

CHECKLIST FOR INITIAL ZONING BOARD OF APPEALS SUBMISSION

- ☒ Applicable fee
- ☒ 1 Electronic Copy of All documents submitted

Applicant must submit sixteen (16) copies of the following:

- ☒ Completed Application
- ☐ All Certificates of Occupancy or Temporary Certificate of Occupancy for the property, or Letter from the Building Department in lieu thereof
- ☐ Violations on the property and proof that they have been corrected
- ☒ *Photographs* of the property (3" X 5" or larger) that depict the location and potential impacts of your application
- ☒ *Accurate survey*** of the current status of the property which has been prepared and certified by a licensed surveyor *within the past twelve (12) months* of the application date, shall be submitted with each application.

****ALL SURVEYS SUBMITTED FOR A VARIANCE REQUEST *MUST SHOW THE SETBACKS FOR ALL STRUCTURES ON THE LOT TO THE PROPERTY LINE***

Please Note: Where a survey certified within the past 12 months is not available and the application does not involve any change to the exterior of the property, the ZBA will accept a certification by the owner that to his/her knowledge the existing survey accurately depicts the current status of the property

- ☐ *Certified drawings*, prepared by a registered architect or professional engineer, and other supporting documents
- ☒ *Written consent of the owner*, if you are not the owner of the property
- ☒ *Certification*, as required by NYS General Municipal Law
- ☒ State Environmental Quality Review (SEQRA) *Short or Long Environmental Assessment Form*
- ☐ *Copy of the Determination* being Appealed
- ☐ NOTE: See Instructions regarding submittal of Supplemental Materials or New Plans (Item VII in the Rules of the Zoning Board of Appeals of the Village of Mamaroneck and Instructions for Bringing an Appeal


Applicant's Signature

4/14/2021
Date

**Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective _ 2007)**

- ☐ 16 Copies
- ☐ Completed Application
- ☐ COs or Letter
- ☐ Violations, if any
- ☐ Photographs
- ☐ Survey
- ☐ Certified Drawings
- ☐ Consent
- ☐ Certification/Affidavit
- ☐ EAF
- ☐ Copy of Determination being appealed
- ☐ Riders if Application is Corp./Business Entity

Application # _____
 Agenda DATE: _____
 SP: X _____
 AV: X _____
 UV: _____
 Fence: _____
 Sign: _____
 Interpretation: _____

For Official Use Only

**Village of Mamaroneck, New York
Zoning Board of Appeals
APPLICATION**

Date. APRIL 2021

TO: ZONING BOARD OF APPEALS-VILLAGE OF MAMARONECK
 123 Mamaroneck Avenue
 Mamaroneck., New York 10543

I (We) CHOPT CREATIVE SALAD COMPANY, LLC [d/b/a CHOPT MAMARONECK LLC]

(Name of Applicant)
 Of 800 Westchester Ave - St. N-231 Zip: 10573
Rye Brook, New York
 (Insert Complete Mailing Address)

Daytime Phone # 603-974-3362 Daytime Fax # _____ EMAIL: justin.gould@founders-table.com

Apply to the Board of Appeals regarding property located at 1043 West Boston Post Road
Mamaroneck, New York 10543
 (Insert Location of Premises)

Bearing Village of Mamaroneck Tax Map Number. 9 / 921 / 183
 (Section) (Block) (Lot)

Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)

1. This is an Application for the following: check one (1) or more as applicable

☒ **Area Variance** - This is to use land in a manner not allowed because of dimensional or topographical requirements in the Zoning Code

☐ **Use Variance**- This is to allow land to be used in a manner or for a purpose which is prohibited or not allowed by the Zoning code.

☒ **Special permit**

☐ **Sign Variance**

☐ **Fence Variance**

☐ **Appeal or Interpretation** (*Specify Code Section*)

☐ **Other:** Specify: _____

2. The Date and Description of the determination that is being appealed (a copy of the determination must be attached)

Special Use Permit for restaurant and car service; variance for parking located four (4) feet from side yard
 whereas the Village Code Article VII, Section 342-54(B)(1) requires five (5) feet; Variance for one (1) parking space *

3. What is the present zoning of the property? C-1

4. This Application must be made in the name of the person or entity that has a *possessory interest in the property such as a tenant, purchaser or owner*. If you are the owner, on *what date did you acquire title?* _____ If you are not the owner, list the name and address of the owner and describe your relationship to the property and the date said relationship commenced: _____

Tenant under a written Lease dated 10/20/20 for 1043 West Boston Post Road, Mamaroneck, NY 10543

IF you have acquired title to the property within the past two years, provide the name of the prior owner:

NOTE:

If the Applicant or Property Owner is a:

Corporation: Attach a separate Rider listing all the corporation's officers, shareholders and their percentage of share ownership.

Partnership: attach a separate Rider listing the type of partnership and identify the partners and their partnership interests.

LLC: attach a separate Rider listing the LLCs members

*located within fifty (50) feet of front street line Page 7 | 22
 [Article VII, Section 342-54(B)(1)].

**Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)**

5. If someone else is authorized to act as your representative or to appeal with you on your behalf before the Board, his or her name, address and telephone number must be provided:

Name:	<u>ANDREW M. SPATZ PLLC</u>
Address:	<u>650 Halstead Avenue, Mamaroneck, NY 10543</u>
Telephone:	<u>914-777-0593</u>
Email:	<u>ams@spatzlaw.com</u>

6. Has a prior variance, special permit, or interpretation Application ever been submitted for this property?



Yes



No

If YES, you must attach copies of the prior variance or resolution and describe them:

ZBA Application No. 1SP 2021 - special permit for Restaurant and Car Service (April 1, 2021)

7. List **all permits** you must obtain in order to complete the subject project of this Application (include all permits or approvals necessary from any federal, state, county, or local agency or department):

ZBA Special Permit; Building Permit for interior buildout,
BAR for exterior signage; Health Department approval

**Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)**

8. Is the property subject to any covenants, easement, or other restrictions or encumbrances? If so, list and describe these. (You may be required to provide copies of these documents establishing same to the Board.) Please be advised that nothing herein or within board purview will alter or modify any existing contractual rights with respect to the subject property.

N/A

9. ☐ Check here if there has been any illegal use or violations issued with respect to the property, regardless of whether it has been removed or adjudicated.

If so, describe and provide the date(s) and details, including if the violation continues:

N/A

10. The following are the provisions of the Village Code from which either a variance is sought or a permit is requested (you must itemize each variance you seek, since a variance cannot be obtained unless it is expressly requested and is the subject of public notice:

Article <u>VI</u>	Section <u>342-30</u>	Subsection <u>(A)</u> (1) (<u>e</u>)
Article <u>X</u>	Section <u>342-67</u>	Subsection <u> </u>
Article <u>VII</u>	Section <u>342-54</u>	Subsection <u>(B)</u> (1)
Article <u> </u>	Section <u> </u>	Subsection <u> </u>

NOTE:

IF this is an application for A *USE VARIANCE*,
COMPLETE QUESTION 11 on page 10.

IF this is an application for an *AREA VARIANCE*,
COMPLETE QUESTION 12 on page 11

IF this is an application for ALL OTHER APPLICATIONS-
INCLUDING A SPECIAL PERMIT
COMPLETE QUESTION 13 on page 12.

**Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)**

11. A use variance may only be granted if it is determined that zonings regulations and restrictions cause the property owner unnecessary hardship. New York law provides that: "In order to prove such unnecessary hardship, the property owner shall demonstrate to the Board of Appeals that:

- 1) Under the applicable zoning regulations, the owner is deprived of a reasonable return for each and every permitted use under the zoning regulations for the particular district where the property is located This deprivation must be established by competent financial evidence;
- 2) the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
- 3) the requested use variance, if granted, will not alter the essential character of the neighborhood; and
- 4) the alleged hardship has not been self-created

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider):

N/A

**Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)**

12. Under State law, the Board of Appeals must consider the following factors in making a decision on your request for an area variance:

- 1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

No - please see attached Narrative and addendum reflecting proposed area variance

- 2) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance;

No - please see attached Narrative and addendum reflecting proposed area variance

- 3) whether the requested area variance is substantial;

No - please see attached Narrative and addendum reflecting proposed area variance

- 4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

No - please see attached Narrative and addendum reflecting proposed area variance

- 5) whether the alleged difficulty was self-created...

