

These are intended to be “Action Minutes”, which primarily record the actions voted on by the Planning Board on April 11, 2012. 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: Michael Ianniello, Chairman; Lou Mendes,
Ingemar Sjunneemark, Stewart Sterk, Lee Wexler
Hugh Greechan, Engineering Consultant
Lester Steinman, Esq., Legal Consultant
Susan Favate, BFJ Planning
Rob Melillo, Building Inspector

CALL TO ORDER

Mr. Ianniello called to order the Regular Meeting at 7:02 p.m.

1. APPROVAL OF MINUTES

On motion of Mr. Sjunneemark, seconded by Mr. Sterk, the March 28, 2012 Minutes are approved.

Vote:

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

OLD BUSINESS:

2. 1000 TAYLORS LANE-Subdivision

No representative appeared.

Mr. Steinman stated that the DEIS is incomplete.

Mr. Dan Natchez, Daniel S. Natchez and Associates, came forward and mentioned that Taylors Lane is narrow and difficult for two cars to pass simultaneously. He said that the roadway should be addressed.

On motion of Mr. Sterk, seconded by Mr. Sjunneemark, the draft DEIS was determined to be incomplete. The applicant was directed to revise the DEIS pursuant to the memo dated April 11, 2012, from BFJ Planning, and to re-submit the document to the Planning Board for consideration of its acceptance.

Vote:

Ayes: Mendes, Sjunneemark, Sterk Wexler, Ianniello

Nays: None

RESOLUTION
VILLAGE OF MAMARONECK PLANNING BOARD
Adopted April 11, 2012

RE: Completeness of Draft Environmental Impact Statement (DEIS) for Proposed Three-Lot Subdivision at 1000 Taylors Lane

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

WHEREAS, on February 28, 2012, Caroline and Richard Alter, 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”) a Draft Environmental Impact Statement (“DEIS”) in connection with approval for a proposed three-lot subdivision at 1000 Taylors Lane; and

WHEREAS, pursuant to 6 NYCRR. § 617.9(a) (2), the Planning Board, as lead agency, is required to make a determination within 45 days of receipt of the DEIS that the DEIS is adequate, with respect to the final written scope and the standards contained in the State Environmental Quality Review Act [“SEQRA”(6 NYCRR Part 617)]; and

WHEREAS, the Planning Board adopted on April 13, 2011, a Final Scope identifying all issues to be addressed in the DEIS for the proposed 1000 Taylors Lane subdivision; and

WHEREAS, the Planning Board has carefully examined the DEIS and received comments and recommendations on completeness from its counsel, from the Village’s Planning Consultant in memos dated March 12, 2012, and March 28, 2012, and from the Village’s Engineering Consultant in a memo dated March 27, 2012; and

WHEREAS, the Planning Board has also considered the following comment letters from the public regarding completeness of the DEIS:

1. Letter from Daniel S. Natchez & Associates dated March 13, 2012;
2. Letter from David and Ellen Freeman dated March 14, 2012;
3. Letter from the Nature Conservancy dated March 14, 2012; and
4. Letter from Daniel S. Natchez & Associates dated March 29, 2012; and

WHEREAS, duly advertised public meetings were held to discuss the submitted DEIS on March 14, 2012, and March 28, 2012, at which time all those wishing to be heard were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

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1. The Planning Board hereby finds that the DEIS submitted on February 28, 2012, on the proposed three-lot subdivision at 1000 Taylors Lane is incomplete, for the reasons described in a memo dated April 11, 2012, and written on behalf of the Planning Board by the Village's Planning Consultants, BFJ Planning.
2. The Applicant is directed to revise the DEIS based on the April 11, 2012, memo, and to submit one set of redlined change pages for review to the Planning Board.

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

PLANNING BOARD
Village of Mamaroneck

Date: April 11, 2012

Michael Ianniello, Chairman

3. MAMARONECK BEACH & YACHT CLUB- Request for extension of time

Paul Noto, Esq. appeared for the applicant and stated that he has appeared before the Zoning Board of Appeals several times. Mr. Steinman noted that the Zoning Board of Appeals found that the Club does not have a zoning-compliant plan.

