

These are intended to be “Action Minutes”, which primarily record the actions voted on by the Planning Board on May 9, 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. Sjunneemark called to order the Regular Meeting at 7:07 p.m.

Mr. Sjunneemark stated that Mr. Ianniello will be arriving shortly.

1. APPROVAL OF MINUTES

On motion of Mr. Wexler, seconded by Mr. Sterk, the April 25, 2012 Minutes are approved.

Vote:

Ayes: Mendes, Sjunneemark, Sterk, Wexler

Nays: None

NEW BUSINESS:

2. 911 LESTER AVE. – Dumpster Enclosure

Ms. Lisa Chmelecki, owner, appeared and stated that the enclosure will be a chain link fence. Mr. Sjunneemark inquired if there will be slats on the fence. The owner said that slats can be added and agreed to add them. She said there are shrubs in front of the enclosure. Additional concrete will be added to the slab to meet the five-inch thickness minimum requirement.

Mr. Sterk inquired if the enclosure is visible from the street. The owner said that approximately six feet is visible. She stated that there is a driveway that extends across the entire front of the apartment building. There is an open section in the driveway to pull the trash containers to the curb.

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

Vote:

Ayes: Mendes, Sjunneemark, Sterk, Wexler

Nays: None

3. 208 W. BOSTON POST RD.- HARBOR MEWS -John Lese -Request for extension of time

No appearance.

The Board discussed the merits of this Application and agreed that a six-month extension of time is reasonable for Mr. Lese to secure financing for the affordable housing units he plans to build.

On motion of Mr. Sterk, seconded by Mr. Wexler, the Application for an extension of time of six months for the site plan until the 9th day of December 2012 is approved for securing financing; and subject to the approval of the Resolution to be reviewed at the May 23, 2012 Planning Board meeting.

Vote:

Ayes: Mendes, Sjunneemark, Sterk, Wexler

Nays: None

PUBLIC HEARINGS:

4. 325 EAST BOSTON POST RD- Chris Dixon- Wetland Permit

Mr. Chris Dixon appeared and stated that he is the current Commodore of Orienta Yacht Club and the Club has been in operation for 105 years. He said that they plan to take up a 28 foot by 32 foot section of asphalt and replace it with concrete for safety reasons. The surrounding asphalt will remain intact. Mr. Mike Walsh, engineer, said that boats will not be washed down on this concrete pad.

Mr. Dixon said they also are planning to relocate the flag pole to the other side of the main house as it will be more visible from the water and is a focal point of the Club. He said the same pole will be used.

Mr. Greechan inquired about the drain trench in front of the concrete slab. Mr. Dixon said that it will drain runoff water. Mr. Walsh said that their long-term plan is to go to the DEC to work out details for an overall drainage plan. Mr. Greechan noted that the type of drainage will either be a sanitary or filtration system.

Mr. Sjunneemark reminded that this Application is for the relocation of a flag pole, and to replace an area of asphalt with concrete, and not for drainage issues.

Mr. Greechan said that the DEC requires filtering where there is washing down of boats. Mr. Walsh stated that the wash down area for boats is indicated on the site plan. He also said the Club has had run-off studies conducted, and has looked into rain gardens.

Mr. Ianniello joined the meeting at 7:32 p.m.

Mr. Greechan recommended that the applicant contact the DEC, and noted that there is a local office in the Town of Greenburgh.

Mr. Wexler remarked that the Board does not need to move quickly on this matter if the drainage issue should be resolved before an approval, or it can be a condition for approval.

Mr. Dixon stated that the Coastal Assessment Form (CAF), Environmental Assessment Form (EAF), survey, and map all have been submitted.

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

Vote:

Ayes: Mendes, Sjunneemark, Sterk, Wexler

Nays: None

Abstain: Ianniello

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

Vote:

Ayes: Mendes, Sjunneemark, Sterk

Nays: Wexler

Abstain: Ianniello

Mr. Wexler stated that not enough information has been provided to determine if the proposed actions are consistent with LWRP.

