

**VILLAGE OF MAMARONECK  
PLANNING BOARD MEETING MINUTES  
THURSDAY DECEMBER 12, 2012 – 7:00 PM  
169 MOUNT PLEASANT AVENUE, COURT ROOM, MAMARONECK, NY**

These are intended to be “Action Minutes”, which primarily record the actions voted on by the Planning Board on December 12, 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.

PLEASE BE ADVISED, that the next Regular Meeting of the Planning Board of the Village of Mamaroneck is scheduled for WEDNESDAY, JANUARY 09, 2012 at 7:00 P.M. in the Courtroom in Village Hall, 169 Mt. Pleasant Ave., entrance located on Prospect Avenue, in the Village of Mamaroneck.

**Attendees:**

**PRESENT:**

Chairman Michael Ianniello, Members: Lou Mendes, Ingemar Sjunneemark, Lee Wexler. Stew Sterk arrived at 7:18 pm

Also present: Robert Melillo (Assistant Building Inspector), Hugh Greechan (Consulting Village Engineer), Bob Galvin (Village Manager), Susan Oakley (the Planning Board’s Landscape Consultant) and Lester Steinman (Planning Board Counsel)

Meeting of the Planning Board was called to order by Chairman Michael Ianniello at 7:04 P.M.

**Approval of Minutes**

On motion of Mr. Ianniello, seconded by Mr. Wexler, the September 12, 2012 Minutes were approved.

Approved – 5-0

On motion of Mr. Sjunneemark, seconded by Mr. Sterk, the October 26, 2012 Minutes were approved.

Approved – 5-0

On motion of Mr. Ianniello, seconded by Mr. Mendes, the November 28, 2012 Minutes were approved.

Approved – 5-0

**604 TOMPKINS AVE. Evelyn Court Apts. Corp. – Dumpster Permit**

Mr. Galvin discussed the location of the dumpster. On a site visit, he indicated that one cannot see the dumpster from either Tompkins or Beach. There is a 5 foot fence and a wall which shield the views of the dumpsters from the back yard of the adjoining residence. There are two recycling bins plus two dumpster for garbage and an additional dumpster which handles holiday overflow. The Superintendant takes the dumpsters in and out along the driveway leading to Tompkins Avenue. The Superintendant also feels that the five inch concrete pad is not necessary. It has been determined that this is a Type II action. Ingemar Sjunneemark brought up the waiving of the 5" concrete pad. Sharon Torres spoke on behalf of the Co-op apartment complex said that they have a solid driveway. The dumpsters have been in essentially the same location for approximately 30 years and the driveway remains in good condition. Mr. Galvin confirmed this observation. She indicated that she would like to use green chain link fencing along the long side and the short side facing Beach Avenue.

On motion of Mr. Sterk, seconded by Mr. Sjunneemark, the Application was approved, with the concrete pad being waived and subject to final inspection.

Approved – 5-0

**1 STATION PLAZA – CLUB CAR - Amended site plan**

Speaking on behalf of the Club Car were Attorney Paul Noto and Architect James Fleming. There was a discussion of several options for the duct work enclosure. Ingemar Sjunneemark agreed with option (B), namely the addition of 4 brick course at the bottom of the enclosure. Lou Mendez, Mike Ianniello, Ingemar Sjunneemark, and Lee Wexler indicated that they would agree with the bottom brick face finish.

Mr. Ianniello agreed on eliminating the stairway in the rear passageway. Bob Galvin indicated that in his discussions with the Building Department, the conclusion was that there was sufficient travel distance between the second floor's fire access points and as such this secondary means of emergency egress is not necessary.

Mr. Galvin also mentioned that the new drawings from the architect show the elevation of the duct work. Mr. Wexler questioned the location of sign (b). There was a discussion of sign wordage, color and height. The board would like exit signage put in the entrance/exit to the tunnel. Outdoor seating will be decided January 3, 2013 at the Zoning Board of Appeals meeting as part of the ZBA's amended special permit.

Mr. Ianniello asked the architect, James Fleming, if the vibration of duct work could be lessened. Mr. Fleming said it can be done once the ducts are clipped. Ms. Oakley, the Planning Board's landscape consultant, discussed the lattice fence around the condensers, the type of plantings and color of the lattice work.

Mr. Steinman spoke of the previous memo from Susan Favate (consulting Planner from BFJ Planning) regarding the outdoor table/umbrella seating. Mr. Steinman also suggested that the Planning Board wait for the ZBA decision on the amended special permit before they make their final decision on site plan. He reiterated that the action is a Type II action and the Board will need to make a determination on consistency with the Village's LWRP policies.

The applicant agreed to update the site plan in accordance with the discussion with the Planning Board this evening. The application was adjourned to January 9, 2013.

**416 WAVERLY AVE. – MURPHY BROTHERS** – Site Plan review to redevelop portion of property to construct a 4-story self-storage facility.

Attorney Paul Noto appeared, representing the applicant. References were made to memoranda received from the Village's consulting engineer and the Westchester County Planning Board. Mr. Galvin reviewed his memorandum to the Planning Board. The Planning Board has assumed Lead Agency status for this action.

