

**Inc. Village of Northport  
Approved Minutes of the Planning Board**

February 26, 2013

There was a regular meeting of the Planning Board held tonight at Village Hall beginning at 7:00pm. Present were: Chairman Richard Boziwick, Paul Ersboll, Robert Flynn, Martin Rebholz (late), Gene Guido, Village Administrator, Ed Gathman, Planning Board Attorney and Joy Nygren, Planning Board Secretary. Absent was: Lizbeth Thalheimer.

**Approval of the Minutes**

The minutes of the January 22, 2013 meeting were, on the motion of Chairman Boziwick, seconded by Mr. Flynn, unanimously approved.

**JP Morgan Chase, 721 Fort Salonga Road – site plan waiver**

Present was Yuet Pang, of the design firm.

Ms. Pang stated that the proposed work is minimal, and interior only. The Board briefly reviewed the submitted items.

On the motion of Chairman Boziwick, seconded by Mr. Flynn, the Board waived the reading of the resolution. On the motion of Chairman Boziwick, seconded by Mr. Ersboll, the Board unanimously approved the following resolution:

**WHEREAS:** The applicant, Designers Quad Group, P.C., submitted a request for a waiver from Site Plan review for Chase Bank, located at 721 Fort Salonga Road, Northport and

**WHEREAS:** In a report dated February 21, 2013 the Village Administrator states that the proposed interior renovations do not alter the existing building footprint nor change the existing use, and

**WHEREAS:** The existing site is complete and the proposed work warrants no further updates to the existing site plan, and

**WHEREAS:** This is a Type II Exempt Action that requires no further environmental review, and

**WHEREAS:** The report further states that based on the submitted plans, waiver from Site Plan review should be granted at this time, and

**BE IT RESOLVED:** The Planning Board accepts the report from the Village Administrator and hereby waives site plan review and any related fees.

**JP Morgan Chase, 54 Main Street – site plan waiver**

There was no representation for this matter.

The Board briefly reviewed this application, and on the motion of Chairman Boziwick, seconded by Mr. Flynn, the Board waived the reading of the resolution. On the motion of Chairman Boziwick, seconded by Mr. Flynn, the Board unanimously approved the following resolution:

**WHEREAS:** The applicant, Milrose Consultants, submitted a request for a waiver from Site Plan review for Chase Bank, located at 54 Main Street, Northport and

**WHEREAS:** In a report dated February 22, 2013 the Village Administrator states that the proposed interior renovations do not alter the existing building footprint nor change the existing use, and

**WHEREAS:** There is no site to review, as the existing building is on Main Street, and

**WHEREAS:** This is a Type II Exempt Action that requires no further environmental review, and

**WHEREAS:** The report further states that based on the submitted plans, waiver from Site Plan review should be granted at this time, and

**BE IT RESOLVED:** The Planning Board accepts the report from the Village Administrator and hereby waives site plan review and any related fees.

Mr. Rebholz enters the meeting.

**Mama Mia Pizzeria, 395 Fort Salonga Road – site plan waiver**

Present was Christopher Garten, the architect.

Mr. Garten stated that the only site work beyond renovating the site to a restaurant is the installation of grease traps in the kitchen area. The Board briefly discussed the

matter, and on the motion of Chairman Boziwick, seconded by Mr. Ersboll, the Board waived the reading of the resolution. On the motion of Chairman Boziwick, seconded by Mr. Flynn, the Board unanimously approved the following resolution:

**WHEREAS:** In a letter dated February 8, 2013, from Christopher Garten, on behalf of the owner, Mama Mia Pizzeria, requesting waiver from the required Site Plan review, and

**WHEREAS:** The Village Administrator's report, dated February 20, 2013, states that the 395 Fort Salonga Road location has an existing site plan which requires no changes for this proposed use, and

**WHEREAS:** The report further states that the site plan waiver is a Type II exempt action that requires no further environmental review, now therefore

**BE IT RESOLVED:** The Planning Board accepts the report from the Village Administrator and hereby waives site plan review and any related fees.

#### **180 Main Street – site plan waiver**

There was no representation for this matter.

Chairman Boziwick noted that this property is west of the Fire House, and was known as "Honey Bee Bakery", and the owner wanted to change the use from retail to office space. The Board briefly discussed the matter, and on the motion of Chairman Boziwick, seconded by Mr. Flynn, the Board waived the reading of the resolution. On the motion of Chairman Boziwick, seconded by Mr. Ersboll, the Board unanimously approved the following resolution:

**WHEREAS:** In a letter received February 15, 2013, Bill Sachelari, requests a waiver from site plan review for 180 Main Street, and

**WHEREAS:** In a report dated February 21, 2013 the Village Administrator, states that the proposed change of use triggers Site Plan review and is a Type II Exempt Action that requires no further environmental review, and

**WHEREAS:** The report further states that waiver from Site Plan review should be granted due to the absence of a site, now therefore

**BE IT RESOLVED:** The Planning Board accepts the findings in the Village Administrator report and hereby waives site plan review and any related fees.