The alleged difficulty is self-created but is not of such a nature as to require denial as the benefit to Applicant outweighs any detriment including any detriment to the health, safety or welfare of the community or the neighborhood.

Chopt Restaurant
1043 Boston Post Road
Mamaroneck, NY
Tax Map ID #: 9-21-183

Exhibit A

Description of Proposed Area Variances

1. Article VII Section 342.54B(1) requires that a parking spaces in the open shall not be located in any required front yard nor within a point eight feet from any side lot line that is within 50 feet of a front street line but may be within five feet of a side or rear lot line elsewhere on the lot.

Description:

The required yard for the side lot line is five (5) feet. A four (4) foot yard from the side lot line has been provided and will require a variance. The existing curb and edge of pavement along the side lot line is four (4) feet. An Evergreen Hedge Screen is being provided to mitigate the reduction in the side lot line and potential visual impacts.

2. Article VII Section 342.54B(1) requires that a parking spaces in the open shall not be located in any required front yard nor within a point eight feet from any side lot line that is within 50 feet of a front street line but may be within five feet of a side or rear lot line elsewhere on the lot.

Description:

A pull-off area has been provided on the left side of the exit drive in the event a vehicle arrives at the car service area before their order is ready. The parking space is located 7.4 feet from the front street line and will require a variance. The parking space has been provided with a concrete paver surface that will differentiate it from the adjacent driving lane and to mitigate the reduction in setback from the front lot line and potential visual impacts.

13. If this Application is not for an area or use variance, provide information that supports your Application. You must refer to the appropriate sections of the Village Code and to other legal requirements necessary for the board to consider your application

(Article X Special Permit) § 342-71 Action on referral.

A. That the location and size of the use, the nature and intensity of the operations and traffic involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to the type, arrangement and capacity of streets giving access to it and the hours of operation are such that the proposed use will be in harmony with the appropriate and orderly development of the district in which it is located.

Please see attached narrative and traffic and parking study prepared by Provident Design Engineering

B. That the location, nature and height of buildings, walls and fences and the nature and extent of the landscaping and screening on the site, as existing or proposed, are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.

Please see attached narrative and traffic and parking study prepared by Provident Design Engineering

C. That operations in connection with the proposed use will not be objectionable by reason of noise, fumes, smoke, dust, vibration, glare, intensity or flashing of lights.

Please see attached narrative and traffic and parking study prepared by Provident Design Engineering

D. That the parking areas to be provided will be of adequate capacity for the particular use, properly located and suitably screened from adjoining residential uses and that the entrance and exit drives shall be laid out so as to achieve maximum safety.

Please see attached narrative and traffic and parking study prepared by Provident Design Engineering

E. That, where they are applicable, the standards and requirements established or approved by the Village Engineer have been satisfactorily met as evidenced by his certification and that all necessary approvals of any other governmental agency or board have been or will be obtained by the applicant.

N/A

Purpose & Overview

- The Applicant seeks approval for a Special Use Permit to operate a Restaurant with Car Service at 1043 West Boston Post Road [PURSUANT TO Article VI, Section 342-30(A)(1)(e); Article X, Section 342-67; SECTION(S) §342-3B{85} AND §342-3B{12} OF THE VILLAGE CODE]
- The Applicant will operate a “Chopt” Restaurant, which emphasizes a high-quality product and a variety of healthy, fresh, and made-to-order items in a clean & bright atmosphere with a large & comfortable dining room.
- The Plans submitted with this application reflect thirty-two (32) interior seats in the dining room with twelve (12) employees to operate the restaurant. The Applicant seeks the proposed hours of operation from 10:30 AM to 9:00 PM seven (7) days a week. Employees will be required to have access to the Premises for food preparation and set up from 7:00 AM and closedown operations by 10:00 PM daily. Chopt will be closed Thanksgiving Day and Christmas Day.
- The Plans also reflect off-street parking of twenty-two (22) parking spaces, which is a surplus of five (5) spaces above and beyond the seventeen (17) minimum required parking spaces per Village Code. See the “*Zoning Compliance Chart*” and “*Table No. 1*” on sheet C-100 for further details. All customer parking spaces meet the minimum size requirements per Village Code.
- The Applicant expects most deliveries will be made between the hours of 6:00 AM to 7:00 AM three (3) days per week during the weekdays.
- The Applicant acknowledges that members of the Zoning Board of Appeals may be familiar with other Chopt establishments and operations in New York City and surrounding areas to the Village of Mamaroneck. **However**, the Applicant stresses that Chopt is SIGNIFICANTLY CHANGING the operating model of Chopt Mamaroneck to meet the Village Code requirements to operate a Food Service Establishment that meets the criteria for a “Restaurant” with the ability to operate “Car Service.”
- It should be noted that Provident Design Engineering, PLLC, provided a Traffic and Parking Study with regards to the proposed use which reflects that there is more than sufficient room for vehicles to pick up Car Service orders and would not interfere with vehicles that are parked or those that are exiting the property.

Chopt Mamaroneck

- The Applicant's proposed use will not create any additional noise, fumes, vibrations or flashing lights to the area and by nature of the business model, and would remain in harmony with the general health, safety, and welfare of the surrounding area by nature of the location in the C-1 Zone.
- The Applicant hereby outlines the justification for approval to operate a "Restaurant" with "Car Service" as defined in the Village Code:

Chopt Mamaroneck seeks approval to operate a Restaurant

Chopt will operate a "**Restaurant**" as defined in the Village code with freshly prepared food, table service, served by waiters and waitresses, and consumed on the premises. At Chopt Mamaroneck, you will find the following per the Village code definition of a "**Restaurant**" (§342-3B{85}):

- *"A business engaged in the preparation and sale of food and beverages";*
- *"selected by patrons seated at a table or counter";*
- *"served by a waiter or waitress and consumed on the premises";*
- *"not...a business whose principal operation is as a bar, cabaret, carry-out restaurant, delicatessen or fast-food restaurant."*

Business engaged in the preparation and sale of food and beverages

Chopt begins preparing every meal only after receipt of a customer's order. We have no pre-made or prepackaged meals available in the Restaurant. There is no "grab & go" case of ready-made salads to purchase. All meals are made to-order. Our customers love that we make everything fresh: Over 90% of customer orders are customized. For example, customers may add or eliminate ingredients and may select the type and quantity of dressing to complement their salad. This fresh preparation uniquely differentiates Chopt from other eateries.

Selected by patrons seated at a table

At Chopt Mamaroneck, we are unveiling a new way to order: Customers can order their meal while seated in our dining room. That is, each table in the restaurant will have a unique QR code (*Appendix: Image 1*), which will link customers directly to our digital menu on their smartphone (*Appendix: Image 2*). Customers simply open the camera application on their smartphone, and the unique QR code allows them to view and order from the digital menu. Chopt Mamaroneck will offer table service (*Appendix: Image 3*) for customers that order from the digital menu seated at a table served in reusable bowls made from sustainable bamboo.

Served by a waiter or waitress and consumed on the premises

We will offer table service at Chopt Mamaroneck. After ordering via Chopt's digital menu, we will provide table service by waiter or waitress to deliver the food directly to the customer (*Appendix: Image 4*) who will enjoy their meal on the premises.

