

These are intended to be "Action Minutes", which primarily record the actions voted on by the Planning Board on March 25, 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 (arrived late)  
Susan Favate, BFJ Planning  
Christie Derrico. Village Attorney

**ABSENT (Excused):** Ingemer Sjunneemark

**AGENDA:**

**APPROVAL OF MINUTES**

**OLD BUSINESS:**

1. 613 Waverly – DCH, Inc.,- (M-1 District) - Site Plan Review for proposed parking lot.
2. 1153 W. Boston Post Road- (C-1 District) – Site Plan Review for Drop off location for Go Green Dry Cleaning.
3. 1421 Mamaroneck Avenue - (R-5 District) – Work Session – Two lot minor subdivision review - Lead Agency determination for environmental review.

**PUBLIC HEARING CONTINUED- ADJOURNED**

800 Fenimore Road. -Nolles Ridge – Subdivision/ Wetlands Permit to create six (6) building lots and one conservation lot. ADJOURNED.

**NEW BUSINESS**

1. 411 Waverley Avenue – New Waverly Avenue Associates LLC and 306 Fayette Realty - (M-1 District) – Site Plan Review for proposed construction of an at-grade parking facility.

The Meeting was opened at 7:50 P.M.

Mr. Galvin stated that the next scheduled Planning Board Meeting will be held on Thursday, April 22, 2010.

**MINUTES**

A motion was made by Mr. Ianniello, seconded by Mr. Wexler to approve the minutes of the Regular Meeting of the Planning Board held on March 11, 2010.

Ayes: Galvin, Wexler, Ianniello  
Nays: None  
Absent (Excused): Sjunneemark, Sterk

## **OLD BUSINESS**

### **1. 613 Waverly – DCH, Inc., (M-1 District) - Site Plan Review for proposed parking lot.**

Mr. Galvin stated the Board has sent notice of intent to be Lead Agency on this Type I action. The Board is waiting for Mr. Noto, the applicant's attorney, to submit a long form EAF. The Planning Board cannot assume lead agency status until thirty (30) days have passed and no objection is raised to the Planning Board assumption of lead agency.

Mr. Noto, the applicant's attorney, addressed the Board stating that they have submitted a revised site plan.

Mr. Galvin stated that the second plan appears to be a worst plan than the first.

Mr. Noto tried to clarify some issues.

Mr. Anderson, the applicant's engineer, explained his new plan responding to the Board's request at the last meeting to limit the curb cuts to two, widening the access for truck deliveries, widening the planting area, and eliminating one island. He has 124 parking spaces on the plan, added low level lighting on 16 foot poles and regraded the site to 3 percent.

Mr. Galvin spoke for Mr. Furey who was unable to attend stating that gravel was not supposed to be incorporated into the plan, and the trench drains were supposed to be widened.

Mr. Anderson stated it was his plan to break up the drainage between Waverly and Center.

Mr. Galvin stated the details of the trench drains should be more specific on the plan.

M. Anderson stated that the water quality on the entire site is treated and explained the layout, saying that the Storm Water velocity is 1 1/2 feet per second. He thinks that Mr. Furey will be satisfied when he sees the computations.

Mr. Galvin stated that the Building Inspector commented that all off loading will be done on site and should be shown on the plan.

Mr. Galvin stated he wants to clear up a misconception regarding Ms. Oakley memo that she has no objection to 3 ½ caliper dimensions for the tree planting, but she was shocked to see the center island disappear on the current plan.

Ms. Favate stated she was happy with the elimination of the additional curb cut on Waverly, wants no gravel at all and is concerned with the circulation pattern. She feels the 18 foot isle is narrow and the applicant could eliminate 13 spaces near Waverly and two side spaces. She was also concerned about triple stacking and questioned how it would work. She echoed Ms. Oakley concern regarding space for trees as the original plan gave them more room. She was happy the lighting concerns were responded to, and questioned what spaces were designated for 613 and 700 and requested detail to be noted on the site plan.

Mr. Anderson responded to Ms. Favate's comments stating that the planting area diamonds were 5 feet and now 8 feet, the circulation was done for the delivery trucks, and all cars will be parked by employees.

Mr. Anderson stated that they could remove 4 spaces and add plantings.

Mr. Wexler stated that he is in agreement about the islands.

Mr. Ianniello asked if there were a minimum amount of spaces that the applicant required.

Mr. Galvin stated that 56 are required for 700 Waverly. The balance being provided is for 613.

Mr. Galvin summarized the Storm Water issues, and the need for the trench drain to be reviewed by Mr. Furey for approval. The applicant should come back with parking and landscaping changes as discussed.

Mr. Wexler asked for more lighting in the islands. He stated his concern that the light should be evenly distributed.

The matter was adjourned to April 22, 2010.

**2. 1153 W. Boston Post Road- (C-1District) – Site Plan Review for Drop off location for Go Green Dry Cleaning.**

Mr. Galvin stated that the Planning Board declared intent to be Lead Agency for this unlisted action. The applicant is going before the ZBA for a special permit. Mr. Galvin indicated that he had communicated to the ZBA that the Planning Board is almost finished with the Site Plan review and sees no environmental issues based on their review of the EAF and the site plan. He is waiting for the ZBA to state that they have no objection to the Planning Board assuming lead agency for this application. The applicant is working on a landscape plan. Ms. Oakley's memo stated that she received the plan and all the Board's previous suggestions have been included. The only thing is that the Dogwood should be noted as tree form on the plan.

