

**VILLAGE OF MAMARONECK  
PLANNING BOARD MEETING MINUTES  
WEDNESDAY, MAY 29, 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 May 29, 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, June 12, 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**  
**LOU MENDES**  
**INGEMAR SJUNNEMARK**  
**STEWART STERK**  
**LEE WEXLER**

**BOB GALVIN, AICP, VILLAGE PLANNER**  
**BILL GERETY, BUILDING INSPECTOR**  
**ANTHONY CARR, VILLAGE ENGINEER**  
**LESTER STEINMAN, PLANNING BOARD ATTORNEY**

**CALL TO ORDER**

Chairman Ianniello called the meeting to order at 7:00 p.m. Chairman Ianniello indicated that the agenda will be taken out of order. The Wetlands Public Hearing and Site Plan Review for Mamaroneck Beach & Yacht Club will be heard last on the agenda.

**APPROVAL OF MINUTES**

Approval of Minutes from May 8, 2013 Planning Board Meeting

On motion of Mr. Sjunneemark, seconded by Mr. Sterk, the minutes of the Regular Meeting of May 8, 2013 were approved.

VOTE: 5-0

**WETLANDS PUBLIC HEARING**

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**A. Wetland Permit to elevate an existing single family residence at 841 Taylors Lane within the 100 foot buffer of a wetland to comply with FEMA regulations.**

Mr. Rex Gedney, architect, appeared for the applicants and said there will be a small modification to the front and rear areas of the property. There is an existing rear deck that is 18 inches off grade. New front stairs will be put in at the entrance. The front blue stone walkway will be elevated to soften the front entrance. The garage will be at grade level. There is no addition to the house. There will be stairs from the kitchen leading to the garage. Modifications to the footprint provide easy access in and out of the elevated house.

Mr. Sterk inquired about a basement. The architect said there currently is no basement but a crawl space. A basement will be added at grade level. The electrical service is overhead. The architect said the water, gas and sewer lines will be disconnected during construction and then reconnected. There will be no change to the number of stories on the house. The height of the house will be twenty-six feet and roof pitches will be six feet for a total of thirty-two feet. The entire foundation will be replaced. The maximum height for the R-15 zone is 35 feet.

Mr. Wexler inquired about the breakaway wall. The architect said the wall breaks down, and collapses under pressure without causing damage to the supporting foundation system. New piers will be installed around the perimeter of the house.

Mr. Carr reviewed his May 29, 2013 memorandum to the Planning Board and stated that additional details are required for the proposed sidewalk, and for the utilities, i.e., water, gas, sewer lines.

**Open Public Hearing**

On motion of Mr. Sterk, seconded by Mr. Sjunneemark, the public hearing was opened.

VOTE: 5-0

Mr. Ianniello asked if there were any questions or comments from the public. There were no questions or comments.

**Close Public Hearing**

On motion of Mr. Sterk, seconded by Mr. Sjunneemark, the public hearing was closed.  
VOTE: 5-0

**SEQRA - TYPE II ACTION**

**Mr. Galvin reviewed his memorandum to the Planning Board dated May 28, 2013.**

Mr. Galvin recommended that this proposed action is a Type II action under SEQRA pursuant to 6 NYCRR. 617.5 (c ) (7).

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

VOTE: 5-0

**LWRP Consistency**

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

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

**Wetlands Permit Approval**

On motion of Mr. Sterk, seconded by Mr. Wexler, the Wetlands Permit to elevate an existing single family residence at 841 Taylors Lane was approved, and subject to additional details to be provided to the satisfaction of the Village Engineer for the proposed walkway, and for the water, gas, and sewer lines; and approval of the Resolution to be reviewed at the June 12, 2013 Planning Board meeting.