Not a bar, cabaret, carry-out restaurant, delicatessen or fast-food restaurant

The primary and principle operation of Chopt Mamaroneck is a Restaurant. We are not engaged in any other type of operation: bar, cabaret, carry-out restaurant, delicatessen, or fast-food restaurant.

- Bar: Chopt is not a bar. We are a Restaurant looking to offer members of the Mamaroneck community a healthy choice of food and beverages: principally, fresh salads and warm bowls.
- Cabaret: Chopt is not a cabaret. We will not have live entertainment in our Restaurant and thus cannot be considered a cabaret.
- Carry-Out Restaurant: Chopt is not a carry-out restaurant. We do not meet the following criteria of a carry-out restaurant as defined in the Village code.
 - Chopt Mamaroneck will not be primarily engaged in the retail sale of food or beverages for consumption off the premises, which is part of the Village code definition of a carry-out restaurant: *"A business enterprise primarily engaged in the retail sale of food or beverages, which may include grocery items for consumption off the premises"* (§342-3B{87}) **"Restaurant, Carry-Out"**). Our proposed Restaurant includes a large and comfortable dining area of thirty-two (32) seats for guests.
 - Our dining room is a core part of our business—not as per the Village code *"provided that the area devoted to customer seating is clearly accessory to the main business"* (§342-3B{87}) **"Restaurant, Carry-Out"**). We accommodated nine hundred (900) square feet of front-of-house dining space inside the Restaurant, and we are constructing a seasonal outdoor patio for additional dine-in service. The dining areas will be outfitted with custom and comfortable banquettes, booths, and chairs that parallel what you would find in any Restaurant across the Village of Mamaroneck.
- Delicatessen: Chopt is not a **"Delicatessen"** (§342-3B{18}) because we have tables and seating for on-premises food consumption.

- Fast-Food Restaurant: Chopt is not a fast-food restaurant (§342-3B{88}) **“Restaurant, Fast-Food”**). We do not meet the following criteria of a fast-food restaurant as defined in the Village code:
 - Nothing is pre-made at Chopt. As mentioned throughout this narrative, everything at Chopt is made fresh only after receipt of a customer’s order. You will never find prepackaged containers of food ready for immediate consumption nor a “grab & go” case of ready-to-consume meals. We take pride in our fresh ingredients and allow the customer to independently choose and customize their meal.
 - The Village code’s definition of a fast-food restaurant includes the following phrase: *“generally served in disposable or prepackaged containers or wrappers ready for consumption”* (§342-3B{88}) **“Restaurant, Fast-Food”**). This phrase indicates that the food is already prepared before the customer walks in the door—the food is *“ready for consumption.”* However, our food at Chopt is only prepared after receipt of a customer’s order and is NEVER prepackaged. Our customers must tell us specifically what they would like to order, and then we will prepare the food.
 - Chopt Mamaroneck will provide a Restaurant service model that allows customers to order while seated at a table, and we will deliver meals directly to a customer’s table. This differentiates us from a fast-food restaurant as defined in the Village code where *“most or all of the sales to the public are stand-up”* (**“Restaurant, fast-food”** §342-3B{88}).

Chopt Mamaroneck seeks approval to provide Car Service

Chopt Mamaroneck seeks the approval from the Zoning Board of Appeals to provide **“Car Service”** to our patrons, which is a permissible service from a **“Restaurant,”** as an integral part of our Special Use Permit application. Our method and approach to execute **“Car Service”** (§342-3B{12}) falls within the parameters of the Village code:

CAR SERVICE (§342-3B{12})

Service from a restaurant provided to customers remaining in their vehicles and parked in a designated parking area of the restaurant parking lot.

Service from a restaurant

As outlined in the section above “Chopt Mamaroneck seeks approval to operate a Restaurant,” Chopt Mamaroneck meets the criteria for a “**Restaurant**” under the Village code definition (§342-3B{85}).

Provided to customers remaining in their vehicles

Customers who have pre-ordered and pre-paid for their meal via our website or Chopt App *only* can select to collect their order via Car Service. Our technology platform will provide an established time for the customer to arrive and collect their order—for example, the platform will let the customer know that the order will be ready for collection at 1:00 PM.

When the customer’s order is ready, Chopt will notify the customer via text message that the order is ready. The customer will pull into the designated Car Service area, and a Chopt employee will provide the customer their order via our Car Service window, such that customers will remain inside their vehicle and Chopt staff will hand customer their order directly to them.

Parked in a designated area of the restaurant parking lot

We have designated a specific area of the restaurant parking lot for Car Service adjacent to the northeast side of the building underneath the existing canopy (*Appendix: Image 5*). Signage will indicate to customers where the designated area is located for Car Service.

Although sufficient parking is available onsite to accommodate all parking needs, we are seeking a variance for one (1) parking space located within fifty (50) feet of the front street line (*Appendix: Image 6*). For the avoidance of doubt, this proposed additional parking space is NOT included in the twenty-two (22) spaces of off-street parking included in the application.

This additional parking space is only to accommodate customers that ordered Car Service and arrived before their meal is ready. For example, if a customer arrived before their order was ready, Chopt staff at the Car Service window would direct the customer to pull into this parking space and wait for their order to be completed. Then, a Chopt employee will bring the order to the customer while they remain in their vehicle.

Note: Because of our advanced technology platform that communicates directly with customers when their order is ready, we do not believe this space will be utilized very

often. However, in the event that a customer does arrive early, we are seeking a variance to accommodate this and avoid congestion in the Car Service area.

This additional parking space is designed to accommodate a customer that arrived before their order is ready, and Chopt anticipates that the maximum waiting time for a customer in this parking space is five (5) minutes. For the avoidance of doubt, we do not intend to use this space as additional, surplus parking for employees or dine-in guests.

Will not violate any other areas of the Village code

Chopt will not violate any restrictions provided in the code while we operate Car Service at Chopt Mamaroneck. Specifically, we will not operate “outdoor counter service” nor “drive-up car service.”

- Outdoor Counter Service: Chopt understands that the Village Code prohibits “outdoor counter service” (§342-45 “**Food service establishments and taverns**”); however, no definition in the Village Code exists for “outdoor counter service.”

We looked at two establishments within the Village of Mamaroneck for guidance on the components of “outdoor counter service.” Upon review, we identified the following six (6) components of this service, which we listed in the table below. Note that the only component that Chopt shares with these other establishments is item 6: “Customers receive their order:”

Service	Ralph’s	Walter’s	Chopt
Customers view an outdoor menu board on premises	✓	✓	X
Customers place an order on premises	✓	✓	X
Customers wait for the order to be prepared on premises	✓	✓	X
Customers pay for their order on premises	✓	✓	X
Condiments, napkins, straws, etc. accessible to customers on the counter at the premises	✓	✓	X
Customers receive their order	✓	✓	✓

After exploring “outdoor counter service” further at local establishments, Chopt is confident that we are not providing this service and thus are not violating the Village Code by providing our Car Service to our customers via the Car Service window.

- Drive-Up Car Service: Chopt also understands that the Village Code prohibits “drive-up car service”; however, the Village Code does not define “drive-up car service.” The definition of “**Restaurant**” (§342-3B{85}) in the Village Code gives us guidance in the following two sentences:
 - “No drive-up car service shall be permitted.”
 - “Car service shall be permitted by special use permit only.”

The main difference between these two types of services is the term “*drive-up*.” Therefore, we looked at a local establishment in the Village of Mamaroneck (McDonald’s) for guidance on the components of “*drive-up* car service.” Upon review, we identified five (5) components of this service, which we listed in the table below. Note that the only component Chopt shares with the example establishment is item 5: “Customer receives their order.”