## **Northport Tennis Club – steep slope application**

Present was Roy Earlandsen, P.E., the designer of the submitted plans.

Mr. Flynn recuses himself, as the Tennis Club property abuts his property.

Mr. Earlandsen stated that this application is to replace an existing retaining wall, and with that, improve the drainage on the property. The wall will be slightly longer than the existing, and will be constructed of concrete block. The Board briefly discussed the matter, and on the motion of Chairman Boziwick, seconded by Mr. Ersboll, with Mr. Flynn abstaining, the Board approved the following resolution:

**WHEREAS:** A steep slope application from the Northport Tennis Club located at Maple Circle, was received on January 31, 2013, and

**WHEREAS:** The February 22, 2013 Village Administrator report states that application is substantially complete and contains sufficient information for the Planning Board to make a proper review, and

**WHEREAS:** Village Administrator report further states that the proposed action is a Type II Exempt Action requiring no further SEQRA review, and

**WHEREAS:** The Planning Board accepts the findings and recommendation in the February 22, 2013 Village Administrator report, now therefore

**BE IT RESOLVED:** That the steep slope application, for the proposed work to be done at Northport Tennis Club, Maple Circle, is hereby approved with the following conditions:

1. That a stormwater pollution prevention plan is filed along with the building permit and all stormwater controls be followed during construction according to the NYS Stormwater Management Design Manual.
2. Complete the preliminary drainage calculations to increase the stormwater capacity in the tennis court area.
3. A slope stabilization plan is to be submitted prior to commencing work indicating landscaping materials and ground cover/mulch requirements to mitigate water runoff both on top and at the base of the wall after the wall is completed. This can be filed with the building permit application.
4. Engineer is to submit letter upon completion that the wall was built to plans and specifications.

5. Submit and receive approval of a final survey.

### **Hall, 60 Woodside Ave – steep slope application**

Present was Roy Earlandsen, P. E.

Mr. Earlandsen stated that this application is the result of a stop work order issued by the Village, for work on the retaining wall being done without a permit, and that he was hired after the initial work had been started. He stated that the work is approximately 95% complete. Mr. Earlandsen stated that he has inspected the wall, and probed the base, and that he feels that the wall is adequate for the situation. The Board briefly discussed the matter, and on the motion of Chairman Boziwick, seconded by Mr. Flynn, the Board waived the reading of the resolution. On the motion of Chairman Boziwick, seconded by Mr. Rebholz, the Board unanimously approved the following resolution:

**WHEREAS:** A steep slope application from James Hall was received on February 13, 2013, and

**WHEREAS:** The proposed project was started without permits, the Applicant submitted an Engineer's letter that the completed work is safe and can be completed, and

**WHEREAS:** The Village Administrators report states that the application is complete and recommends approval, and

**WHEREAS:** The report further states that the Applicant needs to:

1. Obtain a Building Permit before continuing work.
2. Submit an Engineer's letter for the retaining wall upon completion.
3. Submit a Final Survey for approval upon completion.

**WHEREAS:** The Planning Board determined that the proposed action is Type II Exempt Action requiring no additional environmental review, now therefore

**BE IT RESOLVED:** That the James Hall steep slope application, for the existing and proposed work to be done at 60 Woodside Ave is hereby approved, and

**BE IT FURTHER RESOLVED:** In order to receive final approval the Applicant must:

1. Obtain a Building Permit before continuing project.
2. Submit an Engineer's letter for the completed project.
3. Submit a Final Survey for approval upon project completion.

## **Halley, 56 Highland Ave – steep slope application**

Present was George Suddell, architect.

Mr. Suddell stated that this application proposes a retaining wall along with a water feature, to help create a front yard on this property. He went on to say that the property drops very sharply about 20' from the residence. The Board briefly discussed the matter, and on the motion of Chairman Boziwick, seconded by Mr. Flynn, the Board waived the reading of the resolution. On the motion of Chairman Boziwick, seconded by Mr. Flynn, the Board unanimously approved the following resolution:

**WHEREAS:** A steep slope application and plans were received on February 15, 2013 and revised plans were received on February 26, 2013, and

**WHEREAS:** George Suddell appeared before the Planning Board, on behalf of the owner Judith Sinclair, requesting steep slope approval for Halley residence at 56 Highland Avenue, and

**WHEREAS:** The Planning Board accepts the Village Administrator's report from 2/26/13, and

**WHEREAS:** The Planning Board determined that the proposed action is Type II Exempt Action requiring no additional environmental review, now therefore

**BE IT RESOLVED:** That the Halley residence steep slope application, for the proposed work at 56 Highland Ave is hereby approved, and

**BE IT FURTHER RESOLVED:** That the applicant is required to comply with the current grading and storm water drainage requirements.

