

**VILLAGE OF MAMARONECK  
PLANNING BOARD MEETING MINUTES  
WEDNESDAY, APRIL 23, 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 April 23, 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, May 14, 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**  
                                  **LOU MENDES**  
                                  **STEWART STERK**  
                                  **INGEMAR SJUNNEMARK**  
                                  **LEE WEXLER (7:10 pm)**

**BOB GALVIN, AICP, VILLAGE PLANNER**  
                                  **ANTHONY CARR, VILLAGE ENGINEER**  
                                  **LESTER STEINMAN, PLANNING BOARD ATTORNEY**  
                                  **ROBERT HUGHES, ASSISTANT BUILDING INSPECTOR**

**CALL TO ORDER**

Mr. Ianniello called the meeting to order at 7:03 p.m.

Mr. Galvin introduced Greg Cutler, Assistant Planner for the Village and Robert Hughes, the Assistant Building Inspector.

**APPROVAL OF MINUTES – April 9, 2014 meeting**

On motion of Mr. Sterk, seconded by Mr. Mendes, the minutes of the meeting of April 9, 2014 were approved.

Ayes:                   Sterk, Mendes, Ianniello  
Nays:                   None  
Abstain:               Sjunnemark

## **OLD BUSINESS**

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

Mr. Galvin stated the Harbor and Coastal Zone Management Commission (HCZMC) will be briefed on the Guidelines at their next meeting in May.

Mr. Ianniello recommended that fertilizers and lawn care be included in the Guidelines. Mr. Steinman stated that those subjects are now included on the last page of the document.

Mr. Ianniello thanked Ms. Oakley and Mr. Hoeger for their efforts..

## **PUBLIC HEARING**

### **Continuation of adjourned public hearing from March 26, 2014 for proposed 3-lot subdivision located at 1017 Grove Street.**

Mr. Dan Collins and Mr. Michael Stein of Hudson Engineering appeared for the applicant, Marc Castaldi, applicant and real estate Developer, also was present. Mr. Collins said that each house will be 2 ½ stories. He said the entire property is 40,886 square feet in the R-5 zoning district. Each of the three lots exceeds the required minimum size in the R-5 zoning district.

Mr. Collins discussed on-site and off-site tributary areas and the drainage design for the project. He said there are six watersheds in the tributary area affecting proposed conditions with the majority of the site in watershed #1. He said that the additional approximately 20,000 square feet in watershed #1 in the tributary area will be entirely treated.

Mr. Collins also described a neighborhood comparison showing all lot sizes within the R-5 zone. Twenty-five percent of the lots are larger and seventy-five percent of the lots are smaller than the proposed lot sizes.

*Lee Wexler joined the meeting at 7:10 p.m.*

Mr. Collins discussed the project's stormwater management plan which reduces stormwater volumes. Mr. Carr distributed maps illustrating drainage flows in the area of the property. The SWPPP for the project is under review by Mr. Carr. Mr. Carr noted that approximately 2,500 linear feet is the total length of the unnamed stream beginning from approximately Dante Drive in the Town of Harrison to the 30" RCD storm outfall located at the Mamaroneck River. This site is part of an approximate 30 acre drainage area that flows to the existing double catch basin at the front of the 1017 Grove Street property. Grove Street gets a constant flow of water. He said the project proposes to have full retention of water for a 25-year storm. It will also exceed Village stormwater management by Village of Mamaroneck

Planning Board Meeting

April 23, 2014

Page 2 of 9

attenuating peak flows and volumes for the 50 and 100 year storm events. It was noted that a 100-year storm could occur at any given time; applicant's storm water management plan will not improve existing flooding issues which are primarily caused by the increased flow from the unnamed stream discussed above, and from the rise of the water surface elevation of the Mamaroneck River during severe (i.e. 100 year) storm events. The 30" RCP storm outfall and portion of the downstream conveyance system becomes "surcharged" (submerged) and cannot effectively convey storm water with the "tail" water affect as intended during free flow (unsubmerged) conditions. Mr. Carr stated that he concurred with the applicant's drainage analysis.

Mr. Sterk and Mr. Ianniello said the storm water management plan will improve existing conditions in the surrounding area but may not prevent major storm flooding.

Mr. Stein said the new houses are located above and outside of the flood zone. No off site water will be coming in.

Mr. Wexler inquired about the area along Top of the Ridge.

Mr. Stein said all water that comes down is collected. He noted this is a pre-existing condition.

Mr. Mendes asked if they will be overloading the existing structure. Mr. Stein responded no, the volume and flow rate are being decreased.

Mr. Carr said they are removing water volume from impervious surfaces.

Mr. Ianniello noted the Board's recent field trip to the site. The three homes as proposed are overwhelming; visually the buildings are just too big. Two buildings are preferred over three. Mr. Sterk added that there is too much paving and the cul de sac is created only to allow for a third house. Two houses is his preference. The Board members agreed that they prefer two houses. Mr. Sterk stated that there was a consensus that a better plan would be to keep the existing house, or build a house in the same location, and develop one additional house in the back and avoid the amount of paving that is proposed for the project. Mr. Sjunneberg suggested that, alternatively, the footprints of the houses could be reduced to 1,100-1,200 square feet if three houses are built. Mr. Ianniello summarized that because (1) the proposed houses would overwhelm their neighbors; and (2) the size of cul de sac and the amount of paving, the proposed houses do not fit in the neighborhood.

