

*These are intended to be “Action Minutes”, which primarily record the actions voted on by the Planning Board on March 14, 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, Lee Wexler  
Hugh Greechan, Engineering Consultant  
Lester Steinman, Esq., Legal Consultant  
Susan Favate, BFJ Planning  
Rob Melillo, Building Inspector

**ABSENT:** Stewart Sterk

### **CALL TO ORDER**

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

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

On motion of Mr. Sjunneemark, seconded by Mr. Wexler, the February 22, 2012 Minutes are approved.

Vote:

Ayes: Mendes, Sjunneemark, Wexler, Ianniello

Nays: None

#### **2. 516 SHORE ACRES DRIVE-Richard & Meredith Canter-WETLAND PERMIT**

Adjourned to March 28, 2012 meeting.

#### **3. 1000 TAYLORS LANE – Subdivision -Draft EIS**

Ms. Beth Evans, Evans Associates, appeared for the Applicant. She stated that the construction will involve the development of a three-lot subdivision. One of the three lots has an existing single-family residence. The easement area will remain in its natural state. There will be no public access.

Mr. Ianniello stated that there are items in the Scoping Documents that require a response. Mr. Steinman said that the Board does not have to decide on this matter tonight as they have 45 days, and this matter can be put on the March 28<sup>th</sup> agenda.

Mr. Sjunnemark inquired about the impact of blasting for the foundation. Mr. Mendes asked what the height and size of the homes are. Ms. Favate interjected and said that the height is limited to 2 ½ stories. Mr. Wexler asked for alternatives so as to better evaluate the Application. The setback from the wetland, and elevation from the sidewalk need to be addressed.

Ms. Evans said that this Application is for the subdivision of land, and not for building of homes.

Mr. Ianniello asked that the requested information be submitted for the next meeting. He also requested that the applicant provide a site section showing elevations and massing of building from street into site

#### **4. 700 WAVERLY AVE.-DCH AUTO –Amend Site Plan to as-built project**

Mr. Paul Noto appeared for the Applicant. He said that the parking count was adjusted. One space was given up for the transformer. Grading and drainage changes were made. Mr. Ianniello commented that the handicapped space needs to be compliant with the ADA Accessibility Guidelines for Buildings and Facilities. Mr. Noto said that the landscaping plans were modified.

Mr. Steinman stated that Notices should have been sent out to the adjacent properties for this meeting.

Mr. Brian Lanson, the engineer, said that there will be no additional impervious coverage.

Mr. Ianniello requested that side by side site plans (original versus amended) be provided to compare the changes. He asked that the requested information be provided for the next meeting.

#### **5. FRENCH AMERICAN SCHOOL-Referral from Board of Trustees**

Michael Zarin, Esq. appeared for the applicant. He submitted an Application package which addressed the area traffic flow, and on-site parking. He said the special permit will be for a three-year period, and a three-year extension, if needed. The extension will be discussed at the end of the three-year term. Mr. Zarin continued and said that the Planning Board will approve the special permit. He noted that the New Street School is operating smoothly and has been at the present location for approximately ten years. He said there are virtually no complaints or issues with the neighbors.

Mr. Ianniello noted that this proposed location for the school is presently an abandoned building. He remarked that the Application also described in detail other alternatives that the Planning Board requested.

Mr. Sjunneemark commented that there is a large enough parking lot for cars and busses. Mr. Zarin said that the fence in the parking lot can be removed if additional space is needed. He continued and said that there will be approximately 120 high school students and only 5 students will drive. There will be approximately 40 vehicles in and out of the parking lot during the day. Mr. Zarin stated that the arrival and departure times will be staggered. There will be 8 busses and some will be mini busses.

On motion of Mr. Sjunneemark, seconded by Mr. Wexler, the Planning Board recommends that the Board of Trustees allow the French-American School to proceed with their three-year interim plan for a school located at \_\_\_\_\_, Mamaroneck, NY.