## **Pidgeon, 77 Waterside Ave – steep slope application**

Present was Edward Pidgeon, the property owner.

Mr. Pidgeon stated that his design professional has made most of the requested changes to the plans, as per Mr. Guido's memo. Mr. Guido noted that the requirement of a topography map that extends onto the adjoining properties has still not been submitted, and that this submittal is a condition of the resolution.

On the motion of Chairman Boziwick, seconded by Mr. Flynn, the Board waived the reading of the resolution. On the motion of Chairman Boziwick, seconded by Mr. Ersboll, the Board unanimously approved the following resolution:

**WHEREAS:** A retaining wall was demolished, and two new walls were constructed at the applicant's property without steep slope approval or Building Department permits being issued, and

**WHEREAS:** A steep slope application was received on 7/2/12, with additional documents received on December 7, 2012 from Ed Pidgeon, and

**WHEREAS:** The Village Administrator report states that application is substantially complete and could be approved with conditions, and

**WHEREAS:** The Village Administrator has determined that the proposed action is Type II Action requiring no additional environmental review, now therefore

**WHEREAS:** The Ed Pidgeon steep slope application, for the work to be done at 77 Waterside Ave can be approved with conditions, and

**BE IT RESOLVED:** The following conditions need to be met before construction can continue at 77 Waterside Ave;

1. Submission and approval of a revised site plan with topography lines, as per the application specs, to consider any potential impact of the existing and proposed work to the two adjoining properties.
2. Engineer's certification of the integrity and structure of the two lower walls built without a permit.

**BE IT FURTHER RESOLVED:** That the Steep Slope application of Ed Pidgeon is approved with the following conditions that need to be met before final approval:

1. Engineer's letter certifying the proposed walls upon completion.
2. Submission and approval of a final survey
3. Final inspection.

### **Krulik, 175 Bayview Ave – steep slope application**

Present were Kenneth Savin, attorney for the applicant, and Al Sutton, architect.

Mr. Savin briefly reviewed the application stating that the intention is to demolish the existing multi-family house, and build a new single family residence that is placed slightly further back on the property. Mr. Sutton stated that the applicant is going to replace the existing Village sewer main, made of asbestos, which runs through the property with a PVC pipe, and that that work will be done in conjunction with the Village.

Christopher Modelewski, attorney for the next door neighbor, William O'Shea, at 167 Bayview Ave, and Gary Becker from Nelson & Pope, also representing Mr. O'Shea. Mr. Modelewski stated that he feels that the application does not meet the requirements of the Village Code. He went on to say that he feels that the proposed fill, height of the proposed residence, and whether or not the plans propose 3 stories of the new residence, and that those items need interpretation from the Board of Zoning Appeals. Mr. Modelewski stated that the proposed 2<sup>nd</sup> building on the plans, and whether or not that can be considered a second residence.

Zachary Murdock, attorney for adjoining townhouse development, Harbour Villas homeowner's association, stated that he applauds the Board for stating that this application would be scheduled for a public hearing. He stated the association is concerned about the amount of the proposed fill, and the proposed pool & cabana.

The Board discussed the matter, and on the motion of Chairman Boziwick, seconded by Mr. Flynn, the Board adopted the following resolution:

**BE IT RESOLVED:** That the Planning Board will hold a public hearing for the Krulik, 175 Bayview Ave, steep slope application, on Tuesday, April 9, 2013, at 7pm, at Northport Village Hall.

On the Rim, site plan application #65 – final bond release

There was no representation for this matter.

On the motion of Chairman Boziwick, seconded by Mr. Rebholz, the Board waived the reading of the resolution, and on the motion of Chairman Boziwick, seconded by Mr. Flynn, with all members in favor, adopted the following resolution:

**WHEREAS:** In a letter dated February 25 , 2013 Mike Nelson requested that the remaining \$10,000.00 cash bond, for "On the Rim" (Site Plan #65), at 469 Fort Salonga Road, be released, and

**WHEREAS:** The February 25, 2013 report from the Village Administrator, states that the Village received the final survey on August 27,2012 and that the improvements are complete, and

**WHEREAS:** The report recommends the approval of the final survey and that the Planning Board recommend release of the \$10,000.00 remaining bond for Site Plan #65 "On the Rim" to the Board of Trustees, now therefore

**BE IT RESOLVED:** That Planning Board recommends to the Board of Trustees that they adopt a resolution approving the final bond release for "On the Rim" Site Plan #65, in the amount of \$10,000.00.



On the motion of Chairman Boziwick, seconded by Mr. Flynn, the meeting was adjourned. The next regularly scheduled meeting of the Planning Board will be held on Tuesday, April 9, 2013.