

These are intended to be “Action Minutes”, which primarily record the actions voted on by the Planning Board on July 25, 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
Hugh Greechan, Engineering Consultant
Lester Steinman, Esq., Counsel
Susan Favate, BFJ Planning
Rob Melillo, Building Inspector

ABSENT/EXCUSED: Lee Wexler

CALL TO ORDER

Mr. Ianniello called to order the Regular Meeting at 7:04 p.m.

1. Approval of Minutes

Re: 1131 East Boston Post Road

Mr. Ianniello stated that he approved the overall wetland permit motion. He did not support the addition of the fence.

On motion of Mr. Sterk, seconded by Mr. Sjunneemark, the July 11, 2012 Planning Board Minutes were approved.

Vote:

Ayes: Sjunneemark, Sterk , Ianniello

Nays: None

Abstain: Mendes

2. 124 E. PROSPECT AVE.-Change of use-retail/residential to business/residential

Mr. Frank Marsella appeared for the applicant and stated that the Zoning Board approved the Special Permit. He said that a Special Permit is required for a laundry establishment.

Ms. Oakley said that she went to the site and stated that plantings cannot be added as there is insufficient space.

On motion of Mr. Sjunneemark, seconded by Mr. Sterk, the Application as submitted was approved.

Vote:

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

3. 1000 TAYLORS LANE-Consideration of completeness of DEIS.

Ms. Beth Evans appeared for the applicant, and stated that the revisions were addressed.

Mr. Paul Milliot, Daniel Natchez and Associates, appeared and said that he reviewed the DEIS documents. He commented that the LWRP is not satisfactory. Mr. Milliot questioned if the U.S. Fish and Wildlife Service was contacted. He also questioned if there will be an impact on the neighbors, and their properties. Mr. Milliot mentioned that there was no building envelope provided for the four-lot subdivision.

Mr. Sterk stated that he is satisfied with the maps showing the layout of the proposed homes.

Mr. Sjunneemark commented that it is difficult to determine if there will be an indirect impact on the rare wildlife and endangered species.

Mr. Mendes and Mr. Greechan both said that they were satisfied with the submissions.

Mr. Steinman said the submissions are adequate for public review and comments. He stated that the Board will vote on the Resolution this evening.

Ms. Evans said she will ensure that the Board members receive the latest revised DEIS and that an appropriate number of hard copies of same will be available for all who require a copy. She mentioned that there will be extra copies available as well. Ms. Evans said the file also will be sent electronically where necessary and appropriate.

Mr. Steinman said that a Public Hearing will be held at the September 12th Planning Board meeting.

Mr. Sterk moved to approve the Draft Environment Impact Statement (DEIS), dated July 19, 2012, seconded by Mr. Sjunneemark.

Vote:

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

Mr. Sjunneemark moved to schedule a Public Hearing on September 12, 2012 at 7:00 p.m., seconded by Mr. Sterk.

Vote:

Ayes: Mendes, Sjunneberg, Sterk, Ianniello

Nays: None

4. 845 PALMER AVE.-SARAH NEUMAN NURSING HOME-Proposed Greenhouse Project Construction of two-story building to house 24 patients. Site Plan Application.

Paul Noto, Esq., appeared for the Applicant and gave an overview of the project. He stated that the Sarah Neuman Nursing Home campus is being restructured. A state-of-the-art building will be constructed for housing. The main entrance will be relocated to the side of the Pavilion. No new employees or no added beds will be added. Eleven parking spaces will be added. He said they will go before the Zoning Board of Appeals for a variance for lot coverage.

Mr. Lee Pelligrino, Perkins Eastman, said that currently there are three buildings and a fourth building will be constructed. The new building will have a large canopied entrance, a reception area, and administrative offices. He said the street will be widened and will remain a one-way thoroughfare. Landscaping will be added by the entrance to screen the building from vehicle headlights.