Service	McD’s	Chopt
Customers arrive at <i>unpredictable intervals</i>	✓	X
Customers initiate their order <i>after</i> they get on line	✓	X
Customers <i>wait</i> in line for their order to be prepared	✓	X
Customers pay for their order <i>on premises</i>	✓	X
Customers <i>receive their order</i>	✓	✓

Chopt will be providing pre-ordered and pre-paid “**Car Service**.” That is, all our customer arrivals are predictable. Our advanced restaurant technology allows us to communicate to customers and send a text message to them when their Car Service order is ready for collection. We are very good at pacing our customers using this technology so we don’t create congestion. After exploring “drive-up car service” further at a local establishment, Chopt is confident that the Car Service we are providing via the Car Service window does not violate Village Code.

Appendix

Image 1: Chopt Mamaroneck dining area with QR Code for table ordering

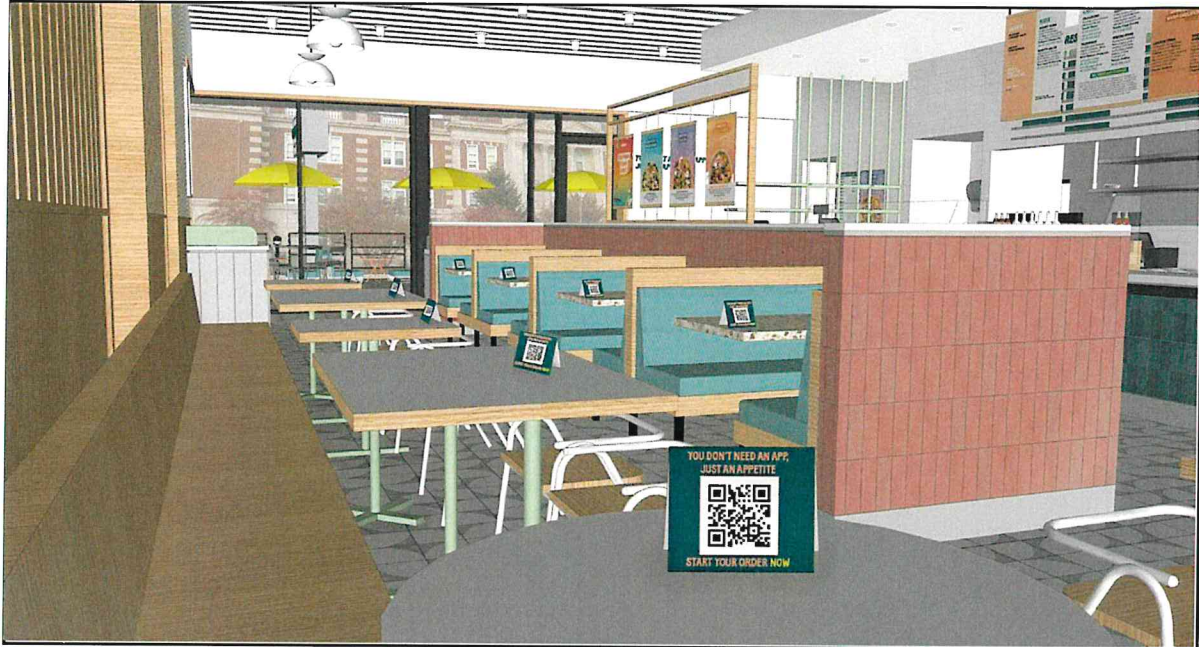


Image 2: Order and pay for your meal via Chopt's digital menu while seated at the table in our dining room

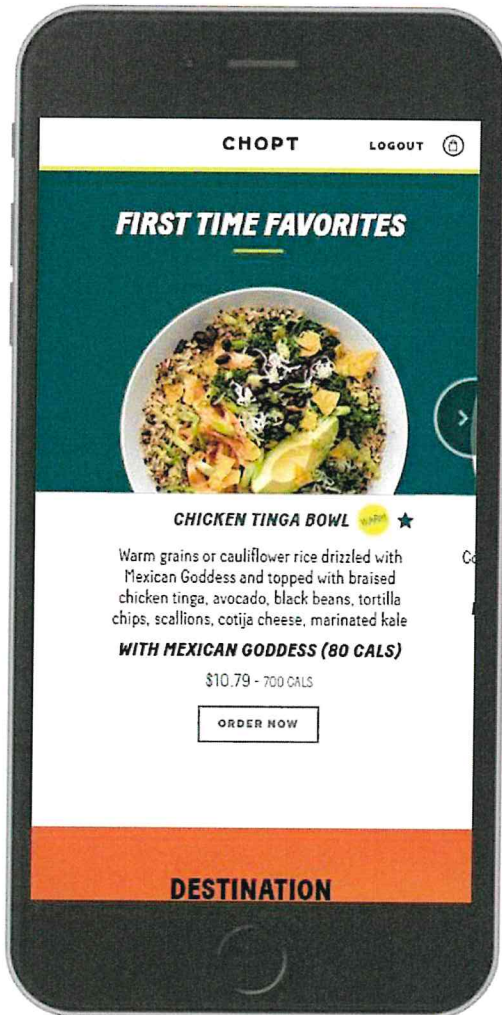


Image 3: Chopt technology alerts the team to prepare and serve your meal at the table for dine-in