Vote:

Ayes: Mendes, Sjunneemark, Wexler, Ianniello

Nays: None

The Resolution was approved and is included as follows:

RESOLUTION  
VILLAGE OF MAMARONECK PLANNING BOARD  
Adopted March 14, 2012

**RE: French-American School of New York Petition for an Amendment to the Village of Mamaroneck Zoning Code to Permit Educational Uses in the M-1 District – Resolution Recommending Adoption**

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

WHEREAS, the Village of Mamaroneck Board of Trustees has referred to the Planning Board a petition for an amendment to the Zoning Ordinance of the Village of Mamaroneck, pursuant to Section 342-95 of the Mamaroneck Zoning Code Permitting a Private School to Operate in the M-1 District as a Special Permit Use (“the Petition,”) dated February 2, 2012, with supplemental materials dated March 6, 2012); and

WHEREAS, the Planning Board has carefully examined the Petition and received comments and recommendations from the Village’s Planning Consultant in a memo dated February 16, 2012, and from the Village’s Land Use Attorney; and

WHEREAS, a duly advertised public meeting was held on the Trustees’ referral on February 22, 2012, and March 14, 2012, at which time all those wishing to be heard were given an opportunity to be heard; and

WHEREAS, in response to comments from the Planning board and its consultants, the Applicant has agreed to revise the proposed zoning text amendment to provide that a Temporary Educational Special Use Permit may be granted for a period of time not to exceed three (3) years for private schools having a comprehensive curriculum of studies similar to a public school, provided that the following criteria are met:

1. The private school shall operate only on a property in the M-1 District fronting Fenimore Road or anywhere in the M-1 district to the north-northeast of Fenimore Road,
2. The private school shall occupy only existing buildings, and no external improvements or increases in building footprints may occur to accommodate such occupancy, and
3. The Planning Board may renew a Temporary Educational Special Use Permit for a second term of no longer than an additional three (3) years, and only one such renewal may be issued to a permit holder by the Planning Board.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Planning Board hereby recommends that the Petition, as revised, be granted by the Village Board of Trustees.

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

PLANNING BOARD  
Village of Mamaroneck

Date: March 14, 2012

\_\_\_\_\_  
Michael Ianniello, Chairman

**APPROVAL RESOLUTIONS:**

**6. 1084 BAYHEAD –Robert & Betty Hut**

The Resolution was approved and is included as follows:

RESOLUTION  
VILLAGE OF MAMARONECK PLANNING BOARD  
Adopted March 14, 2012

**RE: Robert & Betty Hut 1084 Bayhead – Resolution of Wetland Permit Approval**

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

WHEREAS, on July 7, 2011, Robert and Betty Hut, 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 1084 Bayhead, within the R-20 Residential District; and

WHEREAS, the Applicant proposed to construct a one-story addition to the existing dwelling, and this 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 SP-100 “Site Plan,” Sheet SP-101 “Impervious Surface Analysis,” and Sheet PP-100 “Planting Plan,” prepared by Crozier-Gedney Architects, P.C., as revised through January 4, 2012;
2. Sheet S-1 “Site Plan, Details & Notes,” prepared by Benedict A. Salanitro, P.E., dated June 22, 2011;
3. Coastal Assessment Form “(CAF”), as revised through January 25, 2012;
4. Property survey prepared by Richard A. Spinelli dated November 30, 2010;
5. Property deed dated March 8, 2011; and

WHEREAS, the Planning Board has carefully examined the Application and received comments and recommendations from the Village’s Planning Consultant in memos dated September 12, 2011; January 25, 2012; and February 16, 2012, regarding 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 memos dated September 12, 2011; October 10, 2011; January 24, 2012; and February 16, 2012, regarding the criteria for a wetland permit; and

WHEREAS, the Planning Board received comments and recommendations from the Village’s Landscaping Consultant in memos dated January 24, 2012; and February 17, 2012, regarding the planting plan; and

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

WHEREAS, the Planning Board considered the application at its regular meetings on September 14, 2011, and January 25, 2012, and a duly advertised public hearing was opened on the application for a tidal wetlands permit on February 22, 2012, at which time all those wishing to be heard were given an opportunity to be heard; and

WHEREAS, on February 22, 2012, on motion by Mr. xx, seconded by Mr. xx and carried, the public hearing on the tidal wetland permit application was closed; and

WHEREAS, the application proposed to add 2,142 square feet of impervious surface within the 100-foot wetland buffer and to remove a corresponding 2,142 square feet of impervious surface within this buffer and an additional 1,412 square feet of impervious surface outside the 100-foot wetland buffer; 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 February 22, 2012, that the Project is a Type II Action pursuant to 6 NYCRR. § 617.5(c) (9); and

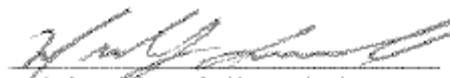
WHEREAS, the Planning Board determined on February 22, 2012, that the Project is consistent with the Village's Local Waterfront Revitalization Program ("LWRP") pursuant to §240 of the Village Code.

