

These are intended to be "Action Minutes", which primarily record the actions voted on by the Planning Board on January 28, 2010. 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
Michael Ianniello
Lee Wexler
Stewart Sterk
Ingemer Sjunneemark
John Winter, Building Inspector
Susan Favate, BFJ Planning
Frank Fish, BFJ Planning
Keith Furey, Consulting Engineer
Christie Derrico, Village Attorney

AGENDA:

1. APPROVAL OF MINUTES

OLD BUSINESS:

- 1. 707 FENIMORE ROAD/345 FAYETTE (M-1) ENDURANCE FITNESS – Change of use to commercial, retail. Site plan review continued.**

PUBLIC HEARING CONTINUED;

- 2. 800 FENIMORE ROAD, NOLLES RIDGE – Subdivision/Wetlands Permit to create six (6) building lots and one conservation lot.**

NEW BUSINESS:

- 1. 1421 MAMARONECK AVE. (R-5 District) Subdivide tennis court to residential lot. Set date for Public Hearing.**
- 2. 441,442,524, 532 WAVERLY AVE. (M-1 INDUSTRIAL DISTRICT) – Site plan review of proposed bus parking lot.**

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

There was no video/LMCTV broadcasting; the meeting was recorded by audio.

1. MINUTES

A motion was made by Mr. Sterk seconded by Mr. Wexler to approve the minutes of the Regular Meeting of the Planning Board held on January 14, 2010.

Ayes: Galvin, Wexler, Ianniello, Sterk
Nays: None
Excused: Sjunneemark

Mr. Galvin stated that:

1421 Mamaroneck Avenue is required to go to the Zoning Board of Appeals for a variance. The subdivision application has been adjourned until the ZBA makes a decision on the variance request. A sign will be posted on the site once the application is back before the Planning Board. Mr. Tannenbaum, the chairman of the Traffic Committee, stated that he is very concerned about parking in the area.

1000 Taylors Lane has been adjourned until the applicant provides a revised Storm Water Management Plan.

Mamaroneck Boats and Motors is before the HCZMC, which has required additional information on the applicant's perimeter permit. Once the applicant receives a consistency finding from HCZM, they will return to the Planning Board for final site plan approval.

1600 Harrison Avenue METRO PCS will return with their wireless telecom application on February 11 after the Village's telecom consultant, Mr. Mike Musso, has finished his review and report for the Board.

OLD BUSINESS:

1. 707 FENIMORE ROAD/345 FAYETTE (M-1) ENDURANCE FITNESS – Change of use to commercial, retail. Site plan review continued.

Mr. Galvin stated that the County is looking at the application and may respond by the next meeting.

Tom Falco, the applicant, appeared and addressed the Board. Mr. Falco stated that he is to appear before the ZBA for the second time on 2/4/2010 and hopefully they will reach a decision on the interpretation regarding retail use for the application.

The Board discussed the parking and Mr. Falco stated that landlord has written a letter confirming that seven daytime spaces have been allocated to his gym.

The lighting was discussed and after a site visit (made separately by Mr. Galvin, Mr. Winter and Ms. Favate) one wall light near the door was found to need repair.

After discussion with Mr. Fish, the Village Planner, and Mr. Winter, the Building Inspector, the Planning Board determined that the Type 1 designation under SEQRA refers only to the new construction.

A motion was made by Mr. Sjunneemark, seconded by Mr. Ianniello that the Planning Board declared that 707 Fenimore Road/ 345 Fayette Avenue is a Type II action under SEQRA

Ayes: Galvin, Wexler, Ianniello, Sterk, Sjunneemark

Nays: None

The matter was adjourned to February 11, 2010, waiting for the Zoning Board of Appeals to reach a decision.

2. 800 FENIMORE ROAD, NOLLES RIDGE – Subdivision/Wetlands Permit to create six (6) building lots and one conservation lot.

Mr. Hahn of Hahn Engineering appeared and addressed the Board. Mr. Hahn stated that a new packet containing the drainage calculations requested was submitted.

Mr. Fish gave a brief explanation of the EAF stating Part 1 was filled in by the applicant, Part 2 was revised by the Planning Board on 6/9/09 and Part 3 information was compiled on Storm water management, flooding, Wetlands, rock removal, and noise. The Army Corp of Engineers Wetlands Permit is attached as part of the record. (This Corp permit was issued by the agency in November of 2009.) The conditions required by the

Planning Board are added on page 6 as follows: 1) include a fence on the west side of the site, 2) provide for aeration of the pocket pond, 3) plan for removal of invasive species. Photographs of Brittany Close and their pocket pond are also included in the environmental record. Mr. Fish continued that the Planning Board must complete SEQRA to proceed to a subdivision approval and continue a public hearing on the subdivision.

Mr. Furey gave a brief description of the Storm Water Plan stating that the pocket pond has the ability to handle the required water detention. The applicant provided three scenarios: all three scenarios provide reduction in storm water under a 100 year storm. Mr. Furey indicated that the most likely scenario #2 would result in a 17 percent reduction.

Mr. Fish asked Mr. Furey to confirm that with the proposed storm water improvements the site's storm water will be better after development. Mr. Furey again confirmed that based on his analysis and his review of the storm water management plan that this would be the case.

Noise was discussed and Mr. Fish stated that the noise from I-95 is preexisting and the applicant is not responsible to mitigate it. Moreover the property line of Country Road residences are almost 300 feet away from I-95 as specified in Part 3 of the EAF.