Image 4: Chopt Mamaroneck dining area with QR Code for table ordering

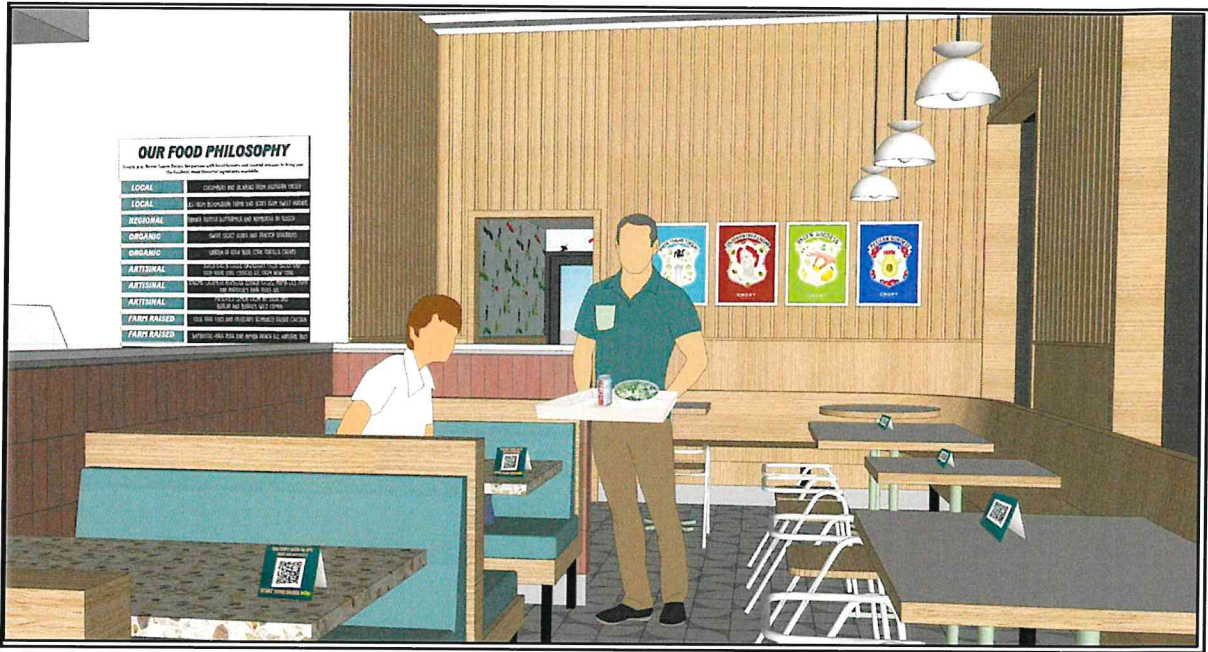


Image 5: Car Service Area

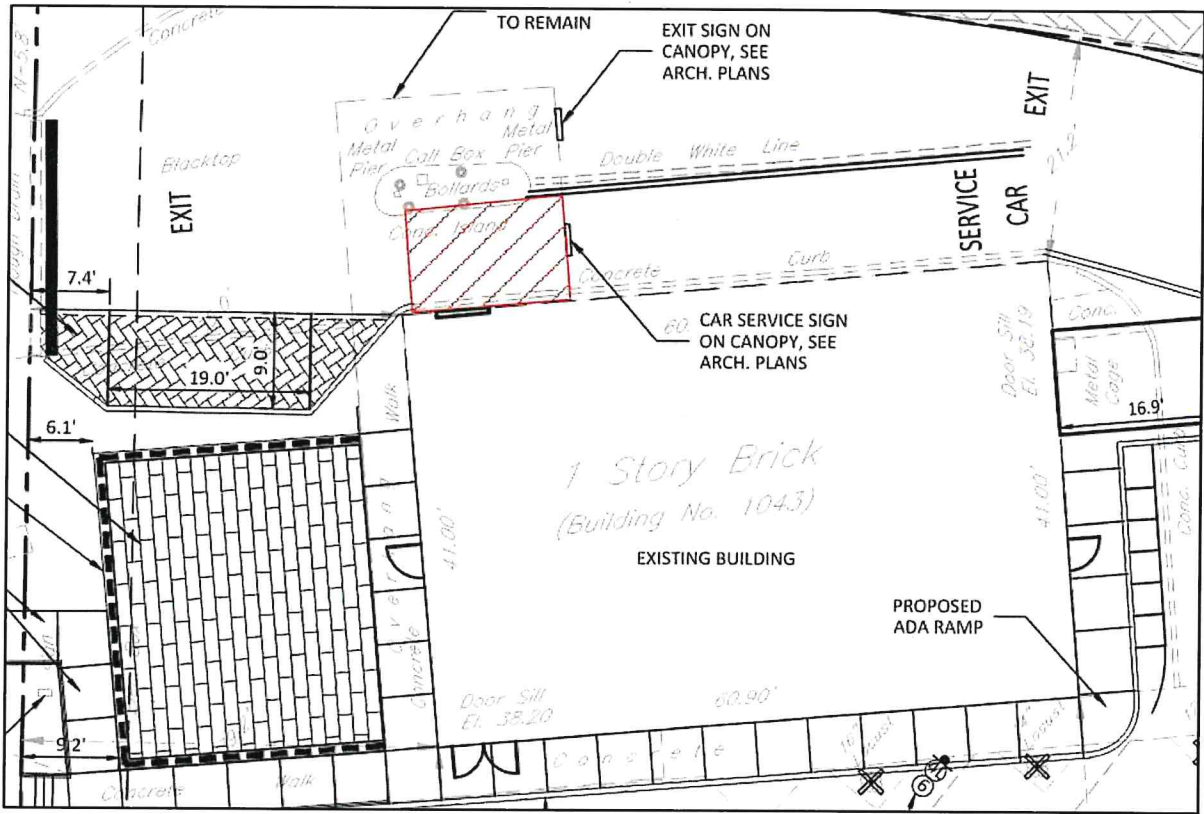
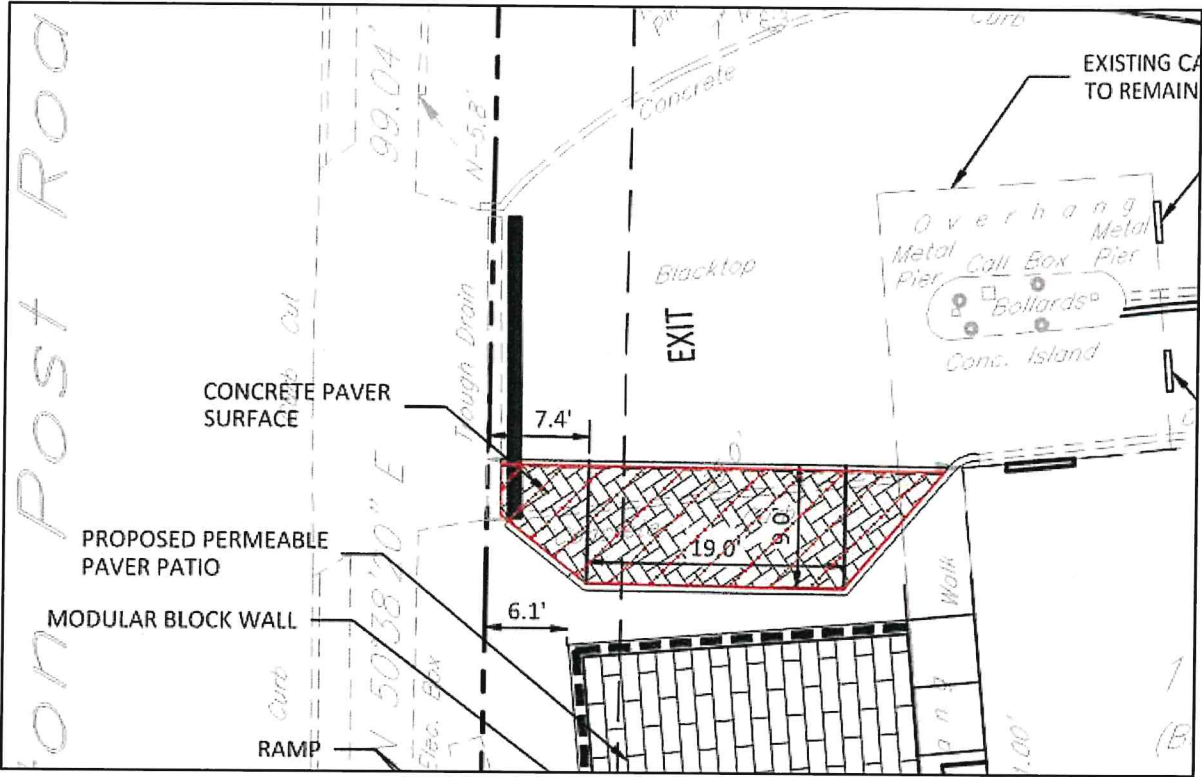


Image 6: Proposed Parking Space Variance



**Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)**

It is my responsibility as the Applicant to complete this Application completely and carefully, and to provide sixteen (16) copies of this Application, together with all necessary papers, plans, surveys, documents or other required information.

Failure to submit the required documents and information will delay my Application or result in its denial, since the ZBA cannot review or grant relief to incomplete Applications.

It is my responsibility to comply with all related requirements in presenting this Application, and the ZBA reserves the right to request additional documentation and/or drawing, and to condition any requested relief upon the filing of covenants and restrictions.

Although employees of the Village may provide me with assistance, I understand it is my responsibility to be familiar and comply with all applicable laws and to submit all necessary papers, plans, surveys, documents or other required information. I understand that copies of the Village Code are available for my review at the Village Clerks office as well as the Village Website and that I may be represented at the ZBA hearing.

I HEREBY CERTIFY THAT ALL STATEMENTS MADE ON THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE.


(Applicant's Signature)
JUSTIN GOULD

Sworn to before me this 14th

Day of APRIL, 20 21


Notary Public

JOAN A. MALINOWSKI
Notary Public, State of New York
No. 4517610
Qualified in Westchester County
Commission Expires June 30, 20 22

CERTIFICATION

CHOPT CREATIVE SALAD COMPANY LLC (Required by New York State General Municipal Law)
 By Justin Gould states as follows:

(Applicant's name)

1. I am interested in this application for a variance or special use permit now pending before the Village of Mamaroneck Board of Appeals,
2. I reside at _____
3. The nature of my interest in the aforesaid application is as follows:
I am the project manager and representative for Chopt Creative Salad Company LLC
4. If the Applicant or owner is a corporation, list the corporation's officers:
 President: _____ Vice President: _____
 Secretary: _____ Treasurer: _____
5. Do any of the following individuals have an interest, as defined below, in the owner or Applicant:
 - a. Any New York State officers, or
 - b. Any officer or employee of the Village of Mamaroneck, Town of Rye, Town of Mamaroneck, or Westchester County.

