

**VILLAGE OF MAMARONECK
PLANNING BOARD MEETING MINUTES
THURSDAY JANUARY 9, 2013 – 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 January 9, 2013. 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 23, 2013 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.

PRESENT: MIKE IANNIELLO, CHAIRMAN

STEWART STERK
INGEMAR SJUNNEMARK
LEE WEXLER
LOU MENDES

LES STEINMAN, PLANNING BOARD ATTORNEY
BOB GALVIN, AICP, VILLAGE PLANNER
SUSAN OAKLEY, VILLAGE LANDSCAPE CONSULTANT
HUGH GREECHAN, CONSULTING ENGINEER (EXCUSED)

MINUTES OF 12/12/12 APPROVAL

On motion of Mr. Sjunneemark, seconded by Mr. Sterk, the minutes of December 12, 2012 were approved.

VOTE: 5-0

1 STATION PLAZA - CLUB CAR – Continuation of site plan review

Applicant’s attorney, Paul Noto, and architect, James Fleming appeared.

Zoning Board of Appeals approved the applicant’s special permit for the Club Car at its meeting of 1/3/13. Mr. Galvin provided the final copy of the approved ZBA special permit to the Planning Board members. The ZBA previously approved the applicant’s parking variance.

Discussion on outdoor seating ensued by the Board members. The ZBA special permit allowed such seating only on weekends and not on weekdays. The ZBA's other conditions as they applied to the outdoor seating were reviewed.

The Planning Board previously declared this to be a Type II action and now needs to determine consistency of the application with the Village's LWRP policies.

LWRP CONSISTENCY

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

Vote: 5-0

SITE PLAN APPROVAL

The Board discussed specifics of the revised site plans, drawings S1 and S2, dated 12/29/12 and 12/31/12 respectively. These plans show the new duct work enclosure approved by the Board at their last meeting, as well as the removal of the stairway into the rear passageway. The Building Department has indicated that this rear staircase is not required for secondary emergency access.

On motion of Mr. Sjunneemark, seconded by Mr. Sterk, the revised site plan (drawings S1 and S2, revised 12/29/12 and 12/31/12 respectively) were approved with the following conditions (1) that the Note on drawing S1 pertaining to the rear stair be amended to read only "Rear Stair Removed"; and (2) the filing with the Building Department of an amended site plan for the building by the building owner.

VOTE: 5-0

630 MAMARONECK AVE. – Rada Corporation - Site Plan Review - Change of use; retail to restaurant use.

Mark Mustacato, the applicant's architect, appeared. The Zoning Board of Appeals approved the applicant's parking variance and special permit at its meeting of December 6, 2012. Mr. Galvin provided his memo as well as copies of the ZBA's approved resolutions. There were no conditions imposed by the ZBA as part of their approvals.

The Planning Board previously declared this application to be a Type II action and determined consistency with the LWRP policies.

On motion of Mr. Sterk, seconded by Mr. Sjunneemark, the site plan dated 10/9/12 was approved.

VOTE: 5-0

NEW BUSINESS

360 MT. PLEASANT AVE. – All-Green Dry Cleaners - Change of use – Proposed Pick up and drop off dry cleaner

Michael Rino, the applicant's architect, appeared before the Planning Board. He indicated that the Zoning Board of Appeals approved the special permit for the application at its meeting on January 3, 2013 with no conditions imposed. Mr. Galvin provided his memo to the Board and a copy of the ZBA special permit resolution. Ms. Oakley also discussed her memo requesting one tree along the Mt. Pleasant frontage.

SQRA - TYPE II ACTION

Mr. Galvin recommended this proposed action as a Type II action under SEQRA pursuant to 6 NYCRR. 617.5 (c) (7), namely that the proposed use is a non-residential structure under 4,000 square feet, involving no rezoning or use variance.

On motion of Mr. Sterk, seconded by Mr. Sunnemark, the Planning Board declares this proposed use to be a Type II action under SEQRA.

VOTE: 5-0

LWRP CONSISTENCY

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

SITE PLAN APPROVAL OF PLANS DATED 11/19/12 –

On motion of Mr. Wexler, seconded by Mr. Sjunemark, the site plan dated 11/19/12 was approved with the condition that a crabapple or similar tree be planted along the Mt. Pleasant Avenue frontage subject to agreement on specific location and size between Ms. Oakley, the Village's landscape consultant, and the applicant. Such planting will take place during the next planting season.

