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**VILLAGE OF MAMARONECK
PLANNING BOARD SPECIAL MEETING MINUTES
Monday May 4, 2020 7:00 PM
ONLINE**

NOTICE OF FIRE EXITS AND REQUEST TO TURN OFF ELECTRONIC DEVICES

These minutes primarily record the actions voted on by the Planning Board on May 4, 2020. The full public record of this Meeting is the audio/video recording made of this meeting:
https://lmcmedia.org/videos_list/village-of-mamaroneck-planning-board-meeting-5-4-20/

PLEASE BE ADVISED, that the next Meeting of the Planning Board of the Village of Mamaroneck is scheduled for May 13, 2020 at 7:00 P.M. online.

PRESENT: KATHLEEN SAVOLT, CHAIR
CINDY GOLDSTEIN
LOU MENDES
RICHARD LITMAN

GREG CUTLER, VILLAGE PLANNER
BOB SPOLZINO, VILLAGE ATTORNEY
STUART MESINGER, VILLAGE CONSULTANT

RECUSED: JOHN VERNI, BOARD MEMBER

EXCUSED: BRIAN HILDENBRAND, VILLAGE CONSULTING ENGINEER
CHRISTY MASON, PLANNING BOARD ATTORNEY

CALL TO ORDER

Chair Savolt called the meeting to order at 7:01 p.m.

1. BOARD HAMPSHIRE WORK SESSION ON FINDINGS AND CONSIDERATION OF ADOPTING A RESOLUTION

- A. WORK SESSION 1025 COVE ROAD HAMPSHIRE COUNTRY CLUB;** 1025 Cove Road (Section 9, Block 35, Lot 700; Section 9, Block 36, Lot 1; Section 9, Block 42, Lots 568, 695 and 367; Section 9, Block 43, Lots 1 and 12) Hampshire discussion of Final Environmental Impact Statement for an application for a proposed Subdivision, Site Plan and Special Permit
BOARD DISCUSSION OF FINDINGS

Chair Savolt:

We're going to begin this meeting with a Session for the Advice of Counsel. I need a motion to go into that Session.

On motion of Ms. Goldstein, seconded by Mr. Litman, and carried, the Board went into an Advice of Counsel Session at 7:01pm

Ayes: Mr. Mendes, Mr. Litman, Ms. Goldstein, Chair Savolt

Nays: None

Recused: Mr. Verni

On motion of Ms. Goldstein, seconded by Mr. Litman, and carried, the Board returned from the Advice of Counsel Session at 7:35pm

Ayes: Mr. Litman, Ms. Goldstein, Chair Savolt

Nays: None

Recused: Mr. Verni

Mr. Mendes hadn't reconnected.

Chair Savolt:

The next item on the agenda is the final SEQRA Findings Statement on the Hampshire Country Club Planned Residential Development. I have no comments on this.

Mr. Mendes reconnected. He and the other Board members didn't have any comments on the Findings Statement or the resolution.

**RESOLUTION ADOPTING FINDINGS
Village of Mamaroneck Planning Board
(Adopted May 4, 2020)
Re: 1025 Cove Road**

WHEREAS, on June 26, 2015, Hampshire Recreation, LLC ("Applicant") applied to this Board for approval of a Planned Residential Development, pursuant to Village Code § 342-52, a wetlands permit, pursuant to Chapter 192 of the Village Code, Subdivision approval in accordance with Chapters 58 and A348 of the Village Code, and Site Plan approval, in accordance with Article XI of Chapter 342 of the Village Code, for a 105-unit residential development at 1025 Cove Road in the Village of Mamaroneck ("the Project"); and

WHEREAS, on July 8, 2015, this Board circulated notice of its intent to serve as lead agency for the Project under the New York State Environmental Quality Review Act (SEQRA)

WHEREAS, on September 9, 2015, this Board declared itself to be the lead agency for the Project under SEQRA; and

WHEREAS, on April 12, 2017, the Applicant submitted a proposed Draft Environmental Impact Statement (DEIS) for the Project; and

WHEREAS, on April 26, 2017, this Board determined that the proposed DEIS was incomplete and requested that the Applicant revise it; and

WHEREAS, on August 29, 2017, the Applicant submitted a revised proposed DEIS; and

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WHEREAS, on September 13, 2017, this Board determined that the revised proposed DEIS was incomplete and requested that the Applicant revise it; and

WHEREAS, on November 10, 2017, the Applicant submitted a second revised proposed DEIS; and

WHEREAS, on December 13, 2017, this Board determined, in accordance with 6 NYCRR § 617.9(a)(2), that the prepared by the Applicant was adequate in scope and content for the purpose of commencing public review; and

WHEREAS, this Board duly caused a notice of completion of the DEIS to be prepared and caused the DEIS and the notice of its completion to be filed and published as required by 6 NYCRR § 617.9(a)(3); and

WHEREAS, this Board determined to hold a public hearing with respect to the DEIS on February 14, 2018 and caused notice of that public hearing to be filed and published as required by 6 NYCRR § 617.9(a)(4); and

WHEREAS, this Board commenced the public hearing on the DEIS on February 14, 2018 and continued the public hearing on April 11, 2018, at which the public hearing was closed; and

WHEREAS, on October 10, 2018, the Applicant submitted a proposed Final Environmental Impact Statement (FEIS); and

WHEREAS, on October 24, 2018, this Board acknowledged its receipt of the proposed FEIS and scheduled a work session with respect to the proposed FEIS; and

WHEREAS, on November 7, 2018 and December 12, 2018, this Board reviewed the proposed FEIS; and

WHEREAS, on January 4, 2019, the Applicant submitted a revised proposed FEIS; and

WHEREAS, on January 9, 2019, this Board acknowledged its receipt of the revised proposed FEIS and scheduled a work session with respect to the revised proposed FEIS; and

WHEREAS, on January 23, 2019 and April 10, 2019, this Board held work sessions to review the revised proposed FEIS; and

WHEREAS, on May 12, 2019, the Applicant submitted a second revised proposed FEIS; and

WHEREAS, on May 22, 2019 and June 12, 2019, this Board held work sessions to review the second revised proposed FEIS; and

WHEREAS, on August 9, 2019, the Applicant submitted a third revised proposed FEIS; and

WHEREAS, by letter to this Board dated August 4, 2019, the Applicant demanded that this Board accept the third revised proposed FEIS; and

WHEREAS, on September 10, 2019, this Board directed the Applicant to submit the third revised proposed FEIS in Word format, so that this Board could complete the FEIS; and

WHEREAS, on September 11, 2019 and September 25, 2019, this Board held work sessions with respect to the FEIS; and

WHEREAS, on November 1, 2019, this Board's consultant submitted a new draft of the FEIS; and

WHEREAS, on December 3, 2019, December 11, 2019, January 22, 2020, February 26, 2020, March 25, 2020 and April 6, 2020, this Board held work sessions with respect to the FEIS; and

WHEREAS, on April 6, 2020, this Board determined that the FEIS was complete; and

WHEREAS, this Board duly caused a notice of completion of the FEIS to be prepared and caused the FEIS and the notice of its completion to be filed and published as required by 6 NYCRR § 617.9(a)(6); and

WHEREAS, the FEIS and the notice of completion of the FEIS were duly filed and published on April 8, 2020; and

WHEREAS, this Board has reviewed draft findings at its meetings on April 6, 2020, April 14, 2020 and April 22, 2020; and

WHEREAS, this Board has duly considered the DEIS, FEIS and all of the other documents and submissions with respect to the Project,

NOW, THEREFORE, it is RESOLVED, on motion of R. Litman, seconded by C. Goldstein, that this Board finds and determines that:

1. the attached SEQRA Findings are adopted; and
2. the Planning Director is directed to cause the adopted findings to be filed as required by 6 NYCRR § 617.12(b)(1).