Mr. Sterk arrived.

Mr. Galvin adjourned the matter to 4/22/10, stating the Planning Board has no additional issues, and he felt that the ZBA will probably close their hearing and approve the special permit for the application. The applicant is to return with 4 copies of the plan done to scale for final site plan approval.

Ms. Derrico left the hearing.

**3. 1421 Mamaroneck Avenue - (R-5 District) – Work Session –Two lot minor subdivision - Lead Agency determination for environmental review.**

Mr. Galvin stated that this is a subdivision application for a minor subdivision. The subdivision consists of a new single family lot and an existing non-conforming apartment building. The Planning Board will need to declare its intent to be lead agency for the SEQRA review of this unlisted action. The ZBA is involved regarding an area variance for the existing non-conforming apartment building on lot 1).

Mr. Galvin stated that the applicant is reducing the size of the parcel; the non-conforming apartment building on the property requires a minor area variance from the ZBA. The application was originally on the agenda in January, but was adjourned to consider submitting to the ZBA.

The Planning Board after it reviews and makes a determination of environmental significance, would want to have the applicant deal with the following issues: the property's existing walls should be maintained, the large tree on Warren should be left and the driveway on Warren should be relocated to Girard and moved away from the intersection, and any street trees that are taken down by the driveway or other construction will need to be restored (3 ½" caliper). Additionally, the Storm water management

initial plan needs work and review by the Village's consulting engineer. The apartment building is part and parcel of the requested subdivision; therefore, the Planning Board will require a parking analysis as to the utilization of parking at the apartment building and how to maximize the number of parking spaces on the site of the apartment building (including its existing garage).

A motion was made by Mr. Sterk, seconded by Mr. Ianniello the Board declared its intent to be Lead Agency for the unlisted action for the minor subdivision at 1421 Mamaroneck Avenue.

Ayes: Galvin, Wexler, Ianniello, Sterk  
Nays: None  
Absent (Excused): Sjunneemark

## **NEW BUSINESS**

### **1. 441 Waverley Avenue (M-1 District) New Waverly Avenue Associates LLC & 306 Fayette Realty Proposed construction of an at-grade parking facility. Site Plan Review.**

Mr. Galvin stated the applicant is here with a different site plan than the one previously submitted for a bus depot. The current use is for a proposed parking lot for a limo service and for dealership parking. There will also be the rehabilitation of an existing office building with accessory parking attached.

Greg Young of 566 Westchester Avenue, Rye Brook and Joe Cermele of Site Design addressed the Board.

Mr. Galvin stated the Board has received the site plan application and a long form EAF for this site (which is a brownfield site under review by the DEC).

Mr. Cermele stated that the owner is anxious to demolish existing buildings on the site. The new site plan proposes to keep the existing two story building, provide employee parking on the north side and supply inventory parking at 441-442 for the dealership ( 524 is now an Acura dealership). Mr. Galvin stated that there can be no off loading of vehicles on Waverly Avenue. Mr. Cermele agreed.

Mr. Cermele stated that the project hasn't changed regarding the plan for utilities and drainage. The plan provides for a green space buffer and right of way improvements, decreased the curb cuts from 4 to 2, and provided 19 parallel parking spaces. This plan has significantly less environmental impact and is a return to a use that was at one time on the property.

Mr. Cermele stated that the Limo Company will have office space on the second floor and parking for vehicles.

Mr. Ianniello stated that he would like to see more green space, and wants the planting island to be 8 feet wide.

M. Galvin would like to see 16 foot light poles with down lighting.

Ms. Favate stated that this a much improved plan, with 524 Waverly being the best of al. She would like to see a separate landscape plan.

Mr. Cermele stated that there are two different property owners; the evergreens can be a barrier.

The fence was discussed, chain link in the rear and decorative on Waverly Avenue.

The parking lots and circulation were discussed and Ms. Favate would like to see one space removed, and an island in 442. Various options were discussed by the Board.

Mr. Galvin would like to see a landscape treatment along Waverly.

Mr. Ianniello asked if the buffer can be carried to the third lot as the area at 532 can be treated differently.

A motion was made by Mr. Sterk, seconded by Mr. Ianniello the Planning Board declared its intent to be Lead Agency for this Type I action, namely site plan for the project at 441-442 Waverly Avenue

Ayes:	Galvin, Wexler, Ianniello, Sterk
Nays:	None
Absent (Excused):	Sjunnemark

The applicant must post a sign and proper notice, as well as appear before the HCZMC, and complete their Storm Water Management plan, and submit the DEC approved remediation plan for the brownfield site.

Marty Spatz, the owner of 650 Halstead Avenue, asked if the rear fence could be 6 feet.

Mr. Galvin stated that the Board will include a 6 foot requirement for the fence at the rear of the property. He also stated that the current plan is a vast improvement over the original

Mr. Galvin further stated that the board must wait 30 days to assume Lead Agency for this action.

The matter was adjourned to April 22, 2010.

#### ADJOURNMENT

On motion of Mr. Sterk, seconded by Mr. Ianniello the meeting was adjourned.

Ayes:	Galvin, Wexler, Ianniello, Sterk
Nays:	None
Absent (Excused):	Sjunnemark

Minutes prepared by

Francine M. Brill