

These are intended to be “Action Minutes”, which primarily record the actions voted on by the Planning Board on October 10, 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 Sjunnemark, Stewart Sterk, Lee Wexler
Robert Galvin, AICP, Village Planner
Hugh Greechan, Engineering Consultant
Lester Steinman, Esq., Counsel
Susan Favate, BFJ Planning
Rob Melillo, Building Inspector

CALL TO ORDER

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

Mr. Galvin stated that he has assumed the Planner responsibilities for the Planning Board. He thanked Ms. Favate for her hard work and professionalism. The Board echoed his accolades.

Mr. Frank Fish, the principal of BFJ Planning, came forward and thanked the Board for giving him and BFJ Planning the opportunity to serve the Village of Mamaroneck over the years. He said he is available for project work when necessary.

Ms. Favate said that she, too, was grateful for the opportunity to serve the Village of Mamaroneck and is available to work on applications should the need arise.

1. APPROVAL OF MINUTES

The September 12, 2012 minutes were tabled, waiting for the transcript from Beth Evans regarding the 1000 Taylors Lane subdivision hearing on the DEIS for this date.

OLD BUSINESS:

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2. 1 STATION PLAZA- Site plan review, revised site plan, including duct work.

Paul Noto, Esq. appeared for the applicant. He said that the building and sidewalk are owned by Verco Properties LLC, and the balance of the property is owned by the Metropolitan Transit Authority (MTA).

Mr. Noto said the parking lot has 150 spaces, and is used by commuters during the day and restaurant patrons in the evening.

Mr. James Fleming, architect, said the kitchen was moved up to the first floor because of lack of space in the basement. He said the basement is mostly crawl space. The proposed change to the exterior duct work on the east side will include a six-foot black PVC fence. He stated that he has been in contact with Ms. Susan Oakley, the Village landscape consultant, on the fencing. All machinery will be behind the opaque fence. The kitchen exhaust vent will be visible. The visible black piece will remain to conceal the garbage containers.

Mr. Noto said the venting equipment cannot be placed on the roof. The make-up unit will not fit in the cellar due to space limitations. Mr. Melillo stated that the crawl space is about four to five feet wide and nine feet in height. Mr. Ianniello asked, if possible, if the make-up unit can go into the cellar. Mr. Fleming said the bathroom and furnace room are in the cellar and space is tight.

Mr. Noto suggested that a site visit take place. The Board was receptive and tentatively agreed to Saturday, October 20, in the morning. Mr. Ianniello asked Ms. Oakley to join them. Mr. Ianniello commented that the Fire Inspector has been to the site. Mr. Galvin said that he would request the Fire Inspector to join the board for the site visit on October 20th.

Mr. Mendes stated that the applicant filed a permit for a small restaurant and the details have now changed. Mr. Fleming said they have re-filed for a full restaurant, as the two retail spaces that were part of the original plan, have not materialized. Mr. Noto said a temporary Certificate of Occupancy (COO) was issued.

Mr. Mendes inquired if this space was designed by an architect. Mr. Fleming answered yes. Mr. Verni said the outcome was not as intended, and they are now trying to fix it.

Mr. Ianniello inquired about the distance from the walkway to the fence and curb. Mr. Fleming said twelve feet. Mr. Ianniello asked about the outside wall dimensions for the duct work. Mr. Verni said six-feet high, five-feet deep, and seventeen-feet wide.

Mr. Mendes suggested adding planters to camouflage the visible duct work. Mr. Noto was receptive to the recommendation.

Mr. Ianniello noted that the signage is missing for the walkway that is open to pedestrians. He then addressed the door in the rear passageway that swings out. This door could hit someone and recommended that if the swing cannot be reversed to have the door recessed.

Mr. Wexler remarked that the passageway out to the parking lot is unsafe for the public. He commented that the building door that swings out near the stairway is a hazard as is.

Mr. Ianniello addressed the tunnel and mentioned that it is being used as a 'hang out' and is intimidating to some people. Mr. Ianniello then inquired about the old benches in the tunnel. Mr. MacMenamin said that he sees commuters use them to sit and make phone calls, tie shoes, etc. He said they can be removed, but sees them as useful.