On motion of Mr. Litman, seconded by Ms. Goldstein, and carried, the Board adopted the SEQRA Findings Statement for the Hampshire Country Club Planned Residential Development dated May 4, 2020.

Ayes: Mr. Mendes, Mr. Litman, Ms. Goldstein, Chair Savolt

Nays: None

Recused: Mr. Verni

2. PUBLIC HEARINGS

- A. PUBLIC HEARING 1025 COVE ROAD HAMSPHIRE COUNTRY CLUB;** 1025 Cove Road (Section 9, Block 35, Lot 700; Section 9, Block 36, Lot 1; Section 9, Block 42, Lot 568, 695 and 367; Section 9, Block 43, Lots 1 and 12) with respect to the application of Hampshire Recreation, LLC, for approval of a Planned Residential Development, pursuant to Village Code 342-52, a Wetlands Permit, pursuant to Village Code 192-7 and a Subdivision, pursuant to Village Code A348-6, for the proposed Hampshire Country Club Planned Residential Development of a 94.5 acre portion of the project site within the Village's R-20 Zoning District. The entire project site comprises 106.2 acres.

Chair Savolt:

The next item on the agenda is a public hearing on the 5 applications submitted by the Applicant for this project. A Special Permit for the Planned Residential Development, a Subdivision Application, an application for Site Plan approval, an application for a Wetlands Permit and an application for Flood Plain Development.

As you just heard, this is directed to people watching, the Board has done an extensive environmental review which included hours of public input, that the Applicant failed to mitigate serious environmental impacts of the project. These findings will cause the project to be denied. The issues have been decided and are not the subject of tonight's hearing.

Once we open the public hearing we will proceed as follows:

The Applicant will have 15 minutes for a presentation to this Board.

The principal opponent will then have 15 minutes for their presentation.

We will open the hearing for comments by the public.

I want everyone to remember this hearing is for the 5 applications and the scope of the applications. Because of the volume of people who wish to speak, speakers will be limited to 3 minutes. We'll have a timer on the screen. If someone has made the point about the applications that you wish to make please think about whether or not you want to continue to speak. Everyone, of course, is welcome to speak and to express your opinion, but again, we're talking only about the 5 applications tonight and not about the project.

On motion of Ms. Goldstein, seconded by Mr. Mendes, and carried, the Board opened the public hearing on the 5 applications.

Ayes: Mr. Mendes, Mr. Litman, Ms. Goldstein, Chair Savolt

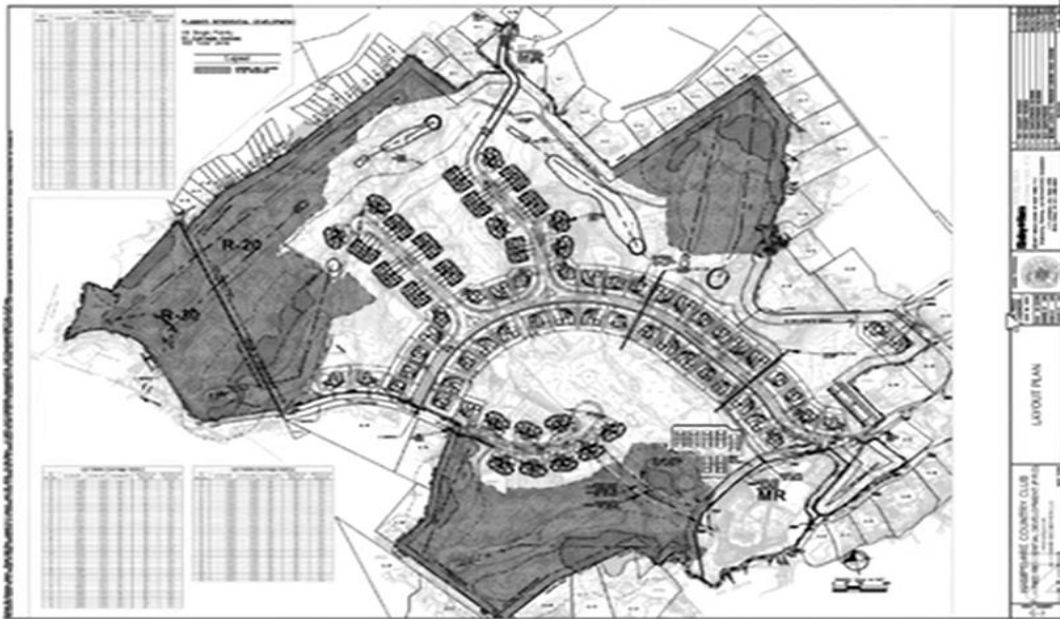
Nays: None

Recused: Mr. Verni

David Cooper, Esq. of Zarin & Steinmetz:

Also present for the Applicant: Matthew Acocella, John Canning and Dan Pfeffer

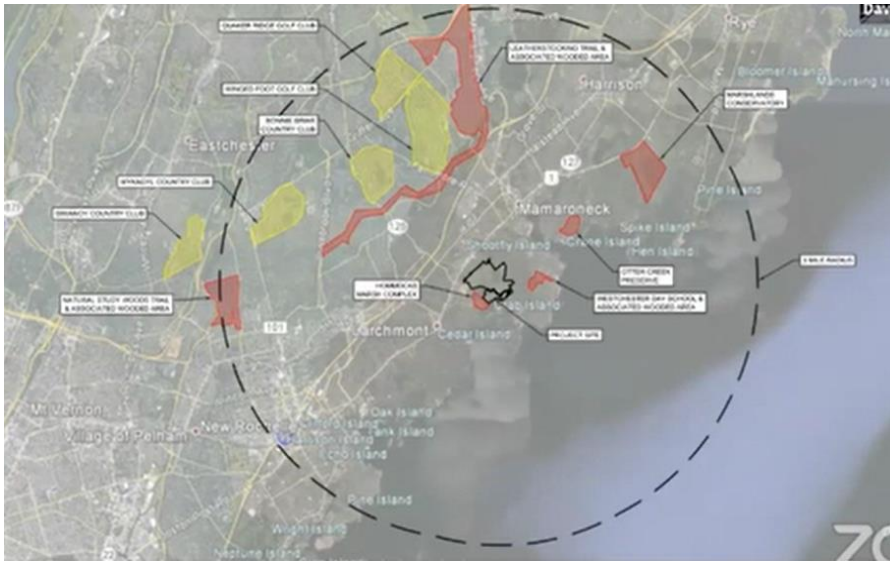
He shared the Site Plan on screen.



It appears we're at the end of a long and uncanny review process that started in 2015, anything but a normal review process. As Mr. Mesinger noted at last meeting, typically at this stage of the review the Applicant and the municipality would be working together to identify modifications to the Site Plan, etc. to the point that would permit development and move forward while being responsive to concerns raised during the review process. This process has been the opposite. Each time Hampshire attempted to demonstrate how the project design and the Site Plan would address the concerns raised, the facts presented have been met with skepticism, and frankly at times, outright disdain.

For example, Hampshire provided almost a decade's worth of tax returns and market studies demonstrating that the club has been in negative operating revenue and the recreational club industry is in trouble and even though those tax returns have been prepared by reputable professionals with licenses on the line had there been any misrepresentations in them, and subject to IRS audit, this Board has claimed that somehow they have fabricated that information and Hampshire is in fact making money hand over fist in a hurting industry. That conclusion, that assumption doesn't reflect the facts, frankly, yet it appears to be an essential point of your decision making.