On motion of Mr. Sterk, seconded by Mr. Mendes, the Application for a wetland permit is approved, and subject to either a letter from the DEC stating that the proposed work does not require a permit, or to provide a permit issued by the DEC; and the approval of the Resolution to be reviewed at the May 23, 2012 Planning Board meeting.

Vote:

Ayes: Mendes, Sjunneemark, Sterk, Wexler

Nays: None

Abstain: Ianniello

5. 525 FENIMORE RD/300 WAVERLY AVE. –Special Permit and Site Plan Review to utilize as educational use.

Michael Zarin, Esq., Zarin & Steinmetz, appeared for the applicant and said that an updated recent submission was made to the revised site plan. He said there were zoning issues raised by the building inspector. Mr. Zarin said they are going before the Zoning Board for a variance on June 7. He said additional shrubs will be planted, and the storage area will be more extensive than what was originally planned.

Mr. Zarin stated that they would like to receive an approval at the June 13 Planning Board meeting. He said they previously agreed to create two separate site plans for 300 Waverly Avenue and 545 Fenimore Road, and he stated that 525 Fenimore Road is no longer of interest. A full site development plan is being undertaken. Mr. Zarin said they are seeking a Change of Use and will comply with all requirements including parking, landscaping, setbacks, etc.

Mr. Wexler inquired about bussing and scheduling. Mr. Zarin said that they will not permit busses to arrive early at the school.

Mr. Ianniello inquired about LA Boxing and their peak hours of operation. Mr. Zarin said that he will get the information and report back. Mr. Ianniello then asked Mr. Zarin to get the landscaping plan to Ms. Oakley for her review.

Mr. Mendes asked if LA Boxing will have assigned parking. Mr. Zarin said no. Mr. Mendes then asked what will occur when the kids are outside on lunch break and LA Boxing members and warehouse staff are outside as well. Mr. Zarin said that he will get the pedestrian routes and report back.

Ms. Favate stated that aisle dimensions in the parking lot are to be shown on the plan. She said if the variance is granted to take out two parking spaces at the turnaround area to allow for ease of maneuvering, and mentioned that the two spaces are not needed. Also, the new handicap ramp does not extend far enough.

Mr. Zarin remarked that a Change of Use should not trigger a full site plan review. It will be perceived as an impediment to other applicants who have a Change of Use matter before the Village.

On motion of Mr. Sterk, seconded by Mr. Sjunneemark, the public hearing is open.

Vote:

Ayes: Mendes, Sjunneemark, Sterk, Wexler, Ianniello

Nays: None

Mr. Ianniello asked if there are any comments from the public.

Mr. Stephen Wright, 329 Center Avenue, came forward and addressed the scarcity of parking in the area. He said that he has a manufacturing business at this location for over thirty years. He stated that motorists park on Center Avenue and walk over to their destination, and is

concerned that there will be an increased shortage of parking. The Board assured Mr. Wright that the parking lots associated with the proposed school have adequate parking.

Mr. Melillo mentioned that the notification sign is not up. Mr. Zarin said that it will be taken care of.

APPROVAL RESOLUTIONS

6. MAMARONECK BEACH & YACHT CLUB

The Resolution was approved and is included as follows:

RESOLUTION
VILLAGE OF MAMARONECK PLANNING BOARD
Adopted May 9, 2012

RE: Mamaroneck Beach & Yacht Club – Resolution of Extension 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 February 29, 2012, the Mamaroneck Beach & Yacht Club, 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 a 12-month extension of the time to commence and complete construction as provided in a site plan approval previously granted by the Planning Board for 23 new seasonal residences and other improvements to the Club property located at 555 South Barry Avenue (“Property”); and

WHEREAS, the Planning Board granted site plan and wetland permit approval of the Applicant’s original application to construct 23 seasonal residences at the Property (four within the renovated clubhouse and 19 within two new seasonal residence buildings), as well as a new yacht club/dockmaster’s building, a new recreation building and pool complex and associated parking and infrastructure modifications, in a resolution dated December 9, 2010; and

WHEREAS, the Planning Board issued findings pursuant to the State Environmental Quality Review Act (SEQRA) on November 29, 2010, related to the original application; and