Ms. Favate remarked that the CAF was revised. She addressed the outdoor tables and stated that their diameter is not indicated on the plan as previously requested. She inquired about the reasoning for umbrellas over the tables if there is a roof overhang. She then asked about ivy planted along the rear. Mr. MacMenamin said it was changed to pachysandra.

Ms. Oakley suggested that potted planters be put in place to screen the tables. The planters also will delineate the sidewalk from the dining area.

Mr. Greechan stated that upon review there are no site plan or stormwater issues.

Mr. Sterk moved to declare this a Type II Action under State Environment Quality Review Act (SEQRA), seconded by Mr. Sjunneemark. The rationale for this designation is that the amended site plan relates to 1) maintenance and repair and 2) construction is less than 4,000 square feet.

Vote:

Ayes: Mendes, Sjunneemark, Sterk, Wexler, Ianniello

Nays: None

Mr. Ianniello stated that Metro North added additional parking (3 spaces) near the planter islands across from the Club Car restaurant. Cars are parked at the crosswalk and it is a hazardous situation. Mr. Galvin stated that he will prepare a draft memorandum for the Board's review to send to the Village Manager and copy the Mayor and Board of Trustees and Traffic Commission. It may ultimately be in the purview of MTA but this will be brought to the Village's attention to be addressed.

Mr. Ianniello indicated that the applicant should return to the next meeting after the site visit.

PUBLIC HEARING CONTINUED:

3. 845 PALMER AVE. –SARAH NEUMAN-Continuation of site plan review for proposed two-story expansion to house twenty-four patients.

Paul Noto, Esq. appeared for the applicant. He addressed the parking and said that the lot has 151 spaces, and 89 spaces are earmarked for employees. He claimed that the Palmer Avenue parking problems are not the fault of Sarah Neuman employees. He said there is adequate

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parking for the employees. Mr. Noto suggested that the Village be contacted to put in meters on Palmer Avenue to turn-over parking. High school students use the spaces on Palmer Avenue and in the summer parking on Palmer is not an issue. He said an internal memorandum is being sent to employees on parking. The 7:00 a.m. to 3:00 shift change is under consideration to end early, but first has to go through the Union. He said there will be added pathways connecting to the greenhouse. He stated that the lighting plan will be integrated over five to seven years.

Mr. Pelligrino, Perkins Eastman, said the circulation from the greenhouse to the main building has been addressed. He said the second entry will have a ramp for wheelchair use. Mr. Pelligrino said there is a four-foot grade change and six steps, so the ramp will make up for the grade change.

Mr. Bruce Nathanson, Senior Vice President, Jewish Home Lifecare, came forward and stated that they will continue to work well with all who need care. There will be no change in the admissions criteria. As for those who wish to transfer from the legacy nursing home to the greenhouse, he said those details have not been worked out.

Ms. Favate said to add the integrated lighting plan to the site plan as a commitment that it will occur within the specified time frame.

Mr. Greechan noted that upon review, the storm water management plan is up to the Village's stormwater code.

Ms. Oakley remarked that the landscaping plan is vague. The symbols were not labeled. The plant schedule is incomplete as it does not indicate sizes and quantities. She said the plant selections are appropriate but need labeling. She noted that 23 mature trees are to be removed, and no street trees will be removed.

The Planning Board is now Lead Agency under SEQRA for this application. Mr. Sterk moved to declare a Negative Declaration under the State Environment Quality Review Act (SEQRA), seconded by Mr. Sjunneemark. The site is not near an environmentally sensitive area. The issues raised are important to site planning but do not rise to the level necessary for an environmental review.

Vote:

Ayes: Mendes, Sjunneemark, Sterk, Wexler, Ianniello

Nays: None

Mr. Noto stated that they will be going before the Zoning Board and the Harbor and Coastal Zone Management Commission.

Mr. Ianniello said the Public Hearing will be continued.