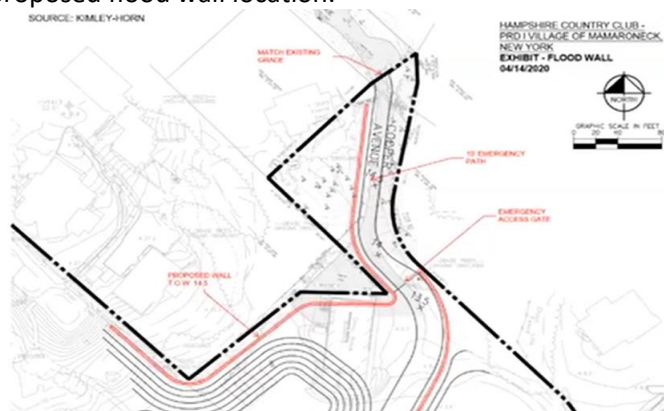
Another example would be the tree cover. A map was shared on screen.



While preparing the FEIS, the Planning Board raised the concern about the length of time it would take for a tree canopy to regrow and types of trees planted. In a normal process, the reviewing board would engage the Applicant, particularly during the Site Plan process, to explore for example, larger trees that could be planted and different types that could be planted. Here the Planning Board simply adopted negative findings with them and ignoring the Applicant's submissions regarding the ample wooded areas around the site and not even engaging Hampshire in a productive discussion about landscape options.

I don't expect that tonight will be any different. Any facts we present I'm sure will be rejected without any further study. I'm sure you'll hear from MCEC's representatives tonight because you've given them 15 minutes. They're going to be accusing Hampshire's professionals of deceit and other evils that the record evidence simply doesn't support.

Case in point, your Board just adopted SEQRA Findings concluding that no development can occur at the site because there's no viable point of evacuation during a flood. This conclusion simply isn't true. We presented a plan last month showing that Hampshire has the ability to prevent the low point in Cooper Avenue from flooding during a storm. He shared a drawing on screen of the proposed flood wall location.



We would hope that during the Site Plan and Subdivision review process the Village would embrace the opportunity to provide emergency access for the entire Orienta neighborhood for the first time ever.

We've spent years assessing and you've spent years asserting that flooding was a concern due to the existing conditions in the neighborhood, nothing that Hampshire was going to do, existing conditions. We've provided a solution, an ability to access and get out of this neighborhood through any storm. We would hope that the Board would embrace that opportunity to explore this solution, but instead the opposite is occurring, your Board has refused to consider it.

The Board should've filed modified Findings or modified its' Findings based on this new information pursuant to Section 617-11 of the SEQRA Regulations to correct a central assumption that's incorrect in your Findings. At the very least, when presented with this information, the Board should be supplementing the EIS and correcting the Findings based on 617-9 of the SEQRA Regulations because it's a change to the project design and Site Plan layout. It's new information and it's very relevant to your Findings because it demonstrates that a critical assumption is incorrect. Under the SEQRA Standards that would call for supplementation, but the Board instead is rejecting and refusing to consider that information.

Frankly, I believe a court is going to scratch its' head as to why when presented with a potential solution to a major problem that you've identified over the last 4 years, you refuse to consider it and just reject it out of hand.

I could continue as to how this Site Plan that's before you is designed and the Subdivision is designed to address the various concerns that have been brought up over the last 4 years, but frankly, I assume I'm going to be wasting my time because I've seen your Findings Statement and your resolutions of denial are already on the table.

I want to use the rest of my allotted time to allow a representative of Hampshire to address the Board. The Applicant has sat through 4 years of the Board's review process, quietly, many times not being able to speak while Hampshire has been accused of various wrong doings without justification. If we're at the end of the process, I do believe the Applicant deserves to be heard.

Dan Pfeffer:

I'll try to be brief although it's a little difficult after 4 years of having to maintain silence during these meetings. When we first began, we truly expected a process that would be fair and open, in other words, we expected what the law called for. After all, we are landowners that have a property that is zoned for single family homes, and quite frankly, protected by certain legal rights that are granted to landowners.

We came up with a thoughtful development that was engineered and designed by some of the country's best and brightest. What we asked for, and really craved and wanted was feedback from the Planning Board. That is normally what happens in a process like what we just went through, but nothing about this process has been normal at all and as David Cooper said, the Planning Board's own consultant said that usually at this time, if not always, the Applicant and the Lead Agency come to an agreement. There's been no interaction. In this case, from the beginning, the Planning Board set out to reject this project. That's clear and that's what they have done.

We started with a scope that was agreed to, then expanded and continuously expanded contrary to what the regulations state. Throughout this process certain vocal members of the Planning Board relied on personal relationships to guide them versus the facts that were set out and agreed to by the Planning Board's own consultants. The personal relationships are on clear

display tonight, we were all just told that we as the Applicant have just 15 minutes to speak and the rest of the community has about 3 minutes. These rules don't apply if your MCEC, a small group that was established with 1 purpose, which was to get Hampshire's plan rejected from the get-go. The consultants that have been retained by MCEC purport to know more about this property than we the owners do or the engineers or even the Village of Mamaroneck's own outside consultants. In fact, it is a de-facto advisory to the Planning Board. You've got to ask yourself is this typical? Again, the answer is absolutely no.

Let's talk about a few examples of things that have been criticized. For example, the potential for flooding. The Planning Board's own consultant said that development will not cause harm or additional flooding to neighboring properties and the construction method makes sense and will prevent the constructed homes from being flooded and our new roads will be above flood level. The Planning Board said we don't believe it, not based on fact or the experts that they chose.

Let's talk about fill as another example. Fill is soil that's brought in to raise certain areas of the property, and it's a common practice. The Planning Board now is saying you can't do it and we refuse to allow it. However, others who live in the same Village are allowed to. It's just another targeted attack on the development process and the Village's own consultant was ok with it as he said, this is standard practice.

The Planning Board will tell you that everything they did was right and that we're simplifying the issues, we're not simplifying it. They told us that we're bullying them after 4 years of a drawn out process and we had absolutely no choice but to go to court to seek assistance to get the Planning Board to finish this process, which has now taken twice as long as the Impact Statement took for the new Tappan Zee Bridge. Of course, when the Village responded to our lawsuit, they said that the judge had no jurisdiction here. For those of you who are wondering, the judge found in our favor.

For those of you who don't know, this public hearing tonight, like most of the 21 work sessions we've been subjected to, is just an opportunity for the Planning Board to continue with their intention of rejecting this project outright.

For those of you who have listened to the hype of Mamaroneck Coastal that has claimed that we'll destroy the schools, you should know that we presented options to the Planning Board, some of which included virtually no school children including an age restricted development. In other words, that would've been a project that would represent additional dollars to the school district without a significant amount of new school age children. That was rejected outright.

I'm quite happy that there is a judicial process that exists and looks at things impartially, no emotion, no hidden agendas, no friendships, just facts. What we've done throughout this process is to lay out the facts. There's a long history of the courts intervening in the Village of Mamaroneck, meaning a developer accusing the Village of doing something wrong and the court agreeing with the developer, but why should this project be different? I'll tell you why, it's because of the low density that was planned for 116 acres and it's the clear mitigations that have been laid out. It's because of the revenues that will be generated, it's also because of the tax base that would be established and it's because of the much-needed jobs that will be created and the open space that would be created forever. Curiously, the Planning Board doesn't seem to care, and you don't seem to care at all.

