

*These are intended to be “Action Minutes”, which primarily record the actions voted on by the Planning Board on November 16, 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,  
Ingemar Sjunneemark, Lee Wexler  
Hugh Greechan, Engineering Consultant  
Lester Steinman, Esq., Legal Consultant  
Susan Favate, BFJ Planning  
**ABSENT:** Lou Mendes

### **CALL TO ORDER**

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

#### **1. APPROVAL OF MINUTES**

On Motion of Mr. Ianniello, seconded by Mr. Sjunneemark, the October 26, 2011 Minutes are approved.

Vote:

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

#### **2. 425 FLORENCE ST. –J & H Spadaro – Dumpster Enclosure**

Mr. Harry Spadaro appeared for the dumpster enclosure permit. He said the fence will be 5 feet high, the enclosure dimensions will be 6 feet by 15 feet, and it will be put on a 5” thick concrete slab. The enclosure will have green PVC slats. It will be visible from the street, and there will be shrubs around the enclosure.

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

Vote:

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

### **OLD BUSINESS:**

**3. 208 W. BOSTON POST RD. – John Lese-Requested Extension of Approval of 12/9/10.**

Mr. Lese appeared and said the project was approved last year. He is requesting an extension for six or twelve months. He stated that he is seeking subsidies from New York State for affordable housing units that he is building, and stated that the grant approval process is taking longer than anticipated. Mr. Lese said that he hopes to hear back from the State before the end of the year.

On Motion of Mr. Ianniello, seconded by Mr. Sjunneemark, the request for a six months extension from December 9, 2011 to June 9, 2012 for the Site Plan and Special Permit is approved.

Vote:

Ayes: Ianniello, Wexler, Sjunneemark, Sterk

Nays: None

**4. 910 STUART AVE.-T-MOBILE-Amended Special Permit, recertification of existing wireless communications facility.**

Cara Bonomolo, Esq. of Snyder & Snyder, LLP appeared and said that the permit has expired and an Amendment to the Special Permit was filed. She received the engineering report for the building, and the Radio Frequency (RF) Exposure report was filed. She asked for confirmation that the Public Hearing will be at the December meeting. Mr. Sterk said the Public Hearing will be held on December 14.

Mr. Steinman stated that the classification for State Environmental Quality Review Act (SEQRA) has to be resolved as to whether it is an Unlisted Action or Type II Action. A brief discussion followed.

Ms. Bonomolo said that the Application outlines changes made to the equipment. There is a downgrade in frequency. The antennas are being replaced and there is a slight increase in their size from 9.3 square feet to 14.4 square feet. The equipment will increase in size from 16.6 square feet to 20.5 square feet. Ms. Favate remarked that the project size is under 4,000 square feet.

Mr. Sjunneemark moved to declare this a Type II action under SEQRA, seconded by Mr. Ianniello.

Vote:

Ayes: Ianniello, Sjunneemark, Wexler, Sterk

Nays: None

Ms. Bonomolo said that the sign is no larger than four feet, and is in accordance with the Village ordinance. She said that it will be placed on the door leading to the roof and is inside of the building. Ms. Favate said that a Coastal Assessment Form needs to be completed.

Ms. Bonomolo confirmed that the Public Hearing notices are to be sent nineteen days in advance of the meeting to property owners outside of the Applicant's property and within a 250 feet boundary, and inquired if notices need to be sent to all the residents of the building. Mr. Steinman said yes, and a discussion followed. Ms. Bonomolo asked for permission to waive notification to the building residents. Mr. Sjunneemark said that it is a reasonable request.

On Motion of Mr. Sjunneemark, and seconded by Mr. Ianniello, the Applicant's request to waive sending notices to building residents for the Public Hearing is granted.

Vote:

Ayes: Ianniello, Sjunneemark, Wexler, Sterk

Nays: None

**5. 122-134 MAMARONECK AVE. Revised site plan for 2-story addition at rear of existing building and renovation of front façade.**

Mr. Michael Berta and Mr. Dave Sacarny appeared. Mr. Berta said that many meetings have taken place with Village officials. He said parking, drainage, and storm water management plans are outstanding. He said that the landscaping plan has been reviewed by Ms. Oakley who will give her report.

