

These are intended to be “Action Minutes” which primarily record the actions voted on by the Planning Board on June 24, 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
Lee Wexler
Stewart Sterk
Ingemar Sjunne
Frank Fish, BFJ Planning
Susan Favate, BFJ Planning
Susan Oakley, Village Landscape Consultant
Christie Derrico, Village Attorney

Absent (Excused): Michael Ianniello

AGENDA;

APPROVAL OF MINUTES

OLD BUSINESS

1. 707 Fenimore Road (M-1 District) Endurance Fitness Special Permit, Site Plan Review.
2. 1421 Mamaroneck Avenue (R-5 District) - Determination of environmental significance. Subdivision of tennis court to residential lot.

NEW BUSINESS

WETLAND PERMITS:

1. 1010 Cove Road (R-20) – Wetland Permit to allow the encroachment of a deck in the wetland buffer.
2. 1120 Greacen Point Road (R-20) – Wetland Permit to undertake the planting of Spartina grass for erosion control

PUBLIC HEARING (CONTINUED)

1. **800 Fenimore Road, Nolles Ridge (R-6 District) Subdivision/Wetlands Permit to create six (6) building lots and on conservation lot.**

NEW BUSINESS (CONTINUED)

1. John Lese (C-1 District) – 208 Boston Post Road. - Informal discussion, Special Permit for Infill Housing and Site Plan review for 5 residential condominium units.

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 May 24, 2010.

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

OLD BUSINESS

1. 707 Fenimore Road.(M -1 District) - Endurance Fitness Special Permit, Site Plan Review.

Mr. Galvin stated that this is a Type II action and is not subject to SEQRA. The Board of Trustees of the Village of Mamaroneck recently changed the zoning code to provide the Planning Board with jurisdiction to issue a special permit for sports and fitness establishments in the M -1 District. Mr. Galvin stated that the Board has reviewed the special permit application as well as the site plan 6/24/10.

On motion of Mr. Sterk, seconded by Mr. Wexler, a special permit was approved for Endurance Fitness at 707 Fenimore Road to allow a fitness facility in the M -1 District.

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

On motion of Mr. Wexler, seconded by Mr. Sterk, final approval was granted for a site plan dated 6/24/10 for Endurance Fitness, a fitness facility at 707 Fenimore Road.

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

2. 1421 Mamaroneck Avenue (R-5 District) - Determination of environmental significance. Subdivision of tennis court to residential lot.

Mr. Vincent DiOrio, the applicant's attorney addressed the Board, stating that they are before the Zoning Board for an area variance. The Zoning Board adjourned the matter to July 29, 2010 for the Planning Board to review and make a SEQRA determination.

Mr. Galvin stated that the subdivision plan has been reviewed by Mr. Furey, the Village's Consulting Engineer. The Planning Board has reviewed the short form EAF for this unlisted action. Ms. Oakley, the Village's landscape consultant, has reviewed the landscape plan. For the record, the landscape plan has been revised to eliminate the need for any elimination of street trees. The single family residence has been reoriented to Girard Street and the driveway and

construction entrance has been moved to Girard Street at its farthest point from the Warren Street intersection. .

Mr. Furey reviewed the applicant's engineer's storm water and drainage plan (Mr. Salinitro). Mr. Furey's memo was read into the record.

Mr. Galvin stated that the Planning Board had declared intent to be lead agency for this unlisted action had sent the notice of intent to involved agencies and had received no comments.

The Planning Board is waiting for Zoning Board to make a determination on the applicant's area variance before setting a public hearing on the subdivision plan.

Mr. Galvin stated that there is a parking problem in the area and requested a parking analysis be done on the adjacent apartment building (which is part of the subdivision application).

On motion of Mr. Sterk, seconded by Mr. Sjunneemark the Planning Board completed its review of SEQRA and has made a Negative Declaration under SEQRA. and filed this with the Planning Board secretary.

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

The Negative Declaration will be filed with the Planning Board secretary with a copy to be sent to the ZBA.

WETLAND PERMITS:

1. 1010 Cove Road- Wetland permit to allow the encroachment of a deck into the wetland buffer.

Mr. Michael McCain, the applicant's architect, addressed the Board. The proposed action is for the construction of a single family home on the existing foundation with the inclusion of a deck about 80 feet from the wetlands. The driveway will be moved further from the wetland. The wetland permit is required to allow the encroachment of the deck (approximately (325 square feet) into the wetland buffer.

