

DRAFT MINUTES
VILLAGE OF MAMARONECK
HARBOR AND COASTAL ZONE MANAGEMENT COMMISSION MEETING MINUTES
November 29, 2012 - 7:30 PM
169 MOUNT PLEASANT AVENUES, COURT ROOM, MAMARONECK, NY

Attendees:

PRESENT:

Nick Allison, Chairman
Bert Siegel
Clark Neuringer
Alice Pernick
Kevin LaFolette
Jim Bilotta

Absent:

Peter Jackson

Late:

Clark Neuringer – 7:40 PM

Also Present: Anna L. Georgiou, Counsel to the HCZMC
Sven Hoeger, HCZM Environmental Consultant
Robert Galvin, AICP – Village Planner

CALL TO ORDER

The meeting of the HCZMC was called to order by Chairman Nick Allison at 7:32 PM

MINUTES

On motion of Mr. Neuringer, second by Mr. Bilotta the minutes of August 15 2012 were approved.

Vote:

Ayes: Chairman Allison, Mr. Neuringer, Mr. Bilotta, Mr. LaFolette

Nays: None

Abstain: Ms. Pernick, Mr. Siegel

OLD BUSINESS

NONE

NEW BUSINESS

A. Barry C. Melancon and Patricia Gaudet Melancon – 580 Shore Acres Drive Reconfiguration of Existing Recreational Docking Facility and Maintaining Existing Seawall and Riprap

Discussion by Board members: Chairman read letter from Planning Board. Bob Galvin, AICP – Village Planner explained Planning Board letter regarding the issue between chains and anchors versus pilings. Bert Segal mentioned that during the storm, pilings weathered better than chains and anchors.

Sven Hoeger, HCZM Environmental Consultant stated his opinion that pilings would be a greater asset to water quality than the alternative of chains and anchors, which tend to scour the bottom and is less friendly to marine life.

Anna L. Georgiou, Counsel to the HCZMC, mentioned that if application is approved would the board want to raise the height of the pilings per the consulting engineer's recommendation from 13.5 feet to 15 feet, and if so it should be stated in the resolution.

Public Comments:

Mr. Joe Russo – Harbor Master for the Village of Mamaroneck, discussed pilings vs. chains and anchors. See attached e-mail sent to Sally Roberts on 11-20-12.

Mr. Dan Natchez of Daniel S. Natchez & Associates addressed the Board on behalf of the Melancons. Dan Natchez discussed the type of pilings proposed. Mr. Natchez also stated that if chains and anchors were to be used on this particular float, the float would have to be widened due to the fact that the chains would move 5 to 7 feet and the float was not meant to move 5 to 7 feet. Mr. Natchez also discussed the caps on top of the pilings. He explained that they are there to prevent water from going inside the pilings, which can freeze and cause deterioration. It also serves to prevent birds from falling into the pilings and getting stuck.

Mr. Wexler expressed his concern that the Planning Board in discussing the wetland permit saw community and visual character as an issue. The Planning Board felt that the HCZM should review it for the visual impact on the Harbor.

The following Resolution was adopted:

**HARBOR & COASTAL ZONE MANAGEMENT COMMISSION
CONSISTENCY AND PERMIT APPROVAL RESOLUTION**

**BARRY C. MELANCON and PATRICIA GAUDET MELANCON
580 SHORE ACRES DRIVE**

WHEREAS, on November 5, 2012, the Applicants submitted an application to undertake reconfiguration of a residential docking facility located at 580 Shore Acres Drive ("Premises") and to maintain the existing seawall at the Premises with annexed Plans (SD-01, SD-02, SD-03, D-01) prepared by Lemond and Associates, dated October 26, 2012 and Hydrographic Survey prepared by Michael W. Finkbeiner, PLS dated October 25, 2012 ("Application"); and

WHEREAS, the public hearing for this Application opened at the November 29, 2012 meeting of the Commission was thereafter closed on that same date; and

WHEREAS, the Commission has considered and evaluated the Application, including consistency with the Village of Mamaroneck Local Waterfront Revitalization Program ("LWRP").

On motion of Ms. Pernick, seconded by Mr. Bilotta:

NOW THEREFORE BE IT RESOLVED that in accordance with Village Code Section 240-22, the Commission finds that good cause is shown to open and conduct a hearing on the Application at its regular November 2012 meeting, notwithstanding other requirements of that section.

The motion passes:

Ayes: Mr. Neuringer, Mr. LaFollette, Mr. Bilotta, Mr. Allison, Mr. Siegel, Ms. Pernick

Nays: None

Abstain: None

Absent: Mr. Jackson

On motion of Mr. Siegel, seconded by Mr. LaFollette:

AND BE IT FURTHER RESOLVED that the Commission, based upon review of the Application, including the Environmental Assessment Form and all other relevant materials deems this a Type II action requiring no further action under the State Environmental Quality Review Act ("SEQRA").

The motion passes:

Ayes: Mr. Neuringer, Mr. LaFollette, Mr. Bilotta, Mr. Allison, Mr. Siegel, Ms. Pernick

Nays: None

Abstain: None

Absent: Mr. Jackson

On motion of Mr. Siegel, seconded by Mr. Neuringer:

AND BE IT FURTHER RESOLVED that the Commission has completed its review and evaluation of said Application, including the Coastal Assessment Form and supplement, and after conferring with its consultants has determined that the Application is consistent, to the maximum extent practicable, with the policies of the LWRP and the Application will not substantially hinder the achievement of any of the policies set forth in the LWRP.

The motion passes:

Ayes: Mr. Neuringer, Mr. LaFolette, Mr. Bilotta, Mr. Allison, Mr. Siegel, Ms. Pernick

Nays: None

Abstain: None

Absent: Mr. Jackson

On motion of Ms. Pernick, seconded by Mr. Siegel:

AND BE IT FURTHER RESOLVED that the Commission has completed its review and evaluation of said Application, has fully considered the factors set forth in Village Code 240-23, has determined the proposed reconfiguration of a residential docking facility will not be detrimental to the desirability or development of the harbor, and hereby grants a structures permit for reconfiguration of a residential docking facility and to maintain the existing seawall at the Premises. The Applicant agreed to raise the height of the proposed piles to a minimum elevation 15.0 feet NAVD as set forth in Plans prepared by Lemond and Associates, dated October 26, 2012 and last revised October 28, 2012.

The motion passes:

Ayes: Mr. Neuringer, Mr. LaFolette, Mr. Bilotta, Mr. Allison, Mr. Siegel, Ms. Pernick

Nays: None

Abstain: None

Absent: Mr. Jackson

ADJOURNMENT

On motion of Mr. Lafolette, seconded by Mr. Neuringer, the meeting was adjourned at 8:40 P.M.

VOTE:

Ayes: Mr. Neuringer, Mr. LaFolette, Mr. Bilotta, Mr. Allison, Mr. Siegel, Ms. Pernick

Nays: None

Abstain: None

Absent: Mr. Jackson

Minutes prepared by

Kathy Guadagnolo

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