

**VILLAGE OF MAMARONECK
PLANNING BOARD MEETING MINUTES
WEDNESDAY, DECEMBER 10, 2014 – 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 10 2014. 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 Meeting of the Planning Board of the Village of Mamaroneck is scheduled for Wednesday, January 14, 2015 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: **STEWART STERK, CHAIRMAN**
 INGEMAR SJUNNEMARK
 LOU MENDES
 LEE WEXLER

BOB GALVIN, AICP, VILLAGE PLANNER
DANIEL GRAY, BUILDING INSPECTOR

CALL TO ORDER

Mr. Sterk called the meeting to order at 7:02 p.m.

APPROVAL OF MINUTES – Review of Draft Minutes for Planning Board meeting held on November 23, 2014

On motion of Mr. Sjunneemark, seconded by Mr. Mendes, the minutes of the meeting of November 23, 2014 were approved.

Vote: 3-0

OLD BUSINESS

- 1. Board Review of Draft Resolution for Preliminary Plat approval of a proposed 3 lot subdivision at 1017 Grove Street. The application has received a positive determination of consistency from HCZM.**

Mr. Wexler joined the meeting at 7:10 p.m.

Mr. Sjunneemark stated that on Page 1, Paragraph 2, Line 5 of the Draft Resolution that it should be clear that there will be only one single family home on each of the three lots.

RESOLUTION
VILLAGE OF MAMARONECK PLANNING BOARD
(Adopted December 10, 2014)

RE: 1017 Grove Street – 3 Lot Subdivision
Resolution of Preliminary Plat Approval

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

WHEREAS, on January 10, 2014, AVC Properties LLC, 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 to subdivide an existing lot containing an existing two family residence ("Premises") into three lots, to demolish the existing two family residence and to construct a total of three new single family residences with one on each of the three newly created lots ("Application"); and

WHEREAS, the Applicant's property is located at 1017 Grove Street ("Property"), situated within the R-5 Residential District; and

WHEREAS, the Planning Board has conducted a site visit on the Property on March 29, 2014 and is familiar with the Property and all aspects of the proposed action and has been satisfied that the subdivision plat will conform to the requirements of the Village Code; and

WHEREAS, the Planning Board has carefully reviewed the application and considered comments from the Village Planner in memoranda dated June 19, 2014 and September 19, 2014 as well as in memoranda from the Village Landscape Consultant dated February 12, 2014, July 8, 2014, September 5, 2014, September 12, 2014, September 15, 2014 and October 22, 2014, Westchester County Planning Department's referral review dated October 20, 2014 and from the Village Engineer dated July 6, 2014. The Village Engineer has evaluated and approved the Applicant's SWPPP revised December 10, 2014 and verbally provided information to the Planning Board at its public meetings on the Application; and.

WHEREAS, the Planning Board has requested and reviewed alternate subdivision plats from the Applicant regarding impervious surfaces, layout design, street design, positioning of the footprints of the proposed residential units vis-à-vis neighboring properties, landscaping, watershed analysis, location of culverts and other stormwater management improvements on the Property, fire truck turning analysis, driveway configurations, proposed rendering of residential units and location of garages. The Board

reviewed the Applicant's Engineer's memo dated June 4, 2014 outlining the impacts of alternative layouts. The Board also reviewed the following set of plans dated January 17, 2014 with final revision dated October 13, 2014, a Short-Form Environmental Assessment Form ("EAF") and a Coastal Assessment Form ("CAF") dated December 17, 2013 and a Stormwater Pollution Prevention Plan ("SWPPP") (dated April 11, 2014 and revised October 13, 2014) prepared by Hudson Engineering & Consulting, P.C. (HEC) as submitted by the Applicant which forms a part of the Application:

1. *Drawing C-1- "Proposed 3 Lot Subdivision, 1017 Grove Street, Mamaroneck, "Layout Plan."*
2. *Drawing C- 2 - "Grading and Utilities Plan. "*
3. *Drawing C-3 – "Roadway and Utility Profile ."*
4. *Drawing C-4 – "Erosion and Sediment Control Plan."*
5. *Drawings C-5, C-6, C-7 and C-8 – "Site Details."*
6. *Drawing C-9 – "Notes."*
7. *"Pre-Conditions Watershed Map, Proposed 3 Lot Subdivision."*
8. *"Landscape Plan" prepared by Anthony Acocella, Landscape Architect, P.C., dated June 21, 2014 and revised July 16, 2014.*
7. *Coastal Assessment Form ("CAF") dated December 17, 2013 and submitted pursuant to Local Law No. 30-1984;*
8. *Short-Form Environmental Assessment Form ("EAF") dated December 17, 2013.*

WHEREAS, the house locations shown on the "Layout Plan" were established through extensive study and mutual agreement between the Applicant and the Planning Board; and

WHEREAS, a duly advertised public hearing on the application was opened on March 26, 2014 and continued on April 23, 2014, June 11, 2014, July 9, 2014, September 10, 2014, and October 22, 2014 and closed on October 22, 2014 at which the opportunity for public comment was offered to all interested parties. The Planning Board received and reviewed written communications from neighbors and other interested parties as well as Applicant's response and his Engineer's response to certain of those communications in separate letters both dated October 22, 2014; and

WHEREAS, on February 12, the Planning Board tentatively determined that the Project was an unlisted action under SEQRA and directed issuance of a Notice of Intent to be Lead Agency and on March 26,, 2014, , assumed Lead Agency status; and

WHEREAS, on November 12, 2014, after reviewing Part 1 of the SEAF and completing Parts 2 and 3 of the EAF and based upon the application as revised by the Applicant, the Planning Board determined that the proposed unlisted action would not result in any significant adverse environmental impacts and adopted a Negative Declaration for the proposed unlisted action; and

WHEREAS, pursuant to the authority granted to it under Section A348-19 of the Village's Subdivision Regulation the Planning Board has determined to grant the Applicant a waiver from strict compliance with the provisions of Section 348-14(E) of the Subdivision Regulations;

WHEREAS, the Applicant appeared before the Harbor and Coastal Zone Commission (HCZMC) on September 17, 2014 and November 19, 2014, and, on that later date, the HCZMC determined that the Project is consistent with the Village's Local Waterfront Revitalization Program ("LWRP") pursuant to Chapter 240 of the Village Code; and

Whereas, the Planning Board has completed its review and evaluation of the application and the preliminary plat and has fully considered the factors set forth in Village Code and determined that such standards and criteria have been satisfied:

NOW, THEREFORE, BE IT

RESOLVED, that the application for approval of a preliminary subdivision plat composed of *C-1, Proposed 3 Lot Subdivision, 1017 Grove Street, Layout Plan, C-2 Grading and Drainage Plan, C-3 Roadway and Utility Profile, C-4 Erosion and Sediment Control, C-5 through C-8 Site Details and C-9 Notes* prepared by Hudson Engineering & Consulting, P.C. revised October 13, 2014 for the subdivision of property located at 1017 Grove Street into three lots ("Premises") and the construction of new single-family residences on each lot, is hereby conditionally approved subject to compliance with the following conditions and modifications:

1. The Applicant shall pay all outstanding consultant review fees in connection with the Planning Board review of this Application.
2. All conditions of this resolution shall be satisfied prior to the Planning Board taking action on the application for final subdivision approval, unless otherwise provided herein.
3. The Applicant, in form satisfactory to the Village Attorney shall submit to the Village (1) a written offer of dedication of all streets shown to be improved; and (2) a written offer of easements as required across lots or parcels of land not covered by the above offer of dedication, giving the Village the right to install, construct, reconstruct and maintain therein all storm and sanitary sewers, water services and other Village services..
4. The Planning Board having determined that the need for recreational facilities created by this subdivision cannot be met on the property, payment of a recreation fee of \$8,125.00 for each of the three newly created lots or a total of \$24,375.00 pursuant to Section A 348-13 of the Village Code in accordance with the subdivision recreation fee schedule established under Chapter A347, Fees in the Village Code.
5. The proposed three new single family residences shall be limited to 2,750 square feet of floor area for the residence and an additional 400 square feet for a garage for a total of 3,150 square feet. This restriction shall be incorporated into a Declaration, in form acceptable to Planning Board counsel, to be recorded against the property in the Westchester County Clerk's office.