To the individual members of the Planning Board, I guess the only thing I can say is you've let personal relationships pull the Village into yet another court battle with an Applicant who has the right to develop a property and has been outright rejected by this Board. I think you've forgotten that your work is supposed to be on behalf of all Village residents. You've forgotten

and ignored that over 1,100 Village of Mamaroneck residents signed petitions in favor of the development. You've chosen to marginalize them. We know that you'll continue to paint us as villains rather than a landowner who's zoned for single family homes, who's just trying to get what's right.

We will still continue to do what we do. We will still to continue to host the critical and dozens of not for profit organizations that rely on us and that we have supported since we owned the property. We will still continue to be the home course at no charge to the Mamaroneck and Rye Neck High Schools. We will still continue to be there when the disasters hit, whether it's a hurricane like Sandy, where we operated a shelter and fed residents or during the pandemic when we continued to support the first responders and the food bank. That you can't take away from us because that's something we will continue to do because, quite frankly, that's exactly who we are. Thank you for your time.

Chair Savolt:

Does anyone have any questions or comments for the Applicant? No one did.

We'll move on the next phase of the hearing where we'll hear from the principal opponent to this project, which is my understanding from what I was told, standard operating procedure.

Celia Felsher of 521 Eagle Knolls Road:

I am president of Mamaroneck Coastal Environmental Coalition. In response to the prior comments, I believe it is Hampshire that has over-simplified the story, history and facts. People should look at the full many, many hundreds of pages of material in the Environmental Impact Statement to actually understand what the facts are and not the overlay of emotion we just heard.

Hampshire's application for the Special Permit to build the PRD shouldn't be approved. Under the Village Code, the Planning Board is authorized to approve a PRD only "For the purpose of promoting environmental protection, open space preservation and superior design of residential development; encouraging the most appropriate use of land, increasing recreational opportunities and improving the balance and variety of the existing housing stock."

As the SEQRA Findings and the EIS make it clear, the proposed development does not serve any of these purposes, and therefore, there can be no basis upon which the PRD may be authorized.

Given the property's topography and zoning requirements, including restrictions on building in a flood plain throughout the Village, only about 20 – 25 homes could effectively be built. It would be ludicrous to use the special authority granted under the PRD provisions to enable a massively denser project than could otherwise actually be possibly built.

Significant flooding risks also make it clear that the proposed development shouldn't be permitted. As opposed to what was just said, we have not claimed that the property as it would be developed would lead to flooding of other properties. That's been said over and over again, we haven't taken that position.

The issue is flooding for different reasons and it also shows why our Code provisions restricting development in flood plains are so important and have to be strictly enforced. As we know, the property has been overwhelmed by tidal floods several times and as the NYSEDA report, which is included in the EIS says, flood levels are expected to rise, sea levels are expected to rise by up to 5' in the next 60 years with a mid-range estimate of 18 – 39". In addition, that report states, as we all know, "as sea levels rise and due to climate change, coastal flooding associated with the storms will very likely increase in intensity, frequency and duration."

There are currently only 2 access roads to the property, both of which we all know flood and become impassable in tidal surges. The proposed extension of Cooper Avenue to create an alternative access road, even if it was “fixed” in the past midnight hour, Hail Mary submission by the Club, wouldn’t solve this problem. Cooper is only wide enough for 1-way traffic once you get off the property. That will create a nightmare situation if emergency vehicles need to access the property as residents are attempting to flee, that hasn’t changed.

In addition, where the height is 13’ at one point, that’s only 1’ foot above current elevation. As you can see from slides,



(she shared slides on screen) at a 28” sea level rise, which is less than even the mid-point of the mid-range of projected sea level rise, you can see that the 3 entrances to the project would be flooded. Cooper, at that point, would be under a foot and a ½ of water. With their proposed building a wall to 14 ½’, if you have flood waters even an 1/8” over a 30” sea level rise, that entire canyon created by their protective wall would flood and flood the entire development.

In addition, the flood would create other problems. The roads to the project have a mean elevation of 14’, which is only 2’ or 24” above the current flood plain. Those streets could flood in a bad storm, which we’ll get to if we look at, even at the 38” which is still within the mid-range.



You can see the flood waters will start flooding the roads in the development because they’re only at a 14’ elevation, flood waters coming in through Cove Road here, flood waters coming in the Eagle Knolls there, and you would have flooding throughout the level of the roads that would make access and egress impassable at mid-range sea level rises and significant storms.

In the worst case at a 58" sea level rise, which is granted, the worst level projected at 90%, the entire development is completely inundated.



I would next like to talk about economic impact. The positive impacts of the project touted by the developers are significantly overstated and may in fact be negative. The developers base their entire revenue projections on a projected market value of 2.6 million for each home and 1.3 million for each 3-bedroom carriage house. The information in the record regarding comparable home values doesn't support these numbers. The average price of the 4-bedroom homes are 1.7 million, almost a million dollars less than projected by the developer. The projected values of the carriage homes based on the listing price for new carriage homes in Rye Brook, which only list the starting price as \$900,000., where the developers here extrapolated increased pricing based solely on increased square footage, which isn't appropriate.

Also, additional expenses resulting from the project, in particular for the school district, are understated. The developer used existing per student program costs rather than existing all-in student costs, which would've been more appropriate.

In addition, the Applicant projected 66 new students to be generated by the project, which is much lower than the 85 students projected by the school district. In sum, if we were to do the school district economic analysis using more realistic values of 1.7 million for the single-family homes and 1.1 million for the carriage homes, the all-in per student cost of the district and a projection of 85 new students, in actuality the cost to the district would actually exceed revenue generated by approximately \$115,000.

Karen Meara of Carter, Ledyard and Milburn:

I'm representing MCEC. We urge the Board to reject the Applicant's Special Permit, Site Plan, Subdivision and Flood Plain Development applications. I'm going to talk briefly and density and the failure to, the fact that the project exceeds the maximum permissible density on this site and also fails to comply with Village standards for Site Plan and Subdivision.

Starting with density, your Findings clearly spell out the procedure for determining the maximum density under the Village PRD and the State cluster Subdivision laws. The Village PRD regulations give you the authority to reduce the maximum density of a PRD if you determine that environmental limitations, traffic access or other planning considerations make that density inappropriate, and you have effectively made that determination.

In your Findings you determined that the site's location in a 100-year flood zone is an environmental limitation, that the proposed ingress and egress would be inundated and inadequate in future flood conditions and that the project would alter many of the features that qualify the site as a Critical Environmental Area by reducing and fragmenting its' open space, leveling its' topography and destroying 432 mature trees.

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The SEQRA record shows that among the development options for the site a density of 25 units would have the least impact on the flood plain, the trees, the topography and the open space. We therefore urge the Board to exercise its' discretion to determine that the maximum permissible density for development of this site under the PRD regulations is a problem with 25 units.

New York State Law on cluster Subdivisions caps density on the number of units that can be developed under existing zoning for a conventional Subdivision that conforms to all other applicable requirements and as we've previously testified and showed, because most of this site is below base flood elevation and the Village Code wisely prohibits filling the flood plain, a conventional Subdivision on this site could accommodate at most 21- 25 units and that's consistent with your Findings. You found that the prohibition on filling the flood plan applies here and that the Applicant couldn't qualify for a variance. If it couldn't qualify for a variance for the project, it certainly couldn't qualify for a variance for a conventional Subdivision which would've brought in 350,000 cubic yards of fill according the Applicant's figures in the FEIS.