Mr. Steinman continued and said that the applicant has not paid the required Escrow fees. He also referenced correspondence received from Stephen Kass, Esq. who raised concern about the site plan that has not been approved, and the Planning Board being put in a position to grant an extension of time. Mr. Noto stated that he has received the correspondence. Mr. Steinman asked that he respond to Mr. Kass' letter ten (10) days prior to the next Planning Board meeting of April 25, 2012.

NEW BUSINESS:

4. 1035 OLD BOSTON POST ROAD-Salvatore Cirigliano – Legalize existing 7 family.

Ms. Melinda Boss appeared for the applicant, who also was present. She said that a permit was granted in 1979 for two 2 bedroom apartments at this address. There has been no change to the exterior. There are currently seven apartments at this location including one ground-level basement apartment with full windows. She said the landscaping is attractive, and there is a large grassy lawn. She mentioned that there are no flooding issues. The apartments pose no additional burden on the school system as there are single people occupying the apartments. She said that the existing site plan needs to be legalized. The owner, Mr. Salvatore Cirigliano, came forward and gave a brief history of the house, and mentioned that

he is the builder. He said there is ample parking for all the residents. A diagram of the parking area was provided.

Mr. Melillo said that he went to the property to inspect, and found that three apartments were added, and there is no record on file with the Village of this change. The use is stated as a two-family house. Mr. Melillo said that it is zoning compliant.

Mr. Sterk moved to declare this a Type II Action under SEQRA, seconded by Mr. Sjunneemark.

Vote:

Ayes: Mendes, Sjunneemark, Sterk, Wexler, Ianniello

Nays: None

On motion of Mr. Sterk, seconded by Mr. Sjunneemark, the proposed actions have been determined to be consistent with Local Waterfront Revitalization Program (LWRP).

Vote:

Ayes: Mendes, Sjunneemark, Sterk, Wexler, Ianniello

Nays: None

On motion of Mr. Sterk, seconded by Mr. Sjunneemark, the Application to legalize the existing seven (7) family residence is approved, and subject to the approval of the Resolution to be reviewed at the April 25, 2012 Planning Board meeting.

Vote:

Ayes: Mendes, Sjunneemark, Sterk, Wexler, Ianniello

Nays: None

5. 689 MAMARONECK AVE.- Informal discussion to legalize existing site plan. Changes to zoning ordinance.

Mr. Dennis Noskin appeared for the applicant. He stated that formerly there was offsite parking for this office building. The adjacent house subsequently was demolished and was converted to a parking lot. There is a brick wall in the back. He said that ten percent of the parking area is required to be landscaped and he is working with *John Meyer Consulting, P.C.* Mr. Ianniello asked that Ms. Susan Oakley, Village Landscaping Consultant, be contacted, and to provide her with a set of plans. Mr. Noskin continued and said the plan is to make the site work better. He said there are low shrubs and the sidewalk is wide. The existing site entrance and exit are confusing, and need to be re-configured.

Mr. Greechan said to show elevations on the drawing, and to update the drainage plan.

Mr. Wexler inquired about lighting. Mr. Noskin said that there are high-pressure sodium lights in the parking area under the building. There are no exterior light fixtures.

Ms. Favate noted that the Coastal Assessment Form (CAF) needs to be completed. She mentioned that the flood plain question was not checked, and the building is in a flood plain.

Mr. Ianniello inquired about the chain link fence. Mr. Noskin said that it was put up about two years ago by the Village.

Mr. Steinman asked that Notices be sent out ten (10) days prior to the April 25th Planning Board meeting.

Mr. Ianniello stated that the drainage plan, lighting, CAF all need to be updated, and to contact the Village landscaping consultant.

APPROVAL RESOLUTIONS:

6. 1347 FLAGLER DRIVE –Robert Weiner

The Resolution was approved and is included as follows:

RESOLUTION
VILLAGE OF MAMARONECK PLANNING BOARD
Adopted April 11, 2012

RE: Robert Weiner 1347 Flagler Drive – Resolution of Wetland Permit Approval

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

WHEREAS, on February 28, 2012, Robert Weiner, 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 wetland permit approval (“Application”) from the Planning Board; and

WHEREAS, the Applicant is located at 1347 Flagler Drive, within the R-20 Residential District; and

WHEREAS, the Applicant proposed to replace an existing, deteriorated timber pier and pierhead, replace an aluminum ramp, retain a floating dock and float anchor pilings, 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 (“Project”):