**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 the most recent revised landscaping plan 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, Wexler  
Nays: None  
Abstain: None

PLANNING BOARD  
Village of Mamaroneck

  
Michael Ianniello, Chairman

Date: March 14, 2012

**7. 1301 FLAGLER DRIVE Anne & Davis Fass**

The approved Resolution is included as follows:

RESOLUTION  
VILLAGE OF MAMARONECK PLANNING BOARD  
Adopted March 14, 2012

**RE: Anne & Davis Fass 1301 Flagler Drive – Amended Resolution of Wetland Permit Approval**

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

WHEREAS, on June 28, 2011, Anne and Davis Fass, 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, located at 1301 Flagler Drive, operates within the R-20 Residential District; and

WHEREAS, the Applicant proposed to renovate the existing residence with various additions to the front and rear of the structure and with the removal of the existing most seaward portion of the house, resulting in a reduction of approximately 14 linear feet from the current house’s intrusion into the 100-foot wetland buffer area and a net reduction of approximately 67 square feet of total impervious surfaces within the 100-foot wetland buffer; as well as a reconfiguration of the driveway and various walkways and installation of a new stormwater system, 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 CS-1.0 “Site Plan, Zoning Calculations General Notes,” Sheet D-1.1 “Proposed First Floor Demolition Plan,” Sheet D-1.2 “Proposed Second Floor Demolition Plan,” Sheet A-1.1 “Proposed First Floor Plan,” Sheet A-1.2 “Proposed Second Floor Plan,” Sheet A-1.3 “Proposed Roof Plan,” Sheet A-2.0 “Exterior Elevation,” and Sheet A-2.1 “Exterior Elevation,” prepared by Robert Keller/Architect dated May 24, 2011;
2. Sheet SD-01 “Vicinity Map, Drawing Index & Based Upons,” Sheet SD-02 “Existing Conditions and Sediment & Erosion Control Site Plan,” and Sheet SD-03 “Proposed Conditions & Stormwater Control Site Plan,” prepared by Lemon and Associates dated June 24, 2011;

3. Coastal Assessment Form (“CAF”) dated June 23, 2011.
4. Property deed 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 June 23, 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 Village’s Planning Consultant and the Planning Board’s Attorney regarding SEQRA and consistency with the Village LWRP; and

WHEREAS, the Building Inspector, in his capacity as Stormwater Management Officer (“SMO”) under the provisions of Section 294-6 of the Village Code, confirmed in a memo dated July 13, 2011, that the proposed Project is in compliance with the Village’s Stormwater Law (Chapter 294) and would result in an overall improvement to stormwater management on the site; and

WHEREAS, the Village’s Landscaping Consultant confirmed in a memo dated July 13, 2011, that the proposed landscaping and plant material for the Project is appropriate, and

WHEREAS, a duly advertised public hearing was held on the application for a tidal wetlands permit on July 13, 2011, at which time all those wishing to be heard were given an opportunity to be heard; and

WHEREAS, on July 13, 2011, on motion by Mr. Sjunneemark, seconded by Mr. Wexler 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 July 13, 2011, that the Project is a Type II Action pursuant to 6 NYCRR. § 617.5(c) (9); and

WHEREAS, the Planning Board determined on July 13, 2011, that the Project is consistent with the Village’s Local Waterfront Revitalization Program (“LWRP”) pursuant to §240 of the Village Code; and

WHEREAS, the Planning Board adopted a resolution dated July 27, 2011, granting all requested approvals to the Project, subject to the following conditions:

- (a) The Applicant shall pay all outstanding consultant review fees in connection with Planning Board review of this application.



- (b) 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.

When the above conditions have been satisfied, two (2) 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. 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; and

WHEREAS, subsequent to the adoption of that resolution, the nature of the Project was revised to address a zoning compliance issue that arose during the Building Department’s final review for the issuance of a Building Permit, and as a result the Project’s overall development footprint was decreased by approximately 31 square feet, through removal of an existing stairway and reduction in size of the proposed addition, with no resulting impact to the wetland or the wetland buffer area; and

WHEREAS, the applicant has requested that the July 27, 2011, resolution be amended to incorporate this revision to the plan.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Planning Board hereby adopts the following resolution, superseding the July 27, 2011 resolution, and granting all requested approvals to the Project subject to the following conditions:
  - (a) The Applicant shall submit to the Building Department Sheet SD-03, “Proposed Conditions & Stormwater Control Site Plan,” as revised through February 27, 2012.
  - (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, two (2) 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. 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: None  
Abstain: None

PLANNING BOARD  
Village of Mamaroneck

Date: March 14, 2012

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Michael Ianniello, Chairman

**8. 122-134 MAMARONECK AVE.**

The approved Resolution is included as follows:

RESOLUTION  
VILLAGE OF MAMARONECK PLANNING BOARD  
Adopted March 14, 2012

**RE: 122-134 Mamaroneck Avenue – Resolution of Site Plan Approval**

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

WHEREAS, on July 12, 2011, HPS 122, 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”) an Application with accompanying documentation, seeking site plan approval for a proposed addition and façade renovation of an existing building (“Application”) from the Planning Board; and

WHEREAS, the Applicant is located at 122-134 Mamaroneck Avenue, within the C-2 Central Commercial District; and

WHEREAS, the Applicant proposed an approximately 3,000-square-foot, two-story rear addition and front façade renovation for an existing commercial building, and this proposal (“Project”) is described and illustrated on the following set of plans as submitted and subsequently revised by the Applicant which form a part of the Application:

1. Sheet SP-1 “Site Plan and Details,” Sheet SP-2 “Landscaping/Lighting Plan and Details,” Sheet Pre-1 “Proposed Front Elevation,” Sheet Pre-2 “Proposed Floor Plans,” and Sheet Pre-3 “Proposed Courtyard & Rear Elevation,” prepared by Michael R. Berta, AIA, as revised through February 11, 2012;
2. Sheet 1 of 3 “Stormwater Pollution Prevention Plan: Existing Conditions,” Sheet 2 of 3 “Stormwater Pollution Prevention Plan: Proposed Conditions,” and Sheet 3 of 3 “Stormwater Pollution Prevention Plan: Details, Sections & Specifications,” prepared by Verma Engineering, as revised through December 2, 2011;
3. “Technical Memorandum,” prepared by Rahul Verma of Verma Engineering, dated

- July 11, 2011;
4. "Stormwater Pollution Prevention Plan," prepared by Verma Engineering, dated December 2, 2011;
  5. Property Survey, prepared by Aristotle Bournazos, P.C., dated January 31, 2011;
  6. Coastal Assessment Form ("CAF") dated July 12, 2011 and submitted pursuant to Local Law No. 30-1984;
  7. Short-Form Environmental Assessment Form ("EAF") dated July 12, 2011;
  8. Letter dated November 28, 2011, from the Mamaroneck Public Library in support of the Application; 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 Village Engineering Consultant as summarized in memos dated September 9, 2011; November 14, 2011; December 12, 2011; January 24, 2012; and February 21, 2012; from the Village's Planning Consultant as summarized in memos dated June 29, 2011; September 12, 2011; November 14, 2011; December 14, 2011; January 23, 2011; and February 22, 2011; from the Village's Landscaping Consultant as summarized in memos dated September 27, 2011; November 16, 2011; December 6, 2011; and January 24, 2012; and from the Planning Board's Attorney;

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

WHEREAS, duly advertised public meetings were held on the application for a site plan approval on September 14, 2011; November 16, 2011; December 14, 2011; January 25, 2012; and February 22, 2012, at which time all those wishing to be heard were given an opportunity to be heard; and

WHEREAS, the Zoning Board of Appeals issued an area variance on February 2, 2012, providing relief from the zoning requirement of six parking spaces where zero spaces are proposed; and

WHEREAS, the Planning Board determined on September 14, 2011, that the Project is a Type II Action pursuant to 6 NYCRR. § 617.5(c) (7); and

WHEREAS, the Planning Board determined on February 22, 2012, that the Project is consistent with the Village's Local Waterfront Revitalization Program ("LWRP") pursuant to Chapter 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:

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- (a) The Applicant shall maintain as publicly accessible the rear courtyard area and walkway connecting to the Emelin Theatre parking lot, for a period of 10 years, and this requirement shall be delineated on the final site plan.
  - (b) 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, 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 site plan.

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

PLANNING BOARD  
Village of Mamaroneck

Date: March 14, 2012

\_\_\_\_\_  
Michael Ianniello, Chairman

**9. 156 MAMARONECK AVE.**

The approved Resolution is included as follows:

RESOLUTION  
VILLAGE OF MAMARONECK PLANNING BOARD  
Adopted March 14, 2012

**RE: 156 Mamaroneck Avenue – Resolution of Approval of Change of Use**

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

WHEREAS, on February 2, 2012, Ann Mary Caro Kuriakosi, 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 approval of a change of use (“Application”) from the Planning Board; and

WHEREAS, the Applicant, located at 156 Mamaroneck Avenue, operates within the C-2 Central Commercial District; and