Ms. Favate, in conjunction with Ms. Oakley, requested that the mature trees on the site be preserved.

Mr. Galvin read Mr. Furey's memo into the record. Mr. Galvin stated that this is a Type II action not subject to SEQRA.

Mr. Wexler asked that the driveway be gravel. (The driveway is already marked as gravel on the applicant's site plan.)

Mr. Galvin stated that the Planning Board does not have site plan review jurisdiction for single family homes. However, the Planning Board can send this recommendation to the Building Inspector. The Building Inspector can review this as part of the Village's new storm water management legislation.

There were no questions or comments from the public.

Mr. Galvin stated that he will send the Planning Board's recommendation to the Building Inspector that the driveway be gravel, and as many mature trees as possible be saved.

On motion of Mr. Sterk, seconded by Mr. Sjunneberg, a Wetland Permit was approved for 1010 Cove Road to allow the minor encroachment of a proposed deck in a wetland buffer.

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

Public Hearing (Continued)

1. 800 Fenimore Road, Nolles Ridge (R-6 District) Subdivision/Wetlands Permit to create six (6) building lots and on conservation lot.

Mr. Hahn made a presentation and summarized the latest submission.

Mr. Galvin stated that Ms. Oakley and Ms. Munz, the applicant's landscape consultant, did a site visit in regard to the preservation of trees on the site.

The pervious pavers, rock removal, lighting, sewer connections, landscaping and fencing were discussed.

Mr. Galvin stated that the Planning Board had previously completed SEQRA and issued a Negative Declaration which is part of the record.

Mr. DiOrio, the applicant's attorney, spoke about the draft Homeowners Agreement (HOA) and the easement for emergency access. He stated that the applicant has made contact with the encroaching neighbor and did a site visit. He suggested that the neighbor contact an attorney as 80% of the driveway to the neighbor's garage is on Mr. Nolletti's property. Mr. DiOrio stated he will draft an easement and send it to Ms. Derrico for review and approval. The HOA is incorporated under NYS law and the drafted HOA will be sent to Ms. Derrico.

Ms. Derrico stated that easements are common and she will help review the draft. As to the issue of maintaining the retention pond, Ms. Derrico indicated that the individual deeds should have a covenant to maintain retention pond as a safeguard measure if the HOA fails. Ms. Derrico will confer with Mr. DiOrio on this issue.

Ms. Oakley spoke regarding the memo and site visit. She stated that some of the trees have very little canopy and some are invasive.

Mr. Wexler stated he is concerned with pedestrian safety.

Mr. Galvin stated for the record that Mr. Furey has reviewed the sewer line, confirming Mr. Hahn's evaluation.

Mr. Tiekert's letter was read into the record and Mr. Fish addressed the issues on storm water and wetlands.

Ms. Kapus of 1 Country Road asked if the applicant would consider a more natural fence. She also stated that the high canopy is very valuable to the residents on Country Road.

Bert Seigel of 40 Grecean Point Rd. stated that he has a chain link black fence with ivy planted by his neighbor that covers the entire fence and remains green in winter. He offered to allow Ms. Kapus to visit his property and view the fence and ivy.

Mr. Tiekert of 130 Beech Ave discussed the plant selection and Pine Street.

Mr. Galvin stated that Pine Street has no bearing on this subdivision application.

Ms. Derrico stated that although there are no 100% assurances, there will be safeguards put in place including performance and maintenance bonds. The maintenance bond will be the responsibility of the owner, being extended from the required five to seven years.

Mr. Fish stated the only thing relevant is that the subdivision road will be built to Village standards. An "As Built" survey will need to be completed and reviewed by the Building Inspector. Based on the Village's subdivision code, the performance bond would not be released until at least a year after the completion and acceptance of these improvements.

Mr. Hahn confirmed that at the end of the project an "As Built" survey is completed to ensure that the road, retention pond and other infrastructure improvements are built to specification.

Ms. Toth of Country Rd. stated she is happy that there is a performance bond but was concerned with the proposed road.

Mr. Galvin stated that the issue of storm water has been addressed a number of times over the last several months and read Mr. Furey's letter regarding the retention pond and storm water into the record.

