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Village of Mamaroneck Planning Board # _____ - 2021

2021 DEC 28 A 10:41 Date of Planning Board Meeting – December 22, 2021

VILLAGE OF MAMARONECK
Application of McDonald's, LLC for Site Plan Approval for interior and exterior building renovations.

Moved by Cindy Goldstein; Seconded by Richard Litman

WHEREAS, McDonalds, LLC ("Applicant") has applied for site plan approval for interior and exterior building renovations on SBL ###9-928-221, 9-928-1, and 4-12-436, the property, zoned C-1, is located at 1205 West Boston Post Road in the Village of Mamaroneck ("Village") and McDonald's, LLC is applying for site plan approval pursuant to § 342-74 and § 342-75 of the Village of Mamaroneck Zoning Code;

WHEREAS, the site plan approval for interior and exterior building renovations is for the McDonalds, LLC building on 1205 West Boston Post Road;

WHEREAS, the renovations would take place at an already existing 4,631 square foot fast-food restaurant with a drive-thru;

WHEREAS, the Applicant is a pre-existing legal non-conforming use according to § 342-64 of the Village's Zoning Code;

WHEREAS, the existing parking area has 57 parking spaces, the proposed project would reduce the total number of parking spaces to 56, which exceeds the minimum requirement of 37 spaces for a 91-seat restaurant with 12 employees;

WHEREAS, the proposed changes to the parking area would occur within the existing paved areas and would not change or increase any pre-existing non-conforming setbacks;

WHEREAS, the application was submitted on September 22, 2021 and was supplemented and revised over the course of several months;

WHEREAS, the Village's Consulting Planner made a determination on September 08, 2021 that the application for the renovations was deemed complete upon submission of the application fees and notification requirements which have both been fulfilled;

WHEREAS, all application materials are on file with the Village and are available for public review and comment;

WHEREAS, the Planning Board determined at its meeting on October 13, 2021, that the application is a Type II action under the State Environmental Quality Review Act per § 617.5(c)(2) and (9);

WHEREAS, during the Planning Board meetings of November 10, 2021, and December 8, 2021, a public hearing was held on the site plan application and members of the public were given the opportunity to share any concerns regarding the project and there were no public comments;

WHEREAS, Bohler Engineering submitted a revised site development plan on November 19, 2021;

WHEREAS, the Village Planning Board at its meetings on October 13, 2021, November 10, 2021, December 8, 2021, and December 22, 2021 considered the additional materials submitted by the Applicant to address the concerns set forth above including letters from the project counsel Darius Chafizadeh, Terra Bella Land Design, AKRF Environmental Consultants, and plans and specifications prepared by the Project Engineer for the street trees, Stormwater Pollution Prevention Plan ("SWPPP"), Drive-Thru Plan, and Landscape Plan;

WHEREAS, memoranda were received regarding the SWPPP, site layout plan clarification, Americans With Disabilities Act compliance, New York State Department of Transportation item numbers, Concrete Sidewalk Details, drive thru lane, and the pass thru lane;

WHEREAS, the Village Planning Board considered each and every comment, and concern in evaluating whether the site plan for the proposed renovations met the standard for such site plans articulated in the zoning code;

WHEREAS, the Village Planning Board was only required to notify the Westchester County Department of Planning and the notification was acknowledged on December 6, 2021 by County Planner Michael Vernon;

WHEREAS, in accordance with applicable site plan in Section 342-76 of the Village Code, the Planning Board has evaluated any changes to the existing site plan including modifications to landscaping, the addition of street trees, any reconfiguration of stormwater drainage, the driveway connections to public streets, traffic, pedestrian safety, on-site parking and circulation, and improvements in efficiency from the revised drive through configuration and signage;

Now Therefore be it Resolved, that the Village Planning Board confirms the action is a Type 2 action under SEQRA; and

Be it Further Resolved, that the Village Planning Board waives the requirement for the applicant to submit a survey with topography lines, because the Applicant is seeking minor modifications involving little to no grading to an existing McDonald's facility;


Be it Further Resolved, that the Village Planning Board hereby approves the revisions to the amended site plan prepared by Brad Bohler, Bohler Engineering, P.E., and accompanying application documents and imposes the following conditions:

1. The tree planting shall be undertaken at the same time as the renovation of the building and that the landscaping planted, including the trees, be warranted by the supplier of the materials and that any dead or non-thriving trees shall be replaced over the life of the project by the Applicant at the Applicant's cost;
2. The Professional Engineer for the Project shall submit a certification to the Village that the renovations were constructed in accordance with the approved amended site plan prior to issuance of the certificate of occupancy;
3. The Applicant will review maintenance of the existing parking lot with the store operator relative to future repaving and re-striping;
4. If one is not already on file, the Applicant shall provide a stormwater management agreement to the Village obligating the Applicant to maintain the on-site stormwater management system and to ensure that it is maintained;
5. All outstanding escrow or other fees shall be paid to the Village prior to the issuance of the Building Permit;
6. The Applicant has agreed to offer to donate the funds to the Village of Mamaroneck to purchase and plant two (2) trees in the Village;
7. All local, State and federal permits shall be obtained that are required for the project.

By ~~(unanimous)~~majority vote of the Planning Board of the Village of Mamaroneck at its regular meeting of December 22, 2021.

<u>Roll Call Vote:</u>	<u>Yes</u>	<u>No</u>	<u>Abstain/Absent</u>
Kathleen Savolt, Planning Board Chair	x		
Cindy Goldstein, Board Member	x		
Richard Litman, Board Member	x		
Ellen Styler, Board Member	x		
Seamus O'Rourke, Board Member			Abstain

Planning Board of the Village of Mamaroneck


 Kathleen Savolt, Planning Board Chair

12/23/2021
 Date