☐ Yes

☒ No

For the purpose of this disclosure, an officer or employee shall be deemed to have an interest in the owner or Applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:

- a. is the Applicant or owner, or
- b. is an officer, director, partner or employee of the Applicant or owner, or
- c. legally or beneficially owns or controls stock of corporate Applicant or owner; or
- d. Is a party to an agreement with such an Applicant or owner, express or implied, whereby he may receive any payment or other benefit, whether or not for service rendered dependent or contingent upon the favorable approval of such application.

A PERSON WHO KNOWINGLY AND INTENTIONALLY FAILS TO MAKE SUCH DISCLOSURE SHALL BE GUILTY OF A MISDEMEANOR AS PROVIDED IN GENERAL MUNICIPAL LAW, SECTION 809

If "Yes," state the name and nature and extent of the interest of such individual:

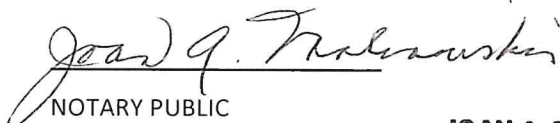
 (Name & Residence)

 (Extent of interest)



Applicant's Signature
 JUSTIN GOULD

Sworn to before me this 14th day of APRIL, 2021


 NOTARY PUBLIC

JOAN A. MALINOWSKI
 Notary Public, State of New York
 No. 4517610
 Qualified in Westchester County
 Commission Expires June 30, 2022

INFORMATION PERTAINING TO THE CORPORATE ENTITY:

Entity is CHOPT CREATIVE SALAD COMPANY, LLC

State of Formation: New York

Formation date: 12/24/1998

Officers:

Nicholas Marsh, CEO

Victor Stevenson, VP Finance and Secretary

Tony Shure, President and Co-founder

Colin McCabe, President and Co-founder

1043 MAMARONECK PARTNERS LLC
c/o JENEL MANAGEMENT CORP.
275 Madison Avenue – Ste. 1100
New York, New York 10016

November 11, 2020

Village of Mamaroneck
169 Mt. Pleasant Avenue
Mamaroneck, New York 10543

Re: Application before the Zoning Board of Appeals
Premises known as: 1043 West Boston Post Road
Mamaroneck, New York

To Whom it May Concern:

Please be advised that I am the managing agent of Jenel Management Corp., the management company for 1043 Mamaroneck Partners LLC, the Owner/Landlord of the premises known as 1043 West Boston Post Road, Mamaroneck, New York 10543. 1043 Mamaroneck Partners LLC and Chop't Mamaroneck LLC have entered into a Lease Agreement dated October 20, 2020 for the operation of the Chop't Restaurant at said location.

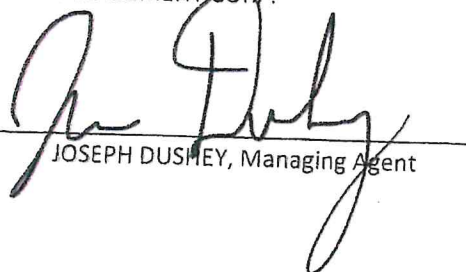
On behalf of the Landlord, I hereby authorize the submission of the Application by the Tenant to the Village of Mamaroneck for the opening of the business at said location.

Thank you.

Very truly yours,

JENEL MANAGEMENT CORP.

By



JOSEPH DUSHEY, Managing Agent

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

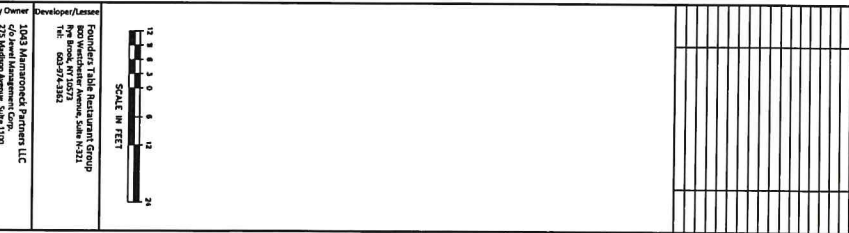
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: CHOPT			
Project Location (describe, and attach a location map): 1043 West Boston Post Road, Mamaroneck, NY			
Brief Description of Proposed Action: The proposed project entails the re-purposing of the former HSBC bank into a CHOPT Restaurant with car service. The existing building envelope will remain and interior renovations are proposed with a small addition (167 s.f.) being added at the rear of the existing building to accommodate a walk in cooler. The existing parking lot is being reconfigured to provide a total of 22 parking spaces. Two (2) parking spaces will be 8.5 ft. wide by 19 ft. long for use by employees and staff. Nineteen (19) parking spaces will be 9 ft. wide by 19 ft. long for use by customers and one (1) van accessible parking space will be 8 ft. wide by 19 ft. long per Section 1106.1.1 of the 2020 Building Code of NYS. All parking space dimensions conforms with the applicable zoning code provisions. The number of parking spaces required is 17 and 22 spaces are provided. An outdoor seasonal patio is proposed in the front of the existing building (29' x 28' = 812 s.f.). A six (6) foot high stockade fence is proposed along the rear property line to provide screening. A car service window and lane are being provided. Article VII Section 342.54B(1) of the zoning code requires that parking spaces shall not be located in any required front yard nor within a point eight feet from any side lot line that is within 50 feet of a front street line but may be within five feet of a side or rear lot line. Parking spaces are four (4) foot yard from the side lot line and a parking space is 7.4 feet from the street line, a variance is required.			
Name of Applicant or Sponsor: Chop't Creative Salad Company, LLC		Telephone: 603-974-3362 E-Mail: justin.gould@founders-table.com	
Address: 800 Westchester Avenue, Suite N-321			
City/PO: Rye Brook		State: NY	Zip Code: 10573
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			0.4782 acres 0.26 acres 0.4782 acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

