closed SEQRA issued a Negative Declaration and Site Plan Approval.

Motion: To find the mater consistent with the LWRP

Action: Approved,

Moved by Carl Birman, Seconded by Jim Billotta. Vote: Motion passed (summary: Yes = 5, No = 0, Abstain = 1).

Yes: Anthony Weiner, Bert Siegel, Carl Birman, Jim Bilotta, Laura Schneider.

Abstain: Peter Jackson.

MINUTES

Motion: To approve the minutes of 1/2010

Action: Approve

Vote: Motion carried by unanimous roll call vote (summary: Yes = 6).

Yes: Anthony Weiner, Bert Siegel, Carl Birman, , Laura Schneider, Peter Jackson.

Abstain: Jim Bilotta

Motion: To approve the minutes of 3/2010

Action: Approved

Moved by Anthony Weiner, Seconded by Carl Birman.

Vote: Motion passed (summary: Yes = 5, No = 0, Abstain = 1).

Yes: Anthony Weiner, Bert Siegel, Carl Birman, Laura Schneider, Peter Jackson.

Abstain: Jim Bilotta.

NEW BUSINESS

**Ms. Derrico stated that the Board should have a Secretary to review the resolutions.
Send comments to Sally to finalize.**

**She stated she will come to the meetings with drafts.
The Neg Dec's have to be more detailed and she will email a draft to go by.
Everyone should think about chair**

Mr. Weiner asked Mr. Jackson about the LWRP rewrite committee and he responded that it is gong forward it is a work in progress.

Motion: To Adjourn the hearing at 10:15 P.M

Action: Approved

Moved by Peter Jackson, Seconded by Anthony Weiner.

**Minutes prepared by
Francine M. Brill**