

**VILLAGE OF MAMARONECK
PLANNING BOARD MEETING MINUTES
WEDNESDAY, JUNE 25, 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 June 25, 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, July 9, 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
 STEWART STERK
 LEE WEXLER (arrived 7:06)
 LOU MENDES

BOB GALVIN, AICP, VILLAGE PLANNER
LESTER STEINMAN, PLANNING BOARD ATTORNEY

CALL TO ORDER

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

APPROVAL OF MINUTES – June 11, 2014 meeting

On motion of Mr. Sterk, seconded by Mr. Sjunneemark, the minutes of the June 11, 2014 meeting were approved.

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

OLD BUSINESS

WETLANDS PUBLIC HEARINGS

558 Shore Acres Drive - Wetland Permit - Continuation of Public Hearing from 5/28/14

Review of revised plans for a wetland permit related to the reconfiguration of an existing recreational docking facility and maintenance of an existing seawall/riprap located at 558 Shore Acres Drive in a R-10 Residential district.

Mr. Dan Natchez, Daniel S. Natchez and Associates, appeared for the applicant, and stated they appeared for a second time before the Harbor & Coastal Zone Management Commission (HCZMC) with a revised plan. The dock was reduced to 207 feet in length from 218 feet. He said the distance to the Federal channel has been increased to 37 feet on the southwest corner and 56 feet on the northwest corner. Piles were reduced from five to four. The pile height is three feet above sea level and will be uniform in height. Mr. Natchez stated the Village Harbor Master has reviewed and approved of these changes. Mr. Natchez mentioned that the seawall is existing and no repairs are planned. The HCZMC has approved a marine structures permit for the reconfigured dock and the seawall.

Mr. Natchez said in 1982 a permit was initially issued for a shorter docking facility. In 2006, a Certificate of Occupancy (CO) was issued for the docking facility in its entirety by the Building Department.

Mr. Sterk inquired if this is the same configuration since 1985, and, if so, has there been expansion in any way since that time. Mr. Natchez said that a Jet Ski dock was added. Piles were installed because the dock shifts from side to side.

Mr. Natchez said the Harbor Master does not want docks parallel to the channel, but perpendicular. Because there is a bend in the channel in the northerly direction, the pile was moved away from the channel for a straighter line and a stronger connection.

Mr. Ianniello inquired about guidelines from HCZMC. Mr. Steinman indicated that the Village Board is looking into making changes to Chapter 240 of the Village Code as part of the update to the LWRP. The length of docks is one of the areas that is being reviewed. He said what was approved in 1982 is far shorter than what is there now. Mr. Natchez confirmed that in 1982 the dock was much shorter.

Mr. Sterk remarked that under the current Village Code, a shoreline owner can build a dock as long as he wants provided it does not protrude into the Federal channel. Mr. Galvin said that there is no numerical guideline, but HCZMC needs to approve. Mr. Steinman said there

are standards but not numerical. The Board of Trustees is considering numerical standards as part of updating Chapter 240 of the Village Code.

Mr. Sterk said he is reluctant to approve something if guidelines may be changed in a couple of months. Mr. Steinman said existing conditions would most likely be grandfathered in. Mr. Galvin said certain areas in the Harbor may be treated differently due to tides and other conditions.

Mr. Sjunneemark noted that the last approval was in 1982, but in 1985 a change occurred that was significantly larger than what was there. The CO was issued in 2006 by the building department.

Mr. Sjunneemark asked if a real buffer has been established.

Mr. Natchez said the Harbor Master wants a 25 foot buffer and in this case, they are 37 feet away. Mr. Galvin commented that establishing buffers will be part of the LWRP update.

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

Mr. Natchez mentioned that he received letters from adjacent neighbors and there were no objections.

Mr. Wexler inquired about dock lighting. Mr. Natchez said there will be no flood lights illuminating anything.

Close Public Hearing

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

Vote: 5-0

Mr. Galvin recited the criteria for a Type II action under NYS DEC 617.5 (c) 10.

SEQRA – TYPE II ACTION

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

Vote: 5-0

Mr. Sjunneemark asked about the seawall and riprap. Mr. Natchez said the existing seawall and riprap will be maintained.

LWRP Consistency

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

Ayes: Sterk, Sjunneemark, Mendes, Ianniello

Nays: Wexler

Wetlands Permit Approval

On motion of Mr. Sterk, seconded by Mr. Sjunneemark, the application for a Wetlands Permit was approved at 558 Shore Acres Drive for the reconfiguration of an existing recreational docking facility and maintenance of an existing seawall/riprap.

Vote: 5-0

Mr. Galvin mentioned the revised plans were submitted after the HCZMC meeting and the correct date for drawings is June 6, 2014.

Mr. Ianniello requested that all drawings reflect the June 6, 2014 date.