VOTE: 5-0

**PUBLIC HEARINGS**

**A. Application for a 2 lot subdivision at 209 Grand Street. Proposed Subdivision is in an R-4F Zone and will maintain an existing two-family residence on one lot and construct a new three-family residence on the second lot.**

Mr. Michael Mastrogiacomo, engineer, appeared for the applicant and stated this is a property with an existing two- family residence. The applicant is proposing to subdivide the lot to maintain the existing two-family residence on the first lot and construct a three-family residence on the second lot. The engineer said the owner plans to sell each individual house. He said his intent is that the Planning Board denies the subdivision based on the lots being insufficient, and refers them to the Zoning Board for variances. Mr. Galvin stated that the applicant needs to go to the Building Inspector first and get a denial from the Building Inspector.

Mr. Mastrogiacomo agreed to extend the Planning Board's time, as necessary, to review the subdivision application.

Mr. Sjunneemark mentioned that drawings need to be full size, and full sets of drawings should be submitted.

A resident stood up and asked to be heard. Mr. Sjunneemark said the Planning Board does not know if variances will be granted by the Zoning Board of Appeals (ZBA). Mr. Ianniello added that it may be premature to take public questions and comments.

The applicant will meet with the Building Inspector and Village Engineer to determine the extent of the variances required.

**Open Public Hearing**

On motion of Mr. Sterk, seconded by Mr. Wexler, the public hearing was opened.

VOTE: Ayes: Mendes, Sterk, Sjunneemark, Wexler

Nays: Ianniello

Mr. Ianniello asked if there were any questions or comments from the public.

**Public Comments**

Tom Cosgrove, resident, presented photographs of the property and remarked that the property is not being maintained. Garbage has been sitting out, has not properly disposed of and consequently not taken away. Mr. Cosgrove said the sidewalks were torn up without a variance.

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Patre Limardi said the lot is too small to accommodate all these families. The owner does not live at this address, and commented that people 'come and go'. On the weekend, people are in and out until 4 a.m. and the next day a lot of broken glass is found on the sidewalk. She said she has lived on the block for fifty years and noted the property was maintained by the former owner. Five families living on this property is too many.

Mr. Ianniello said the public hearing will remain open and adjourned the matter

## **OLD BUSINESS**

### **WETLANDS PUBLIC HEARING (Cont'd)**

#### **B. Mamaroneck Beach & Yacht Club - Amended Wetland Permit Public Hearing and Site Plan Review for Seasonal Housing and Other Improvements**

Mr. Galvin and Mr. Sterk recused themselves from this application and left the meeting.

Mr. Ianniello said that the applicant will speak first and anyone who wishes to comment will have an opportunity afterwards.

Paul Noto, Esq. appeared for the applicant and stated that the plan has been revised according to the following recommendations made by the Planning Board.

- The height of the Dock Master Building was lowered one and one-half feet.
- Landscaping was added on the Otter Creek side between the property in dispute and the Club. He said Mr. DeAngelis will discuss other changes made to the plan.

Mr. Noto stated that the applicant had submitted responses to memoranda and correspondence written by Susan Favate and Debra Cohen. He also mentioned a letter sent by the Golubs to the Planning Board stating that they did not oppose MBYC's application.

Mr. Gregg DeAngelis, architect, said that the Yacht Club building height was reduced, and the main roof pitch was lowered. The covered porch ceiling has been brought down. The width of the dormers was reduced. There is no change to the floor area in the Yacht Club building. Additional screening has been added to the Otter Creek area with clusters of trees that screen the parking area, which include 5 Honey Locust trees, and 26 Bayberry bushes. There are no evergreen trees.

Mr. DeAngelis said the property has 12 ½ acres of land and he stated they have achieved spaciousness and openness between buildings. Much effort has been made to break down the scale of the buildings. There is a total of 0.15 FAR on the site.

Mr. DeAngelis said they are updating the Site Vicinity diagram based on tax maps and aerial photos.

Mr. DeAngelis discussed plantings along the boundary of the Otter Creek parcel. Mr. Ianniello stated that there should be a real natural border established that blends in with Otter Creek. Mr. Wexler echoed the concern about the border.