Mr. Pelligrino said that the spaciousness of rooms in the new building is for added privacy. The new structure will be a two-story building with 12 private rooms. A home-like atmosphere will be created. The building's exterior will have a residential look. LED low lights will be used. He said this is a 301 bed facility.

Mr. Jerry Schwalbe, Divney Tung Schwalbe LLP, stated that they prepared the site plan. Seven angled parking spaces will be added on the west side, and four parking spaces will be added on the east side for a total of 164 parking spaces including the 11 new spaces. He mentioned that a 301 bed facility requires 151 parking spaces.

Mr. Schwalbe addressed the landscaping plan and said that approximately 60 trees and 300 shrubs will be added. The trees will be 8 to 10 feet in height. He said there will be 4,000 square feet of green roof. He noted that there will be no increase in water runoff. A small 3,000 square foot rain garden is planned. He said the greenhouse will have an entrance door.

Mr. Sterk inquired if the costs for care will increase with the proposed expansion and renovations. Mr. Noto said there will be no additional costs for the residents. Mr. Sjunneberg inquired if an increase in costs for care will be passed on to new residents.

Ms. Lisa Feiner, Chairman of the Board of Trustees, stated that she has a twenty-year history with Sarah Neuman Nursing Care in various capacities. She said the facility is forty years old and began operating in 1992. The facility is involved with long-term skilled nursing care for Alzheimer's patients, short-term rehabilitation, adult day programs, and short-term care. Last year, 930 people were served, and the average age is 87 years. She said many faiths are

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served with the majoring being of Catholic faith. She said there are 460 employees in total including full and part-time.

Ms. Feiner said that that each home in the greenhouse will have its own door, a private bedroom, and its own bath and shower. There will be a second floor balcony that will overlook a garden.

Ms. Feiner said that a fund raising initiative is underway, and no loans will be taken out.

Mr. Sterk inquired if the funds raised will cover all of the capital costs. Ms. Feiner said yes.

Mr. Mendes questioned if this is the beginning of a redevelopment project for the campus.

Ms. Feiner mentioned that a wine and cheese reception was held recently for the neighbors.

Mr. Ianniello said that a full lighting plan needs to be submitted. Mr. Ianniello inquired about the capability of fire trucks entering the driveway. Mr. Pelligrino said that this matter has been addressed and resolved.

Mr. Pelligrino said a Special Use Permit allows parking in the front of the building and they plan to utilize the front area for parking.

Mr. Melillo stated that a variance is required for lot coverage. Mr. Melillo inquired about the building height. Mr. Pelligrino stated that it will be approximately 35 feet which is allowable.

Mr. Greechan said that upon review, everything has been done according to State and Local Code.

Ms. Oakley said that the landscaping plan looks good. She said that 22 large, mature trees are being removed for construction and replaced with 12 smaller trees and 6 flowering trees. Various perennial grasses and ground cover also will be planted.

Mr. Steinman said that the Public Hearing will be held at the September 12th Planning Board meeting.

Mr. Sjunneemark moved to declare the Planning Board's intent to be Lead Agency under the State Environment Quality Review Act (SEQRA), seconded by Mr. Sterk.

Vote:

Ayes: Mendes, Sjunneemark, Sterk , Ianniello

Nays: None

Mr. Sterk moved to schedule a Public Hearing on September 12, 2012 at 7:00 p.m., seconded by Mr. Sjunneemark.

Vote:

Ayes: Mendes, Sjunneemark, Sterk , Ianniello

Nays: None

5. 1 STATION PLAZA, CLUB CAR-*Informal discussion, outdoor seasonal seating and dumpster enclosure.*

Mr. James Fleming, architect, appeared for the applicant, and stated that the restaurant has 126 seats presently and has a seating capacity of 154. He said the original layout was for a restaurant and bar, and two small rooms for retail shops. The architect said the two rooms slated for retail on the south side of the building will not be used as planned. The restaurant will use the entire space. He said they are going before the Zoning Board for a Special Permit for 48 seats for seasonal, outdoor dining that will be located in the front area of the building. He noted that the walkway will be useable for commuters.