Excessive density alone is reason enough to deny the application, but moving on to your Site Plan regulations, you have standards that you need to consider as you assess an application and here there's several that absolutely can't be met. Section 342-76 sets out your standards, Subsection A, ecological considerations, says that any development has to result in minimal degradation, encourages conforming to the existing geology and topography insofar as practicable minimizing tree and soil removal. The project absolutely doesn't meet these standards. It excavates blast levels 55 acres of this site, removing all vegetation including the 432 mature trees, all topographic features and replaces them with a denuded, unnatural development platform.

Related to flooding, Subsection E, you must comply with the Village Code's flood damage prevention requirements. It doesn't, we've already talked about that.

The ingress and egress, Celia Felsher just spoke about that as well, so I'll skip over that, but it'll be in my written comments.

In sum, it fails to meet the Site Plan standards. Your Subdivision standards require development to be consistent with public health, safety and general welfare. Also, you must be able to find that the property can safely be used without danger to health or peril from flood. Previous comments have already made the point that there really isn't no safe ingress and egress and you can't make those findings under the Subdivision regulations and for all these reasons we respectfully request that you deny the application.

Stephen Kass, Esq.

I think that you are to all be commended for the careful review you've done with this time. The precise statutory requirements and the individual environmental impacts of this project, but it's useful at the end of this lengthy process that you've undertaken to step back and realize that there are larger planning issues also involved with this project. As you know from what Celia quoted to you, in New York City and New York State flood projections are very extreme for this property. In fact, they've been updated even since the report cited in your EIS and the 2019 report for the City and the New York metropolitan area shows a very significant risk of a higher sea level rise in 2080 and in 2100 because of the accelerating Antarctic ice melt, which is having an effect in New York. If anything, your flood projections are too favorable to the Applicant and not conservative enough, but I commend you for what you've done, but what all this indicates and what the City climate change panel made clear is that people shouldn't be building anything (inaudible for several words). Either there is such an alternative use, the as of right use (inaudible)

environmental protection, it is adequate today and it is adequate tomorrow and the day after as a flood control measure. (inaudible) financially feasible and I won't go through the record again, but it's clear that notwithstanding the Applicant's (inaudible) the record demonstrates that an 18-hole golf course with this country club is financially viable. There's an offer to purchase it for 5 million dollars and restrict it for its' existing use.

Let me make a brief comment about the new flood wall proposal that the Applicant has unveiled, actually a letter to Counsel and again by Counsel again this evening, we haven't seen an engineering presentation of it. Robert Frost noted that there's something that doesn't love a wall. Among the things that don't love a wall is water. Water always wins no matter what kind of wall and we believe it's quite clear in these circumstances while you might be able to prevent some floodwater from escaping off-site and some parts of Cooper Avenue. A flood wall is likely to create new problems that haven't been analyzed and aren't part of the existing inadequate proposal. A 10' flood wall rising to 14' is likely to increase ponding on the outside of the wall in the Cooper Avenue neighborhood.

Public Comment

A countdown clock showing 3 minutes was shown on screen. Mr. Cutler explained how the public can participate in the meeting.

Chair Savolt:

As you begin your remarks, please identify yourself, not everybody's name is clear on the participant list. For the public record we need your name and town you live in.

Bob Goodman of 1013 Cove Road:

Cove Road is next to and surrounded by Hampshire. I'm neither a lawyer or engineer, however, I've lived at this place for 24 years and on countless times I've seen both the golf course and the road flooded. I've seen the water in Delancey Cove, which is behind Hampshire, is very close to the ground level. I think there's only about 14' between the water and the highest level that we have here. Without being an engineer, I can tell you that today we have flooding issues throughout the road and the golf course. We all know that climate change is coming and as we see and read about and Celia presented the increase in the flood level, a couple of feet rise is going to make it impossible both to get to my house and to get from my house out of here, not to mention the houses that are proposed to be built particularly with the change of the road that's proposed. I think all the other issues aside, the regulatory issues aside, I think the flooding has made this project a non-starter from the beginning.

Chair Savolt:

I just want to remind people that your comments are on the applications tonight. We've already received and utilized comments on the actual project itself during the SEQRA process. Thank you.

Gloria Goldstein of Sylvan Lane, Mamaroneck:

I'm strongly against the developer's application for the proposed Planned Residential Development. It is clear when one looks at the definition of a Planned Residential Development in our Village Code, that a project such as the one proposed for Hampshire was never something intended by the statute. A Planned Residential Development is defined as a project that has been

determined to be of significant benefit to the Village. Given the information in the Final Environmental Impact Statement and the Findings presented by the Planning Board, which describe so many unmitigated, serious adverse impacts, it's absolutely clear that this project can't qualify as a Planned Residential Development. There's no basis on which it could be determined to be a significant benefit to the Village.

Stuart Seltzer of 945 Sylvan Lane:

We also back up onto Hampshire and we're also subject to floods in our house that actually originate on the Hampshire property, way back when Sandy was a significant flood.

I also want to point out and first thank the Planning Board for their work to reach the conclusion that his project is completely inconsistent with the Village's Comprehensive Plan for land use, which thankfully the Comprehensive Plan does recognize the importance of the Hampshire property as a Critical Environmental Area as the largest remaining tract of open space in the Village, therefore, that you recommend that Hampshire be resumed as an open space. If that doesn't happen, to at least just allow cluster development that would lead to less dense building and more open space than otherwise would be possible. Allowing this where the loss of open space and density of new housing would be much greater than would be feasible, permissible without approval of your group makes no sense and is completely at odds with the recommendation of the Comprehensive Plan.

I'll close by saying that I'm surprised, I've been watching this from the start, when Dan Pfeffer and his team first bought and pledged to be good corporate citizens and neighbors and that first pledge not to build for 5 years and now they're aggressively building. How can they be trusted as a good partner when they threaten lawsuits like you just heard today and actually filed lawsuits in the past?

Luis Quiros:

As a taxpayer and resident of the Village, I'm tired of wasting my tax dollars on lawsuits by developers because among other social reasons, the Planning Board doesn't like development. The Village has wasted over 7 million dollars on lawsuits against developers over the past several years. With this virus crisis, don't you think we need the tax money? What other company is banging at our door to bring in millions in construction and tax money for our community?

If it's true what Celia and others are saying that are for the property, why aren't their houses up for sale? This program for today could be saved by any potentially future buyers of a land that you have already admitted is dead in the water and under sea level. You've destroyed your own potential investment.

Additionally, where is the due process and your responsibility to the public when you voted before the public comment? This is disgraceful. In over 35 years of living here, I haven't seen this happen in public hearings when a vote happens before the hearing. If you're so committed to the truth, you should donate all your houses to the Village because they're going to be underwater anyway.

Gisella Marroquin:

I'm a long-time resident of Mamaroneck. I've grown up here and I've lived in different parts of the Village as well as worked in different parts of the Village including the flood zone that's part of the Flats. I'm a social worker trained in community organizing and as such I'm trained and charged with understanding systems and tactics mean to elicit transparency and accountability.

I understand that the opposition of the Environmental Impact Statement. As a neighbor and friend of Board members, and so I'm really curious, I'd like to know why haven't those Board members recused themselves in any way in any of these proceedings? Additionally, why are there only the few Planning Board members that we have here at this hearing for this project?

With so many people in the country, close to 30 million, I believe, that are unemployed currently, the tax revenue is really necessary and the tax revenue that we currently have is sure to be at a shortfall in the Village very quickly. This project will gross around, I believe, 5.5 million every year in taxes and another million every year after. Why would we say no to considering the disproportionate amount of hardship that falls on so many residents? I'm not only talking about those that we label as low income but actually the effect it has on their entire community including health and other professions.

Chair Savolt:

I just want to clarify what we're doing, the process here. The vote that was taken before was to close out the SEQRA process. The next step in this process is to consider the applications submitted by the Applicant and that's what these public hearings are about, the applications.