6. Any change in the house locations shown on the "Layout Plan" shall require prior approval of the Planning Board. The Planning Board reserves the right, as part of a final subdivision application, to further review, adjust and, ultimately, fix the location of each of the residences to be constructed as part of the subdivision and to further review and revise the landscaping plans attendant to each of the residences.

7. The submission by the Applicant of a Declaration, in recordable form subject to the approval of the Village Engineer and the Planning Board's counsel, concerning the construction, maintenance and inspection of the features of the stormwater management system for each of the three lots and the posting of a bond or bonds required for maintenance of the stormwater management system on each of the three lots.

8. As offered by the Applicant, the Applicant will undertake the construction and improvement of Village infrastructure on Grove Street as shown on the "Grading and Utilities Plan" as part of final plat approval by the Planning Board, including, but not limited to, the following: (1) installation of a proposed Village standard precast concrete catch basin (NYSDOT Type 'F') and casting, (2) installation of proposed 15 inch minimum diameter storm sewer and extension of the existing 30" RCP storm sewer, and any other modifications, as required, to complete the Work, (3) removal and replacement of the existing double grate catch basin on Grove Street with a Village standard precast concrete catch basin (NYSDOT Type 'O') and casting, (4) installation of a stormwater bypass system capable of temporarily diverting surface, groundwater or other flows during installation of the proposed Village standard catch basins, (5) due to an existing Village utility conflict, modification (i.e. re-routing) of approximately forty (40) linear feet of existing 15 inch vitrified clay sanitary sewer main adjacent and parallel to the existing double grate catch basin, (6) removal of an existing sanitary sewer manhole located immediately north of the existing double grate catch basin and replacement with a proposed Village standard precast concrete sanitary sewer manhole, (7) installation of a proposed (new) sanitary sewer manhole required for the re-alignment of the existing sanitary sewer main away from the existing double grate catch basin, (8) installation of a sanitary sewer bypass system capable of temporarily diverting sanitary sewer flow during modification to the existing 15 inch sanitary sewer main and (9) replacement of a portion of the existing sidewalk located to the south of the property with a Village standard concrete sidewalk, including the installation of a Village standard curb ramp and detectable warning unit..

9. The Applicant will install a fire hydrant on the Property in a location approved by the Fire Chief and Village Engineer. The type of fire hydrant shall be specified by Westchester Joint Water Works (WJWW).

10. All proposed curbing within the Village Right-of-Way and site shall be granite, with finishes (e.g. split face, sawn top) as specified by the Village Engineer.

11. If the Applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, he shall report such conditions immediately to the Village Engineer. The developer may submit, if he so desires, his recommendations as to the special treatment to be given such areas to secure adequate,

permanent and satisfactory construction. The Village Engineer, without unnecessary delay, shall investigate the condition or conditions, and shall either approve the Applicant's recommendations to correct the conditions, order a modification thereof, or issue his own specifications for the correction of the conditions. In the event of the Applicant's disagreement with the decision of the Village Engineer, or in the event of a significant change resulting to the site plan or any change that involves the wetlands regulated areas, the matter shall be decided by the Planning Board. Any such conditions observed by the Planning Board or its agents shall be similarly treated.

12. All work performed within the Village Right-of-Way shall be in accordance with Village standard construction details and specifications to the satisfaction to the Village Engineer.

13. Submission of Westchester County Department of Environmental Facilities (WCDEF) and Westchester Joint Water Works (WJWW) "Will Serve" letters stating that each utility has the ability to accommodate the additional sanitary sewer flow and water supply demand generated from the proposed development.

