

These are intended to be "Action Minutes", which primarily record the actions voted on by the Planning Board on May 14, 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, AICP, Chairman
Ingemer Sjunneemark
Michael Ianniello
Stewart Sterk
Lee Wexler
Frank Fish, BFJ Planning Consultant
Susan Oakley, Village Landscape Consultant
John Winter, Building Inspector

AGENDA:

OLD BUSINESS:

- 1. APPROVAL OF MINUTES**
- 2. 181 E. BOSTON POST ROAD, BARNACLE BBQ RESTAURANT** (MC-2 District – Marine Commercial) Amendment to site plan to construct front exterior patio to the front of existing restaurant.
- 3. 350 PROSPECT AVENUE, FIRST CHURCH OF CHRIST SCIENTIST** – (R-5 Residential District) – Continuation of Public Hearing – Two lot subdivision (includes 1 residential lot and parking lot); site plan for reconfigured parking lot on Parcel B.

NEW BUSINESS:

- 1. 900 RUSHMORE AVENUE, BEACHPOINT CLUB** – (MR District – Marine Recreation) Proposed addition to dining pavilion, kitchen building. Construction of covered open deck to existing deck. Reconstruction and relocation of main pool and wading pool and terrace.

Mr. Galvin called the meeting to order at 7:05 P.M.

1. MINUTES

A motion was made by Mr. Sjunneemark, seconded by Mr. Sterk to approve the minutes of the Regular Meeting of the Planning Board held on April 23, 2009

Ayes: Galvin, Sterk, Sjunneemark, Wexler, Ianniello

Nays:

Recused:

Excused:

OLD BUSINESS:

The sit plan application for a two story office building proposed at Boston Post Road and Barry Ave has been withdrawn at the applicant's request.

1. 181 East Boston Post Road, Barnacle BBQ Restaurant

The Chairman noted that the application has not yet been noticed and that the proposed action would be an unlisted action under SEQRA.

Mr. Coleman McCarthy, the owner, appeared and addressed the Board. Mr. McCarthy stated that he was before the Board to amend the existing site plan to create a café in the front of the restaurant for visual effect. The work had already been started since he did not realize that he needed a permit. A Stop Work order has been issued by the Building Department.

Mr. Galvin asked how many tables would be placed in the front patio. Mr. McCarthy answered 8-12.

A memo from Ms. Oakley, the Village's Landscape Consultant, was provided to the applicant. Ms. Oakley discussed her memo. She stated that the arborvitaes planted will thrive in their location but in her opinion these are not the best trees for the area in question. The arborvitaes will require constant trimming to be kept at about 4 feet. Ms. Oakley also stated that the shrub on the north side had been pruned drastically and the tree on the south side has sustained major root damage and may need to be taken out and replaced.

Mr. Galvin stated that if the tree indicated were to be taken down at some future point, its replacement of the tree would be part of the site plan approval.

Ms. Oakley also indicated that on the original plan all the shrubs were to be boxwoods and not arborvitaes.

The Board discussed the actual placement of the patio, and how the patio would be landscaped. The Board requested that the applicant bring back an actual site plan that was clearer and which addressed the Board concerns.

Mr. Furey's (the Village's Consulting Engineer) memo requesting that the drainage system needs to be shown on the site plan was read into the record and provided to the applicant.

Mr. Galvin stated that the applicant must mail out the notices before the Board can act on the matter.

Ms. Oakley requested the Board to require the applicant to plant a street tree, possibly in the four foot sidewalk border.

The Board discussed the matter and decided that the sidewalk area was too narrow but there should be shade trees (such as honey locust) on the property to shade the patio. Ms. Oakley was requested to provide assistance to the applicant to review and finalize the requested site plan.

The matter was adjourned to the next meeting.

2. 350 PROSPECT AVENUE, FIRST CHURCH OF CHRIST SCIENTIST

Mr. Dennis Cucinella, the applicant's engineer, appeared and addressed the Board.

Mr. Galvin read a memo from the Board of Appeals stating that they had closed their Public Hearing and are waiting for the Planning Board to determine SEQRA significance before proceeding. The memo from the ZBA indicated that the ZBA will require no less than 18 parking spaces. The ZBA memo indicated that this was not the result of a formal vote but resulted from an informal poll of the ZBA members. Mr. Galvin entered a letter from Ms. Katherine Desmond into the record. A memo from Mr. Furey was also read into the record indicating that the plan will need to address storm water and drainage. Although Mr. Furey does not have the applicant's calculations as of yet, his professional opinion is that these issues can be addressed to the Village's satisfaction.

Mr. Cucinella stated that in keeping with the requests of the neighbors he has made the buffer 10 ft. 9in. on the residential parcel to increase the building lot.