VOTE: 5-0

580 SHORE ACRES DR. – WETLAND PERMIT RESOLUTION

RESOLUTION
VILLAGE OF MAMARONECK PLANNING BOARD
(Adopted January 9, 2013)

RE: BARRY C. MELANCON and PATRICIA GAUDET MELANCON, 580 SHORE ACRES DRIVE

Resolution of Wetland Permit Approval

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

WHEREAS, on November 5, 2012, Barry C. Melancon and Patricia Gaudet Melancon, the Applicants, (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 seeking a wetland permit to allow the reconfiguration of a residential docking facility and permission to maintain an existing seawall with accompanying documentation, including a Long-Form Environmental Assessment Form ("EAF") and a Coastal Assessment Form, and annexed Plans (SD-01, SD-02, SD-03, D-01) prepared by Lemond and Associates, dated October 26, 2012 and Hydrographic Survey prepared by Michael W. Finkbeiner, PLS dated October 25, 2012, ("Application"); and

WHEREAS, the Applicants' property is located at 580 Shore Acres Drive ("Property"), situated within the R-10 Residential District; and

WHEREAS, the Applicants are seeking wetlands permit approval to reconfigure an existing recreational dock by allowing the installation of a floating dock approximately 123 feet in total length comprised of a 4 foot by 70 linear feet Gangway and an 8.5 foot by 56 foot floating dock. The existing anchor system is proposed to be replaced by five steel piles up to 14 inches in diameter; and

WHEREAS, the Applicants also propose to refurbish the existing reinforced concrete and steel abutment, including providing a new wood or composite deck; and maintain the existing approximately 85 linear foot shoreline interface consisting of riprap with a mortared stone seawall (with no changes proposed to either the riprap or seawall); and

WHEREAS, the Village Harbor and Coastal Zone Management Commission ("HZCM") determined on November 29, 2012, that the Applicants' requested structures permit was a Type II action under the New York State Environmental Quality Act ("SEQRA") and deemed it to be consistent with the Local Waterfront Revitalization Program ("LWRP") and, also on that date, granted approval of a structures permit for the reconfiguration of the recreational docking facility and the maintenance of the existing seawall; and

WHEREAS, the Planning Board is familiar with the Property and all aspects of the proposed action and has been satisfied that the amended wetland permit will conform to the requirements of the Village Code; and

Whereas, the Planning Board has carefully reviewed the amended application and considered comments from the Village Planner in a memorandum dated December 12, 2012, the Village's Consulting Engineer in a memorandum dated November 26, 2012, the Environmental Consultant to the HZCM in a memorandum dated November 13, 2012, the Harbor Master in an email dated November 20, 2012, the Planning Board's attorney and the HCZM, including its resolution adopted on November 29, 2012, regarding wetland permit criteria, stormwater management, SEQRA, and consistency with the LWRP; and

Whereas, a duly advertised public hearing was held on the Application by the Planning Board on November 28, 2012 and December 12, 2012, at which time all those wishing to be heard were given the opportunity to be heard; and

WHEREAS, on December 12, 2012, motion by Mr. Sterk, seconded by Mr. Sjunneberg and carried, the public hearing on the application was closed; and

Whereas, the Planning Board has completed its review and evaluation of the amended wetland permit application, has fully considered the factors set forth in Village Code 192-14 E and determined that such standards and criteria have been satisfied; and

Whereas, the Planning Board determined on November 28, 2012, that the Project is a Type II Action under SEQRA pursuant to 6 NYCRR. 617.5 (c) (10); and

Whereas, the Planning Board determined on December 12, 2012, that the Project is consistent with the policies of the LWRP, to the maximum extent feasible, pursuant to 240 of the Village Code.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Planning Board hereby grants a wetland permit for the reconfiguration of a recreational docking facility and maintenance of an existing seawall at 58 Shore Acres Drive, subject to the following conditions:
 - (a) The proposed piles will be increased to a minimum elevation of 15.0 feet NAVD as set forth in the Plans prepared by Lemond and Associates, dated October 26, 2012 and last revised October 28, 2012; and
 - (b) The Applicants shall pay all outstanding consultant review fees in connection with the 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 Applicants, and one (1) set each will be provided to the Village Building Inspector and 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, Sterk, Wexler, Sjunneberg and Mendes
 Nays: None
 Abstain: None

PLANNING BOARD
Village of Mamaroneck

Michael Ianniello, Chairman

Date: January 9, 2013

Adjournment

The meeting was adjourned at 7:45 pm.

Respectively submitted

Gerry Diamond