RESOLUTION:

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4. 543 HALSTEAD AVE. – Dry Cleaners/Site Plan Approval

RESOLUTION
VILLAGE OF MAMARONECK PLANNING BOARD
Adopted October 10, 2012

RE: 543 Halstead Avenue – Resolution of Amended Site Plan Approval

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

WHEREAS, on June 13, 2012, Javes Chaves, 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 change of use from retail to business (“Application”); and

WHEREAS, the Applicant is located at 543 Halstead Avenue, within the C-1 General Commercial District; and

WHEREAS, the Applicant proposed to convert a 1,436-square-foot, one-story vacant retail space into a drop-off/pick-up dry cleaning business, including interior renovations and no changes to the building façade or configuration, 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 “Plot Plan, Floor and Ceiling Plan, Building Data, Notes,” prepared by Michael Rino, Architects and Planners, as dated May 2, 2012;
2. Coastal Assessment Form (“CAF”) dated June 12, 2012, and submitted pursuant to Local Law No. 30-1984;
3. Short-Form Environmental Assessment Form (“EAF”) dated June 13, 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 a memo dated July 6, 2012; from the Village’s Planning Consultant as summarized in memos dated July 5, 2012, and September 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 July 11, 2012; July 25, 2012; and September 12, 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 variance for off-street parking and loading on July 18, 2012, and issued a special permit pursuant to the provisions of §342-44 of the Village Code on September 6, 2012; 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) (7); and

WHEREAS, the Planning Board determined on September 12, 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 install two round concrete planters of approximately 2 feet in diameter, comparable to those existing in front of the adjacent building to the west.
 - (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 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, Mendes, Sjunneemark, Sterk, Wexler
Nays: None
Absent: None

PLANNING BOARD
Village of Mamaroneck

Date: October 10, 2012

Michael Ianniello, Chairman

NEW BUSINESS:

5. 416 WAVERLY AVE.-MURPHY BROTHERS – Preliminary site plan review; redevelop portion of property to construct 4-story storage facility.

Paul Noto, Esq. appeared for the applicant for a self-storage facility. He said there is a growing need for storage facilities and this will be a good business for the Village. The Board noted that the nearest storage facilities are located in Port Chester and New Rochelle.

Mr. Noto said about one-third of the property will be used for the storage facility. There will be very little traffic generated. Three variances are required that are for the 4th story of the building, FAR, and for 41 parking spaces. He said the height of the building is zoning compliant.

Mr. Michael Stein, applicant's engineer, said they are tearing down portions of the existing buildings. The new building will be along the southern and eastern property lines. He stated that based on American Planning Association's studies that they recommend one parking space for 40-45 storage units, and 269 storage units are planned. He said the site is 100% impervious surface. Landscaping will be added. There will be a stormwater management plan.

Ms. Kimberly Martelli, applicant's architect, said the building is 45 feet in height. She stated that the neighborhood is a light, industrial area. An additional story will be added to the present three-story building. Three new street trees are proposed to be planted. The driveway entrance will have a new street tree on each side. The lobby will be large. The roofing material will be terra tile and she commented that the roof will be flat. There will be two loading areas and two roll up doors. The storage rooms will range in size from 5 feet by 5 feet to 30 feet by 10 feet.

Mr. Stein said they anticipate that 2 ½ cars per hour will come to the facility. He said the sidewalk will be upgraded and it will match the Waverly Avenue sidewalk and referred to the Village's *Waverly Avenue Design Study*.

Mr. Ianniello inquired about a dumpster enclosure. Mr. Stein said there are no details at this time.

Ms. Martelli said the front building signage will be centered, and there will be lighting over the center of the sign. There will be lights at the corners of the building. Also, there will be small wall sconces on the outside of the building, and rear lighting as well. A few shallow canopies will be added.

Mr. Ianniello inquired about the hours of operation. Mr. Shawn Murphy of Murphy Brothers Contracting said from 7 a.m. to 9 p.m. Mr. Murphy said there will be someone on duty during the hours of operation. There will be security lights and a security camera system.

Mr. Mendes remarked that the exterior of the building looks good and the canopies are an enhancement.

Mr. Shawn Murphy said the building is set way back from Fenimore Road. Mr. Wexler inquired if the facility is visible from I-95. Mr. Murphy responded no. He said on-site parking connects to all four buildings. He said they are seeking approval for the entire site.

Mr. Galvin suggested that a future site visit might help the Board to get a better idea of what structures are coming down. Mr. Galvin asked for the number of floors in the barn. Mr. Noto said three. Mr. Galvin noted that two floors were indicated on the plan and it should be corrected.

