

These are the minutes of a Special Meeting of the Planning Board held at Village Hall at the Regatta on September 7, 2010. These minutes record the actions voted on by the Planning Board at this meeting.

PRESENT: Robert Galvin, AICP, Chairman
Lee Wexler
Ingemar Sjunneemark
Michael Ianniello
Steven Silverberg, Village Counsel

ABSENT (Recused): Stewart Sterk

AGENDA;

Mamaroneck Beach & Yacht Club Litigation

The special meeting of the Planning Board was called to order at 7:35 PM.

The Chairman on advice of counsel requested a motion to adjourn into executive session to discuss litigation and a proposed settlement agreement with Mamaroneck Beach & Yacht Club.

A motion was made by Mr. Sjunneemark, seconded by Mr. Ianniello to enter into executive session for the purposes of discussing litigation and the proposed settlement agreement with Mamaroneck Beach & Yacht Club.

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

Mr. Wexler came into the meeting at 7:40 PM and participated in the executive session discussion.

Mr. Silverberg discussed the background to the MB&YC litigation and settlement discussions. He presented the proposed settlement stipulation and went through each point and answered questions from the Planning Board members. He also presented a proposed site plan from MB&YC.

The Chairman asked for a motion to close the executive session and enter back into the Planning Board's special meeting.

On motion by Mr. Sjunneemark, seconded by Mr. Ianniello, the Planning Board closed its executive session and entered back into the Planning Board's special meeting.

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

The Chairman made a motion, seconded by Mr. Ianniello for the Planning Board to authorize our attorney, Steven Silverberg, to sign the annexed stipulations of settlement with MB&YC subject to minor, non-substantive modifications and subject to the BOT authorization of the settlement stipulations with MB&YC.

The Planning Board discussed the stipulations and requested clarification on certain points in the stipulations, the site plan review process and the Planning Board's authority to review the site plan. Mr. Silverberg explained that by authorizing him to sign the stipulation, as special counsel to the Planning Board on two pending Article 78 proceedings, the Planning Board was not bound to approve but only to consider the proposed site plan, once it was fully submitted to the Planning Board.

Mr. Wexler indicated that he needed more time to review the settlement and was not ready to vote for the motion tonight. If he had more time, he might be able to vote affirmatively on the motion but could not do so this evening.

The discussion was closed and the vote taken with the motion approved.

Ayes: Galvin, Sjunneemark, Ianniello
Nays: Wexler
Recused: Sterk

ADJOURN

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

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

The meeting was adjourned at 8:40PM.

Minutes prepared by
Robert Galvin