We've already gone through the process and the public had many opportunities over the past couple of years to submit comments with regard to whether they support the project or don't support the project. In fact, some of the people speaking tonight are people that are in the public record as having spoken.

Tonight, we're focusing on the applications for the Planned Residential Development, the Subdivision, the Site Plan, the Wetlands Permit and the Flood Development Permit. I would very much like for people to, I know it's a complicated process and we're trying to explain it to you as best we can.

Let's continue and if we don't see your full name on the screen, please identify yourself and tell us what town you live in.

Steven Deutsch of Fairway Green:

Fairway Green overlooks the golf course. I'm a retired lawyer, but by nature I'm very skeptical of many things and I'm most skeptical of developers that are trying to change a local situation. First of all, they started off they were going to maintain the golf course and improve the restaurant and then within a very short period of time, they started a proposal to start these townhouses or condos up on the other side of the clubhouse. I think the way they're not upfront was displayed by Mr. Cooper, who when he made his presentation, had to have a phony background behind him. He wasn't sitting on the top of a building looking down at the city, he's probably sitting in a little room.

The thing that concerns me most, 2 things, one, I think that having many of the buildings so close around really affects our quality of life and I think that's inappropriate. Also, the quality of appearance of this particular area.

Someone was talking about the water problems and that the water is increasingly rising, I think this is a serious problem here. I see in rainstorms the golf course starts to rise and building a wall around us isn't going to protect us. When floods come in with strong winds, the water bounces off the walls and creates an erosion problem with all the properties next to it.

Secondly, water running down the road, if the road is narrow or anything like that, just being contained you can pick up tremendous speed and wipe out anything that's in front of it. Given the prospect that the sea is rising and it's a very serious problem and no one in this administration is taking that very seriously, we have to assume that it's going to continue for a

long time and I don't think there's any way that the homes built on this golf course are going to be protected from flood waters and then the town is going to be concerned since everybody's abandoned them.

Olivier Jarry:

I've been a resident of Rockridge Road for 18 years and 6 years somewhere else in the Village. I'm an engineer, I've worked in city planning. I appreciate all of the work done by the Board and the Applicant, but I would qualify this proposal as a high density for hundreds of people living here, hundreds of cars on the property and 2 small access roads. I have 5 main concerns.

The first one is construction and the truck traffic that will happen. I live in the zone that is qualified by the maps as 50 decibels, which is pretty high. I'm not sure how long it will last, but it will probably be difficult to bear for a long time. I find it unsafe to have this kind of construction close to the Hommocks School when it's operating.

Second, the traffic itself once residents are coming. There are 2 very busy intersections at Boston Post Road and Weaver Street and Old Boston Post Road. Leaving there, especially during school hours, there's very intense traffic with dozens of cars clogging the roads. Imagine putting another 40 cars, 80 cars, it will be a nightmare for parents bringing their children to the Hommocks School.

Third, this design is really for car traffic. Someone I know called it a design of the 50s. There is some natural space left, but we can't deploy the loss of 432 mature trees. There doesn't seem to be anyplace for pedestrians or bicycles, for people to enjoy the space.

Fourth, the impact on commerce. There are long lines at Trader Joe's now, I hope it will subside and parking at Stop & Shop is full. Without anymore commerce locally or on the site, which would be great with restaurants and shops, that would be difficult.

Fifth, many people have mentioned it, the 5' waves are totally underestimated. It's a disaster in the waiting and the seawall design probably isn't enough. I have a negative opinion on this proposal.

Amy Meighan:

I'm a local CPA. There's a couple of items here. I went to a meeting a month ago, 2 months ago with the Planning Board. We spent approximately 1 hour going over some grammatical errors in one of the documents that he had prepared. It was a complete waste of time.

I see plenty of roadblocks here in a lot of ways. There's the discussion regarding the 423 mature trees, how they'll be decimated. Trees grow back, they grow at various rates depending on the environment. This is a non-issue; this is a roadblock because you don't even give the developer an opportunity to begin to even address some of these issues.

The economic impact, looking at Forms 990, those are easily accessible. The developer provided a tremendous amount of tax returns. Cindy Goldstein is very well aware because she too has done tax returns. These tax returns are done by professionals and the professionals have a certain amount of credibility when they're preparing tax returns for the IRS and I can only assume this was a good firm and not one of these around the corner type of firms that prepared the paperwork.

The third item is the inadequateness. This is not so Hampshire has said and has indicated in their paperwork that they will build up those roads and improve these roads for egress. Every time you turn around, there's something new happening. This isn't right and with all these issues that are great roadblocks.

The other thing is that the money will help us regular taxpayers in the Village of Mamaroneck.

Also, there's people on the Planning Board nimby, not in my backyard. I'm sorry, I really don't care about that and you've got people on that Planning Board, Celia Fleisher and Cindy Goldstein, to name a couple, and others that are involved in this which is totally unfair.

Chair Savolt:

We're here tonight to talk about the applications that are in front of us.

Daria Locher of Larchmont:

I'd like to make an argument about the extenuating circumstances that we find ourselves in at this moment with Covid19. Our local unemployment is creeping towards 25% and the Planning Board has a properly zoned project but refuses to endorse it despite the developer having rights. The reason given is that the access out of Orienta wouldn't be sufficient during a hurricane or would have an issue with flooding, which begs the questions of why are their homes are currently being built and rebuilt and added onto in Orienta?

I really think that the Planning Board should consider this application for approval because there are people in this Village who need jobs and whose families rely on them to feed them in this recession. Construction is an ideal first occupation to open up during the Covid19 crisis because construction workers wear N-95 masks in their daily work and can more safely work than other occupations.

This project would create hundreds of jobs and raise millions in tax dollars every year. I hope Village residents can share in the economic benefits of the project.

Jane Herzog of 1002 Cove Road:

I've lived here for almost 30 years. I'd like to thank the Planning Board for your extraordinary efforts on this application.

I'd like to mention something on the use of private roads and remind the Planning Board that a petition was submitted and signed by every homeowner on Cove Road objecting to the use of this road for a housing development which would seriously impact the neighborhood in which we live. In fact, all 3 roads that the developer plans to use are indeed private – Eagle Knolls Road, Cove Road and Cooper Avenue. The Planning Board shouldn't consider development that relies on the use of the private roads only.

We flood every time there's a big storm. It endangers all the residents; it endangers emergency vehicles coming in and certainly it would endanger anybody living there and trying to get out of the development during a storm.

We strongly object to the use of the road. We don't believe that it's legal to change the road.

Kevin Duarte:

I'm a concerned resident of the Mamaroneck community, where I've lived and worked for some time now. I live near the Mamaroneck Avenue School. I'm urging the Mamaroneck community and the appropriate authorities to vote yes to allow this project to go through.

The reason is simple. The argument is that if there's anywhere that there ought to be luxury housing, it ought to be in Orienta. There's actually no reason to be opposed to this project when other development projects have already been approved throughout the zip code including 1 at 1066 Seahaven Drive, which was approved despite being below sea level. Additionally, there

are also The Grand Street Lofts and The Mason, which are both located in the more densely populated area by the train station, which are similar in magnitude to the proposed project here at Hampshire. I see that those have been approved without the same concern for flooding, however.

The proposal for Hampshire, I'm convinced would force out 0% of the existing Orienta community, so if we were able to approve The Mason and Grand Street and more as we speak under the idea that the additional tenants would contribute to economic life and activities of Mamaroneck then the Hampshire project should be approved as well.