Ms. Oakley said that the southern property line will have a dense hedge of Oriental Arborvitae that can reach a height of 25 feet. She recommended that the variety be changed. Mr. Berta said he is agreeable to go with a different variety. Ms. Oakley said that at the edge of the retaining wall will have small Pine shrubs. There will be planters of Junipers on the Mamaroneck Avenue walkway. She said the rear walkway is a vast improvement. There will be a chain link fence and guard rail. Mr. Berta mentioned that the existing retaining wall will not be changed. Pavers will be used for the walkway, and the steps will be poured concrete.

Mr. Ianniello inquired about the dense hedge. Mr. Berta said that the Arborvitae can be maintained and shaped to a height not taller than six to eight feet, and then said that there is nothing to conceal by having the dense hedge. He said a wooden fence also will be put up.

Mr. Berta said that the guard rail will be cut and there will be a three to four foot opening. Ms. Favate asked if this was discussed with the Village. Mr. Berta said yes and that the Village is in favor of this.

Mr. Wexler inquired about the patio in the rear and the walkway. Mr. Berta stated there will be a wrought iron gate in front and in back, and the gate will be on a timer so that an

individual does not have to lock or unlock the gate on a daily basis for the shoppers and merchants.

Mr. Berta said there will be outside seating in the rear consisting of about eight to ten tables for eating. There will be dual doors in the retail stores that will serve as a secondary means of egress, and also used as a fire exit. He sees the dual access to the shops as an aid to increase business, as one will go to the courtyard and eat, and visit the stores as well. Mr. Berta mentioned that the long wall along the walkway will promote the Village, and his vision is for artists to put up art work on the wall. He wants to create a park-like setting in the rear.

Mr. Sterk asked that drawings be provided depicting the back courtyard and eating area. Mr. Berta said that he will bring pictures to the next meeting. Mr. Berta noted that there is a deli on site now and does not know if the deli will stay or if a restaurant will come in.

Mr. Sacarny said there will be 1,500 square feet of storage above the retail stores and that will be the only use for the space.

Mr. Wexler inquired about the ceiling height in the covered walkway. Mr. Berta said ten to eleven feet high. Mr. Wexler then asked about the lighting. Mr. Berta said that the light fixtures will have 25 watt bulbs and will be down lighting. He said the building will be illuminated softly. There will be two lights on each sign, and stated that glare will not be an issue. He said the lighting will be low wattage and accent lighting.

Mr. Sjunneemark left the meeting at 8 p.m.

Mr. Sacarny said that the store signage is still being worked out. The building numbers will be on the signs. The location of signs was approved by the BAR. Posting of hours on the signs did not meet with BAR approval.

Mr. Berta said there will be 1,200 square feet of new retail space. The staircase at the end leads to a storage area that all tenants can access. There also is a utility room. He noted that there is a municipal lot one block away that connects to the Emelin Theatre, there is on-street parking, and parking at The Regatta. There will be six stores, rather than seven. Mr. Sterk inquired if there will be more employees. Mr. Berta said he could not answer with certainty.

Mr. Wexler mentioned that the Emelin space is underused. Mr. Berta said that during the day the Emelin parking spaces are sometimes at full capacity, and at other times they are not according to his observations. Ms. Favate commented that there is high turnover as it is metered parking. If the stores are all retail there will be no increase in parking, she said.

Mr. Berta said that if a restaurant goes in, the need for parking will increase. Mr. Sterk said that if a restaurant goes in, a variance is required for the additional parking and for the expansion.

Mr. Sacarny said that the Village Manager will waive the parking fee of \$36,000 for the easement to guarantee that the gate will not be closed. Otherwise, he said he will be responsible for paying for everything. He went on to say that to prorate the parking fee over thirty-six years is too costly to maintain the gate.

Ms. Favate said that if the parking fee is paid, then a variance is not required. Mr. Sacarny said that if they go with a variance, the gate will always be open.

Mr. Steinman said that this issue needs to be resolved as to whether to pay the fee, or get a variance. The Zoning Board grants the variance.

Mr. Sterk said that the Zoning Board has asked for the Planning Board's recommendation on the parking issue. Mr. Sterk said that he will circulate a consensus letter to the Board and he stated that the Board members opinions can be split.

### **ADJOURNMENT**

There being no other business, and on Motion of Mr. Ianniello, and seconded by Mr. Wexler, the meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Anne Hohlweck  
Recording Secretary