1411 Flagler Drive - Continuation of Public Hearing for Wetland Permit (from 6/11/14) Wetland Permit review of revised plans for installation of a swimming pool in the rear yard within the 100 foot wetland buffer at 1411 Flagler Drive in a R-20 residential district

Mr. Dan Natchez, Daniel S. Natchez and Associates, appeared for the applicants, who also were present. Mr. Natchez stated that he discussed the particulars of the pool design with members of the building department as requested by the Planning Board. He said the 1978 survey with the original 1,100 square foot sidewalk was submitted.

Mr. Keller, applicant's architect, stated that the Assistant Building Inspector, Robert Hughes, indicated that the pool should be ten feet away from the building. Mr. Keller said the pool cannot be installed inside the terrace as it would require the house to be moved.

Mr. Galvin indicated that he would follow up with Mr. Hughes and have him provide input back to the Board.

Mr. Natchez said the applicant is a physical therapist and plans to use the pool to develop therapeutic exercises.

Mr. Natchez said the driveway was changed and is a 2 to 1 reduction of impervious surface (outside of the 100 foot buffer). He said the pool will be adjacent to the terrace. Mr. Wexler commented that the driveway surface change is good.

Mr. Sterk said measures should be taken to preclude subsequent restoration of the portion of the asphalt driveway to be removed as part of this application.

Mr. Ianniello asked that the applicant research and present proof of its contention that there have been other applications that were approved by the Planning Board that had similar design challenges in which the Planning deviated from its policy of a 1 for 1 compensation inside the 100 foot wetland buffer.

Mr. Ianniello stated the public hearing will be continued at the Planning Board's July 9, 2014 meeting.

NEW BUSINESS

Site Plan Review for proposed demolition of 4,025 square feet of existing seasonal locker rooms and replacement with new structures of same size in same footprint. Additionally, a new welcoming building is proposed to be added and an outdoor boardwalk. The property is the Beach Point Club located at 900 Rushmore Avenue in an MR zone.

Mr. Randy Ruder, Beach Point Club General Manager, appeared and stated the locker facilities date back to the 1930's. Half of the lockers are for women and the other half for men. The existing facility is being torn down, including ten bath houses, and will be replaced with a new structure at the same location. A small welcoming desk (195 square feet) will be built in a separate building to assist visitors with their access to the locker rooms. The desk will be closer to the parking lot. There will be water views. Changing rooms are in the cabanas and are not being changed. He said up-lights in trees, and sconces that will light up the boardwalk, will be added. The boardwalk will go along the outside of the cabanas. Mr. Ruder said the boardwalk is a new concept and will not be in the buffer zone. There will be no parking changes. Additional plants will be added.

Mr. Sjunneberg asked about the cabanas that are not being worked on. Mr. Ruder said there are about 300 cabanas behind and adjacent to the locker rooms and from the 1930's. The number of replaced lockers will remain the same. The locker rooms design will be square that were previously rectangular.

Mr. Wexler asked about trees in the area of the proposed action. Mr. Ruder said there are no big trees but there are some scraggy trees on the premises that were damaged from the recent hurricane. One tree will be taken out.

Mr. Ruder said the facility will be opened from Memorial Day to Labor Day. After the season, they plan to begin construction.

Mr. Mendes asked if there is a club house or meeting room area. Mr. Ruder said no.

Ms. Oakley reviewed her memorandum to the Planning Board dated June 25, 2014. She said there will be 65 new trees added. They are labeled only as small, medium and large. She mentioned that the planting plan is incomplete with no plant schedule noting varieties and no specific list of plants indicated. A labeled plant schedule needs to be provided on the landscape drawing. The species of plants that will be removed also should be indicated. The applicant agreed to address Ms. Oakley's comments.

Mr. Galvin said the new Coastal Planting Guide should now be available on the Village website. Mr. Ruder said he will refer to the website.

Mr. Ianniello requested that the dates on the plans be consistent so that all pages reflect the same date. Plans also should be full size.

Mr. Galvin said Mr. Carr has reviewed their stormwater and drainage plans and will follow up with the applicant's engineer when he gets back in the office.

Mr. Galvin reviewed his memorandum to the Planning Board dated June 22, 2014 regarding SEQRA compliance. He recited the conditions relevant to this application that meet the criteria for a Type II action under NYS DEC 617.5 (c) (2) and (7).

SEQRA – TYPE II ACTION

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

Vote: 5-0

The application was adjourned to July 9, 2014.

RESOLUTIONS

Mr. Galvin said the draft Resolution for 209 Grand Street is not yet complete and will not be reviewed this evening. Mr. Steinman said there are some issues that need to be discussed with the Village Engineer.

PUBLIC COMMENT

Mr. Stuart Tiekert, resident, came forward and asked if the Beach Point application was a public hearing. Mr. Steinman responded no but that the Chair could allow public comment. Mr. Tiekert said Site Plan reviews that include Storm Water Pollution Prevention Plans are to be opened for public comments and that it is New York State law. He asked if the Board follows the open meetings law. Mr. Steinman responded yes.

ADJOURNMENT

On motion of Mr. Sterk, seconded by Mr. Sjunneemark, the meeting was adjourned at 8:27 p.m.

VOTE: 5-0

Respectfully submitted,

Anne Hohlweck
Recording Secretary