

**VILLAGE OF MAMARONECK  
PLANNING BOARD MEETING MINUTES  
WEDNESDAY, APRIL 9, 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 9, 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, April 23, 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  
LEE WEXLER**

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

**ABSENT:**                   **INGEMAR SJUNNEMARK**

**CALL TO ORDER**

Mr. Ianniello called the meeting to order at 7:05 p.m.

**APPROVAL OF MINUTES – March 26, 2014 meeting**

On motion of Mr. Sterk, seconded by Mr. Mendes, the minutes of the meeting of March 26, 2014 were approved.

Ayes:                   Sterk, Mendes, Wexler, Ianniello  
Nays:                   None  
Excused:              Sjunnemark

**OLD BUSINESS**

Village of Mamaroneck  
Planning Board Meeting  
April 9, 2014  
Page 1 of 13

**Continuation of Site Plan review for proposed one story commercial building located at 651 East Boston Post Road (intersection of South Barry Avenue and East Boston Post Road).**

Mr. Joseph Genzano appeared for the applicant and said the open items were addressed.

Mr. Michael Kudrzycki, applicant's architect, stated a third street tree will be added at the corner of the exit in the front. The architect stated there will be three Dogwood trees on East Boston Post Road and will be equally spaced. Details on the cut-off lights have been provided. The ADA van parking space was moved back to space #1, near the South Barry Avenue entrance. Mr. Wexler remarked that it is the best location for the handicapped space. The landscaping plan has been finalized.

Mr. Kudrzycki said there were changes made to the curb line and grades. There will be two entrances to the building in front and two entrances from the rear parking lot. He stated the tower will be brick. A cornice will be added to the building top and will be synthetic stone. Detailing was added to the base of the building as well. He said the lights will be LED and there will not be glare to adjacent properties. He indicated that the light fixture specifications have been added to the set of plans.

Mr. Carr said he spoke with the applicant's engineer. The plans are detailed and thorough. The plans were submitted to the DOT. Will Serve letters were received from Westchester Joint Water Works and Westchester County DEF regarding the water and sanitary sewer lines.

Mr. Gerety stated the applicant is going to the Architectural Review Board (ARB). He remarked that the cornice detail around the building should go completely around and noted it stopped near the right front edge. The architect said they have only shown the front elevations for the Planning Board. The cornice detail will go around the building but it will be shorter in width at the back of the building. This is shown on the drawings submitted for the ARB.

Mr. Gerety also addressed the awnings and indicated that there is a minimum clearance of eight feet. The architect said they are in access of nine feet.

Mr. Steinman stated that the conditions set forth in the Village Engineer's memorandum of April 9 should be included in the Resolution.

## **Site Plan Approval**

On motion of Mr. Sterk, seconded by Mr. Mendes, a written resolution granting site plan approval for the application at 651 East Boston Post Road for a one-story commercial building was approved. .

Vote: 4-0

## **WETLANDS PUBLIC HEARING**

**Wetland Permit to allow the construction of a dry stone wall in wetland buffer to limit erosion into the Village right of way and the nearby marsh.**

Mr. William Shaner and Mrs. Brynne Shaner of 901 Soundview Drive, applicants, appeared and stated that the purpose of the dry stone wall is to control erosion. The stone will be stacked 3 to 4 feet on the 55 foot section. There is an existing chain link fence. The chain link fence is within the property and at some point will be taken down.

Mr. Carr noted the wall is less than four feet high and is considered an improvement. The rear lawn area erodes to Garden Street that drains to Otter Creek. The wall will minimize erosion and siltation into Otter Creek, a Critical Environmental Area, approximately 70 feet away from the applicant's property line.

Mr. Ianniello asked if the finished grade is grass. Mr. Carr said yes.

Mr. Ianniello inquired about lawn products washing out. Mr. Carr said herbicides will be absorbed in the grass. The applicant said they have been using corn gluten for over ten years, and mentioned that they avoid commercial fertilizers.