Voting no on this project would be a deviation from actually what's been going on be and a deviation from the pattern of construction projects. Voting no on this project would actually a deviation validates that these construction projects are not actually meant to contribute to economic life rather to gentrify and kick out an existing population. The beauty of it all is that it's happening right under your noses and I don't think anyone here is actually aware of this fact.

A no vote proves that we are protecting the Orienta community which is about 7% of Mamaroneck and that we're protecting them at the expense, not just in general, of the other 93% of Mamaroneck, where my neighbors and myself find ourselves.

I urge you to vote yes on this project to prove that what we're doing is really in the best interest of our town and village, not because we want to kick out low income tenants. There's nothing complicated about voting no behind closed doors, but you guys have fun pretending you care about flooding and the environment.

Barbara Brown of 1501 Fairway Green:

The majority of our community would like the Board to reconsider Hampshire's plan to build condominiums rather than 104 houses.

Chair Savolt:

I want to clarify that the condominium project isn't permitted in our Zoning Code and that it's not the purview of the Planning Board to change the Zoning Code. That alternative in the SEQRA review was rejected because it's not legal.

Dave Henderson:

I'm not an economics major but I have an MBA with a number of courses in economics. This is a densely populated metropolitan marketplace. It's been proven that adding additional housing actually helps an economy, just as a broad statement. If people thinking that this is going to create jobs and increase the economy of Mamaroneck, that's pretty debatable.

I live on Sylvan Lane and I have kids that go to the school system. The classes are way oversized, there are 28-30 kids in a class. Every approval of housing in this town is a detriment to the kids who go to this school. It's a problem, we're hiring tutors and others to make up for putting 2 teachers in a class to help the classrooms. This isn't going to help the school system. If anyone has any interest in the education of their kids, this town shouldn't be approving this project or any other project that's going to make the problem worse.

I live right on the golf course. You look at those pictures and the size of those berms, it looks like New Orleans; it's friggin' ridiculous. These aren't 3' berms, these are huge berms with houses and roads running. What the heck do you think it'll look like? This isn't like putting bushes and trees up, it's going to be an eyesore. It's absolutely ridiculous that you think this is going to look nice on the people who live on the golf course.

I also find it interesting that people who don't live here and won't be looking at it are making these comments to people who actually live in Orienta about how great it's going to be for them.

Where's the great society where we think about our neighbors? Think about the pandemic and taking a social role in our community. I find it pretty disappointing that people who don't live in this neighborhood insisting on putting this project in. I quite frankly don't think you have any business saying anything on this project.

Just because we've approved other projects in the town doesn't mean we need to approve this project and it doesn't mean that the projects that are approved in other areas of the town that are below the flood zone were appropriate. To the gentlemen who complained about housing going into flood zones, it's not a reason to justify putting housing into this flood zone.

Those are my 5 points. If you live in this neighborhood these 5 points are pretty critical to us. If you have any feelings about the people who live in this community over here, you'd vote no and I suggest this Board vote no.

Keith Vitolo:

I live in the Village of Mamaroneck, off of Rushmore, I've lived here most of my life. I went to the Hommocks School and I used to walk through that golf course. In fact, I was driving through that golf course when just before that big storm when the whole golf course was underwater and that gentlemen drowned. Anybody that wants to say it's not a flood zone, it is. It's definitely a flood zone, there's photos to prove it.

As far as building it up, how far are you going to build it up? Is this going to be like a Katrina wall that tumbles down or floods adjoining communities?

The houses around the golf course already have pump outs, they're constantly pumping water out of their basements or crawl spaces.

As far as economic impact, yeah, the school are overcrowded and adding more houses is going to require more kids going to that school. It's eventually, long-term going to cost the taxpayers. So, when these developers pocket all the money and pay off their expensive lawyers, we as the Village, we're going to be stuck with the bill.

All the other issues along with the roadway already being crowded, if you ever try to go to the Hommocks during summer camp or regular school time, it's pretty hard getting there. You have the adjacent streets that they're talking about, which they'll overload.

All around this is not a good idea. It's a recreational facility, it's been that way for years. It's the last big piece of land that we have around here. To give it away, to the community, would be an absolute tragedy. Think about the effects. You think you're going to make a lot of money off this as a community, I think just the opposite. Long-term it's going to cost us both in losing a recreational facility and long-term tax dollars wasted. Penny wise, dollar foolish.

Noah Seltzer:

I lived at Sylvan Lane my whole life and would like for you to disapprove this project. I think there are 2 main things that concern me.

A lot of people talk about the economic benefit and I think if you look at the taxes as well as this argument that it's going to revitalize businesses, I think that's completely ridiculous. Most of the taxes, as Mr. Henderson was saying, the schools are already overcrowded. If we were to get these tax benefits, they would mostly have to go to improving the schools and hiring new teachers, which would just get us back to square one. It wouldn't really improve anything as much as just kind of accommodating the increase in students.

One of the people said that Orienta makes up 7% of the community. This project would make up less than 1% given the size that they're talking about. The ability for them to revitalize at all or to even have any sort of impact is going to be completely nil.

I think bringing jobs isn't really a real argument because these construction companies aren't going to necessarily hire from the community anyway, I think that's pretty obvious. Because of that, it comes down to a pretty easy cost benefit analysis where the benefit is pretty much nil while the cost is much higher than that. It's going to affect a lot of members in the community. One person talked about this idea that community is a mute argument, which doesn't really make sense because we're the Town of Mamaroneck, we're 1 community and this project is going to affect our backyards and us. It makes sense for people to be concerned about things that are going to be happening to the place they live. If there is even the chance for a flood to negatively impact the community, it makes sense that we should all see that as a risk and something we don't want other people in our community to have to deal with. I think if we really even care about our community, if we care about our neighbors and if we actually look at the cost benefit analysis, it makes no sense to go ahead with this project.

Mr. Cutler shared on screen 3 e-mail comments he received from Anthony Mauro, Larry Albert and David Torres.

Just the purpose of a public hearing to gather information to vote on the F&R findings? Why in gods name would you vote before, to tell the rest of us people in Mamaroneck we don't count? I am out of work and was hoping to do construction here. Thanks for what you have done to the village as a whole to protect your little precious rich enclave

one final comment to state to the board please, there is a net after the school kids of \$1million year, so it is a profit for the village

Anthony Mauro VOM resident 13 years

I have never spoken at a public hearing in my life and I was excited too give my opinion tonight. I find out you voted before the hearing started I guess this is how the people republic of mamaroneck works.

Larry Albert 622 second st mamaroneck ny

I am in construction, I have lost work recently and I doubt my job is coming back to the ways I need to support my family. Why would you deny project that has the correct zoning, and can create so many jobs? I need to work to feed my family, and saying you will deny a project because the trees aren't big enough for you is not a good reason. We are at 30% unemployment, and this would create jobs. I find it disturbing that you already are prepared to deny this project before we even have this public hearing tonight. Many of you may be wealthy, most of us in the village aren't.

karel David Torres

121 prospect avenue Mamaroneck NY

Chair Savolt:

Again, we tried to be as clear as we could about what this process was. We're in a public hearing now on the applications. Anyone who wants to speak including someone who was excited to give their opinion, you're welcome to give your opinion. This is the way the process works we're following the process. SEQRA was first and then the applications.

Lillian Sicular of 521 Orienta Avenue:

I've been here since 1971. I've seen lot of changes from Hampshire, none, change of trees, modifications of water traps, nothing has in any way made the floods less of a factor. I have photos going back almost to the first month that we were in this house. I can't believe that this can in any way be modified, but I'm definitely hoping that this will never occur and never impact this wonderful Village of Mamaroneck.

