

These are intended to be “Action Minutes”, which primarily record the actions voted on by the Planning Board on October 26, 2011. 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: Stewart Sterk, Chairman; Michael Ianniello,
Lou Mendes, Ingemar Sjunneemark, Lee Wexler
Rob Melillo, Building Inspector
Hugh Greechan, Engineering Consultant
Lester Steinman, Esq., Legal Consultant
Susan Favate, BFJ Planning

CALL TO ORDER

Mr. Sterk called to order the Regular Meeting at 7:01 p.m.

NEW BUSINESS:

1. Approval of Minutes

On Motion of Mr. Sjunneemark, seconded by Mr. Mendes, the October 12, 2011 Minutes are approved.

Vote:

Ayes: Mendes, Sjunneemark, Sterk

Nays: None

2. 1043 W. BOSTON POST ROAD, HSBC BANK – Dumpster Enclosure

Mr. Michael Savarese appeared and stated that the dumpster is located at the southwest corner of the building and is positioned at the most inconspicuous place on site. The enclosure is 13 feet by 13 feet and 6 feet high, and on a 5 inch thick concrete slab. It will be Cedar wood, and the wood color will closely match the building. Mr. Savarese said that neighboring properties are shielded by shrubbery and they will not have a view of the dumpster enclosure.

On Motion of Mr. Mendes, seconded by Mr. Wexler, the Application for a dumpster enclosure permit is approved.

Vote:

Ayes: Mendes, Sjunneemark, Wexler, Sterk

Nays: None

3. 208 W. BOSTON POST RD. –Request for extension of Approval of 12/9/10.

Adjourned.

4. 1600 HARRISON AVE. New Cingular Wireless PCS, LLC (AT&T)- Renewal and amendment to special permit.

Lucia Chiocchio, Esq., of Cuddy & Feder, appeared for an Amendment to the Special Permit. She said that there are twelve panel antennas mounted in three sectors on the rooftop. The plan is to add one antenna to each of the sectors for a total of four antennas per sector. She said that this structure is no larger than what was originally approved.

Mr. Ianniello arrived at 7:18 p.m.

Mr. Steinman said that the Public Hearing should take place at the December meeting. He said that Notices need to be sent out, and documents are to be submitted and received prior to the meeting date and in accordance with the guidelines outlined in the Village Code. The Applicant also was asked to provide photos of the renderings.

5. 721 W. BOSTON POST RD.-Realty Guild, LLC, ZBA Referral- Review and comment relative to shrubbery.

Adjourned.

OLD BUSINESS:

6. 602 So. Barry Avenue - Resolutions

RESOLUTION
VILLAGE OF MAMARONECK PLANNING BOARD
Adopted October 26, 2011

RE: Ludvipol, LLC (Bennett W. Golub) – Resolution of Amended Wetland Permit Approval

After due discussion and deliberation, on motion by Mr. Sjunneberg, seconded by Mr. Ianniello and carried, the following resolution was adopted:

WHEREAS, on September 12, 2011, Ludvipol, LLC (Bennett W. Golub), the “Applicant,” (all references to which shall include and be binding upon the Applicant’s successors and/or assigns) submitted to the Village of Mamaroneck Planning Board (“Planning Board”) an Application with accompanying documentation, seeking an

amendment to a previously approved wetland permit (“Application”) from the Planning Board; and

WHEREAS, the Applicant’s property is located at 602 South Barry Avenue (“Property”), situated within the R-15 Residential District; and

WHEREAS, the Applicant proposed to add up to three additional storm tie-off piles on the southwest portion of the previously approved docking facility, and these and other associated improvements are illustrated on the following set of plans as submitted and subsequently revised by the Applicant which form a part of the Application (“the Project”):

1. Sheet A-01 “Vicinity Map, Drawing Index & Based Upons,” Sheet A-02 “Existing Conditions,” Sheet A-03 “Proposed Conditions,” and Sheet A-07 “Tie Off Piles Profiles,” prepared by Lemond and Associates dated September 6, 2011;

WHEREAS, the Applicant previously received wetland permit approval from the Planning Board on March 23, 2011, for a proposal to replace an existing 12 x 40-foot float anchored by chains and anchors with a 12 x 70 foot unibody float (or approximately 840 square feet) anchored by up to six steel piles, and these and other associated improvements were illustrated on the following set of plans as submitted and subsequently revised by the Applicant which formed a part of that previous Application:

1. Sheet A-01 “Vicinity Map, Drawing Index & Based Upons,” Sheet A-02 “Existing Conditions,” Sheet A-03 “Proposed Conditions,” Sheet A-04 “Proposed Perimeter Permit,” Sheet A-05 “Docking Facility Profile,” and Sheet A-06 “Floating Dock Details,” prepared by Lemond and Associates dated February 17, 2011;

WHEREAS, in support of its Application, the Applicant also submitted a Long-Form Environmental Assessment Form (“EAF”) pursuant to the State Environmental Quality Review Act [“SEQRA”(6 NYCRR Part 617)] dated February 28, 2011; and

WHEREAS, the Village Harbor and Coastal Zone Management Commission (HCZMC) determined on September 21, 2011, that the proposed addition of storm tie-off piles was not inconsistent with the Local Waterfront Revitalization Program (LWRP) and, also on that date, granted approval of an amended structures permit for the additional storm tie-off piles; and

WHEREAS, the HCZMC previously determined on March 16, 2011, that the Applicant’s wetland permit application was not inconsistent with the LWRP and granted approval of a structures permit for proposed dock; and

WHEREAS, the Planning Board is familiar with the Property and all aspects of the proposed action and has been satisfied that the proposed development will conform to the requirements of the Village Code; and

WHEREAS, the Planning Board has carefully examined the Application and received comments from the Village’s Engineering Consultant in a memo dated October 10, 2011; and

WHEREAS, a duly advertised public hearing was held on the Application on October 12, 2011, at which time all those wishing to be heard were given an opportunity to be heard; and

WHEREAS, on October 12, 2011, on motion by Mr. XX, seconded by Mr. XX and carried, the public hearing on the Application was closed; and

WHEREAS, in granting an amended tidal wetlands permit under the Village's Wetlands law, the Planning Board has determined that the standards and criteria set forth in Section 192-14 E have been satisfied; and

WHEREAS, the Planning Board determined on October 12, 2011, that the Project is a Type II Action pursuant to 6 NYCRR. § 617.5(c) (10); and

WHEREAS, the Planning Board determined on October 12, 2011, that the Project is consistent with the Village's Local Waterfront Revitalization Program ("LWRP") pursuant to §240 of the Village Code.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Planning Board hereby grants all requested approvals to the Project subject to the following condition:
 - (a) The Applicant shall pay all outstanding consultant review fees in connection with Planning Board review of this application.
2. When the above condition has been satisfied, three (3) sets of the above-referenced plans illustrating the approved conditions shall be submitted for the endorsement of the Planning Board Chairman. One (1) set of the endorsed plans will be returned to the Applicant, and one (1) set each will be provided to the Village Building Inspector and to the Planning Board secretary. Prior to issuance of a certificate of occupancy, the Building Department will verify that the "as-built" conditions conform to the final approved wetland permit.

VOTE: Ayes: Mendes, Sjunneemark, Sterk, Ianniello
Nays: Wexler
Abstain: None

PLANNING BOARD
Village of Mamaroneck

Date: October 26, 2011

Stewart Sterk, Chairman

7. 1084 BAYHEAD DRIVE – Mr. & Mrs. Hut – informal discussion requested on wetland permit.

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Adjourned.

8. 1058 COVE RD- David & Kelly Wenstrup –Revised plans for in-ground swimming pool.

Mr. Sean Jancski, landscape architect, appeared for the Applicant with a resubmission of the plans in accordance with the Board's recommendations. He said that the primary change is the narrow strip at the end of the driveway that will be porous asphalt. Mr. Jancski said the remaining items are the storm water protection plan and the details for the proposed porous asphalt surface.

Mr. Greechan noted that putting gravel over reservoir stone also will work. Reservoir stone placed underneath, with asphalt on top, allows for water to go right through. He said that it is not an inexpensive solution. Mr. Sjunneberg noted that this will create a new catch basin. A rain garden also can be put in at the end of the driveway. Mr. Wexler commented that encouraging applicants to put in rain gardens has value.