14. The Applicant shall obtain all necessary approvals from the Westchester Joint Water Works (WJWW) and Westchester County Department of Health (WCDOH) for the proposed modifications to the existing water and sanitary sewer mains located within Grove Street. The installation of a proposed fire hydrant and modifications to the existing sanitary sewer are considered "public water and sewer main extensions". Therefore, the Applicant shall coordinate the applications for the "public water and sewer main extensions" with the WJWW and WCDOH. The Applicant shall coordinate all regulatory agency submissions with the Village Engineer. Prior to receiving final plat approval, the Applicant shall provide the Village Engineer with the approvals issued by the WJWW and WCDOH.

15. The Applicant shall include approximate locations for proposed gas, electric and telephone service lines on the plans.

16. The Applicant shall provide a "Maintenance and Protection of Traffic Plan" for all work performed within the Village Right-of-Way to the satisfaction of the Village Engineer.

17. Submission of a completed MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form for Construction Activities Seeking Authorization under SPDES General Permit GP-0-10-001 (or as amended or revised), in form acceptable to the Village Engineer.

18. Submission of an "Existing Conditions Map" to the satisfaction of the Village Engineer. Two (2) signed and sealed copies of the original survey shall also be submitted to the Village Engineer and Building Department.

19. Submission of a final "Erosion and Sediment Control Plan" to the satisfaction of the Village Engineer.

20. Submission of a final "Roadway and Utility Profiles" to the satisfaction of the Village Engineer.

21. Submission of final "Site Details" to the satisfaction of the Village Engineer.
22. Inclusion of additional plan notes related to the proposed development, as deemed appropriate by the Village Engineer.
23. Addition of the following notes to the final construction and soil and sedimentation control plans:
 - (a) Throughout the construction period, a qualified professional retained by the Applicant shall, on at least a weekly basis, prior to any predicted rain event and after any runoff-producing rain event, inspect the soil erosion and sedimentation control measures to ensure their proper functioning. Soil shall be removed from the silt fence when bulges develop in the fence, in accordance with Village and New York State Department of Environmental Conservation (NYSDEC) recommendations.
 - (b) Prior to the commencement of any site work, the Applicant shall stake the location of the proposed residences and the proposed roadway, and shall flag the trees to be removed and/or relocated for inspection and approval by the Village Engineer and Building Inspector.
 - (c) All soil erosion and sedimentation control measures shown on this plan shall be in place prior to the start of any site work. The Village Engineer shall have inspected the installation of all required soil erosion and sedimentation control measures prior to the authorization to proceed with any phase of the site work.
 - (d) Grading and clearing and other construction-related activities shall take place only within the delineated area of disturbance lines. These area of disturbance lines represent the maximum limits of construction activities. Every attempt shall be made to further reduce grading and clearing activities within the area of disturbance lines by maintaining natural vegetation and topography wherever practicable.
 - (e) Area of disturbance lines shall be clearly delineated in the field by installing snow fence around the entire proposed construction area. No encroachment beyond these limits by workers or machinery shall be permitted.
24. The Applicant will develop an area for snow removal and note such on the plat.
25. The Applicant shall provide performance bond, letter of credit or other security acceptable to the Village Board, as required, for utilities, streets, landscaping, curbing, lighting, stormwater improvements, off-site stormwater/catch basin improvements and construction in form acceptable to the Village Attorney in an amount or amounts to be established by the Village Engineer.
26. The Applicant shall provide a maintenance bond or other suitable guarantee sufficient to cover the full cost, as estimated by the Village Engineer of maintaining all such improvements and of making such repairs and improvements as may be necessary in that at the end of the five (5) years completion, said improvements shall conform to the requirements imposed by the Planning Board.