## **Open Public Hearing**

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

Vote: 4-0

Mr. Galvin said that comments previously made should be incorporated into the record.

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

## **Close Public Hearing**

On motion of Mr. Sterk, seconded by Mr. Mendes, the public hearing was closed.

Vote: 4-0

Mr. Galvin reviewed his April 9, 2014 memorandum to the Planning Board addressing SEQRA and consistency with the LWRP.

Mr. Galvin commented that the 55 foot wall will fill the gap in the 67 ½ foot area from Otter Creek which is a critical environmental area. Mr. Galvin stated it is a Type II Action.

### **SEQRA – TYPE II ACTION**

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

Vote: 4-0

### **LWRP Consistency**

On motion by Mr. Sterk, seconded by Mr. Mendes, the Planning Board determined that the application was consistent with the policies of the LWRP in that the construction of the wall will minimize erosion to Otter Creek and will improve water quality.

Vote: 4-0

### **Wetlands Permit Approval**

On motion of Mr. Sterk, seconded by Mr. Mendes, the application for a Wetlands Permit to construct a stone wall at 901 Soundview Drive was approved, and subject to approval of the resolution to be reviewed at the April 23, 2014 Planning Board meeting.

Vote: 4-0

### **PUBLIC HEARING**

**Continuation of Public Hearing from January 22, 2014. Proposed subdivision is for 2 lots located at 209 Grand Street. The proposed action would include a two family residence on each lot in an R-4F zoning district.**

Mr. Paul Noto, the applicant's attorney, appeared and stated they received a Consistency Determination from the Harbor & Coastal Zone Management Commission (HCZMC). He said he is back to the Planning Board for final comments and approval.

Mr. Noto stated they applied for six variances from the Zoning Board of Appeals (ZBA). They received approval for variances on February 6, 2014. He recited the particulars of the six variances. Mr. Noto said they are now in conformity.

Ms. Oakley reviewed her April 9, 2014 memorandum to the Planning Board. She remarked that the landscape plan has not changed since the last submission. She noted that all plants will be too large at maturity. She said other choices are necessary. For example, she said the Blue Spruce trees specified to be planted on the northeast property line and along the center dividing line of the new properties can reach a width of 20 feet each at maturity. Holly designated for the front will be 10-20 feet wide and about 30 feet tall. She mentioned that a street tree can go inside of the utility line. She addressed the existing retaining wall, and said part of the wall according to the plan will be removed for the new driveway. There is room for a street tree depending on whether or not the retaining wall will be removed.

Mr. Carr said he received the revised plan late and did not have sufficient time to review it.

Mr. Noto said the changes will be made.

Mr. Sterk addressed impervious surface especially on the lot with the existing home. He noted the left lot with the house in back and parking spaces have too much impervious surface.

Mr. Noto referred to the three rectangles on the plan up from the existing house and said it is the driveway and is impervious surface.

Mr. Carr said that field testing needs to be done. The viability of the storm water system has not been proven. He inquired about Infiltration and if it can be achieved. He said what is underground is unclear, and that there could be rock below.

Mr. Sterk addressed selling off the lot. He stated that one does not need a building permit to sell off a lot. He said the lot has not been reviewed and it is unknown if it can hold water.

Mr. Steinman said when reviewing a subdivision, certain elements need to be satisfied such as adequate water, sewer and storm water drainage.

Mr. Carr said new impervious surfaces need to be treated on site. The applicant might need an access easement between the two shared properties. No treatment is shown on the left lot.

Mr. Noto recapped and said sub surface testing will be done. Ms. Oakley's comments on plants need to be addressed. Mr. Galvin interjected that current and proposed impervious surface should be stated. Mr. Noto said there is no net increase.

Mr. Galvin said this application date is May 2013. The applicant has been to the ZBA and to HCZMC. He mentioned there have been long stretches between meetings.

