

These are intended to be “Action Minutes”, which primarily record the actions voted on by the Planning Board on April 13, 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, Lee Wexler
Keith Furey, Village Consulting Engineer
Susan Favate, AICP, BFJ Planning
John Winter, Building Inspector

ABSENT: Ingemar Sjunneemark

CALL TO ORDER

Mr. Sterk called to order the Regular Meeting at 7:07 p.m.

NEW BUSINESS:

1. Approval of Minutes

On Motion of Mr. Ianniello, and seconded by Mr. Wexler, the Minutes of the Regular Meetings of March 9, 2011 and March 23, 2011 were approved.

Vote:

Ayes: Ianniello, Wexler, Mendes, Sterk
Nays: None

2. 447 E. BOSTON POST RD (MC-2 District) – McMICHAEL BOATING CENTER --Wetland Permit, Dumpster Enclosure Permit, retain and document existing structures, replace fence.

Mr. Dan Natchez appeared. He said that a new composite fence will replace the chain link fence. A wetland permit is required. A rest room facility to be added that will give the appearance of an extension on the building. Materials will be fire resistant. Mr. Natchez noted that the building is one story. The BAR approved.

Mr. Natchez said that no variance is required for the fence. Height of the fence will be in compliance. He provided a letter from the neighboring property owners’ Association. The Harbor Lawn Estates Association wrote a letter to Mr. Howard McMichael, Jr., dated March 15, 2011, stating that they have no objection to the overall site plan or any related approvals and encourage the issuance of approvals for the installation of the new composite fence. The Association has no objection to the dumpster being located within the boatyard area adjacent to the fence, and they understand the need to change its specific location due to boatyard

needs. The letter was signed by Ilissa Miller, president of the Harbor Lawn Estates Association.

Mr. Natchez said that a portion of the existing fence along the common property line will be changed. The existing chain link fence is not in good condition and the six foot high solid composite fence is an improvement. Mr. Furey said this is in a marine zone and the excess height side is away from the property. Ms. Favate questioned why a small portion of the fence adjoining the water was shown as being either chain link or composite. Mr. Natchez indicated that, because water views could potentially be impacted, the applicant is consulting with the neighboring property association to determine their preference.

The home base of the dumpster will be on concrete, and its location will be changeable according to boatyard needs. Mr. Natchez said that the building inspector has been to the site. The dumpster is emptied one time weekly. The existing building pre-dates the law. Mr. Furey said that the complete site plan is necessary for approval. The package must contain a completed drawing. Mr. Natchez said he has the updated drawing and will submit it tonight.

Mr. McMichael said that the parking is good in the winter, and there are no issues. The parking surface is asphalt and the spaces are unlined. Winter and summer parking is changeable. There is no marina traffic in the summer, he added. The board expressed concern that the parking shown on the site plan is not an accurate reflection of the actual conditions. Mr. Furey indicated that the plan need only show there is sufficient space for parking, but that the MC zone does not require spaces to be specifically striped. He suggested showing seasonal parking alternatives (both summer and winter) in the package.

Mr. Ianniello inquired about planting trees. Ms. Oakley, landscaping consultant, said trees will enhance the property and need to be salt tolerant. Mr. McMichael added that the Post Road is plowed heavily.

Mr. Wexler expressed concern about stormwater and lighting and that a lighting and stormwater plan should be included in the package.

Mr. Natchez said that are no changes to grading. Work to be performed is for the fence.

Mr. Furey mentioned that this is an existing site for over fifty years. Mr. Furey said this site plan can be used as a base line for similar site plans that follow. It also makes enforcement issues easier with an established base line.

Mr. Natchez said that the water areas are cleaned up. The water is filtered. He can elaborate on how the water is handled in cleaning the boats. Mr. Furey said that operations in the boat yard will not contribute to the water quality. An MS 4 permit has to be filed with the State of New York, and an industrial permit too. No new storm water management system will be put in.

Mr. Ianniello noted that there is no change of use to the site, but a continuation of use.

Mr. Ianniello moved to approve the Site Plan, seconded by Mr. Mendes, with the condition that a lighting plan be submitted, seasonal parking be shown, and that the landscaping plan has the approval of the landscaping consultant.

Vote:

Ayes: Ianniello, Mendes, Sterk
Nays: Wexler

A Motion was made by Mr. Ianniello and seconded by Mr. Wexler to approve the Wetland Permit for the fence.