Mr. Ianniello asked if there were any comments or questions from the public.

### **Public Comments**

Debra Cohen, Esq., Newman Ferrara, remarked that the environmental impact studies are inadequate on this project for sewage, traffic studies, fire & emergency access, etc. and have been since the beginning of this project.

Daniel S. Natchez, President of Daniel S. Natchez and Associates, said in 2010, the ZBA deemed the Site Plan non-compliant.

Mr. Natchez gave a PowerPoint presentation that showed the present and future look of sections of Mamaroneck Beach & Yacht Club (MBYC) simultaneously. Slides also showed what the public will view from the harbor.

Mr. Natchez commented that the issue of the application's zoning compliance will go before the ZBA next week. He opined that the Yacht Club Building and Seasonal Residents Building do not have water dependent uses. He stated that according to the submitted plan, the dock master office is located in the rear and there is no view of the water which seemed odd. He stated the survey requirements have not been met. Dumpster locations are not indicated. The lighting plan is incomplete as the existing lights and Otter Creek lights are not shown. Trees have not been properly inventoried. There is insufficient parking. Handicapped parking is inadequate.

Gabrielle Cohen, resident, said that buses, trucks, and deliveries occur at all times during the day and night and it is interfering with her quality of life. The noise negatively affects the area.

Sue McCrory, resident, mentioned that a non-member event is being held at the Club this evening and she stated she could hear the PA system from her home. She noted that there was an overflow of cars as well.

Barbara Mann, resident, stated that after Superstorm Sandy, about 24 pieces of lawn furniture washed up onto her property. She also expressed concern about lights from the Club shining onto her property.

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Ray Dougherty, resident, stated that there is too much traffic and it needs to be controlled. Also loud music can be heard at his home that emanates from the Club.

Lynn Demar, resident, questioned if the Village is helped or harmed by this development.

Jim Desmond, resident, raised concerns about the sewer lines that are old. He noted that the Club holds many large non-member and member events.

Elise Finch, resident, stated that there are numerous cars and buses going to and from the Club and overall, there is too much traffic.

Debra Cohen, Esq., stated that there has not been a complete evaluation of the pipes under Otter Creek and being that there are hundreds of guests at events this needs to be addressed.

Mr. Ianniello said the public hearing will remain open.

Ms. Susan Favate reviewed her May 29, 2013 memorandum to the Planning Board and requested detailed information on landscaping and screening and the impacts of simultaneous events being held at the Club. She inquired about a timeframe for Superstorm Sandy cleanup. She stated there was an earlier request for information on Yacht Club events that has not been received. Information on winter boat storage also was requested.

Mr. Carr reviewed his May 29, 2013 memorandum to the Planning Board and said that the applicant had addressed most of his comments. He noted that before permits can be issued, approvals are required from Westchester Joint Water Works and the Westchester County Health Department.

Mr. Carr opined that the existing infrastructure capacity is adequate to handle the increased sewage flow from the project.

Mr. Ianniello said that Board members may direct any further questions to Ms. Favate, who in turn will get the responses from the applicant.

Mr. Wexler recommended a path be put in along the Club side adjacent to Otter Creek. Also, lights need to be shielded so as not to impact neighbors. Speeding, buses, trucks and traffic along Barry Avenue need attention.

Mr. Gerrity confirmed that the parking calculation was correct.

Mr. Ianniello asked that all documents and correspondence be submitted before the end of business on the Friday before the Wednesday Planning Board meeting to allow sufficient time for the Board members to review all submissions.

Mr. Mendez requested that the applicant manage the schedule of truck delivery and buses to the site to reduce impacts on the neighborhood.

## **ADJOURNMENT**

There being no other business, the meeting was adjourned.

On motion of Mr. Sjunneberg, seconded by Mr. Wexler, the meeting was adjourned at 10:00 p.m.

VOTE: 4-0

Respectfully submitted,

Anne Hohlweck  
Recording Secretary

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