Mr. Wexler had concerns about parking usage, and asked how many families will be on site. Mr. Noto said it will be 2 and 2. Previously, it was 4 and 4.

Mr. Carr addressed the disturbance area for new driveway. He asked what percentage of the existing house is being changed.

Mr. Sterk addressed parking and asked if everything to the right is impervious surface. Mr. Noto said yes.

Mr. Carr said the driveway is less than 2,000 square feet. The footprint of the house is 1,200 square feet. Mr. Sterk noted that there will be 3,200 square feet of impervious surface on a 5000 square foot property. He requested the applicant to consider reducing the amount of impervious surface.

Mr. Michael Mastrogiacomo, engineer, agreed with the measurements. He said the existing stone wall in front of the new house on the bottom right will stay. He said the existing first house will be partially renovated. Landscaping will be unchanged. The tree landscape will be changed.

Mr. Carr said pavers could be put down or all asphalt for the driveway. Will Serve letters are due for water and for the sewer.

Mr. Galvin suggested that the impervious surface be reduced as much as possible. A table showing current impervious surface and the split between pervious and impervious on both lots should be submitted.

Mr. Galvin said the Public Hearing was adjourned from January 22, 2014. SEQRA was determined at that time.

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

The engineer stated they will be ready for the May 14<sup>th</sup> meeting.

The Public Hearing was continued to May 14<sup>th</sup>.

## **NEW BUSINESS**

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

Mr. Sven Hoeger and Ms. Susan Oakley compiled a reference document to be used by the Planning Board entitled "A Coastal Planting Guide for the Village of Mamaroneck". It is designed as a document to be referred to for particular properties for guidelines, and restrictions.

Ms. Oakley said the document includes a list of acceptable plants.

Mr. Ianniello suggested that it be made available to applicants. He inquired how an applicant will know when to use this document.

Mr. Steinman explained that different procedures would apply depending upon whether the Planning Board formally adopted the Guide as a rule or regulation or merely accepted the Guide as a reference tool. In the former case, the Guide would also have to be submitted to the Board of Trustees for approval. Mr. Sterk suggested that an adoption of this by the Board of Trustees should not be necessary. It is a reference guide.

Mr. Wexler inquired what if a particular species would not be suitable in a particular circumstance. Mr. Hoeger said the list can be flexible. Ms. Oakley said the Planning Board can tailor the plantings to the specifics of each property.

Mr. Wexler suggested that the use of organic fertilizer be included in the Guide. Mr. Sterk raised concerns about enforceability. It was agreed that the Guide should encourage the use of organic fertilizer.

Mr. Steinman suggested that Ms. Oakley and Mr. Hoeger prepare a cover letter to the Planning Board, remove the word Draft from the document, and then submit it to the Planning Board. Mr. Steinman said he will prepare a Resolution for the Planning Board to consider.

Mr. Galvin said it will be helpful to applicants as well as the Planning Board. He suggested that a paragraph be inserted on how the document can best be used by the applicant.

The Planning Board discussed how the Guide should be made available to applicants. Mr. Sterk stated that it can be put in the application materials.

Mr. Ianniello thanked the Consultants for their efforts on the document.

Mr. Galvin mentioned that the collaboration of two Consultants, one for Planning and the other for HCZMC is a step in the right direction and a good approach.

## **RESOLUTION**

### **Resolution for St. John's Evangelical Lutheran Church Site Plan Approval for Minor Expansion**

RESOLUTION  
VILLAGE OF MAMARONECK PLANNING BOARD  
Adopted April 9, 2014

**RE: St. John's Evangelical Lutheran Church, 122 Fenimore Road**  
**Resolution of Site Plan Approval**

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

WHEREAS, on March 13, 2014, Rex Gedney, A.I.A. on behalf of St. John's Evangelical Lutheran Church, 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 site plan approval for an approximately 1,230 square foot addition and alterations to the existing Church ("Application"); and

WHEREAS, the Applicant is located at 122 Fenimore Avenue, within the R-7.5 Residential District; and

WHEREAS, the Applicant proposed to add an approximately 1,230 square foot two story addition to the existing Church. The addition consists of a lower level with new classroom space for religious education and the main level with new choir room, conference/meeting rooms, classroom/meeting space, kitchenette, and new pastor's office.