PRINT FORM

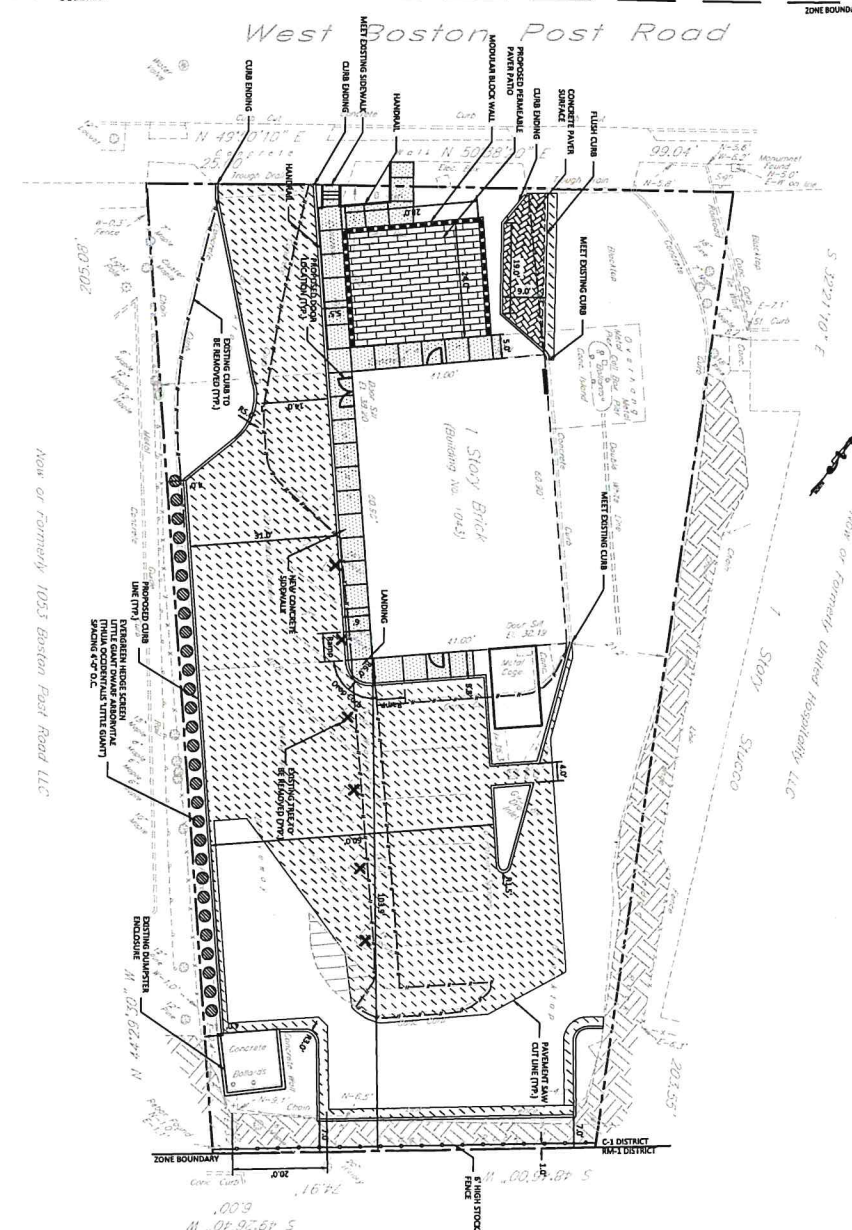


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[illegible]

LEGEND

---	PROPERTY LINE
---	PROPOSED DRAINAGE LINE
---	PROPOSED BUILDING LINE
---	SETBACK/PAVED LINE
---	PROPOSED CURB
---	PROPOSED FURSH CURB
---	PROPOSED FINISH LINE
---	PROPOSED CONCRETE SIDEWALK
---	PROPOSED CONCRETE STAIRS
---	ZONE BOUNDARY
	PERMEABLE PAVEMENT
	TOTAL DEPTH DRAINAGE SECTION
---	CONCRETE CURB/STREET AND



Property Owner	Developer/Lessor
1043 Mainarneck Partners LLC c/o Level Management Corp. 275 Madison Avenue, Suite 1100 New York, NY 10016	Founders Table Restaurant Group 800 Westchester Avenue, Suite H-321 Ave Brook, NY 10573 Tel: 603-974-1362


 **provident**

2 ZIONCHURCH, MANHATTAN, NEW YORK 10023
TEL. (212) 333-4040 WWW.PROVIDENT.ORG

USERS ARE NOT GIVING LOCATION INFORMATION TO ANYONE OTHER THAN THE PERSONS THEY HAVE SPECIFICALLY AUTHORIZED TO DO SO. PROVIDENT DOES NOT COLLECT OR DISCLOSE ANY INFORMATION ABOUT YOU TO ANY OTHER PERSON OR ENTITY. PROVIDENT DOES NOT COLLECT OR DISCLOSE ANY INFORMATION ABOUT YOU TO ANY OTHER PERSON OR ENTITY.


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<p>CHOPT</p> <p>1043 West Boston Post Road</p> <p>Mamaroneck (Y), NY</p> <p>Tax Map ID #: 9-21-183</p>	<p>TITLE:</p>
---	----------------------

	<h1 style="text-align: center;">SITE PLAN</h1>	
	Scale: 1"=12' Date: 4/13/2011 Drawn By: JPP Checked By: JPP Project No.: 20-072 Sheet No.: 2 of 3 Draw. No.:	<h2 style="text-align: center;">C-101</h2>



Required Off-Score Parking Calculations				
Use	Maximum No. of Spaces (S 142-56)	Quantity	Units	No. Spaces
Indexing Building	1 for each 1,000 ft.	32	spaces	32
Employees	1 for each 5 employees	32	employees	6
Total Number of Parking Spaces Required =				38
Total Number of Parking Spaces Provided =				22

STRIPE/PAINT & SIGN PLAN LEGEND	
SL	STOP LIMIT LINE (L27)
SW	(L7) WHITE SOLID LINE
DW	SOLID WHITE LINE (L7) - 2 WHITE LINES
	NO. OF PARKING STALLS PER BAY (L)
	EXISTING SIGN
	EXISTING SIGN TO BE REMOVED
	PROPOSED TRAFFIC SIGN LOCATION AND DESIGNATION
	ADA PAYMENT MARKING
	PAINTED DIRECTIONAL ARROW

12 0 12

SCALE IN FEET

Provident
design engineering

7 SENTINEL DRIVE, MAINTENANCE, NEW YORK 10022
TEL: (212) 343-4040 WWW.PROVIDENTUSA.COM

UNDER NEW YORK STATE EDUCATION LAW ARTICLE 145, SECTION 27(2)(b), IT IS A VIOLATION FOR THIS LAW FIRM AND ITS AGENTS UNDER THE COLLECTION OF A LICENSED PROFESSIONAL ALTER THE DOCUMENT.

© PROVIDENT DESIGN ENGINEERING, PLLC

CHOPT
1043 West Boston Post Road
Mamaroneck (N), NY
Tax Map ID #: 9-21-183



Chopt Restaurant
1043 Boston Post Road
Mamaroneck, NY
Tax Map ID #: 9-21-183

TRAFFIC AND PARKING SUMMARY

The following is a Summary of the Traffic and Parking aspects for the proposed Project:

Traffic and Parking Study

A detailed Traffic and Parking Study, dated November 5, 2020, was prepared by Provident Design Engineering. The Scope of the Study was discussed with the Village's Traffic and Planning Consultant. The Traffic and Parking Study illustrated that the Project will not have a significant impact on Traffic operations in the area and sufficient parking is provided. The Site previously generated traffic as a bank. With the Project, good levels of service will remain. Although since the time of the Traffic Study, the operation of the facility has been slightly modified from the pick-up window to the car service, the methodology and the findings of the Traffic and Parking Study do not change. With the Car Service in conjunction with robust online ordering system which provides specific times for pick-up, there will not be lines of vehicles queued at the Car Service.

As discussed in the Traffic Study, the Study was very conservative to illustrate that the Project would not have any Traffic impacts. This conservativeness was based upon preliminary discussions with the Applicant and the Village's Traffic and Planning Consultant. It is noted that the Traffic Impact Study conservatively utilized 72 trips entering and 72 trips exiting during the Peak Weekday Lunch Hour, which is the Peak Hour for the facility as the facility is not open for breakfast while dinner and weekend activity are also significantly less. This represents slightly more than one vehicle entering per minute. These amounts are very conservative as the trips utilized are much higher than those contained in the Institute of Transportation Engineers (ITE) Trip Generation rates, which are the Industry Standard and what is the standard of the Village. The trips utilized were based upon proprietary information provided by Chopt and were based on the fifteen minute/hourly peaks for the average of the *Maximum Orders* for the eleven Chopt facilities in the New York suburbs on either a Monday or Tuesday (the two busiest days) over a one-month period. Thus, for each facility, the highest 15 minutes for each time period during the month for each Site were utilized and then averaged. In addition, to be conservative, the trip calculations utilized the *number of transactions, not the number of vehicles*. The volumes were then conservatively doubled to account for exiting trips during the same hour. In addition, these numbers are further conservative as there could be multiple transactions from people who came in the same car and are sitting at the same table but ordered separately as well as for people who walked to the facility. *For the Traffic analysis purposes, each transaction was considered a separate vehicle*. No reductions were taken for patrons walking (even though the High School is located across the street) or for multiple people in a car. The site is not surrounded by significant office buildings and retail facilities like the others facilities (such as the Rye Brook facility in the Rye Ridge Shopping Center or the Scarsdale facility in the Scarsdale Shopping Center) utilized to determine the trips, thus the actual number of lunchtime transactions would likely be significantly less. Thus, the actual peak number of vehicular trips

would be closer to 36 entering trips during the lunch peak hour, and even less during the other hours of the day and the other days of the week but the much higher volumes were utilized in the Traffic Study to illustrate that the Project would not have a Traffic impact.