1. Sheet 1 of 4 "Vicinity Map," Sheet 2 of 4 "Existing Site Plan View," Sheet 3 of 4 "Proposed Site Plan View," and Sheet 4 of 4 "Proposed Pier Elevation," prepared by John Hilts, dated October 28, 2011;
2. Supplemental information letter from Mr. Hilts dated March 26, 2012, indicating the 100-foot wetland buffer on the property survey and providing additional information on the number of proposed timber pilings and the proposed elevation of the pier deck;
3. Coastal Assessment Form "(CAF)" dated February 28, 2012;
4. Property survey prepared by Richard A. Spinelli dated August 22, 2011;
5. Property deed dated December 20, 1999; and

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 24, 2012; and

WHEREAS, the Planning Board has carefully examined the Application and received comments and recommendations from the Village's Planning Consultant in a memo dated March 26, 2012, regarding the completeness of the application, the criteria for a wetland permit, SEQRA and consistency with the Village LWRP; and

WHEREAS, the Planning Board received comments and recommendations from the Village's Engineering Consultant in a memo dated March 27, 2012, regarding the criteria for a wetland permit; and

WHEREAS, the Applicant has satisfactorily addressed those comments from the Village's Consultants; and

WHEREAS, a duly advertised public hearing was opened on the application for a tidal wetlands permit on March 28, 2012, at which time all those wishing to be heard were given an opportunity to be heard; and

WHEREAS, the Village of Mamaroneck Harbor and Coastal Zone Management Commission ("HCZMC"), in a resolution dated March 21, 2012, granted a marine structures permit pursuant to Section 240-23 of the Village Code, and also determined that the Project is consistent with the Village's Local Waterfront Revitalization Program ("LWRP") pursuant to §240 of the Village Code; and

WHEREAS, on March 28, 2012, on motion by Mr. Sterk, seconded by Mr. Sjunneberg and carried, the public hearing on the tidal wetland permit application was closed; and

WHEREAS, the application proposed to remove a deteriorated 5' by 137' piling-supported timber pier and a hexagonally shaped 26' by 26' piling-supported timber pierhead; construct a 5' by 135' pier supported by a total of 32 timber pilings and a rectangular 24' by 22' piling-supported timber pierhead; replace a 30" by 30' aluminum ramp with a 48" by 36' aluminum ramp; retain and maintain a 16' by 61' timber floating dock and six timber float anchor pilings, resulting in a total impact of 1,203 square feet of intertidal and subtidal area, with the proposed pier deck elevation approximately 2' higher than the existing structure and the

proposed structures extending approximately 204' beyond Mean High Water into Larchmont Harbor, unchanged from existing conditions; and

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

WHEREAS, the Planning Board determined on March 28, 2012, that the Project is a Type II Action pursuant to 6 NYCRR. § 617.5(c) (2) and (10); and

WHEREAS, the Planning Board determined on March 28, 2012, 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 conditions:
 - (a) The Applicant shall submit full-size plans to the Building Department.
 - (b) The Applicant shall pay all outstanding consultant review fees in connection with Planning Board review of this application.
 - (c) The Applicant shall forward a copy of the CAF to the Harbor and Coastal Zone Management Commission (HCZMC), pursuant to the provisions of Section 240-28 (B) of the Village Code.
2. When the above conditions have 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 will be provided to the Village Building Inspector and one (1) set will be provided 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: Ianniello, Mendes, Sjunneemark, Sterk
Nays: None
Abstain: Wexler

PLANNING BOARD
Village of Mamaroneck

Date: April 11, 2012

Michael Ianniello, Chairman

7. 516 SHORE ACRES DRIVE-Richard Canter

The Resolution was approved and is included as follows:

RESOLUTION
VILLAGE OF MAMARONECK PLANNING BOARD
Adopted April 11, 2012

RE: Richard & Meredith Canter 516 Shore Acres Drive – Resolution of Wetland Permit Approval

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

WHEREAS, on January 2, 2012, Richard and Meredith Canter, 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 wetland permit approval (“Application”) from the Planning Board; and

WHEREAS, the Applicant’s property is located at 516 Shore Acres Drive, within the R-10 Residential District (“the Property”); and

WHEREAS, the Applicant proposes to reconfigure an existing floating docking facility by replacing the existing 12’ pile-supported fixed pier with a new fixed pier up to 53’ and supported by up to six piles and a new/improved concrete abutment at the same location as the existing abutment, replacing the existing 24’ gangway with a new gangway up to 48’ and rehabilitating or replacing as needed the existing 60’ shoreline interface riprap with reset and placed stone riprap, 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:

1. Sheet SD-01 “Vicinity Map, Drawing Index, Based Upons,” Sheet SD-02 “Existing Conditions Site Plan,” Sheet SD-03 “Proposed Conditions Site Plan,” and Sheet SD-04 “Proposed Conditions Sections,” prepared by Lemond & Associates, dated December 30, 2011;
2. Coastal Assessment Form (“CAF”) dated December 30, 2011.
3. Property survey, deed, map indicating 100-foot wetland buffer and list of adjacent property owners within 100 feet.

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 December 30, 2011; 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 and recommendations from the Planning Board's Attorney and from the Village's Planning Consultant regarding wetland permit criteria, SEQRA and consistency with the Village LWRP, in memos dated January 25, 2012; February 22, 2012; March 14, 2012; and March 26, 2012; and

WHEREAS, the proposed action has been fully reviewed by the Village's Engineering Consultant with respect to stormwater management, flood management and other engineering issues, and comments were provided by the Consulting Engineer in memos dated January 24, 2012; February 21, 2012; March 13, 2012; and March 27, 2012; and

WHEREAS, the Planning Board has also received expert advice from the Village's Harbor Master on this application; and

WHEREAS, the Applicant has satisfactorily addressed those comments from the Village's Consultants and Staff; and

WHEREAS, a duly advertised public hearing was held on the application for a tidal wetlands permit on January 25, 2012, continued on February 22, 2012, and March 28, 2012, at which times all those wishing to be heard were given an opportunity to be heard; and

WHEREAS, the Village of Mamaroneck Harbor and Coastal Zone Management Commission ("HCZMC"), in a resolution dated February 21, 2012, granted a marine structures permit pursuant to Section 240-23 of the Village Code, and also determined that the Project is consistent with the Village's Local Waterfront Revitalization Program ("LWRP") pursuant to §240 of the Village Code; and

WHEREAS, in connection with the application, the Planning Board conducted a duly noticed site visit on February 26, 2012, to walk the site at the Property and to visit several other nearby properties for visual reference; and

WHEREAS, on March 28, 2012, on motion by Mr. Sjunneberg, seconded by Mr. Sterk and carried, the public hearing on the tidal wetland permit application was closed; and

WHEREAS, in granting a 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 February 22, 2012, that the Project is a Type II Action pursuant to 6 NYCRR. § 617.5(c) (7) and (10); and

WHEREAS, the Planning Board by a 3-1 vote (Sjunnemark voting No) determined on March 28, 2012, that the Project is consistent with the Village's 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 conditions have 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 two (2) sets will be provided to the Village Building Inspector. 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: Ianniello, Mendes, Sterk
Nays: Sjunnemark, Wexler

PLANNING BOARD
Village of Mamaroneck

Date: April 11, 2012

Michael Ianniello, Chairman

8. 710 TAYLORS LANE- Bennett Golub

The Resolution was approved and is included as follows:

RESOLUTION
VILLAGE OF MAMARONECK PLANNING BOARD
Adopted April 11, 2012

RE: Bennett & Cynthia Golub 710 Taylors Lane – Resolution of Wetland Permit Approval

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

WHEREAS, on December 9, 2011, Bennett and Cynthia Golub, the "Applicant," (all references to which shall include and be binding upon the Applicant's successors and/or Village of Mamaroneck Planning Board April 11, 2012
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assigns) submitted to the Village of Mamaroneck Planning Board (“Planning Board”) an Application with accompanying documentation, seeking wetland permit approval (“Application”) from the Planning Board; and

WHEREAS, the Applicant’s property is located at 710 Taylors Lane, within the R-15 Residential District (“the Property”); and

WHEREAS, the Applicant proposed to fill an approximately 342-square-foot cavity within/beneath the foundation of the existing residential structure with approximately 65 cubic yards of stone, sand and clean materials below the Mean High Water (MHW) Line, approximately 7 cubic yards of materials between the MHW Line and Spring Tide (ST) Line and approximately 37 cubic yards above the ST Line; and to create approximately 37 lineal feet of new stone seawall involving approximately 18 lineal feet across the opening of the cavity and approximately 14 lineal feet within 2 feet of the existing seawall/foundation, as well as raise an existing 38 lineal foot segment of a seawall barrier with the placing of approximately 51 cubic yards of stone below the MHW Line, approximately 5 cubic yards between the MHW Line and ST Line and approximately 49 cubic yards above the ST Line; 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:

1. Sheet SD-01 “Vicinity Map, Drawing Index, Based Upons,” and Sheet SD-02 “Existing Conditions,” prepared by Lemond & Associates, as revised through March 9, 2012;
2. Sheet SD-03 “Proposed Conditions,” prepared by Lemond & Associates, dated December 9, 2011;
3. Sheet SD-04 “Proposed Conditions,” and Sheet SD-05 “Proposed Conditions Sections,” prepared by Lemond & Associates, as revised through March 9, 2012;
4. Hydrographic and Shoreline Interface Survey, prepared by Michael W. Finkbeiner, dated October 14, 2011;
5. Letter dated December 7, 2011, from Nora Lucas, regarding the historical importance of the Property, which is a locally designated landmark under the Village of Mamaroneck Landmarks Law (Section 218) of the Village Code;
6. Letters dated January 16, 2012 and January 31, 2012, from Malcolm G. McLaren, P.E., president of McLaren Engineering Group, regarding potential alternatives to the Project;
7. Letter dated January 31, 2012, from Lemond and Associates, regarding the cavity area and potential alternatives to the Project;
8. Coastal Assessment Form (“CAF”) dated December 8, 2011;
9. Property survey.

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 December 8, 2011; 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 and recommendations from the Planning Board's Attorney and from the Village's Planning Consultant regarding application completeness, wetland permit criteria, SEQRA and consistency with the Village LWRP, in memos dated January 25, 2012; and March 26, 2012; and

WHEREAS, the proposed action has been fully reviewed by the Village's Engineering Consultant with respect stormwater management, flood management and other engineering issues, and comments were provided by the Consulting Engineer in memos dated January 24, 2012; and March 27, 2012; and

WHEREAS, the Applicant has satisfactorily addressed those comments from the Village's Consultants and Staff; and

WHEREAS, a duly advertised public hearing was held on the application for a tidal wetlands permit on January 25, 2012, and March 28, 2012, at which times all those wishing to be heard were given an opportunity to be heard; and

WHEREAS, the Village of Mamaroneck Board of Architectural Review ("BAR"), in a resolution dated March 15, 2012, issued a Certificate of Appropriateness pursuant to Chapter 218 of the Village Code, and also determined that the Project is consistent with the Village's Local Waterfront Revitalization Program ("LWRP") pursuant to §240 of the Village Code; and

WHEREAS, in issuing a Certificate of Appropriateness, the Village BAR required the Applicant to revise the Project by making the proposed seawall extension across the cavity area flush with the residence (thereby eliminating the protrusion of up to 2 feet in front of the cavity and building); eliminating the proposed parapet wall above the stone wall to the bottom of the windowsills; replacing all or a portion of the south wall of the residential structure with a poured concrete wall that will be sided with the same concrete clapboard as the existing clapboard; and using either stone or a stone-formed poured concrete substance for the proposed seawall, with the material and color to be approved by the BAR prior to the issuance of a building permit; and

WHEREAS, the Village of Mamaroneck Harbor and Coastal Zone Management Commission ("HCZMC"), in a resolution dated March 21, 2012, granted a marine structures permit pursuant to Section 240-23 of the Village Code, and also determined that the Project is consistent with the Village's Local Waterfront Revitalization Program ("LWRP") pursuant to §240 of the Village Code; and

WHEREAS, on March 28, 2012, on motion by Mr. Sterk, seconded by Mr. Sjunneberg and carried, the public hearing on the tidal wetland permit application was closed; and

WHEREAS, in granting a 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 March 28, 2012, that the Project is a Type II Action pursuant to 6 NYCRR. § 617.5(c) (9) and (10); and

WHEREAS, the Planning Board determined on March 28, 2012, that the Project is consistent with the Village's 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 submit a property deed and map indicating the 100-foot wetland buffer line.
 - (b) The Applicant shall pay all outstanding consultant review fees in connection with Planning Board review of this application.
 - (c) The Applicant shall submit additional structural design details as required by the Village's Consulting Engineer prior to issuance of a building permit.

