

**VILLAGE OF MAMARONECK  
PLANNING BOARD MEETING MINUTES  
WEDNESDAY, May 28, 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 May 28, 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 Regular Meeting of the Planning Board of the Village of Mamaroneck is scheduled for Wednesday, June 11, 2014 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  
INGEMAR SJUNNEMARK  
LEE WEXLER  
LOU MENDES**

**ABSENT:**               **STEWART STERK**

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

**CALL TO ORDER**

Mr. Ianniello called the meeting to order at 7:10 p.m.

**APPROVAL OF MINUTES – May 14, 2014 meeting**

On motion of Mr. Sjunneemark, seconded by Mr. Wexler, the minutes of the meeting of May 14, 2014 were approved.

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

**OLD BUSINESS**

**Continued Review of Draft Informal Coastal Planting Guidelines for Planning Board Applications.**

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Mr. Galvin stated Harbor & Coastal Zone Management Commission (HCZMC) met on May 21, 2014 and discussed the guidelines. He indicated that the Commission was very supportive.

Mr. Stuart Tiekert, resident, commented at the HCZMC meeting that the list of recommended plantings was missing species such as Austrian and Black Pine. Mr. Galvin commented that Mr. Hoeger and Ms. Oakley stated that the Planting Guide deliberately favored native species, which should take precedence over foreign species. Several of Mr. Tiekert's suggested changes were made to the Coastal Planting Guide.

Mr. Steinman stated this is a reference manual and will be available for all applicants as well as any residents who wish to use it to guide their own coastal landscaping.

Mr. Galvin added that the planting guidelines will be posted on the Village website and when an applicant comes in for a Wetlands permit they will receive a copy in their application package.

## **RESOLUTION**

### **VILLAGE OF MAMARONECK PLANNING BOARD (Adopted May 28, 2014)**

#### **RE: ACCEPTANCE OF COASTAL PLANTING GUIDE**

After due discussion and deliberation, on motion by Mr. Sjunneberg, seconded by Mr. Wexler, and carried, the following Resolution was adopted:

WHEREAS, recent applications before the Planning Board have highlighted the importance of the proper design and implementation of coastal landscaping and identified several factors that should be considered in developing a planting plan for properties in the coastal zone; and

WHEREAS, appropriate coastal landscaping can provide aquatic buffers which promote a diverse range of ecological, social, and economic benefits to a community including flood control, erosion prevention, water quality improvement, ecosystem and wildlife habitat protection and aesthetic enhancement; and

WHEREAS, in considering and approving coastal landscaping plans, the Planning Board has benefited from expert guidance from its consultant landscape architect, Susan Oakley, and the Harbor & Coastal Zone Management Commission's environmental consultant, Sven Hoeger; and

WHEREAS, the Planning Board requested Ms. Oakley and Mr. Hoeger to develop a coastal planting guide that could serve as a reference document on landscaping practices to be used by applicants, the Planning Board and the Village's other land use boards; and

WHEREAS, Ms. Oakley and Mr. Hoeger have submitted to the Planning Board, "A Coastal Planting Guide for the Village of Mamaroneck, NY" ("Coastal Planting Guide") dated May, 2014 setting forth the benefits of coastal plantings, outlining how to determine the feasibility and appropriateness of a planting plan, providing a sample decision-making tree to determine suitability of planting plans for coastal plantings in the Village, detailing general planting guidelines and listing recommended species for coastal planting, species to be avoided, and invasive species to be eliminated; and

WHEREAS, on April 9, 2014, April 23, 2014 and May 28, 2014 the Planning Board held public meetings to discuss and receive public comment on the Coastal Planting Guide; and

WHEREAS, on May 21, 2014, the Harbor & Coastal Zone Management Commission held a public meeting to discuss and receive public comment on the Coastal Planting Guide and at that meeting Commission members expressed support for the use of the Coastal Planting Guide.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Planning Board accepts the document entitled, "A Coastal Planting Guide for the Village of Mamaroneck, NY" dated May, 2014, for use as a reference document by Planning Board applicants and the Planning Board in addressing matters related to planting in the coastal zone.