Vote:

Ayes: Ianniello, Mendes, Wexler, Sterk
Nays: None

3. 700 RUSHMORE AVE. –(MC-1 District) –Rushmore Property of NY LLC (McMichael)- Wetland Permit, Dumpster Enclosure, and Site Plan Review of proposed construction of new work building, rack storage, wash down power pad & power wash system shed, fencing, and drainage swale.

Mr. Natchez appeared for the Applicant. There is new work on the existing building in the rear. The chain link fence is to be replaced on Rushmore Avenue with a composite fence. The dumpster area will be enclosed and the location is flexible according to marine usage. There is no visible change from the street. Storm water improvements have been made. The parking plan is in compliance and that plan is available this evening.

Mr. Wexler inquired about the height of the rack storage. Mr. Natchez said fourteen and one-half feet and there are two. No physical change will be noted from summer to winter.

Mr. Ianniello inquired about the pad that the boats get washed on. Mr. Natchez said that the crane moves the boats, they get power washed and the water gets recycled. Mr. Furey noted that the details of the water collection is missing and is a necessary component. Also, the State requires this data. Existing swale is being increased, and those calculations are necessary. Mr. Natchez said that the wash shed is within guidelines. Mr. Furey said that the calculations are necessary along with details on the wash down power pad. Mr. Natchez said that the work will be taking place inside and not outside. There is existing lighting. Mr. Wexler noted that the flood lights in front are directed out toward Rushmore and need to be redirected to the site.

Mr. Furey said that a revised storm water plan is necessary before approval. Pad and power wash system shed details are required.

Mr. Natchez said that the parking area will be gravel and used for employee's vehicles and additional boats.

Mr. Natchez requested a complete site plan approval.

Ms. Oakley said that a tree can be placed before the surface entrance. There are no sidewalks. Mr. McMichael stated that he does not wish to have a tree as the leaves create a nuisance. He prefers shrubs. Mr. Wexler was agreeable to that. Mr. Natchez will consult with Ms. Oakley on the landscaping plan.

4. 300 LIVINGSTON AVE. MARINA VIEW CONDO (RM-2 District) Installation of chain/barrier arm across entry to parking lot on Livingston Ave.

Ms. Ellie Provenzano and Ms. Stacy Watenberg appeared seeking an approval for the installation of a chain/barrier arm across entry to the parking lot on 300 Livingston Avenue. She said that there is a safety issue in that it is being used as a cut through for motorists. She also stated that the wear and tear on the paved driveway has cost \$35,000 to repave and repair. The installation will include a box on a post. The arm will go up and down. The residents of the Condo will have access. Visitors will gain access on Cortland Avenue.

On Motion of Mr. Ianniello, and seconded by Mr. Mendes, the Application was approved for a chain/barrier arm.

Vote:

Ayes: Ianniello, Wexler, Mendes, Sterk
Nays: None

5. 273 HALSTEAD AVE. – DANCE CAVISE – (C-2 District) Minor revision to existing site plan.

Mr. Joe Cavise of Dance Cavise appeared regarding a minor revision to the existing site plan. He said that in 2003 the site plan was approved. However, he did not receive a Certificate of Occupancy, and neglected to follow up. Subsequently, a title search showed that this document was not received. He now is requesting a modification to the approved site plan to reflect a slight deviation regarding the walkway. Also as part of the approved site plan, the metered parking in along Halstead Avenue was to be eliminated from 3:00 p.m. to 6:00 p.m. during the week. This parking change never occurred. He added that there is a parking lot on the premises but is not used heavily. He said that the entrance to the lot is a single lane and the desirable exit is in the rear, but is owned by another business. Ideally, the lot entrance needs to be widened. He addressed the traffic and parking issues at this location in that there is inadequate space for the parents or caregivers to drop off and pick up the children.

Ms. Oakley, Village landscaping consultant, commented that the landscaping is a vast improvement. Mr. Cavise said that the locust tree is coming down next week, and will be replaced. It is an enormous tree that is too large for the area.

Ms. Favate said she will go to the site to assess the parking area and how to relieve congestion. Mr. Wexler inquired as to how many children are impacted hourly. Mr. Cavise said about 15. Ms. Favate then requested a class schedule of which Mr. Cavise will provide.

6. 524 WAVERLY AVE. – (M-I District) 306 Fayette Ave. Realty- Modify approved existing site plan currently under construction.