2. When the above conditions have 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 two (2) sets will be provided to the Village Building Inspector. 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: Ianniello, Mendes, Sjunneemark, Sterk
Nays: None
Abstain: Wexler

PLANNING BOARD
Village of Mamaroneck

Date: April 11, 2012

Michael Ianniello, Chairman

9. 700 WAVERLY AVE.-DCH AUTO

The Resolution was approved and is included as follows:

RESOLUTION
VILLAGE OF MAMARONECK PLANNING BOARD
Adopted April 11, 2012

RE: DCH Toyota City 700 Waverly Avenue – Resolution of Amended Site Plan Approval

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

WHEREAS, on February 28, 2012, DCH Mamaroneck LLC, 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”) a request for an amendment to its prior site plan approval for an auto service facility and associated parking located at 700 Waverly Avenue (“Property”); and

WHEREAS, the Applicant, located at 700 Waverly Avenue, operates within the M-1 (Manufacturing) District; and

WHEREAS, the Planning Board previously granted site plan approval of the Applicant’s original application to construct a service facility at the Property, in a resolution dated May 8, 2008, and later extended that site plan approval in a resolution dated April 22, 2010; and

WHEREAS, in a memo dated May 27, 2011, the Village’s Landscaping Consultant, TerraBella Landscape Design LLC, noted certain alterations that had been made to the site landscaping, compared with the approved landscaping plan; and

WHEREAS, in a memo dated June 23, 2011, the Village’s Planning Consultant, BFJ Planning, identified several discrepancies between the as-built and approved conditions on the property, based on a visual inspection conducted with the then-Assistant Buildings Inspector, and recommended that the applicant seek approval for an amended site plan; and

WHEREAS, the Applicant proposes to amend its existing site plan to correctly depict deviations from the original approved site plan regarding the number of parking spaces, the location of bollards and stormwater management facilities and the provision of landscaping, and this amendment is described and illustrated on the following set of plans as submitted by the Applicant which form a part of the Application:

1. Sheet SP-3 “Site Plan,” and Sheet SP-4 “Grading and Utility Plan,” prepared by Pennoni Engineering of New York P.C. as revised through January 18, 2012; and

WHEREAS, in support of its Application, the Applicant also submitted a Short-Form Environmental Assessment Form (“EAF”) pursuant to the State Environmental Quality Review Act [“SEQRA”(6 NYCRR Part 617)] dated February 22, 2012, and a Coastal Assessment Form (“CAF”) dated February 22, 2012; 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 Applicant's request for amended site plan approval and received comments and recommendations from the Village's Planning Consultant as summarized in a memo dated March 26, 2012, from the Village's Engineering Consultant as summarized in a memo dated March 27, 2012, and from the Planning Board's Attorney;

WHEREAS, the Applicant has satisfactorily addressed those comments from the Village's Consultants; and

WHEREAS, a duly advertised public meeting was held on the request for amended site plan approval on March 28, 2012, at which time all those wishing to be heard were given an opportunity to be heard.

WHEREAS, the Planning Board determined on March 28, 2012, that the Project is a Type II Action pursuant to 6 NYCRR. § 617.5(c) (1); and

WHEREAS, the Planning Board determined on March 28, 2012, 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 the Applicant's request for amended site plan approval subject to the following conditions:
 - (a) The as-built stormwater management facility will receive final sign-off from the Village's Engineering Consultant.
 - (b) The as-planted landscaping treatment will receive final sign-off from the Village's landscaping consultant.
 - (c) The Applicant shall pay all outstanding consultant review fees in connection with Planning Board review of this application.
2. When the above conditions have 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 two (2) sets will be provided to the Village Building Inspector. Prior to issuance of a certificate of occupancy, the Building Department will verify that the "as-built" conditions conform to the final approved site plan.

3. Except as otherwise expressly amended herein, the May 8, 2008, resolution of site plan approval shall remain in full force and effect.

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

PLANNING BOARD
Village of Mamaroneck

Date: April 11, 2012

Michael Ianniello, Chairman

Mr. Ianniello stated that the moratorium resolution draft will be reviewed at the April 25th Planning Board meeting.

ADJOURNMENT

There being no other business, and on motion of Mr. Sterk, seconded by Mr. Sjunneemark, the meeting was adjourned at 7:52 p.m.

Respectfully submitted,

Anne Hohlweck
Recording Secretary