Mr. Galvin stated that for purposes of stormwater calculation the building lot on Parcel A (the residential lot) should be calculated as a completely pervious area per Mr. Furey's memo.

Mr. Cucinella asked if the planning board could reduce the buffer on Parcel B (the parking lot parcel) to 5 feet thereby providing over 600 sq. ft. to the residential lot. Mr. Galvin indicated that this was within the jurisdiction of the Board.

Mr. Galvin stated that he wanted the Church to be aware that there is a \$2,500.00 recreation fee for the residential lot which would be required before any approved final subdivision plat Mylar may be signed by the chairman.

The Board discussed the buffer, the placement and size of the two lots as well as the layout of the parking.

Mr. Fish stated that using the original scheme as a starting point, he tried to make Parcel A's lot size larger, by reducing the buffer in Parcel B the parking lot. Parcel A as a corner lot would have two front yards and two side yards.

The Board and the applicant discussed the orientation of the subdivision. The applicant as well as the Planning Board members preferred Scheme A. Mr. Fish stated that he would like to insure as much distance from the house to the parking lot.

Mr. Ianniello stated that the house owner could screen the parking area from their view.

Mr. Fish stated that he and Mr. Furey know that the drainage calculation works but the Village Attorney needs to have the Village Engineer review the calculations for the site in writing, for any negative SEQRA declaration.

Mr. Shefendecker of 311 Prospect Avenue stated that he would prefer to see a house, rather than the whole lot remain a parking lot, he would prefer Lot A to be larger and the buffer to be in the hands of the home owner. He stated any reduction in impervious surface is a plus.

Mr. Fish stated that Mr. Cucinella should look at the parking lot at the Westchester Jewish Center and consider their use of grass crete.

Katherine Desmond of 347 Prospect Ave asked if the Village is saying that a 200 seat church will never require more parking then it does at present.

Mr. Galvin stated that the ZBA will make a determination on the facts of the application before them. The Planning Board cannot act until or unless the ZBA acts on the Church's variance request to reduce parking.

The matter was adjourned to the May 28, 2009 meeting.

NEW BUSINESS

1. 900 RUSHMORE AVENUE, BEACEPOINT CLUB

Mr. Randy Ruder, the general manager of the Beachpoint Club, appeared and addressed the Board. Mr. Ruder stated that the Club has changed its membership composition and the pool no longer fits the needs of the members. In addition the pool is 56 years old over, which is three times its guaranteed lifespan of 20 years. Since the pool needs to be rebuilt, the Club is looking for a better placement of the pool, increasing their lawn area and improving the view

Tony Acocella, the applicant's landscape architect, stated that they want to keep the major trees on site, plantings will give a backdrop to the lawn from the club house and when inside the pool area, you would have a feeling of being in an enclosed space.

Ms. Oakley in her memo reviewed the landscaped plan favorably in her memo. Her memo did indicate that the plants suggested are salt tolerant and recommended that undyed mulch and organic fertilizer be used.

Mr. Galvin asked if the Club was working with the DEC to delineate any wetlands, Mr. Ruder mentioned that the Club has retained HALCYRW as their wetland and environmental consultants. The Consultants will delineate the wetlands and interface with DEC. The applicant also indicated that the pool is in a B Zone. This was confirmed by Mr. Winter, the Village's Building Inspector.

Mr. Joseph Colotta, applicant's consultant, stated that the pool is to be anchored in bed rock 116 feet from the shore and is not in the wetlands only the buffer. The proposed pool would be further from the Long Island Sound than the original pools. The original pools were 4,376 sq. ft. The new pools will be 7, 767 sq. ft.

Mr. Wexler asked about the lighting.

Mr. Ruder stated that lights would be put on poles around the terrace area, and that he will bring a lighting plan to the next meeting.

Pam Loeffelman from Perkins Eastman, the applicant's architects, stated that there will be small path lights, probably with less impact on the neighbors than the present lighting.

Mr. Galvin indicated that the Board needed a motion for a notice of intent to declare the Planning Board as lead agency for this project.

On motion of Mr. Sjunneemark, seconded by Mr. Sterk, the 900 Rushmore Avenue, Beachpoint Club project constitutes an "unlisted action" within the meaning of the State Environmental Quality Review Act and the regulations of the NYS Department of Environmental Conservation (collectively "SEQRA") and that the Board declares its intention to assume Lead Agency status under SEQRA.

Ayes: Galvin, Sjunneemark, Sterk, Wexler, Ianniello

Nays:

Applicant will appear before the HCZMC at their next meeting. Application was adjourned to the Planning Board's May 28, 2009 meeting.

Mr. Ruder indicated that the Club would want to have pool construction begin in the fall.

ADJOURNED

A motion was made by Mr. Sterk, seconded by Mr. Ianniello to adjourn the meeting at 8:45 P.M.

Minutes prepared by
Francine M. Brill