The addition is designed to serve the existing congregation. No new seats are proposed in the principal meeting room/main worship area. One hundred and one (101) parking spaces are available to the congregation (27 on-site and 74 on-street). Existing off-street parking and circulation appear adequate and no new parking is proposed. This proposal ("Project") is described and illustrated on the following set of plans dated March 13, 2014 and as submitted by the Applicant which forms a part of the Application:

1. SP-100 "Site Plan" prepared by Crozier-Gedney Architects, P.C.;
2. SP-101 "Site & Plantation Plan & Impervious Area Calculation" prepared by Crozier-Gedney Architects, P.C.;
3. ER-1 "Proposed Drainage and Erosion Control Plan" prepared by Benedict A. Salanitro, P.E., Consulting Engineer, dated February 18, 2014 and revised February 20, 2014;
4. P-100 "On Street Parking" prepared by Crozier-Gedney Architects, P.C.;
5. A-100 "Lower level Plan" prepared by Crozier-Gedney Architects, P.C.;
6. A-101 "Main Level Plan" prepared by Crozier-Gedney Architects, P.C.;
7. A-200 "Elevations" prepared by Crozier-Gedney Architects, P.C.;
8. Coastal Assessment Form ("CAF") dated March 13, 2014, and submitted pursuant to Local Law No. 30-1984;
9. Short-Form Environmental Assessment Form ("EAF") dated March 13, 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 Planning Board's Landscape Consultant as summarized in a memorandum dated March 28, 2014; from the Village's Planning Consultant as summarized in an email dated March 21, 2014; and from the Planning Board's Attorney;

WHEREAS, the Applicant has satisfactorily addressed those comments from the Village's Consultants; and

WHEREAS, a duly advertised public meeting was held on the application for a site plan approval on March 26, 2014, at which time all those wishing to be heard were given an opportunity to be heard; and

WHEREAS, the Planning Board determined on March 26, 2014, that the Project is a Type II Action pursuant to 6 NYCRR. § 617.5(c) (7); and

WHEREAS, the Planning Board determined on March 26, 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 site plan approval to the Project subject to the following conditions:
  - (a) Resolution of all zoning compliance matters with the Building Department including obtaining any variance that the Building Inspector determines is required;
  - (b) 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  
              Absent: None

PLANNING BOARD  
Village of Mamaroneck

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Michael Ianniello, Chairman

Date: April 9, 2014

**Resolution for 651 East Boston Post Road for Site Plan Approval**

RESOLUTION  
VILLAGE OF MAMARONECK PLANNING BOARD  
Adopted April 9, 2014

**RE: 651 East Boston Post Road Resolution of Site Plan Approval**

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

WHEREAS, on November 26, 2013, Taylor Lane Members, 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 site plan approval for an approximately 2,228 square foot, one story commercial building (“Application”); and

WHEREAS, the Applicant is located at 651 East Boston Post Road within the C-1 General Commercial District; and