Mr. Ianniello addressed the duct work on the outside of the building and remarked that this work in its present location was not what the Planning Board approved. He said the conspicuous duct work needs to be removed and placed in another location. Mr. Ianniello said that commuters have taken notice of the exterior duct work and have voiced complaints.

Mr. Sterk suggested running the duct work from the interior with a pipe leading to the rooftop. He then questioned why the duct work cannot come out through second floor. The architect said there will be offices on the second floor. The architect mentioned that the industry is moving away from using mushroom caps on rooftops as the buildup of grease is hard to remove.

The Board reviewed the original plan and concurred that the layout of the proposed duct work as shown is difficult to follow. Mr. Ianniello said that the presentation made before the Planning Board leading to an approval was different from how the work was completed.

Mr. John Verni, Verco Properties, said that he would prefer to not disturb the roof as it is attractive. He said that installing rooftop hoods also will be noticeable. He mentioned that he is working with the installer to change the duct work, and that it can be positioned between the two windows, and reduced in size. He said the units can be placed eight feet up from the ground and screened with fencing. Mr. Verni said that the compact duct work can be fenced off with aluminum-tube fencing that resembles wrought-iron fencing.

Mr. Ianniello addressed the back of the building and stated that it needs to be cleared and restored to a usable walkway that is intended for commuters.

Mr. Brian MacMenamin, restaurateur, apologized and said that a lot of construction materials were left over and they are now disposing of them. He mentioned that they have provided benches for the commuters and they also allow commuters to use the bathroom facilities. He said there are no bathrooms in the tunnel.

The architect addressed the landscaping and said that there is green roofing on the tunnel, some Pachysandra has been planted, gravel was put down on the south side of the building, and the wall is being rebuilt. He said the landscaping has not been completed.

Mr. Ianniello recapped and said that the drawing needs to be updated, the exhaust system needs to be moved and reduced in size, and the walkway needs to be cleared and accessible for commuters. The benches are to be added to the drawing and to indicate the type of wood used, and to finalize the landscaping plan.

The architect said the trash area needs to be enclosed and they are seeking an approval for a Special Permit for a dumpster enclosure. He said that they plan to use a black chain link fence with black PVC slats. The height will be six feet. The dumpster will be placed on a five-inch thick concrete slab. The architect said the cans will be rolled out to the curb and the carting company will return them to the enclosed area after disposing of the garbage.

On motion of Mr. Sterk, seconded by Mr. Sjunneberg, the Application for a Special Permit for a dumpster enclosure was approved.

Vote:

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

Mr. Verni commented that the parking lot is a proper shared use in that commuters use the parking lot during the day, and the restaurant patrons use the parking lot in the evening.

Mr. Sterk inquired about the hours of operation. Mr. MacMenamin said the hours vary according to the day. He said that during the week, closing time is 10 p.m.; Sunday night closing time is 9 p.m.; and on weekends, closing time is between midnight and 2 a.m.

Mr. Sterk asked what time the outdoor dining will close. Mr. MacMenamin said 10:00 p.m.

Mrs. Gina Voneiff, 220 Jefferson Avenue, came forward and stated that she has had a few conversations with Mr. MacMenamin about noise after 10:00 p.m. She said the noise ranges from arguing, yelling, slurred speech, laughing, etc., and it is interfering with her quality of life. She said that on many Saturday nights her family cannot get to sleep until after 3:00 a.m. and it is becoming a pattern. She stated that she has called the police on occasion. Ms. Voneiff suggested that the Board go on-line and read the complaints written by residents.

Mr. MacMenamin said that their goal is to be a good neighbor and to not cause any disturbance. He mentioned that he gave to Ms. Voneiff his cell phone number to be called if there is loud noise.