Mr. Joe Cermele, civil engineer, appeared to modify the existing site plan currently under construction. He is requesting flexibility on parking and modifications on curbing. He said that the lot was designed to satisfy certain prospective tenants, who did not choose to locate their businesses at this location. He is having difficulty renting the space and wants to reconfigure the parking lot. The storm water improvements have been installed and work well. The bulk of the curbing has been postponed for buildings 442 and 524 Waverly Avenue. He said they want to keep 36 spaces, but for different uses such as for auto inventory. Also 442 Waverly Avenue may want to expand. He said that the curb in the back section is on top of the retaining wall. The curb line needs to be pulled toward Waverly Ave. They want to reduce the interior landscaping island from six feet to three feet and shift two rows of parking. Seven hundred square feet of asphalt will be added. He is seeking flexibility in the design to get the space occupied. Ms. Oakley said that a new landscaping plan is required. Two vertical medians can be put in and four spaces will be lost. Mr. Cermele mentioned that the site was 100 percent impervious.

Mr. Spatz, a business owner of buildings in this area, appeared and stated that there are problems with trucks driving and turning in the roadway and compounded by street parking on both sides of Waverly and Ogden. He asked for curb setbacks, and an assessment to be done.

Mr. Wexler suggested that this be an agenda item for a future meeting. The meeting reverted back to the Agenda.

It was agreed that four spaces be allocated to created two landscaping islands with low trees and a shifted curb. Ms. Oakley will assist in the selection of appropriate trees that will not interfere with the line of vision for motorists. Mr. Cermele added that this is commercial space and it is not that important to him to have it aesthetically pleasing. Ms. Favate noted that, according to the Village Code, for every ten spaces, landscaping is required.

On Motion of Mr. Ianniello, and seconded by Mr. Wexler, the Site Plan, as last revised on March 31, 2011, is approved with the condition that the fourth and ninth spaces on each side of the center line of the 524 Waverly lot be converted to landscaped islands with two trees each and low shrubs under the direction of Ms. Oakley.

Vote:

Ayes: Ianniello, Mendes, Wexler, Sterk

Nays: None

Village of Mamaroneck

Planning Board

April 13, 2011

Page 5 of 7

7. 501 Waverly Ave. – (M-1 District) New Waverly Ave. Realty – Dumpster Enclosure

Mr. Joe Cermele appeared for a dumpster enclosure permit. The dumpster will be enclosed with fencing. Green fencing will be used as it is the best match.

On Motion of Mr. Ianniello, and seconded by Mr. Wexler, the Application was approved for the dumpster enclosure permit.

Vote:

Ayes: Ianniello, Mendes, Wexler, Sterk

Nays: None

8. Discussion on proposed zoning corrections and changes.

The old zoning map was found to be inaccurate. McDonald's zoning was not correct. Existing drive-through window eateries were grandfathered in. The map has been updated. The approval will be conveyed to the Village Board.

On Motion of Mr. Ianniello, and seconded by Mr. Mendes, the board recommended approval of the proposed zoning corrections.

Vote:

Ayes: Ianniello, Wexler, Mendes, Sterk

Nays: None

OLD BUSINESS:

1. 243 WASHINGTON ST. (R-4F District) Saul Rueda- Convert two-family building into three- family dwelling with finished basement as accessory use for first floor apartment.

Mr. Zapata appeared to finalize the Application for parking at this location. The driveway will be asphalt. He mentioned that an error was made in the calculations. Two trees will be planted on the left side in the front.

A Motion was made by Mr. Ianniello, and seconded by Mr. Wexler, to approve the Application with the condition that final storm water calculations be submitted.

Vote:

Ayes: Ianniello, Wexler, Mendes, Sterk

Nays: None

2. 1000 TAYLORS LANE (R-15 District) Subdivision of existing lot with house to be subdivided into three lots. Consideration of revised scope.

Ms. Beth Evans, environmental engineer, appeared for consideration of the revised scope. A site visit was made.

On Motion of Mr. Ianniello, and seconded by Mr. Mendes, the revised scope was approved.

Vote:

Ayes:	Ianniello, Mendes, Wexler, Sterk
Nays:	None

ADJOURNMENT

There being no other business, and on Motion of Mr. Wexler, and seconded by Mr. Ianniello, the meeting was adjourned at 10:55 p.m.

Respectfully submitted,

Anne Hohlweck
Recording Secretary