2. The Planning Board requests that the Coastal Planting Guide be made available to Planning Board applicants as part of the Planning Board application package with a note that the document has been accepted by the Planning Board as a reference document for coastal planting matters.

3. Copies of this Resolution and the Coastal Planting Guide shall be distributed to the Village Board of Trustees, Village Manager, Clerk/Treasurer, Building Inspector, Zoning Board of Appeals, and Harbor & Coastal Zone Management Commission for their information and posted on line for public access.

**Vote:**

Ayes: Ianniello, Sjunneemark, Mendes, Wexler  
Nays: None  
Absent: Sterk

**Referral of Proposed TOD Zoning Code Amendments by the Board of Trustees to the Planning Board for their review and comment by May 30, 2014.**

Mr. Sjunneberg began the discussion and said that the Planning Board members agreed that there should be an extension of the TOD Overlay into the RM3 zone.

Mr. Galvin remarked that the comments made at the previous Planning Board meeting was that the existing RM3 zone FAR and bulk requirements should be reduced. He said the existing FAR is 1.0 with an affordable housing incentive of 1.2. Besides the existing Sheldrake Lots development on Waverly Avenue, the RM3 is bounded by Grand Street, Old White Plains Road and Madison Street in the middle of the Washingtonville neighborhood. . He said that the analysis by the Washingtonville Housing Alliance, the co-sponsor of the TOD Study showed that there was only a small section along Madison Street that has development potential.

Mr. Galvin remarked that the Planning Board's comments in reference to specific proposals have been highlighted in the draft letter to the Board of Trustees. These reflect the Board's recommendations. Mr. Wexler said the Planning Board should speak as a single Board.

Mr. Galvin said the Board of Trustees asked that the Planning Board submit their comments by end of business on Friday, May 30. Mr. Steinman said that additional comments can be provided through end of business on Wednesday, June 11. Nothing will be adopted between now and the next meeting.

Mr. Galvin said there will be a public hearing after the draft has been completed.

Mr. Wexler pointed out that proposed language was provided in the legislation to incentivize mixed use development, a goal of the TOD Study. He questioned if we will get mixed use development and that it could fail.

Mr. Galvin summarized proposed language which includes FAR exemption for ground floor retail (up to 3,000 square feet), shared parking, off-site parking within 500 feet of a subject property, and development of additional lots in the area for retail customers. It is proposed that the Planning Board would exercise control over these issues during the site plan process.

Mr. Steinman said the Planning Board can make it known that they would like to reserve the right to submit additional comments for consideration in their letter to the Board of Trustees.

Mr. Wexler said to add to the memorandum that the Planning Board supports the proposed shared parking and off-site parking language. Mr. Galvin said a sketch of a sample development should be made available prior to final approval.

## **Approval**

On motion of Mr. Sjunneemark, seconded by Mr. Wexler, the memorandum as amended for submission to the Board of Trustees will include support for shared parking, off-site parking, and a final sample sketch before final approval of the proposed TOD Code changes was approved.

Vote: 4-0

## **WETLANDS PUBLIC HEARING**

### **Wetlands permit application at 588 Shores Acres Drive to reconfigure and extend existing recreational docking facility and maintain existing seawall/riprap.**

Mr. Galvin said the HCZMC reviewed the marine structure permit and consistency determination at their meeting on May 21. It was suggested that the applicant reconfigure the existing dock with different piles. The Commission did not approve the requested five foot extension of the dock. The Planning Board will review a wetland permit for this proposed action. The Board's wetland permit review will consist of what the applicant is doing in the water relating to piles, etc.

### **Open Public Hearing**

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

Vote: 4-0

Mr. Ianniello asked if there were any comments.

Mr. Daniel Natchez, applicant's representative, stated at the applicant's request, the application was adjourned to the June 25, 2014 Planning Board meeting. He said there will be a few minor changes.