Mr. Steinman said that there can be a double size rain garden to aid storm water management. Mr. Greechan said that converts to 260 square feet of rain garden from 130 square feet, and reflects the amount of water generated off of this size rain garden. Mr. Sterk asked that Mr. Jancski compare the plans for the rain garden and the porous asphalt driveway.

Mr. Steinman said that the revised plan has met the one to one offer. The architect said that he is open to leaving the plan as revised, and that while a rain garden is an option, he does not know if the Applicant will agree to it.

Mr. Jancski said that he had hoped that the resubmission would garner the Board's approval and not have to come back with an alternate plan. Mr. Wexler said that he prefers the rain garden, but noted that there is a lot of effort being put on this small strip of driveway. Mr. Sjunneberg said that the Board should not put the Applicant through unnecessary expense.

Mr. Jancski asked for confirmation that the revised plan presented this evening is acceptable and that he has met the requirements. He acknowledged that there could be a better alternative such as a rain garden. Mr. Sterk confirmed that the resubmission is acceptable.

9. Comprehensive Plan for Village – Resolution.

Mr. Sterk said that the document is large and impressive. Board members and consultants expended much time and effort into producing it.

Mr. Sterk asked the Board for their comments.

Mr. Sjunneemark addressed affordable property taxes on Page 2, and asked for clarification on the meaning. Discussion followed.

Mr. Ianniello said that more investigation is necessary on the Sheldrake River and its flooding of over twenty percent of the Village. He mentioned that those who live inland are subjected to more flooding than those who live near the water. He said that the Sheldrake River also has no place to overflow and something needs to be done. Mr. Ianniello continued and said that a walkway or alley way in the back of Mamaroneck Avenue leading to the Mamaroneck River should be looked into, as the river runs right through the downtown area.

Mr. Wexler noted that Phillips Park Road also is an area that has the potential to be nicer than it is, and that putting in a river walkway is an option. Mr. Wexler stated that storm water management is a main focus. He also said that some intersections need attention such as Mamaroneck Avenue at Halstead Avenue, as certain intersections do not work as well as they could.

Ms. Favate noted that this is a courtesy review and said that the Public Hearing is still open. She noted that flooding, affordable taxes, intersections, walkways, access to the Mamaroneck River have garnered the Board's attention. Mr. Wexler said that there should be action taken based on the information outlined in this report.

The Board continued discussions on the next steps of the Comprehensive Plan such as having a Trustee(s) at a special planning board meeting to address areas of concern as stated above, or write a letter to the Board of Trustees (BOT) voicing concerns, or ideas on development for the Philips Park area, as example. Also, consider having a joint Planning Board and BOT work session. Ms. Favate suggested encouraging dialogue between the Planning Board and the Flood Mitigation Advisory Committee.

The approved Resolution is included as follows:

RESOLUTION
VILLAGE OF MAMARONECK PLANNING BOARD
Adopted October 26, 2011

RE: Village of Mamaroneck Comprehensive Plan Update – Resolution Recommending Adoption

After due discussion and deliberation, on motion by Mr. Ianniello, seconded by Mr. Mendes and carried, the following resolution was adopted:

WHEREAS, the Village of Mamaroneck Board of Trustees has referred to the Planning Board a Draft Comprehensive Plan Update for the Village of Mamaroneck (“the Plan,” dated September 2011);

WHEREAS, the Planning Board is familiar with the Plan, having reviewed a previous draft version of the document, and with several members of the Planning Board having participated in the process since 2006 of updating the Plan; and

WHEREAS, the Planning Board has carefully examined the Plan and was briefed on its contents by the Village's Planning Consultant on October 12, 2011.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

3. The Planning Board hereby recommends that the Plan be adopted by the Village Board of Trustees.

VOTE: Ayes: Mendes, Sjunneberg, Sterk, Ianniello, Wexler
 Nays: None
 Abstain: None

PLANNING BOARD
Village of Mamaroneck

Date: October 26, 2011

Stewart Sterk, Chairman

ADJOURNMENT

There being no other business, and on Motion of Mr. Ianniello, and seconded by Mr. Sjunneberg, the meeting was adjourned at 7:56 p.m.

Respectfully submitted,

Anne Hohlweck
Recording Secretary