Mr. Fish stated that the Board made its findings and closed SEQRA with a Negative Declaration several months ago. As part of the Negative Declaration, the road was deemed safe.

The public hearing was adjourned to July 8th.

WETLAND PERMIT

1120 Greacen Point Road – Wetland Permit to undertake the planting of Spartina grass for erosion control.

Mr. Jim Sanak, the applicant's landscape architect, stated that he was hired to minimize erosion along the edge of the applicant's property bordering Pirate's Cove. The SKL-2 sheet indicates biodegradable coir logs stacked along the shoreline with added soil and the planting of Spartina grass to help prevent the failure of the sea wall.

Ms. Oakley spoke regarding her site visit stating that the solution is viable and appropriate. In order to establish a base for Spartina grass to take root, she further suggested that the coir logs should be tied in to make them secure.

Mr. Sanak stated that SKL-4 Sheet shows an image of stakes with logs in between.

Mr. Galvin read Mr. Furey's memo into the record and discussed that 50% of the plantings will possibly not survive as Mr. Hoeger, the environmental consultant for the HZCM had indicated. The project will be a temporary fix

Mr. Sanak suggested that he will match the elevation of the existing Spartina grass and work with Mr. Hoeger to get the best possible results.

Bert Seigel of 1140 Greacen Point Rd. stated that he is attending as a neighbor and has no objection with the plans for the project.

Mr. Wexler asked if there were other options, and how far out do the plantings go.

Mr. Sanak stated that the only other option is replacement of the seawall. On the other side of Pirate's Cove, the Spartina grass is out to the high water line.

Mr. Galvin stated that the proposed Wetland Permit is an unlisted action, which has received a finding of consistency with the LWRP by the HCZM on 6/6/10. The Planning Board is the only agency which has jurisdiction over this proposed action.

After reviewing the EAF for this unlisted action, including review by the Village Engineer of the project and review by the environmental consultant for the Village's Harbor and Coastal Zone Commission (HCZM) and a finding of consistency with the Village's LWRP by HCZM on 6/16/10, a motion was made by Mr. Sterk, seconded by Mr. Sjunneemark to issue a Negative Declaration under SEQRA for the requested Wetland Permit at 1120 Greacen Pont Road.

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

On motion of Mr. Sterk, seconded by Mr. Sjunneemark, a Wetland Permit was approved for the planting of Spartina grass halfway between the mean high and low waterline at the edge of applicant's property bordering Pirate's Cove, subject to an onsite inspection of the project in

early Spring, 2011 to determine the condition of the project and re-evaluate potential permanent solutions for shoreline stabilization if deemed necessary by the Village.

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

NEW BUSINESS

1. John Lese (C-1 District) – 208 Boston Post Road. - Informal discussion, Special Permit for Infill Housing and Site Plan review for 5 residential condominium units.

John Lese, the developer, addressed the Board. Ms. Deborah Post of Community Housing Innovation was also present to answer the Planning Board's questions.

Mr. Lese stated that the property is 50 by 100 (5,000 square feet) and heavily wooded. The several trees on the property will need to be removed. He proposes to build mews type housing (modular). The units will be approximately 800 square feet.

The size of the proposed residences was discussed as well as water and sewer hook ups. There will be 9 parking spaces on site where 10 are required. The buildings will be green with solar on the roof to supply half of the electric, and instant hot water. The façade will be brick on the first level with stucco and wood above. No variances are required. The special permit is required for the side yard set back. Gardens will be planted wherever they can be placed.

Mr. Galvin stated that \$2,500 per unit is required for the recreation fee. The total fee would be \$12,500. A payment in lieu of parking for the extra 10th space would be \$8,700.

The buildings are modular. The foundation will take about 3 weeks and the units will be up in about 6 days. Each unit will be about 800 square feet with an entertainment center, washer/dryer; bath tub and shower.

Mr. Lese stated that this will be affordable housing in a good area.

There were no questions or comments from the public.

Mr. Galvin stated that the applicant should get the plans in before the end of July to begin the SEQRA process since the Planning Board does not meet in August.

ADJOURNMENT

On motion of Mr. Galvin, seconded by Mr. Sterk the meeting was adjourned at 9:50 P.M.

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

Minutes prepared by
Francine M. Brill