The streetscape entrance toward Waverly Avenue was discussed. Assignment of the parking spaces on site was discussed. Kim Martelli, Project Architect, stated that there will be 52 on site parking spaces and that only 35.5 are required. She discussed how circulation and how vehicles would enter and exit the site. Mr. Galvin discussed having different types of layouts showing other alternatives. Mr. Wexler expressed concern over parking, circulation and LED signage. The Planning Board requested counsel to advise the Board of its jurisdiction over the proposed LED sign as part of site plan approval. The applicant agreed to reevaluate the proposed sign in view of the Planning Board's concerns.

Mr. Sterk discussed concerns of no left turn into the storage facility and the elevation of the first floor storage units. Ms. Oakley discussed the plantings, trees and plant beds. The applicant discussed the decrease of impervious surfaces; the impervious surfaces will be decreased from 100% to 96% Mr. Ianniello inquired whether the appearance of the buildings on the site will be cohesive. The applicant advised that the existing buildings would be repainted and trim added to be compatible with the proposed new building.

Mr. Alan Stern of 428 Waverly Avenue had some concerns that no other building in the industrial area is 45 feet high and had concerns about parking and loss of parking. He also feels that the building should be in back of property with the parking in front.

The applicant agreed to review traffic and circulation issues on the site. Mr. Galvin requested that the applicant review parking with a view to reducing impervious surface on the site.

The applicants plan to return for the January 9, 2013 meeting.

## **PUBLIC HEARING – WETLAND**

**580 SHORE ACRES DRIVE – Continuation of Wetland Public Hearing - Reconfiguration of existing recreational docking facility and maintaining the existing seawall and riprap.**

Mr. Dan Natchez appeared for the Applicant. Previously, the Planning Board deferred decision on the wetland application pending further review by the Harbor and Coastal Zone Management Commission of a structures permit application for related work.

Mr. Wexler had questions on the lighting. Mr. Natchez explained that the lighting will be low density lighting for safety purposes.

Mr. Galvin indicated that the Board can consider this to be a Type II action. HCZM has also declared the applicant's structures permit to be a Type II action. The Planning Board declared the applicant's wetland permit to be a Type II action under SEQRA.

On motion of Mr. Sterk, seconded by Mr. Sjunneemark, the public hearing for the wetland permit for 580 Shore Acres Drive was closed.

Approved – 5-0

On motion by Mr. Sterk , seconded by Mr. Sjunneemark, the Planning Board determined that the application was consistent with the LWRP.

Approved - 5-0

On motion by Mr. Sjunneemark , seconded by Mr. Sterk , the Planning Board approved the wetland permit application.

Approved 5-0

## **NEW BUSINESS:**

**441, 442, 524 & 532 WAVERLY AVE. T.J. Milo – Revision to existing approved landscape plan.**

Greg Young, Attorney for the applicant, requested an adjournment to next month's meeting. The Applicant would like to re-do the landscaping for the approved plans due to the high cost of project.

On motion of Mr. Sjunneemark, seconded by Mr. Sterk, the application of 441, 442, 524 and 532 Waverly Avenue has been adjourned to January 9, 2013.

Approved – 5-0

**RESOLUTIONS:**

**MAMARONECK BEACH & YACHT CLUB - 12-month extension of time to commence construction and 12-month extension to complete construction.**

**RESOLUTION  
VILLAGE OF MAMARONECK PLANNING BOARD**

**December 12, 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 November 14 and November 27, 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 further 12-month extension of the time to commence and complete construction as provided in a site plan approval previously granted and extended 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 Applicant had previously requested and the Planning Board by Resolution dated May 9, 2012 had previously granted an extension of time to both commence and complete construction for a six-month period ending on December 9, 2012

**and June 8, 2017 respectively: and**

**WHEREAS, the Planning Board has carefully examined the Applicant's request for a further extension of time to commence and complete construction and received comments and recommendations from the Village Planner and from the Planning Board's Attorney; and**

**WHEREAS, the Planning Board's granting of the requested extensions 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, a duly advertised public meeting was held on the request for the extensions on November 28, 2012, at which time all those wishing to be heard were given an opportunity to be heard; and**

**WHEREAS, the Planning Board determined on November 28, 2012 that the requested extensions constitute a Type II action under SEQRA: and**

**WHEREAS, the Planning Board determined on November 28, 2012 that the requested extensions are consistent with the policies of the 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 the Applicant's request for extensions subject to the following conditions:**
  - (a) The further extension of the time to commence construction as provided in the December 9, 2010 site plan approval and as extended in the Planning Board's May 9, 2012 Resolution will be for a period of one (1) year, and shall expire December 9, 2013.**

- (b) The further extension of time to complete construction as provided in the December 9, 2010 site plan approval and as extended in the Planning Board's May 9, 2012 Resolution will be for a period of one (1) year and shall expire on June 8, 2018.
- (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 50% of outstanding consultant review fees in connection with Planning Board review of this application.

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

**PLANNING BOARD**  
Village of Mamaroneck

**Date: December 12, 2012**

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**Michael Ianniello, Chairman**

**Adjournment**

There being no other business, and on motion of Mr. Sterk, seconded by Mr. Sjunneemark, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,  
Kathy Guadagnola  
Recording Secretary