### **Adjournment**

On motion of Mr. Sjunneemark, seconded by Mr. Mendes, the application at 588 Shore Acres Drive was adjourned to June 25, 2014 Planning Board meeting.

Vote: 4-0

**Public Hearing to be reopened and noticed for the Planning Board meeting of June 11, 2014 in order to review revised plans.**

**Wetland permit requesting installation of swimming pool (567 square feet) in the rear yard within the 100 foot wetland buffer at 1411 Flagler Drive in an R-20 residential district.**

Mr. Steinman said the public hearing had been closed at the Board's May 14 meeting. Subsequent to this, the Board went on a duly noticed site visit to the property on May 20. The applicant has now submitted revised plans which will require the reopening of the public hearing.

Mr. Daniel Natchez, Daniel S. Natchez and Associates, applicant's representative, stated they are reconfiguring the pool as follow up to the site visit and discussions with the building inspector. The pool will be moved over to the north side. The pool equipment will be placed on the roof of the garage. The square footage incursion into the buffer zone will be reduced. Because of the changes, the public hearing will need to be reopened.

#### **Reopen Public Hearing**

On motion of Mr. Sjunneemark, seconded by Mr. Wexler, the public hearing was reopened.

Vote: 4-0

Mr. Ianniello asked if there were any comments.

There were no comments.

#### **Adjourn Public Hearing**

On motion of Mr. Sjunneemark, seconded Mr. Mendes, the public hearing for a wetland permit for installation of a swimming pool in the rear yard within the 100 foot wetland buffer at 1411 Flagler Drive was adjourned to the June 11, 2014 Planning Board meeting.

Vote: 4-0

Mr. Steinman asked if the Notice was published in the newspaper. Mr. Natchez responded yes.

Mr. Galvin stated that the revised plans also eliminate additional asphalt in the driveway in front of the garage. This area will be replaced with pervious pavers.

## **PUBLIC HEARINGS**

**Public Hearing adjourned to the Planning Board meeting of June 11, 2014 for proposed 2 lot subdivision for a two family residence on each lot at 209 Grand Street in an R-4F district.**

At the applicant's request, this application was adjourned to the June 11, 2014 Planning Board meeting.

### **Adjournment**

On motion of Mr. Sjunneemark, seconded by Mr. Wexler, the application for a 2 lot subdivision for a two family residence at 209 Grand Street was adjourned to the June 11, 2014 Planning Board meeting.

Vote: 4-0

Mr. Galvin said the revised plans showing the relocation of parking lot is required and other landscaping revisions.

**Public Hearing adjourned to the Planning Board meeting of June 11, 2014 for proposed 3 lot subdivision located at 1017 Grove Street.**

The applicant requested that the application be adjourned to the June 11, 2014 Planning Board meeting.

Mr. Galvin said a preliminary plan was presented with two alternatives to Mr. Carr. It should have been on separate plans. A third alternate layout has not yet been provided.

### **Adjournment**

On motion of Mr. Sjunneemark, seconded by Mr. Mendes, the application for a proposed 3 lot subdivision at 1017 Grove Street was adjourned to the June 11, 2014 Planning Board meeting.

Vote: 4-0

## **NEW BUSINESS**

**Review of proposed site plan to demolish existing, closed restaurant in a C-1 commercial district and provide a 9 space employee only parking lot for use by the adjacent Equinox Fitness facility.**

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Mr. Paul Noto, applicant's attorney, appeared and stated the former restaurant (Zitune's) is closed. The owner of the restaurant property also owns the adjacent building where Equinox is located. Equinox leases the premises where it is now located. A parking lot consisting of nine employee only parking spaces will be developed at the former restaurant site, which is adjacent to the Equinox Fitness Center.

Mr. Noto said there is a landscaped area set back ten feet from the road both in the front and rear of the property. No variances are required. There are no landscaping details at this time.