Mr. Galvin asked Ms. Oakley to review landscaping on Waverly Avenue to Fenimore Road. .

Mr. Noto remarked that the site was ruined during the flood. The goal is to restore it. Mr. Chris Murphy said they also plan to fix up the other buildings. Mr. Sjunneemark requested a rendering for each building.

Ms. Oakley commented on the landscaping for the board. She said that more street trees can be added and can be of a larger stature. Five to six more trees can be added on Waverly Avenue. She mentioned that the plants in the planter on the Fenimore Road side are not hardy. She suggested putting up trellises on the side of the building so that plantings can grow up the side of the building. The Waverly Avenue side also can be softened by putting up a trellis. Ms. Oakley said to consider a roof garden.

Mr. Chris Murphy said there is a recessed silver cell (cage) that holds top soil for the plants.

Mr. Galvin stated that the Environmental Assessment Form (EAF) and Coastal Assessment Form (CAF) both will need to be signed by the applicant/owner. He also recommended to the Board that this is an Unlisted Action under SEQRA.

Mr. Wexler 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, Wexler, Ianniello

Nays: None

Mr. Steinman requested that the applicant provide, for SEQRA purposes, a narrative comparing the current proposed development application with the prior application for the property reviewed by the Planning Board in 2009.

Mr. Ianniello asked that the applicant return after their meeting with the Zoning Board. Mr. Noto stated the November 14th Planning Board meeting will work best as notices need to be

sent out to the involved agencies concerning the Planning Board's intent to be Lead Agency. Mr. Steinman said to include the corrected EAF and CAF in the notice.

WORK SESSION:

6. 1000 TAYLORS LANE -3 Lot Subdivision – DEIS SEQRA Review and comments.

Mr. Steinman stated that the purpose of this meeting is for the Board to review and discuss the memorandum prepared by Susan Favate summarizing the Board's comments on the DEIS. Various alternative lot configurations were discussed by Board members. The Board also discussed comments in letters sent in from the public.

Mr. Sjunneemark suggested a three-lot subdivision alternative comprised of a lot with the existing building, one new building lot and a conservation lot.

Mr. Sterk recommended that Lot #3 become part of Lot #4. In the end, there will be Lots 1, 2 and 4. Other options were discussed.

Mr. Steinman said the lot subdivision does not have to be finalized tonight.

Mr. Mendes noted that the houses built on the larger lots could become large houses. The Board said that a restriction can be placed on the size of the house to be built on the lot.

Comments from residents were concerns about their loss of water views. Mr. Wexler said that residents expressed concerns about building too close to Otter Creek and the wetlands.

Mr. Wexler referred to Mr. Natchez's comments from the last meeting regarding development restrictions on the subdivision. There was discussion among the Board members that the houses might be built too close to the road, or set back too far if restrictions are not set.

Mr. Mendes stated that the houses across the street on Taylors Lane are not set back. Mr. Sterk said that zoning allows a twenty-foot setback for all houses on Taylors Lane. Mr. Sterk said there will be building envelope restrictions.

Mr. Paul Milliot, Daniel S. Natchez and Associates, stated that they had made a submission to the HCZMC for a neighborhood analysis.

Mr. Steinman stated that the applicant will provide responses to all questions and concerns before the Board accepts the Final Environmental Impact Statement (FEIS). Mr. Steinman stated that the Board has to be satisfied with the amount and level of information received before it accepts the FEIS.

Mr. Steinman asked the applicant to prepare a comparative impact analysis. Mr. Sterk said that setbacks and footprints of existing buildings on Taylors Lane were requested. Ms. Evans commented that it is being worked on and not yet finalized.

Mr. Sterk moved to approve the October 1, 2012 memorandum prepared by Ms. Susan Favate, as amended by the Board's discussion this evening, seconded by Mr. Sjunneemark.

Vote:

Ayes: Mendes, Sjunneemark, Sterk, Wexler, Ianniello

Nays: None

ADJOURNMENT

There being no other business, and on motion of Mr. Sterk, seconded by Mr. Wexler, the meeting was adjourned at 9:33 p.m.

Respectfully submitted,

Anne Hohlweck,
Recording Secretary