Sharon Kapus of 1 Country Road stated that she was concerned with the removal of trees causing more noise on her property. Mr. Galvin responded that the Board and applicant do not want trees removed if they are able to be saved. Therefore the Board has requested that the applicant tag the trees on the site and have an arborist review the existing trees proposed for removal on the site. The applicant with the Board's review has proposed significant landscaping on the site especially at the lower end of the property.

Rose Toth of Country Road stated that there should be an EIS required for this project. Mr. Galvin responded that the Board has paid close attention to the comments and concerns of the public and has conducted a hard look at the environmental issues for the site and proposed based on review by the Board and its consultants mitigating measures to address these issues. Ms. Toth also voiced her concern about the flooding of Fenimore Road during a rain storm and was reminded that it is caused by infiltration of the storm drains in the Town of Mamaroneck. Mr. Fish repeated his summary of the meetings with the Town of Mamaronec regarding the issue. The Chairman suggested that she follow up with Steve Altieri, the Town Administrator.

Mr. Galvin asked Mr. Fish to request a status report from Mr. Altieri.

Mr. Sterk stated that in the EAF it should state that the 6 houses have no more impact than the present site.

On motion of Mr. Ianniello, seconded by Mr. Sterk the Planning Board issued a neg dec under SEQRA for the Nollis Ridge project.

Ayes: Galvin, Wexler, Ianniello, Sterk, Sjunneberg
Nays: None

The matter was adjourned to February 11, 2010 for a continuation of the subdivision review of the project.

Mr. Galvin discussed the information which will be needed as part of the review:

- A copy of the HOA agreement
- Pocket pond maintenance
- Rock removal information
- Cost data on maintenance of the pocket pond
- Engineering estimate of the pocket pond, landscaping, road and other infrastructure improvements to determine the amount of bonding for the project

- Energy efficient lighting plan
- Recreation fee for the six residential lots (total of \$15,000 - @ \$2,500 per lot)
- Impervious surfaces to be maximized (especially driveways)
- Review the narrowing of proposed driveways
- Review need to balance a narrower access road with pedestrian safety
- Provide wooden guardrail along the access road behind the proposed evergreen buffering.

NEW BUSINESS:

1. 441,442,524, 532 WAVERLY AVE. (M-1 INDUSTRIAL DISTRICT) – Site plan review of proposed bus parking lot.

Mr. Galvin stated that he has a check list from the Building Department indicating that the application is in compliance with the code. The site is partially located in and adjacent to a flood zone, and no new structures are proposed. A complete Storm Water Management Plan dated 12/2009 is included with the application. A traffic study conducted by Tim Miller Associates is also included.

Mr. Greg Young of 306 Fayette Avenue Realty representing the applicant appeared and addressed the Board.

Mr. Joe Cermele of Site Design Consultants 251-F Underhill Avenue, Yorktown Heights, NY appeared and addressed the Board. Mr. Cermele stated that they are proposing a bus parking facility, maintenance and office building at the site. Currently the site is vacant with a dealership utilizing the center lot for parking. 441,442, 524 are all to be demolished, with only 532 to remain. In the area to be demolished, bus parking will be created. All existing utilities will be removed at 441 and 442. The existing storm water controls are minimal at present and will be removed. A new Storm Water Management Plan is proposed. The Bus Company, First Student, is looking to consolidate operations to a central location. Parking for 105 buses is planned at the property, 33 long buses and 72 short buses. Maintenance and state inspections are to be performed on the ground floor of 532 Waverly Avenue

The Hours of operation were discussed and are as follows

6:15-7:30 AM	buses leaving site	8:15- 9:45 AM	buses returning
1:15-2:30 PM	buses leaving site	3:40-6:45 PM	buses returning

Mr. Fish stated that BFJ Planning has received the Traffic Study and will review it. Mr. Cermele stated that the traffic consultants will be at the next hearing to answer any questions.

Mr. Galvin stated that the site is a Brownfield Site and the Board requires all documentation from NYS DEC.

Mr. Galvin stated that the issues are:

1. The intensity of the use
2. Brownfield site
3. Storm Water Management Plan
4. Landscaping on site and streetscape improvements

He further stated that the propose use must have the least impact possible on adjacent properties.

The Board discussed the project and would like to make site visits to the company's other locations to see the operation. The circulation of cars and buses, idling , safety are serious concerns that must be looked into further.

Ms. Derrico stated that there is a state idling law that she will look into as to whether it applies to buses.

Mr. Galvin asked Mr. Fish to look at comparable facilities

On motion of Mr. Sterk, seconded by Mr. Sjunneemark the Planning Board declared intent to be Lead Agency for this Type 1 action under SEQRA for 441, 442, 524, 532 Waverly Avenue.

Ayes: Galvin, Wexler, Ianniello, Sterk, Sjunneemark
Nays: None

Mr. Fish requested that the NYS DEC hazmat information be provided regarding the Brownfield.

The matter was adjourned to 2/11/2010

ADJOURNMENT

A motion was made by Mr. Sjunneemark, seconded by Mr. Sterk to adjourn the meeting at 8:55 PM.

Ayes: Galvin, Wexler, Ianniello, Sterk, Sjunneemark
Nays: None

Minutes prepared by

Francine M. Brill