

These are intended to be "Action Minutes", which primarily record of actions voted on by the Planning Board on December 10, 2009. The full public record of this meeting is the audio/video recording made of this meeting and kept in the Planning Board's Records.

PRESENT: Robert Galvin, Chairman
Ingemer Sjunneemark
Michael Ianniello
Lee Wexler
Susan Favate, BFJ Planning Consultant

ABSENT (Excused):: Stewart Sterk

AGENDA:

OLD BUSINESS:

1. APPROVAL OF MINUTES
2. 416 Waverly Avenue (M -1 Manufacturing District) Proposed construction of a self-storage facility and cabinet making shop. Site plan review

NEW BUSINESS:

PUBLIC HEARING

1. 1000 Taylors Lane (R-15 District) Subdivision of existing lot with house to be subdivided into three lots.

Preliminary Discussion and setting of a Public Hearing.
2. 1600 Harrison Avenue (R-5 District) Co-locate wireless telecommunications facility on roof of building. To set Public Hearing date.

Mr. Galvin called the meeting to order at 7:00p.m.

1. MINUTES

A motion was made by Mr. Wexler seconded by Mr. Sjunneemark to approve the minutes of the Regular Meeting of the Planning Board held on November 12, 2009.

Ayes: Galvin, Sjunneemark, Wexler, Ianniello
Excused: Sterk

OLD BUSINESS

Mr. Galvin signed the Sarah Neuman and 575 North Barry Avenue site plans.

1. **416 Waverly Avenue (M -1 Manufacturing District) Proposed construction of a self-storage facility and cabinet making shop. Site plan review.**

The matter was adjourned to January 28, 2009.

NEW BUSINESS

Public Hearing

1. **1000 Taylors Lane (R-15 District) Subdivision of existing lot with house to be subdivided into three lots.**

Mr. Galvin stated that this is a minor subdivision of one existing residence and two proposed residential lots. The Planning Board at the last informal meeting November 12th declared intent to be Lead Agency, which was distributed November 16th to involved agencies. The Planning Board has received a long form EAF. The matter will be held over until the 30 day response time for lead agency expires.

A motion was made by Mr. Sjunneemark, seconded by Mr. Ianniello to open the public hearing for 1000 Taylors Lane subdivision of existing lot with a house to be divided into three lots under SEQRA.

Ayes:	Galvin, Sjunneemark, Ianniello, Wexler
Excused:	Sterk

Alan Plich of Evans Associates, 205 Amity Road, Bethany, CT appeared and addressed the Board. Mr. Plich explained that the lots would be divided into Lot 1 at 2,482 acres, Lot 2 at 1.37. acres; Lot 3 at 1.54 acres. Mr. Plich stated that there is a freshwater wetland on the property (Magid Pond). The boundary was confirmed 3/12/09. The 100 foot buffer is depicted on the plan. The NYSDEC Wetlands regulations (See stamped plan) indicates that there is no disturbance to the Wetlands or within the 100 foot buffer. The plans depict a typical house and driveway for likely development. Stormwater regulations require mitigation of the increased runoff attributed to the new two lots. Lot 1 would have 48 chambers in 4 rows of 12, Lot 3 would have 18 chambers in 2 rows of 9 and Lot 2 would remain the same. The perc test was done and submitted. The peak rate of runoff was calculated for the 100 year storm.

Mr. Galvin read Mr. Furey's letter into the record, stating that the tidal wetland issue must be resolved. Mr. Plich responded that Part 661 NYSDEC stated that their jurisdiction ends at elevation 10 and the property is at elevation 3.

Mr. Galvin requested that the applicant get something in writing from the DEC, and submission of a complete storm water management approach be submitted.

Mr. Plich stated that Lot 1 testing found bedrock 3 feet below the recharger, lot 3 no bedrock 7 foot down and lot 2 will remain as is so no testing was done. Mr. Plich stated he believes that Mr. Furey will find that the plan submitted will work.

Mr. Galvin stated that the Village is responsible for MS4 and will rely on Mr. Furey's review regarding storm water issues. Mr. Galvin suggested that Mr. Plich meet with Mr. Furey to discuss the issue and possible alternatives. .

The maintenance of the chambers was discussed as well as the placement.

Mr. Sjunneemark asked why the number of chambers is different and Mr. Plich responded that the chambers on Lot 3 are larger and deeper than the smaller, shallower ones on lot 1.

Ms. Carolyn Kennan of 670 Barrymore Lane stated that the driveway on the plan for lot 1 is shown in an area that is at a higher elevation than the road. Mr. Galvin responded that the plan is for illustration purposes only and that a plat filed with the county would be just for the subdivision only and not the construction. However, he suggested that Mr. Plich change the plan to reflect that point and asked Susan Favate of BFJ Planning to have their traffic planner examine this issue.

Dan Natchez of Natchez Associates at 916 Mamaroneck Avenue Mamaroneck appeared and addressed the Board. He is representing Mr. Mrs. Novak, the owners of the property across the pond shown on the Wetlands map and referred to as Magid Pond. Mr. Natchez stated that the Planning Board has the right to restrict what is buildable or not. Mr. Natchez stated that in terms of Stormwater management, infiltrators are a common practice but raising the grade is not. This is only done as a last ditch effort. Lot 1 is a significant issue and the Board should consider its proximity to Long Island Sound. The DEC uses 3 criteria: a 75 foot buffer and top of the hill. In the City of Rye, the DEC stated that they have jurisdiction to the top of the hill. The Novak's are not against the subdivision; they just want to protect the pond that they own and have maintained. Presently the house on lot 2 encroaches in the buffer.

Mr. Galvin stated that the Planning Board will review the comments raised with the Village consultants and Attorney.

Ms. Favate stated that the traffic engineers will look at the placement of the driveway.

Mr. Galvin stated that the matter is adjourned to January 14, 2010.

2. 1600 Harrison Avenue (O-1 District) Co-locate wireless telecommunications facility on roof of building. To set Public Hearing date

Mr. Galvin stated that the Village has retained Mike Musso of HDR as the wireless consultant for the Village Planning Board.

John Furst of Cuddy and Feder appeared and addressed the Board. Mr. Furst stated that METRO PCS, a wireless provider, is expanding into Westchester and wants to place a 6 panel antenna array on the office building at 1600 Harrison Avenue. The AT&T antennas on the roof are similar, the proposed antennas are 61.7” which will be no higher than the existing installations on the roof. The equipment will be inside the building on the third floor. The antennas will be behind a fiberglass screen and painted to look like the building. On November 10, 2009, an escrow was established with the Village Clerk for \$7,500.00.

Mr. Galvin stated that application must be referred to Harrison. Westchester County Planning has received the application and indicated no interest.

The Board discussed the application and requested that the applicant supply a set of photos showing the placement of the antennas with no foliage.

A motion was made by Mr. Sjunneemark, seconded by Mr. Ianniello the Board declared intent to be Lead Agency for this unlisted action under SEQRA for 1600 Harrison Avenue (O-1 District) to co-locate a wireless telecommunications facility on roof of building.

Ayes: Galvin, Sjunneemark, Ianniello, Wexler
Excused: Sterk

A motion was made by Mr. Sjunneemark, seconded by Mr. Ianniello to set the date for a Public Hearing for January 14, 2010.

Ayes: Galvin, Sjunneemark, Ianniello, Wexler
Excused: Sterk

A motion was made by Mr. Ianniello, seconded by Mr. Sjunneemark to adjourn the meeting.

Ayes: Galvin, Sjunneemark, Ianniello, Wexler
Excused: Sterk

Minutes prepared by
Francine M. Brill