27. Prior to the Planning Board Chairman's signing of the final subdivision plat, the Applicant shall provide liability insurance as required by Section A348-18 of the Village Subdivision Regulations.
28. The preparation, submission and Planning Board approval of Construction Plans in accord with Section A 348-9 "Construction Drawings" before submission of a final subdivision plat in conformity with the requirements of A 348-20 of the Village of Mamaroneck Subdivision Code.
29. The preparation and submission to the Planning Board of a plat in final form within 180 days of the date of this resolution granting conditional preliminary subdivision approval which submission shall be accompanied by the items of information enumerated in Section A348-10 of the Village Subdivision Regulations.
30. Prior to the Planning Board Chairman's signing of the final subdivision plat, the Applicant shall secure approval of the water supply and wastewater disposal system and the endorsement of the plat by the Westchester County Department of Health.
31. Approval by the Planning Board, acting upon the advice of the Village Engineer, of the Stormwater Pollution Prevention Plan ("SWPPP) for a land development activity pursuant to Chapter 294 of the Village Code.
32. Prior to and during the course of construction, the care and treatment of tree roots in close proximity to construction shall be supervised by a Certified Arborist. Prior to the issuance of a building permit, the Applicant shall submit to the Village Engineer and Building Department a protocol from the arborist that follows industry standards/procedures, including, but not limited to, the use of hand tool excavation of soil to locate roots, clean cuts using hand saws, and wounds covered with wet burlap until back filled, and the submission of a final report after project excavation is completed confirming that the protocol was adhered to and observed at all stages by the arborist.
33. Prior to the Planning Board Chairman's signing of the final subdivision plat, the Applicant shall satisfy all such additional conditions of final subdivision approval as the Planning Board may deem appropriate.
34. Prior to the issuance of a building permit, the Applicant shall furnish to Village Counsel and file with the Village Clerk, a copy of all documents required to be recorded as a condition of this approval and written evidence of the submission of such documents to the County Clerk's Office for recording.
35. Prior to the issuance of a certificate of occupancy, the Applicant shall submit to Village Counsel and to the Building Department written evidence of the actual recording in the County Clerk's Office of all documents required to be recorded as a condition of this approval

And BE IT FURTHER

RESOLVED, that if said conditions be not fully complied with within the above time limit, the said subdivision plat shall be disapproved.

VOTE: Ayes: Sjunneemark, Sterk and Mendes
Nays: Wexler

- 2. Application to renew Site Plan for Renovation and Redesign of Toyota City Showroom at 1305 East Boston Post Road in a C-1 District. This Application was approved on April 10, 2008 and renewed on April 10, 2010. The Application has now expired and Applicant is seeking a new Site Plan approval to start the project. The Applicant has received a positive determination of consistency from HCZM.**

Mr. Paul Noto, applicant's representative, stated that revised and updated plans have been submitted addressing landscaping, LED lights, storm water management, and parking issues. He stated that the employee parking will be relocated to the existing Scion lot across the street and that the lot at the former restaurant site will no longer be used. At 1305 East Boston Post Road, the Village has agreed to sell approximately 700 square feet of Village owned property (Taylors Lane composting site) to the applicant. A special permit is required for the car dealership and the applicant will go before the Zoning Board of Appeals (ZBA) in January, 2015. If site plan revisions are acceptable and the Planning Board approves the project in January, the applicant will need to have the special permit for 1305 Boston Post Road approved by the ZBA and purchase the 700 square feet of Village owned land; these would be conditions for site plan approval by the Planning Board.

Mr. Sterk stated that no action will be taken on the application this evening. Planning Board action will await the applicant going before the Zoning Board of Appeals (ZBA) for the special permit.

NEW BUSINESS

- 3. Request to extend previously approved 2010 Site Plan for Mamaroneck Beach & Yacht Club.**

Mr. Sterk stated this matter will be heard at a Special Meeting of the Planning Board on Thursday, December 18, 2014 at 7:00 p.m. at the Beach Pavilion, Red Room, at Harbor Island Park.

4. 151 Mamaroneck Avenue - Site Plan review for renovation and conversion of existing four-story building into twelve residential units and two levels of retail space with no change to parking in a C-2 Central Commercial District. Special permit required for housing in the C-2 District under 342-50.