Mr. Stein said their plan is in character with the neighborhood. He restated that twenty-five percent of the existing homes are larger than what is being proposed.

Mr. Marc Castaldi came forward. He said he is not required to submit architectural plans for houses and that discussion of the size of the houses is premature. He said that he is in Village of Mamaroneck  
Planning Board Meeting  
April 23, 2014  
Page 3 of 9

compliance with all Village and Fire Codes. He said the Board of Architectural Review (BAR) will review the housing plans.

Mr. Sjunneemark suggested that alternatives with less impervious surfaces be developed for the Board.

Mr. Ianniello commented that the houses could become larger than proposed. Mr. Castaldi countered and said that property owners can submit plans to expand their houses at any given time.

Mr. Castaldi read into the record a prepared statement regarding his professional background, properties he has built, and responses to public comments on this application. Some points made by Mr. Castaldi are as follows:

- Developer since 1998
- County laws have been adhered to
- Number of proposed lots for this application are zoning compliant
- Drainage plan exceeds Village Code requirements and best practices of Westchester County
- Road design is compliant with Village Code
- Landscape plan accepted by staff with few comments or additions
- Drainage plan and stormwater requirements are an improvement to the area
- Height of Mamaroneck River causes flooding which he cannot control
- Many of the neighboring homes in the area have no stormwater management plan
- Upgrades and improvements of drainage infrastructure are at the builder's expense
- Developed 618 and 622 Wood Street
- Cul-de-sac will add value and reduce car traffic
- Proposed homes will raise the value of surrounding homes

Mr. Ianniello stated that the side yard setback on the first lot is actually a rear lot and the property above faces a wall. Mr. Ianniello reiterated that the cul-de-sac doesn't work and was created solely to add a third lot to the subdivision.

Mr. Collins said there will be a 40-foot turning radius in the cul-de-sac for the benefit of large vehicles. There will be a landscaped center island.

Mr. Mendes remarked that addressing 'mass' is a function of the Planning Board and that the houses are big and tall and that the height will be a nuisance. Mr. Mendes requested that the applicant conduct an analysis of the volume of the proposed houses compared to the houses in the neighborhood. The applicant agreed.

Mr. Castaldi said the building height and footprint are not set.

Mr. Galvin asked if a cul-de-sac is really the only alternative for the project. There are other means of developing access, such as hammerheads.

Mr. Ianniello addressed the side yard and rear yards on Lot #1 (closer to the top of the property) which is a concern to him. He said a road could be created down the middle with a hammerhead to create a street look. Mr. Castaldi said he will look into a smaller road and report back.

Mr. Ianniello addressed the proximity to neighbors especially the first and third lots. He observed that the side yard of the house at the top dominates the house to the north and the existing house will face a wall. Mr. Castaldi noted that one neighbor's home is on the property line and pointed it out on the drawing.

Mr. Castaldi stated that the building envelopes shown on the plan were put there for the purpose of stormwater analysis.

Mr. Sjunneemark asked that the applicant bring in pictures of the houses he had built on Wood Street. The applicant agreed to do so.

Mr. Sterk stated that 4500 square feet of aggregate house footprint was less than the amount of paving for the cul de sac. This, in addition to the massing, are the Board's concerns. He suggested that perhaps a short semi-circular driveway providing ingress and egress from Grove Street, resembling a half moon shape, could be constructed. He said he is looking for smaller houses and smaller driveways. Mr. Mendes added that the cul-de-sac should be minimized. Mr. Stein expressed concerns about firematics.

Mr. Ianniello asked about the size of houses. Mr. Castaldi said 4 bedrooms, 2 ½ baths, and 1 ½ car garage, roughly 3000 square feet.

Mr. Wexler inquired whether a two lot subdivision would offer other options for access. Mr. Castaldi stated that zoning constraints limit the options. Mr. Wexler observed that variances could be sought.

Mr. Steinman noted that zoning compliance was only an initial prerequisite to subdivision approval. He suggested that the applicant should provide the different designs to address the concerns of the Planning Board prior to the next meeting.

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

### **Public Comments**

Thomas ChIn, neighbor, said that he appreciated the Board members going to the site to visit and survey. He stated his chief concern is safety for his family.

Anthony Lividini, Wood Avenue resident, stated his sump pump is running all the time. He said the Wood Street sewer is at capacity when it rains.

Susanne Metz, resident, said this is not an entitlement for the applicant but that the applicant should receive an approval based on what is presented. She remarked that the two homes on Wood Street that were built are too close to the other residences.

Mr. Ianniello thanked the residents for their comments.

Mr. Castaldi said that if the Village does not accept dedication of the road it will remain private and be maintained by a homeowners association.