Mr. Ianniello inquired how much landscaping Equinox will put in. Mr. Noto stated minimal as there is little square footage available. There will be probably ten feet or greater on the Post Road as well as on Old Boston Post Road.

Mr. Galvin suggested that the proposed landscaping will improve the overall appearance in the rear, especially for residences in Fairway Green.

Mr. Ianniello addressed the curb line and r-o-w along Old Boston Post Road. Discussion among the Board members followed.

Mr. Steinman said one zoning issue that needs resolving is that the applicant is proposing an accessory use on the lot without a principle use. This can be achieved by merging the lots through deed. This is something the applicant's attorney will need to complete. The lot line has to be removed by deed. Mr. Noto said the owner can make it one lot and change the property line in the deed.

Mr. Ianniello inquired if there is sufficient space for cars to back out. Mr. Galvin said that the aisle width for 45 degree angled parking is 12 feet which has been provided on the plan. Mr. Galvin suggested that John Canning, VHB's traffic consultant, can review this with the Board at its next meeting.

Mr. Mendes inquired if the parking lot is temporary. Mr. Noto said no.

Mr. Noto said Equinox is very busy in the morning and they have over 250 parking spaces. He mentioned that there are no known plans to add on to the building. Mr. Noto mentioned that Equinox is across from Mamaroneck High School.

Mr. Galvin said that a condition for Site Plan approval is that the use for the parking spaces would be for employee parking only. The width of the spaces is 8 ½ feet instead of the required 9 feet. This narrower width is allowed by Code for employee parking.



Mr. Galvin said the NYS DOT will need to approve the curb cut and a highway work permit is required.

Mr. Wexler inquired about accessing onto Boston Post Road and in from Old Boston Post Road. Mr. Galvin said Mr. Canning is the best person to answer that question on circulation. He should be present at the next meeting. Mr. Galvin said there will be ADA access on the front sidewalk, which is shown on the submitted plans.

Mr. Galvin stated the proposed action is an Unlisted Action under SEQRA.

Mr. Steinman said the Planning Board needs to circulate a notice of its intent to become lead agency.

### **Lead Agency Intention**

On motion of Mr. Sjunnemark, seconded by Mr. Wexler, the Planning Board authorized the Village Planner to circulate a notice to declare its Intent to Be Lead Agency for this Unlisted Action.

Vote: 4-0

Ms. Amanda DeCesare, applicant's engineer, stated the employee parking lot will be entered from Old Boston Post Road.

Mr. Ianniello asked for confirmation that landscaping will be handled through Ms. DeCesare's office. Ms. DeCesare responded yes.

Mr. Ianniello asked that they return on June 11. Mr. Galvin said no voting will take place at the June 11<sup>th</sup> meeting since the Planning Board will not yet be the Lead Agency for SEQRA at that time.

Mr. Ianniello asked if there were any public comments.

Mr. Elvis Cutler, 1139 West Boston Post Road, said he is in favor of the plan and said it will be an improvement. He stated he has not seen the blueprints however. He said the area is congested and that Bank of America is across the street. The bank has a security guard in the parking lot to ensure parking for their customers. He said his concern is traffic flow. He said the parking lot is a good plan and is satisfied that street parking spaces will become available. However, the curb cut will detract and asked for confirmation that the entrance to the lot will be on Old Boston Post Road.

Ms. DeCesare stated the curb cut will be twelve feet wide and will eliminate one parking space. She said Equinox employees cannot park in the Equinox parking lot. She confirmed that the plans show vehicles entering from Old Boston Post Road.

Mr. Noto recapped and said they will work on the landscape plan, accessory use in changing the lot, curb cut review.

Mr. Galvin asked that adjacent properties be shown on the revised plans.

### **ADJOURNMENT**

On motion of Mr. Sterk, seconded by Mr. Sjunneberg, the meeting was adjourned at 8:18 p.m.

VOTE: 4-0

Respectfully submitted,

Anne Hohlweck  
Recording Secretary