WHEREAS, the Applicant initially proposed to construct an approximately 2,228 square foot one story, commercial building on a vacant 11,031 square corner lot at the intersection of East Boston Post Road and South Barry Avenue. The property was formerly a Mobil gasoline station, which has been demolished. The proposed building would provide a single space interior with the option of subdividing into two separate retail spaces. The height of the one story building was proposed at 16 feet. The subject property would provide 12 parking spaces (including one handicapped space) where 6 are required. During the review by the Planning Board, the Applicant at the request of the Planning Board reviewed a two-story building with office space on the second floor. Additionally, the Board requested and was provided an architectural feature (namely, a tower) at the corner of the building. After the Board’s review, the Applicant amended the site plan on March 5, 2014 to revert to a one story, 2,945 square foot commercial building (“Revised Application”). The Revised Application provides 15 parking spaces with 9 – 12 spaces required. The Revised Application shows a brick treatment for the façade including the architectural tower on the corner which is proposed to be retained. This proposal (“Project”) is described and illustrated on the following set of plans dated November 28, 2013 and revised April 7, 2014 prepared by MKS Design Associates, LLC and as submitted by the Applicant which forms a part of the Revised Application:

10. A0.01 “*Proposed Site Plan, Zoning Summary*”;
11. A0.02 “*Proposed Site - Planting Plan*”;
12. A0.03 “*Proposed Site – Grading Plan*”;
13. A0.10 “*Site Details*”;
14. A1.01 “*First Floor Plan - Roof Plan*”;
15. A6.01 “*Building elevation Details*”;
16. A6.02 “*Sections and Exterior Elevations*”;
17. A6.03 “*Building Sections*”;
18. C2.10 “*Stormwater Management Plan*” dated April 9, 2014 and prepared by Grigg & Davis Engineers, PC,;
19. C2.20 and C2.30 “*Stormwater Management Details*” dated April 9, 2014 and prepared by Grigg & Davis Engineers, PC;
20. C2.40 “*Erosion & Sediment Control Plan*” dated November 26, 2013 and prepared by Grigg & Davis Engineers, PC;
21. “*Preliminary Schematic Design Submission*” dated January 16, 2014 and revised March 12, 2014 and revised April 7, 2014;
22. “*Survey – Sheet 154.051, Block 1, Lot 26, Village of Mamaroneck*” dated October 7,

- 2013 and prepared by The Munson Company;
23. *Coastal Assessment Form* (“CAF”) dated November 26, 2014, revised March 5, 2014 and submitted pursuant to Local Law No. 30-1984;
  24. *Short-Form Environmental Assessment Form* (“EAF”) dated November 27, 2013 and revised March 5, 2014.

WHEREAS, the Planning Board is familiar with the Property and all aspects of the Project 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 the Revised Application, reviewed the *Traffic and Parking Evaluation Study* prepared by Frederick P. Clark Associates, Inc. dated February 6, 2014 and updated March 6, 2014 and received comments and recommendations from the Planning Board’s Landscape Consultant as summarized in memorandums dated December 10, 2013, January 31, 2014, February 11, 2014 and March 28, 2014; from the Village’s Planning Consultant as summarized in a memorandum dated November 27, 2013; from the Village Engineer in a memorandum dated April 9, 2014; and from the Planning Board’s Attorney;

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

WHEREAS, duly advertised public meetings were held on the Application and Revised Application for a site plan approval on December 11, 2013, January 22, 2014, February 12, 2014, March 26, 2014 and 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 March 26, 2014, that the Project is a Type II Action pursuant to 6 NYCRR. § 617.5(c) (7); and

WHEREAS, the Planning Board determined on March 26, 2014, 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 Village Engineer has determined that the Project is in conformance with the requirements of Chapter 294, Stormwater Management and Erosion and Sediment Control and other sections of the Village of Mamaroneck Code as applicable to Village Engineer review.

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

3. The Planning Board hereby grants site plan approval to the Project subject to the following conditions:

- (a) The Applicant shall pay all outstanding consultant review fees in connection with Planning Board review of this application.
4. 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  
Absent: None

PLANNING BOARD  
Village of Mamaroneck

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Michael Ianniello, Chairman

Date: April 9, 2014

**ADJOURNMENT**

On motion of Mr. Sterk, seconded by Mr. Wexler, the meeting was adjourned at 8:16 p.m.

VOTE: 4-0

Respectfully submitted,

Anne Hohlweck  
Recording Secretary