Mr. Paul Noto, applicant's representative, appeared along with the applicant's architect, Philip Fruchter, of Papp Architects, P.C. Mr. Noto stated that this site was formerly Chatsworth Antiques and Auction House. The plan is to change the building to a mixed use with 12 residential units above and retail on the ground level and the floor below. Two variances will be required. One variance is for height to bring the addition in the rear into continuity with the front of the building, and the second is for two parking spaces allocating one parking space for each of the twelve units whereas only ten parking spaces are provided. Mr. Noto indicated that the Planning Board should declare its intent to be lead agency. The applicant will also need to go to HCZM for a consistency determination.

Mr. Fruchter said the property is located on Mamaroneck Avenue at East Prospect Avenue. He mentioned that the owner also owns the cigar store on East Prospect Avenue. He said there will be eleven one-bedroom units and one studio unit. A restaurant is being proposed for the retail space although there is no tenant identified. A new facade will be added on the Mamaroneck Avenue side. There is no parking under the building. He said the approximately 14,500 square foot building was used previously for retail on all four stories.

Mr. Galvin asked for information regarding the proposed seating and occupancy for the restaurant. The architect said comprehensive details will be provided at the next meeting.

The architect said the one-bedroom units will be approximately 700 square feet. Cars will enter via the existing driveway from East Prospect Avenue. A fourth floor will be added at the rear.

Mr. Sterk inquired how noise and odors will be managed. The architect said the restaurant exhaust system will be above the roof. There also will be sound proofing and odor proofing installed between the restaurant and the residential units. Mr. Noto mentioned that there will be no outside dining area. He commented that there may not be a restaurant in the retail space.

Mr. Wexler inquired about the courtyard. The architect said it is open to the sky and enclosed with walls on all four sides. This is a benefit to the residents. The size of the courtyard is 12 feet by 30 feet.

Mr. Mendes said that this structure will be a nuisance to the area. There is too much going on in this small area. He suggested that there be fewer apartments.

Mr. Fruchter said there will be assigned parking for the tenants. Mr. Wexler said this is a good plan for housing and a plus to be able to walk to the train station.

Mr. Galvin said that going with ten one bedroom units rather than twelve would require no parking variance. He indicated that it was good planning as well as marketing for each unit to have a parking space available. Mr. Sterk concurred. The applicant agreed to review the number of units and report back at the next meeting.

Mr. Wexler noted that the back of the building has five floors but one does not see the five floors from the front. Mr. Sterk said the Mamaroneck Avenue side looks good. Mr. Gray confirmed that there are five stories in the rear, and three stories in front on Mamaroneck Avenue.

Mr. Sterk mentioned that The Regatta at 123 Mamaroneck Avenue is taller than the subject building.

Mr. Sterk asked if there were any comments from the public.

Public Comments

Linda Torson, resident, said development within the Village is getting out of hand. Parking is difficult and with people moving into new condominiums, locating parking will intensify. She felt that what the Village has/is being destroyed by too much building.

Lucia Tadavito, resident of The Regatta, said another restaurant will impact the area. Noise levels worsen in the summer.

Mr. Sterk thanked the residents for their comments.

Mr. Galvin said this is an Unlisted Action and the notice of intent for the Planning Board to be lead agency also will be circulated to Westchester County Planning.

Notice of Intent to Be Lead Agency

On motion of Mr. Wexler, seconded by Mr. Sjunneberg, the Planning Board will circulate a notice to declare its intent to be Lead Agency under SEQRA for this unlisted action.

Vote: 4-0

- 5. 532 West Boston Post Road - 7 Townhouses. Site Plan review for new seven-unit Townhouse Development in a C-1 General Commercial District. Each Townhouse includes a two car garage with 7 on-grade parking spaces provided.**

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Special Permit required from the Planning Board for housing in a C-1 District under 342-50.

Mr. Wexler recused himself and left the meeting at 8:15 p.m.

Mr. Paul Noto, applicant's representative, appeared along with the applicant's architect, Philip Fruchter. Mr. Noto said this location was formerly McGuire's restaurant. It has been vacant since 2008. Field work has been done. Philips Harbor Development purchased the property. Each of the proposed seven townhouses will have a two-car garage. No variance is required, and the application is zoning compliant. The front of the units will be on the Boston Post Road. A revised SWPPP will be filed based on recent conversations with the Village Engineer. He said the Planning Board needs to declare its intent to be lead agency. The applicant will go to HCZMC for a consistency determination.