Mr. Ianniello inquired about the lighting plan. The architect said no new lighting will be added.

Ms. Favate said that on the next submission to note the dimensions for the 12 outside tables as they were not indicated on the plan.

Ms. Favate said that the CAF also needs to be revised and she mentioned the X Zone designation in particular. Mr. Fleming said that the building is in an X Zone and there is no designation. He stated that he will finalize the form.

RESOLUTIONS

The approved Resolutions are included as follows:

6. 1131 EAST BOSTON POST ROAD

RESOLUTION
VILLAGE OF MAMARONECK PLANNING BOARD
Adopted July 25, 2012

RE: Stephen Kearney 1131 East Boston Post Road – Resolution of Wetland Permit and Special Permit Approval

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

WHEREAS, on June 13, 2012, Stephen Kearney, 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 and special permit approval (“Application”) from the Planning Board; and

WHEREAS, the Applicant is located at 1131 East Boston Post Road, within the C-1 General Commercial District; and

WHEREAS, the Applicant proposed to remove a portion of an existing stone wall and install a set of earthen and stone stairs leading from the driveway to the side yard, and to complete renovations to legalize an existing two-family residence, 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 CS “Cover Sheet,” Sheet A-1 “Existing Cellar and Renovation Plans,” Sheet GN “General Notes,” Sheet A-2 “First Floor Existing and Renovation Plans,” and Sheet A-3 “Second Floor Existing and Renovation Plans,” prepared by Anthony Joseph Ferrantello, as revised through June 4, 2012;
2. Coastal Assessment Form (“CAF”) dated June 13, 2012, and submitted pursuant to Local Law No. 30-1984;
3. Long-Form Environmental Assessment Form (“EAF”) dated June 13, 2012; and

WHEREAS, the Planning Board has carefully examined the Application and received comments and recommendations from the Village's Planning Consultant in memos dated June 21, 2012, and July 5, 2012; and from the Village's Engineering Consultant in a memo dated July 9, 2012; 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 and special permit on July 11, 2012, at which time all those wishing to be heard were given an opportunity to be heard; and

WHEREAS, during the public hearing, the applicant proposed to install a gray composite fence of up to 6 feet high along the property line to the west, as requested by the neighboring property owner in a letter to the Planning Board dated July 3, 2012; and

WHEREAS, on July 11, 2012, on motion by Mr. Sterk, seconded by Mr. Sjunneberg and carried, the public hearing on the tidal wetland permit and special permit application was closed; and

WHEREAS, the Planning Board determined on July 11, 2012, that the Project is a Type II Action pursuant to 6 NYCRR. § 617.5(c) (9); and

WHEREAS, the Planning Board determined on July 11, 2012, that the Project is consistent with the Village's Local Waterfront Revitalization Program ("LWRP") pursuant to §240 of the Village Code.

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, in granting a special permit for infill housing pursuant to §342-50 of the Village Code, the Planning Board is satisfied that modifying the governing bulk controls regarding the front and rear yard setbacks and the floor area ratio (FAR) to allow for the continuation of these pre-existing nonconformities will promote a compatible building environment and overall neighborhood character.

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 revised, full-size plans to the Building Department that indicate the location of the proposed fence and include a revised zoning analysis table to correctly indicate the pre-existing nonconformities.

- (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, Sjunneemark, Sterk
Nays: None
Abstain: Mendes
Absent: Wexler

PLANNING BOARD
Village of Mamaroneck

Date: July 25, 2012

Michael Ianniello, Chairman

7. 640 EAST BOSTON POST ROAD

RESOLUTION
VILLAGE OF MAMARONECK PLANNING BOARD
Adopted July 25, 2012

RE: 640 East Boston Post Road (Harbor Steakhouse) – Resolution of Amended Site Plan Approval

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

WHEREAS, on May 23, 2012, Harbor Steakhouse, Inc., 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 amended site plan approval for a renovation and expansion of an outdoor dining facility (“Application”); and

