

**HARBOR & COASTAL ZONE MANAGEMENT COMMISSION
CONSISTENCY REVIEW (SITE PLAN AND SPECIAL PERMIT)
355 PHILLIPS PARK ROAD**

WHEREAS, Cappetta, Inc. (the “applicant”) has applied to the Planning Board for site plan and special permit approval for the renovation of an existing structure into a multi-family residential building with ground floor retail space at 355 Phillips Park Road in the Village of Mamaroneck (the “premises”); and

WHEREAS, on February 21, 2020, the applicant’s attorney, Christie Tomm Addona of Silverberg Zalantis LLC (“Silverberg Zalantis”), 120 White Plains Road, Suite 305, Tarrytown, New York 10591 submitted the following documents in support of the application to the Planning Board:

- Building Permit application;
- Planning Board application;
- Coastal Assessment Form (“CAF”) and narrative;
- Short Environmental Assessment Form, Part 1; and
- Site Plan Zoning Analysis and Floor Plans Elevations.

WHEREAS, by memorandum dated March 6, 2020, Brian Hildenbrand, P.E., of Kellard Sessions, the Village’s consulting engineers, submitted to the Planning Board its comments after reviewing the applicants’ documents submitted in support of its application to the Planning Board; and

WHEREAS, by memorandum dated March 6, 2020, Susan Oakley of Terra Bella Land Design, the Village’s landscape consultant, submitted to the Planning Board its comments after reviewing the applicants’ documents submitted in support of its application to the Planning Board; and

WHEREAS, by memorandum dated March 9, 2020, Greg Cutler, the Village’s former Director of Planning, submitted to the Planning Board its comments after reviewing the applicant’s submission to the Planning Board; and

WHEREAS, on March 12, 2020, after having classified the project as an Unlisted action under the New York State Environmental Quality Review Act (“SEQRA”), the Planning Board referred the application to the Harbor Coastal and Zone Management Commission (the “Commission”) to review consistency with the Village of Mamaroneck’s Local Waterfront Revitalization Program (“LWRP”), pursuant to Village Code §240-29; and

WHEREAS, by letter dated April 1, 2020, Silverberg Zalantis submitted to the Commission, on behalf of the applicant, a memorandum from Hudson Engineering & Consulting, P.C., dated March 31, 2020; Stormwater Management Plan and Drainage Analysis; Existing Conditions/Demolition Plan; Sediment & Erosion Control Plan; Stormwater Management Plan; revised Site Plan Zoning Analysis and Floor Plans Elevations; memorandum from Blades and Goven, LLC, landscape architects, dated March 31, 2020; Roof Deck and Landscape Plan; Environmental Site Assessment, Phase 1; topographical survey; architectural

drawings; map from the Cultural Resource Information System (“CRIS”); a map and list from the Village’s Local Waterfront Revitalization Plan (“LWRP”) of sites of historical significance; information from CRIS and Town of Mamaroneck Assessor’s website regarding 4 Staub Court and the Ward Avenue Bridge; and property records from the Town of Mamaroneck Assessor’s website for 355 Phillips Park Road and the parcels in the immediate vicinity of the premises; and

WHEREAS, by memorandum dated April 13, 2020, the Village’s consulting engineer, Brian Hildenbrand, submitted to the Commission its comments after reviewing the applicants’ documents submitted in support of its applications to the Planning Board and the Commission; and

WHEREAS, by letter dated May 6, 2020, Silverberg Zalantis submitted, on behalf of the applicant, a letter from Evans Associates Environmental Consulting, Inc., dated May 5, 2020; a revised topographical survey; a letter from Hudson Engineering & Consulting, P.C., dated May 5, 2020, a revised narrative, and updated Existing Conditions/Demolition Plan, Sediment & Erosion Control Plan, and Stormwater Management Plan; a revised Site Plan Zoning Analysis and Floor Plans Elevations; a letter from Blades and Goven, LLC in response to the Village’s landscape consultant, Terra Bella Land Design; a revised Short Environmental Assessment Form, Part 1; new architectural renderings; and a Resource Evaluation from State Historic Preservation Office (“SHPO”) and a letter from SHPO, dated May 5, 2020; and

WHEREAS, on July 22, 2020, the Planning Board issued a negative declaration under SEQRA; and

WHEREAS, by letter dated September 2, 2020, Silverberg Zalantis resubmitted, on behalf of the applicant, each of the documents submitted on May 6, 2020, and in addition, an Environmental Assessment, Phase II; a revised CAF checklist; and architectural renderings from additional perspectives; and

WHEREAS, the applicant appeared before the Commission on April 15, 2020 for preliminary consistency review; and

WHEREAS, the applicant appeared before the Commission on September 16, 2020 for consistency review; and

WHEREAS, the Commission has reviewed and considered the coastal assessment form, the application materials and the correspondence and memoranda as set forth in this resolution; and

WHEREAS, the applicant and the public have had a sufficient opportunity to be heard with respect to the application at the April 15, 2020 and September 16, 2020 meetings of the Commission.

NOW, THEREFORE, on motion of _____, seconded by _____, it is:

RESOLVED that, after completing its review and evaluation of the application, including the coastal assessment form and all of the other documents submitted, and after conferring with its consultants, this Commission determines that the project is consistent, to the maximum extent practicable, with policies set forth in the LWRP and will not substantially hinder the achievement of any of those policies.

RESOLVED that, after completing its review and evaluation of the application, including the coastal assessment form and all of the other documents submitted, and after conferring with its consultants, this Commission determines that the project is consistent, to the maximum extent practicable, with policies set forth in the LWRP and will not substantially hinder the achievement of any of those policies, subject to adherence to the following conditions:

- 1.
- 2.
- 3.
- 4.

– or –

RESOLVED that the Commission has completed its review and evaluation of the project, including the coastal assessment form and all of the other documents and comments submitted, and after conferring with its consultants, determines that the project will not substantially advance any of the policies set forth in the LWRP, but will not substantially hinder the achievement of any of those policies and there is, therefore, no obstacle to a finding of consistency with the LWRP.

– or –

RESOLVED that, after completing its review and evaluation of the application, including the coastal assessment form and all of the other documents submitted, and after conferring with its consultants, this Commission determines that the project is not consistent, to the maximum extent practicable, with the policies set forth in the LWRP and will substantially hinder the achievement of policies _____.

Vote Record Resolution re: 355 Philips Park Road September 16, 2020					
		Yes/Aye	No/Nay	Abstain	Absent
Chairperson Burt		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Neufeld		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Hain		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Roney		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Gelber		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Maggio		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. O'Rourke		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Thomas Burt
Chairperson

Dated: September 16, 2020