WHEREAS, the Village of Mamaroneck Harbor and Coastal Zone Management Commission (HCZMC) determined in a resolution dated December 2, 2010, that the original application was consistent with the Village’s Local Waterfront Revitalization Program (LWRP); and

WHEREAS, the Planning Board has carefully examined the Applicant's request for extension of approvals and received comments and recommendations from the Village's Planning Consultant and from the Planning Board's Attorney; and

WHEREAS, the Planning Board's granting of the requested extension would not constitute a new determination by the Planning Board regarding the validity of the December 2010 Site Plan approval and would be intended to maintain the status quo pending the resolution of outstanding litigation challenging the validity of that December 2010 Site Plan approval; and

WHEREAS, duly advertised public meetings were held on the request for extension of approvals on April 11, 2012, and April 25, 2012, at which time all those wishing to be heard were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Planning Board hereby grants the Applicant's request for extension of approvals subject to the following conditions:
 - (a) The extension of the time to commence construction as provided in the December 9, 2010, site plan approval will be for a period of six (6) months, and shall expire December 9, 2012.
 - (b) The extension of time to complete construction as provided in the December 9, 2010, site plan approval will be for a period of six (6) months and shall expire on June 8, 2017.
 - (c) Except as otherwise provided herein, all conditions of the original site plan approval, as specified in the Planning Board resolution dated December 9, 2010, shall remain in effect.
 - (d) The Applicant shall pay all outstanding consultant review fees in connection with Planning Board review of this application.

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

PLANNING BOARD
Village of Mamaroneck

Date: May 9, 2012

Michael Ianniello, Chairman

7. 689 MAMARONECK AVE

The following Resolution was approved and is included as follows:

RESOLUTION
VILLAGE OF MAMARONECK PLANNING BOARD
Adopted May 9, 2012

RE: 689 Mamaroneck Avenue – Resolution of Site Plan Approval

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

WHEREAS, on February 11, 2012, 689 Mamaroneck Ave. Assoc. 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 approval to modify an existing site plan to correct certain zoning deficiencies (“Application”) from the Planning Board; and

WHEREAS, the Applicant is located at 689 Mamaroneck Avenue, within the C-1 General Commercial District; and

WHEREAS, the Applicant proposed to legalize the existing site plan by reconfiguring the parking lot layout and adding landscaped areas, with no proposed construction or changes to any structure on the site, 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 Elevations,” prepared by Dennis Noskin Architects, as revised through May 1, 2012;
2. Sheet LP-1 “Landscaping Plan,” prepared by John Meyer Consulting PC, as revised through May 2, 2012;
3. Coastal Assessment Form (“CAF”) as revised through April 18, 2012, and submitted pursuant to Local Law No. 30-1984;
4. Short-Form Environmental Assessment Form (“EAF”) dated February 11 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 Engineering Consultant as summarized in memos dated April 10, 2012, and April 23, 2012; from the Village’s Planning Consultant as summarized in memos dated April 11, 2012, and April 23, 2012; from the Village’s

Landscaping Consultant in a memo dated April 24, 2012; and from the Planning Board's Attorney;

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

WHEREAS, an informal discussion with the Planning Board occurred on April 11, 2012, and a duly advertised public meeting was held on the application for a site plan approval on April 25, 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 April 5, 2012, providing relief from Section 342-3 pertaining to parking space size requirements (where 19 feet in parking space length is required and the Project provides 17 feet in parking space length for certain spaces); and

WHEREAS, the Planning Board determined on April 25, 2012, that the Project is a Type II Action pursuant to 6 NYCRR. § 617.5(c) (1); and

WHEREAS, the Planning Board determined on April 25, 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:
 - (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, 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, Sjunneemark, Sterk, Wexler
Nays: None

PLANNING BOARD
Village of Mamaroneck

Date: May 9, 2012

Michael Ianniello, Chairman

ADJOURNMENT

There being no other business, and on motion of Mr. Sjunneemark, seconded by Mr. Mendes, the meeting was adjourned at 8:37 p.m.

Respectfully submitted,

Anne Hohlweck
Recording Secretary