WHEREAS, the Applicant is located at 640 East Boston Post Road, within the C-1 General Commercial District; and

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WHEREAS, the Applicant proposed to install, within an area presently containing surface parking and a planting bed, an approximately 1,300-square-foot, brick patio area, raised 8 to 10 inches above grade and enclosed by a series of brick piers connected by rails, and surrounded on three sides by a new landscaped planting bed, 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. A-1 “Site Plan, Zoning Analysis and Building Code Notes,” Sheet A-2 “Ground Floor Plan, Foundation Plan and Notes,” and Sheet A-3 “Landscaping Plan, Section and Details,” prepared by DeAngelis Architectural Services, LLC, as revised through July 9, 2012;
2. Coastal Assessment Form (“CAF”) dated May 23, 2012, and submitted pursuant to Local Law No. 30-1984;
3. Short-Form Environmental Assessment Form (“EAF”) dated May 23, 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 June 8, 2012, and July 10, 2012; from the Village’s Planning Consultant as summarized in memos dated May 10, 2012; June 13, 2012; and July 11, 2012; from the Village’s Landscaping Consultant as summarized in memos dated June 12, 2012, and July 10, 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 an amended site plan approval on June 13, 2012; and July 11, 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 a parking variance and a special permit on June 7, 2012; and

WHEREAS, the Planning Board determined on June 13, 2012, that the Project is a Type II Action pursuant to 6 NYCRR. § 617.5(c) (7); and

WHEREAS, the Planning Board determined on July 11, 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 17 proposed lighting fixtures for the outdoor dining area shall not exceed the equivalent of 25 watts of incandescent lighting fixtures.
 - (b) Prior to installation of the patio and planting beds, the drainage improvement project to be undertaken by the building owner shall be installed to the satisfaction of the Village's Consulting Engineer.
 - (c) The Applicant shall pay all outstanding consultant review fees in connection with Planning Board review of this application.
2. When condition (c) above has been satisfied, three (3) sets of the above-referenced plans illustrating the other 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, Sjunneemark, Sterk
 Nays: None
 Abstain: Mendes
 Absent: Wexler

PLANNING BOARD
 Village of Mamaroneck

Date: July 25, 2012

 Michael Ianniello, Chairman

8. 1000 TAYLORS LANE-Consideration of completeness of DEIS.

RESOLUTION
 VILLAGE OF MAMARONECK PLANNING BOARD
Adopted July 25, 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, the Planning Board of the Village of Mamaroneck (“Planning Board”) received an application dated October 22, 2009, from Caroline and Richard Alter, the “Applicant,” (all references to which shall include and be binding upon the Applicant’s successors and/or assigns), for a proposed three-lot subdivision and associated tidal wetland permit at 1000 Taylors Lane (“Proposed Action”); and

WHEREAS, on November 12, 2009, the Planning Board, having determined that the Proposed Action is subject to the New York State Environmental Quality Review Act, Environmental Conservation Law Article 8 (“SEQRA”), and having classified the proposed action as a Type I Action under SEQRA, declared its intent to be Lead Agency for the purpose of reviewing the environmental impacts of the Proposed Action under SEQRA (“Lead Agency”); and

WHEREAS, on December 10, 2009, the Planning Board opened a public hearing on the subdivision and wetland permit application; and

WHEREAS, the Planning Board received an amended subdivision and wetland permit application dated November 10, 2010, addressing comments previously raised by the Village’s Consulting Engineer, related to stormwater management; and

WHEREAS, the Planning Board continued the public hearing on December 9, 2010, and January 27, 2011, and adopted a Positive Declaration under SEQRA on January 27, 2011, and directed the Applicant to prepare an Environmental Impact Statement (“EIS”); and

WHEREAS, by Resolution dated April 13, 2011, the Planning Board adopted a Final Adopted Scope for the EIS; and