Mr. Fruchter said the property is on the West Boston Post Road at its intersection with Delancey Avenue. The driveway is on Delancey Avenue. The curb will not be extended out to the street as in the former approved application. The corner of the property will be landscaped for curb appeal. There will be seven townhouse units. There will be an additional seven on-grade parking spaces. The rear of the property is landscaped and has a small patio. There will be thirty-five feet of green space from the curb to front wall of the townhouses. There will be a four foot chain link fence up the hill and around the back. New street trees will be added. There will be no fencing between units. The full height of the building is 37 feet 4 inches. Each unit will be approximately 2,400 square feet. The architect said the first floor is sidewalk elevation. The lot width required is fifty feet. Mr. Galvin said rear elevations need to be provided in the plans.

Mr. Noto remarked that this is an upscale development. Mr. Mendes commented that this development does not belong in this area. Mr. Noto said when completed this will be a very nice project. He emphasized that something will be built on this site. If an office building is constructed, it would not work as well.

Mr. Sjunnemark inquired about the shape of townhouse #7. The architect said the design is due to the slope of the property line.

Mr. Sjunnemark said that, at present, the vacant property is an eyesore and this proposal is a good alternative. Mr. Sjunnemark suggested that two buildings be built with space between them.

Mr. Galvin said the Assistant Planner can work with the architect to take photographs to assist with the applicant's 3-D imaging. Mr. Sterk said this will be of help to the applicant. The architect said they will bring more visuals to the next meeting.

Mr. Sterk asked if there were any comments from the public.

Public Comments

Carolyn Pomerantz, resident, said this is an historic residential neighborhood. New construction would not be a good fit. She said she has water views and is concerned about losing her views. She also is concerned about rock digging and blasting. She suggested that there be no night lighting as it will interfere with one's sleep.

Robin Kramer, resident, said this is in a flood zone area and the application needs to be corrected. With a gated community, beeping will occur that will be disruptive. She said the owners will not use the proposed tandem parking and that the back area of garages will be used for storage. Delancey Avenue will be crowded with additional cars. She inquired where the garbage dumpsters will be located. Parking is a concern for her as well.

Clark Neuringer, resident, said he is a 40-year resident of the Village and a licensed architect. This is a commercial district. It is not zoning compliant because a special permit is required. He said the building inspector needs to review this. He referenced Village Code 342.50 and recommended utilizing all that is required as the Planning Board reviews the special permit. He said the Board of Architectural Review (BAR) needs to review and comment on the design at an early stage. He mentioned that there could be many children living at this location due to the 3 bedrooms in each unit.

Sonia Garner, resident, said blasting, garbage, recycling are all concerns. She said she does not wish to lose her harbor views. The proposed wooden fencing should not be slotted. She inquired about the removal of the utility post. The architect said it was removed.

Noah Zable, resident, said he believes there is an underground river that runs through this property. Drainage plans should be looked at carefully. He also addressed snow removal on Delancey Avenue.

Daniel Natchez, resident, queried how the proposed construction will fit in.

Greg Crochet, resident, remarked that the flat roof keeps the overall wall lower. He said that since the application is zoning compliant that it is a good start.

Mr. Galvin inquired about burying the utility lines. The architect said they are in discussions with Con Edison on this matter.

Mr. Sterk thanked everyone for their comments and concerns and said it was helpful for the applicant to hear the residents speak.

Notice of Intent to Be Lead Agency

On motion of Mr. Sjunneemark, seconded by Mr. Mendes, the Planning Board will circulate a notice to declare its intent to be Lead Agency under SEQRA for this unlisted action.

Vote: 3-0

The matter was adjourned to the January 14, 2015 meeting for continued discussion.

ADJOURNMENT

On motion of Mr. Sjunneemark, seconded by Mr. Mendes, the meeting was adjourned at 9:00 p.m.

Vote: 3-0

Respectfully submitted,

Anne Hohlweck
Recording Secretary