I was president of the Orienta Point Association at the time of the application of Indian Point. At that point, we did succeed in having the density reduced. Other developments took place at that same time, but this community has been very strong historically to preserve the

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character of this remarkable peninsula on which we live. I hope it'll continue for not only my grandchildren who I know but my grandchildren.

Mr. Cutler:

There's a comment in the chat box asking for the comments that I showed on screen to be read into the record. I'll defer to you, Chair, if you want me to show them again.

Chair Savolt:

Yeah, go right ahead. Put them back up and you can read them into the record.

Mr. Cutler:

We have a comment from Anthony Mauro stating the following: Isn't the purpose of a public hearing to gather information to vote on the FEIS Findings? Why in God's name would you vote before, to tell the rest of us people in Mamaroneck we don't count? I am out of work and was hoping to do construction here. Thanks for what you have done to the Village as a whole to protect your little precious rich enclave.

One final comment to state to the Board, please, there is a net after the school kids of 1 million a year, so it's a profit for the Village.

The second comment: I have never spoken at a public hearing in my life and I was excited to give my opinion tonight. I find out you voted before the hearing started. I guess this is how the People's Republic of Mamaroneck works. That's Larry Albert.

The last comment is, I'm in construction. I've lost work recently and I doubt my job is coming back to the way I need to support my family. Why would you deny a project that has correct zoning and can create so many jobs? I need to work to feed my family and saying you will deny a project because the trees aren't big enough for you is not a good reason. We are at 30% unemployment and this would create jobs. I find it disturbing that you already are prepared to deny this project before we even have this public hearing tonight. Many of you may be wealthy, most of us in the Village aren't. That was Karol David Torres.

Karen Robb of Rockridge Road:

I abut the green closest to Boston Post Road. I have a degree in plant and soil science, and I believe that if they start to do any construction on this land, they're going to destroy the soil structure forever because more often than not the soil is saturated. I look over as does everybody else when it floods. It's a virtual pond in most of the golf course.

In regard to those mature trees, those are hundreds of years old. They're habitats for all sorts of flora and fauna and we all know that trees don't grow back a hundred years and become stately oaks.

I believe if they did start to, like in the dust bowl, when you start to work soil that's wet you lose all the structure and it doesn't come back to a viable medium.

Being a resident of Larchmont my whole life and going to Hommocks and people unfortunately drive their children to school, it worries me that there's going to be that much more traffic associated with this. The people that live on Eagle Knolls, that's a small little road, you can't even ride your bicycle on that road if there's a car on it.

I am opposed to this as well. I know that taxes and all that is important, however I think this land could be put to better use.

Mr. Cutler read another e-mail comment:

I urge you to adopt the FEIS for these homes. We need the jobs. We need the tax dollars and we don't need another lawsuit brought on by a planning board that seems to refuse every project

Joseph Echeverria

604 Tompkins Ave, Mamaroneck NY

I urge you to adopt the FEIS for these homes. We need the jobs. We need the tax dollars and we don't need another lawsuit brought on by a Planning Board that seems to recuse every project. That's from Joseph Echeverria.

Mr. Cutler:

I'm not seeing anybody else. I haven't gotten any e-mails, and no one is talking in the chat.

Chair Savolt to Mr. Spolzino:

If we close the public hearing can we still receive e-mail comments if somebody thinks of something later on?

Mr. Spolzino:

You can certainly leave it open for written comments, but remember, you're working under a tight deadline here.

Chair Savolt:

I know, everything has to be done by the end of this week. We have a meeting on Wednesday so that's our day to wrap everything up. I'm inclined to ask for a motion to close the public hearing.

Mr. Cutler:

You've got 1 more hand raised.

Patricia Cassidy:

I grew up in Orienta on Protano; I went to Central, Hommocks and Mamaroneck High School. My father built the house. I want to talk about the sheer physical beauty of Mamaroneck and of that big open space and how all the houses that are lined around it enjoy that incredibly beautiful view of trees and nature. It was so much a part of my life and still is and I'm against this proposal, it's just crazy. Maybe there can be some other way to help Hampshire, something else to help them make money. This isn't the way, this is dangerous, it's unsafe. Cooper Lane is very narrow and there's no way that more than 1 car can get through it and there's no possible way to widen it. Old Post Road is very narrow, it's a one-way street. It would cause crazy traffic jams. I'm against it.

Glenn Tippet of Hill Street:

Every person in this Village has the right to speak on this project, that the neighbors think that the rest of us should mind our own business, well you know what, that's not the way it works. This project effects every single person in this Village.

As for the schools and the so-called overcrowding, the schools are at 75% capacity to when I went to school. We don't have overflowing and overcrowded schools. The amount of money that the Superintendent of Schools said was per student was based on a ridiculous estimate of, breakdown of what it costs per student not what it costs per additional student.

I think we should have a project there, maybe the size of the project is too large, but the bottom line is, golf courses especially that golf course because it starts so late in the season and you lose many days because of where it's located, isn't feasible.

Whether they should have the Board of Trustees change to let cluster housing in would probably be the best solution, but that's not what's before this Board. I just want to make sure that this Board has all its I's dotted and T's crossed because we don't want another major lawsuit coming against this Village and that's exactly what we're looking at.

Mr. Cutler:

I don't see any more raised hands. Someone raised their hand as I said that. If you want to speak, raise your hand now and leave it raised.

Irene Halpern:

I live in Larchmont. As I understand, they've done environmental studies and other studies have been done. For me, if the builder is within his rights and has done all the environmental studies, what is the problem? Why can't we come to a resolution with the builder? Is it reducing the number of houses? I just don't want to have another lawsuit like we had with Westchester Day School and lose and cost the taxpayers. We work very hard for our money. What is the resolution? If he's within his rights, maybe we can come to a negotiation so we can all work together in the community. If he wants to build, maybe we can reduce the numbers. I don't know what the answer is but there must be a resolution, so it doesn't cost the taxpayers tons of money in legal fees. That's all I can say, we all live in this area together. We all have children, of course the number of students in the schools is a question. Are we overpacked with students? My children went to the school system here, that is a concern, but if he's within his rights, who are we to try to impose all the laws and all that? We should have put the moratorium a long time ago in place, so we don't come to this point. What is it going to cost the taxpayers at the end of the day? We lost 1 case against Westchester Day School. We lost another case against Mamaroneck Beach & Yacht Club. How long are we going to drag this and how much is this going to cost everybody? At the end of the day he's going to have his day and he's going to either win or lose, so what's the resolution? Is there a new way we can come to a resolution with him? That's my question.

Chair Savolt:

This is the last call for anyone who wants to speak.

Mr. Litman:

Motion to close the hearing.

Chair Savolt:

Before we second it and close the hearing, let's make sure we have no one else who wishes to speak.

Mr. Cutler:

We do not.

Ms. Goldstein:

Second.

On motion of Mr. Litman, seconded by Ms. Goldstein, and carried, the Board closed the public hearing on the 5 applications.

Ayes: Mr. Mendes, Mr. Litman, Ms. Goldstein, Chair Savolt

Nays: None

Recused: Mr. Verni

Chair Savolt:

We have draft resolutions for tonight, but we need to make some changes on them. They'll be finalized and we'll address the resolutions on the applications that were the subject of this public hearing at our next meeting, which is Wednesday May 6th.

On motion of Ms. Goldstein, seconded by Mr. Litman, and carried, the Board adjourned the meeting at 9:18 pm

Ayes: Mr. Mendes, Mr. Litman, Ms. Goldstein, Chair Savolt

Nays: None

Recused: Mr. Verni

Respectfully submitted,

Betty-Ann Sherer

Betty-Ann Sherer