Mr. Castaldi said that they will return at the May 28, 2014 Planning Board meeting as they need sufficient time to prepare and submit the materials requested by the Planning Board.

Mr. Ianniello said the Public Hearing will continue at the May 28, 2014 Planning Board meeting.

## **RESOLUTION**

### **Review and Approval of Wetland Permit for Dry Stone Retaining Wall Located in Wetland Buffer at 901 Soundview Drive.**

RESOLUTION  
VILLAGE OF MAMARONECK PLANNING BOARD  
Adopted April 23, 2014

**RE: William and Brynne Shaner, 901 Soundview Drive**  
**Resolution of Wetland Permit Approval**

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

WHEREAS, on March 21, 2014, William and Brynne Shaner, 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 wetland permit approval to construct a dry stone retaining wall to control and minimize erosion of the property’s rear lawn into the adjacent Village right of way and nearby Otter Creek (“Application”); and

WHEREAS, the Applicant is located at 901 Soundview Drive, within the R-10 Residential District; and

WHEREAS, the Applicant proposed to construct an approximately 55 foot rubble masonry wall along the rear southeasterly property line to control and minimize continued and historical erosion of their rear lawn. The property is located adjacent to a Village paper street (Garden Road) and is situated approximately 70 feet from Otter Creek, a Critical Environmental Area (“CEA”). The construction of the dry stone wall will contribute to controlling and minimizing erosion and siltation into the nearby Otter Creek. The project will include the use of a temporary silt fence on adjacent Village property during construction. This proposal (“Project”) is described and illustrated on the following site plan and survey as submitted by the Applicant which forms a part of the Application:

1. S -1 “*Site Plan, Details & Notes*” prepared by Benedict A. Salinitro, P.E., Consulting Engineer dated January 10, 2013;
2. Survey “Soundview901” prepared by Arsitotle Bournazos, PC, Land Surveyor – Planner dated August 20, 2012;
3. Coastal Assessment Form (“CAF”) dated March 20, 2014, and submitted pursuant to Local Law No. 30-1984;
4. Short-Form Environmental Assessment Form (“EAF”) dated March 20, 2014.

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

WHEREAS, the Planning Board has carefully examined the Application and received comments and recommendations from the Village Engineer in a memorandum dated April 9, 2014 and from the Village’s Planning Consultant in a memorandum of the same date; and

WHEREAS, the Applicant has satisfactorily addressed those comments from the Village’s Engineer and Planner; and

WHEREAS, the Village Engineer has determined that the Project is in conformance with the requirements of Chapter 294, Stormwater Management and Erosion and Sediment Control, of the Village Code and other sections of the Village of Mamaroneck Code, as applicable to Village Engineer review; and

WHEREAS, a duly advertised public hearing was held on the application for a wetland permit approval on April 9, 2014, at which time all those wishing to be heard were given an opportunity to be heard; and

WHEREAS, the Planning Board determined on April 9, 2014, that the Project is a Type II Action pursuant to 6 NYCRR. § 617.5(c) (10); and

WHEREAS, the Planning Board determined on April 9, 2014, that the Project is consistent with the Village’s 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 a wetlands permit for the Project subject to the following conditions:
  - (a) A certified survey shall be submitted with the site plans. The survey vertical datum shall be North American Vertical Datum (NAVD) 1988. The survey shall include, but not be limited to, the following existing site features: property lines, existing contours and spot grades, utilities, vegetation, tree lines, walls, buildings, edges of pavement, adjacent roads, sidewalk and curb within the Village Right-of-Way; and
  - (b) Drawing shall be revised to illustrate the proposed limits of disturbance, and the total disturbance area in square feet. Land disturbance shall include, but not be limited to the following: (1) construction of the retaining wall, (2) grading/filing, excavation, etc.; and
  - (c) A perforated footing drain (4 inch minimum diameter) shall be appropriately located behind the proposed wall and daylighted at specific intervals to alleviate hydrostatic pressure on the uphill (high) side of the wall; and
  - (d) Construction safety fencing shall be placed around the project area. A standard construction detail shall be included on the drawings; and
  - (e) The following note shall be added to the plans: “In-active areas of disturbed soils will be stabilized by temporary or permanent stabilization measures, as appropriate, within fourteen (14) calendar days of no activity as required by NYSDEC standard.”; and
  - (f) Additional proposed topographic information ( i.e. top and bottom of wall elevations) at appropriate intervals shall be depicted on the drawings; and
  - (g) The Applicant shall pay all outstanding consultant review fees in connection with Planning Board review of this application.
2. When the above conditions have been satisfied, three (3) sets of the above-referenced plans illustrating the other 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 Applicant, one (1) set will be provided to the Village Building Inspector and one (1) set will be provided 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 site plan.

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



**ADJOURNMENT**

On motion of Mr. Sjunneemark, seconded by Mr. Sterk, the meeting was adjourned at 8:43 p.m.

VOTE: 5-0

Respectfully submitted,

Anne Hohlweck  
Recording Secretary