WHEREAS, on February 28, 2012, the Applicant submitted to the Planning Board a Draft Environmental Impact Statement (“DEIS”) in connection with the Proposed Action; 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”] and its implementing regulations (6 NYCRR Part 617)]; and

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

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

WHEREAS, duly advertised public meetings were held to discuss the submitted DEIS on March 14, 2012; March 28, 2012; and April 11, 2012, at which time all those wishing to be heard were given an opportunity to be heard; and

WHEREAS, the Planning Board adopted on April 11, 2012, a resolution determining that the DEIS was not complete, 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; and

WHEREAS, on June 14, 2012, the Applicant submitted to the Planning Board a revised DEIS; and

WHEREAS, the Planning Board held an additional, duly advertised public meeting on July 11, 2012, to consider the completeness of the revised DEIS; and

WHEREAS, in considering the completeness of the revised DEIS, the Planning Board received comments and recommendations from its counsel and from the Village's Planning Consultants in a memo dated July 5, 2012, as well as a letter dated July 11, 2012, from Daniel S. Natchez & Associates; and

WHEREAS, the Planning Board directed its counsel and the Village's Planning Consultant to coordinate with the Applicant on several additional modifications to the revised DEIS; and

WHEREAS, on July 19, 2012, the Applicant submitted to the Planning Board an amended, revised DEIS incorporating those requested modifications; and

WHEREAS, the Planning Board having reviewed the amended, revised DEIS and having received, reviewed and considered additional comments from its counsel and from the Village's Planning Consultants, as well as other information available to them.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Planning Board, acting as Lead Agency for the Proposed Action, hereby determines that the amended, revised DEIS submitted on July 19, 2012, on the proposed three-lot subdivision at 1000 Taylors Lane is adequate with respect to its scope and content for purposes of commencing the public review under SEQRA in accordance with New York State Department of Environmental Conservation Rule 617.9 (6 NYCRR §617.9);
2. The Planning Board announces its intent to conduct a Public Hearing on the DEIS at 7 p.m. on September 12, 2012, in the Courtroom in Village Hall, 169 Mount Pleasant

Avenue, and at such other times and dates thereafter to which the hearing may be adjourned.

3. Village staff and/or consultants and counsel are directed to prepare a Notice of Completion of the DEIS and a Notice of Public Hearing on the DEIS under New York State Department of Environmental Conservation Rule 617.9 and Rule 617.12 (6 NYCRR §617.9 and §627.12).
4. In accordance with New York State Department of Environmental Conservation Rule 617.9 and Rule 617.12 (6 NYCRR 617.9 and 617.12), the Planning Board shall:
 - (a) File and publish a Notice of Completion of the DEIS
 - (b) File and publish notice of the Public Hearing
 - (c) Make the DEIS available for public review and comment in accordance with 6 NYCRR 617.9 and 617.12 until at least 11:59 p.m. on the later of (i) thirty (30) days after filing and circulation of the Notice of Completion of the DEIS or (ii) ten (10) days after the close of the public hearing on the DEIS.
5. The Applicant shall prepare, file and distribute digital and printed copies of the DEIS suitable for filing, distribution and public review in accordance with 6 NYCRR 617.9 and 617.12 on or before August 3, 2012. Village staff shall keep copies of the DEIS available for review and reproduction and distribution to the public, and deposit a copy or copies of the DEIS with the Village Library.
6. Provision shall be made by the Applicant for the posting of the DEIS on a publicly available website.

And be it further

RESOLVED, that Village staff and/or consultants and counsel take all steps necessary to implement the foregoing Resolution.

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

PLANNING BOARD
Village of Mamaroneck

Date: July 25, 2012

Michael Ianniello, Chairman

ADJOURNMENT

There being no other business, and on motion of Mr. Sterk, seconded by Mr. Sjunnemark, the meeting was adjourned at 9:12 p.m.

Respectfully submitted,

Anne Hohlweck
Recording Secretary