WHEREAS, the Applicant proposed to convert the existing restaurant use to a beauty salon, and this conversion (“Project”) is described and illustrated on the following set of plans as submitted and subsequently revised by the Applicant which form a part of the Application:

1. Drawing No. A-1 “Plot Plan, First Floor Plan, Notes and Building Data,” prepared by Pellegrino Orsini, R.A., dated February 1, 2012;
2. Coastal Assessment Form (“CAF”) dated February 2, 2012 and submitted pursuant to Local Law No. 30-1984;
3. Short-Form Environmental Assessment Form (“EAF”) dated February 2, 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 Application and received comments and recommendations from the Village’s Engineering Consultant as summarized in a memo dated February 17, 2012, and from the Village’s Planning Consultant and the Planning Board’s attorney; and

WHEREAS, the Applicant has satisfactorily addressed those comments from the Village’s consultants; and

WHEREAS, a duly advertised public meeting was held on the application for a site plan approval on February 22, 2012, at which time all those wishing to be heard were given an opportunity to be heard; and

WHEREAS, in granting site plan approval, the Planning Board has determined that the standards and criteria set forth in Section 342-76 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© (7); and

WHEREAS, the Planning Board determined on February 22, 2012, that the Project is consistent with the Village’s Local Waterfront Revitalization Program (“LWRP”) pursuant to Chapter 240 of the Village Code.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Planning Board hereby grants all requested approvals to the Project and the Extension 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 site plan.

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

PLANNING BOARD  
Village of Mamaroneck

Date: March 14, 2012

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Michael Ianniello, Chairman

**10. 1020 COVE RD. Jennifer Kronick & Jason Shapiro**

The approved Resolution is included as follows:

RESOLUTION  
VILLAGE OF MAMARONECK PLANNING BOARD  
Adopted March 14, 2012

**RE: Jason Shapiro & Jennifer Kronick 1020 Cove Road – Resolution of Wetland Permit Approval**

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

WHEREAS, on January 5, 2012, Jason Shapiro and Jennifer Kronick, 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 1020 Cove Road, within the R-20 Residential District; and

WHEREAS, the Applicant proposed to construct a rear deck and covered front porch off the existing dwelling, 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 A-1 “Site Plan and Notes,” Sheet A-2 “Foundation and Basement,” Sheet A-3 “First Floor Plan,” and Sheet A-5 “Front/Side Elevations,” prepared by James Fleming Architect, as revised through August 20, 2011;
2. Sheet SP-1 “Additions & Alterations to the Residence at 1020 Cove Road,” and Sheet A-6 “Rear/Side Elevations,” prepared by James Fleming Architect, dated February 13, 2012;
3. Supplemental information letter from the Applicant dated February 13, 2012;
4. Coastal Assessment Form (“CAF”) dated January 5, 2012;
5. Property survey prepared by Sal Spinelli dated July 7, 1951;
6. Property deed dated January 13, 2011; 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 January 5, 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 February 22, 2012, regarding 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 February 21, 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 February 22, 2012, at which time all those wishing to be heard were given an opportunity to be heard; and

WHEREAS, on February 22, 2012, on motion by Mr. xx, seconded by Mr. xx and carried, the public hearing on the tidal wetland permit application was closed; and

WHEREAS, the application proposed to add a total of 304 square feet of impervious surface within the 100-foot wetland buffer and to remove 99 square feet of existing impervious surface within this buffer area, resulting in a net addition of 245 square feet of impervious surface within the 100-foot wetland buffer, and proposed a series of Cultec stormwater management devices as mitigation for this net addition of impervious surface; and

WHEREAS, the Applicant has also proposed to investigate other potential mitigation measures, including, but not limited to, placement of a small rain garden area, installation of rain barrels at most downspouts and planned donation to the Westchester Land Trust of development rights for the open space wetland area adjacent to the property; 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 February 22, 2012, that the Project is a Type II Action pursuant to 6 NYCRR. § 617.5(c) (9); and

WHEREAS, the Planning Board determined on February 22, 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 resolve any outstanding stormwater management issues to the satisfaction of the Village's consulting engineer.
  - (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, Wexler  
Nays: None  
Abstain: None

PLANNING BOARD  
Village of Mamaroneck

Date: March 14, 2012

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Michael Ianniello, Chairman

Mr. Sjunneemark moved to go into executive session to discuss a legal matter at 8:06 p.m., seconded by Mr. Wexler.



The regular session resumed at 8:17 p.m.

**ADJOURNMENT**

There being no other business, and on motion of Mr. Sjunneemark, seconded by Mr. Wexler, the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Anne Hohlweck  
Recording Secretary