Parking

The Village Code requires a total of 17 parking spaces based on six employee parking spaces (at one space per two employees) and 11 patron parking spaces (at 1 space for each 3 seats – there are 32 seats in the restaurant). As illustrated on the Site Plan, six employee parking spaces and 16 patron parking spaces (including the ADA space) are provided, for a total of 22 parking spaces being provided. This is exclusive of any parking spaces in the Car Service area as well as the one parking space west of the Car Service area. Thus, not even including these other parking spaces, five additional patron parking spaces are being provided. Although they will not be necessary for this Project, there are also public on-street parking spaces along northbound Boston Post Road both north and south of the Site.

Nineteen parking spaces will be 19' x 9' as per the Village Code. Two parking spaces for employees will be 19' x 8.5' as per Code. The ADA van-accessible space is 19' x 8 feet, in conjunction with the 8' wide striped aisle, as per New York State requirements.



**TRAFFIC AND PARKING STUDY
CHOPT RESTAURANT
1043 WEST BOSTON POST ROAD
Village of Mamaroneck, Westchester County, NY**

Prepared For
Chop't Creative Salad Company, LLC
800 Westchester Avenue
Suite N-321
Rye Brook, NY 10573

Prepared by
Provident Design Engineering, PLLC
7 Skyline Drive
Hawthorne, New York 10532

November 5, 2020

Provident Project No. 20-072

1.0 PROJECT DESCRIPTION

This Traffic and Parking Study has been prepared by Provident Design Engineering, PLLC (Provident) for the replacement of the relatively recently closed HSBC Bank with a Chopt at 1043 West Boston Post Road (US Route 1) in the Village of Mamaroneck (see Figure No. 1 in Appendix A). The site is currently, and will continue to be, served by an existing unsignalized entrance driveway as well as an existing unsignalized exit driveway. West Boston Post Road is under the jurisdiction of the New York State Department of Transportation. The Preliminary Scope of this Traffic and Parking Study was discussed with the Village's Traffic Consultant.

The Site is essentially opposite Mamaroneck High School so it is expected that some students and staff will walk to Chopt during lunchtime, similarly as they do now (Pre-Covid when students are back attending school in person) to go to the deli, pizza restaurant, Burger IM, McDonalds, etc. that are also across the street from the High School. There is an existing crosswalk with pedestrian signals at the High School's signalized Driveway along West Boston Post Road. Due to COVID-19 issues, a true vehicle and pedestrian count cannot be obtained at this time so data was obtained from the New York State Department of Transportation and other sources.

The recently closed HSBC bank had two typical drive-thru lanes. Chopt will have a vehicle Pickup window at the same location as the window for the bank. The other lane will just

be a bypass exit lane for vehicles that had previously parked. It is important to note that the Pickup window is not a typical drive-thru window and is significantly different from a typical drive-thru where a patron would place an order from a menu board and then pull up to at the window to pay and then wait for the food to be prepared. Instead, the proposed methodology is that patrons would place their orders online, pay for their order online and be given a time to pick up their food. They will also be sent a text when their order is ready so that they do not arrive early. This allows time for the food/order to be prepared and be ready. The driver will then pull up at the time provided and, having already paid online, thus no time is spent paying at the window by cash or credit card, picks up their order. Therefore, each transaction will take less than 30 seconds and thus, any queueing on the line is limited.

More than sufficient stacking room for vehicles in line for Pickup orders has been provided to not interfere with vehicles that parked and are exiting the property. For illustrative purposes on the Site Plan, eight - nine vehicles can stack without any possible interference with patrons that parked, although queues are not projected to get that long. The parking spaces at the rear of the property will be signed for Employees, so in the unlikely chance of any backup of vehicles in the Pickup queue will not block any customers that have parked. Vehicles leaving the Site that are not using the Pickup lane will utilize the bypass lane.

Chopt has a very robust interior Pickup & Delivery program, which is live across all Chopt locations in the area. For guests that order Pickup on Chopt's proprietary

platform, they will have the option to collect their order from the interior or the Pickup window. Both options will have time slots to spread out the volume & flow of guests.

- Interior Pickup Option: Guests that select the interior option must park and walk into the store to collect their order from our dedicated shelves inside the restaurant.
- Exterior Pickup Window: If a guest selects to collect their order from the Pickup Window, they will drive up to the window during their ETA window.

Regardless of the interior or exterior pickup method, Chopt texts guests when their order is ready, so that they do not arrive early.

For guests who order meals via delivery (e.g., DoorDash, UberEats, etc.), the drivers will need to park, walk inside and collect the delivery orders from a dedicated area on the interior pickup shelves.

Provident has been retained to analyze the traffic and parking aspects associated with the proposed conversion of the bank to a Chopt and to identify roadway improvements, if required, to mitigate any adverse impact. This Traffic Impact Study uses the standard Traffic Engineering methodology and has been prepared to document the findings and conclusions of the analysis undertaken to measure the traffic and parking associated with the proposed Project. To be conservative, a "Build" Year of 2022 was utilized in the Traffic Analyses for purposes of this Study.

2.0 STUDY METHODOLOGY

Provident held preliminary discussions with the Village's Traffic Consultant prior to preparing this Traffic and Parking Study.

The existing traffic volumes were obtained from traffic volume information obtained from the NYSDOT along West Boston Post Road. The existing base traffic volumes were projected to the Analysis Year of 2022 utilizing a 0.5% annual growth rate compounded per year, based upon the growth rate applied in other Traffic Studies in the Village. 2022 No-Build (without the Project Traffic) and 2022 Build Traffic Volumes (with the Project Traffic) were then developed. Utilizing the No-Build and Build Traffic Volumes, Provident performed detailed capacity analyses of the Site Driveways to identify the operational characteristics and to measure the impact of the Site traffic on the adjacent roadway system.

Based upon the results of the analysis, comparisons of the No-Build and Build conditions for the Project were made, and if significant impacts were experienced, mitigation was proposed.

3.0 WEST BOSTON POST ROAD

West Boston Post Road in the vicinity of the Site is a two lane per direction roadway with on-street parking on portions of both sides of the roadway. Sidewalks are also present on both sides of West Boston Post Road.

The closest signalized intersection to the north is at the High School Driveway, approximately 220 feet from the Site, while the closest signalized intersection to the south is at Richbell Road/Old Boston Post Road, approximately 500 feet from the Site. Both signalized intersections have pedestrian crosswalks and pedestrian signals. There are also Westchester County BeeLine Bus stops at the intersection of West Boston Post Road and Richbell Road. West Boston Post Road in this area is under the jurisdiction of the New York State Department of Transportation (NYSDOT) as part of US Route 1.

The speed limit on West Boston Post Road is 30 mph. However, as the Site is located within the School Zone, the speed limit is 20 mph from 7:00 AM to 6:00 PM on School Days.

4.0 OPERATIONS

The recently closed HSBC bank had two typical drive-thru lanes. Chopt will have a vehicle Pickup window at the same location as the window for the bank. The other lane will just be a bypass exit lane for vehicles that had parked.

As previously described, patrons will have the ability to use the standard ordering method inside the facility or can pre-order online. Those ordering online then have the option of going inside the facility or utilizing the Pickup window. It is important to note that the Pickup window is not a typical traditional drive-thru window and is significantly different from a typical drive-thru where a patron would place an order from a menu board and then pull up to at the window to pay and then wait for the food to be prepared. Instead, the proposed methodology is that patrons would place their orders online, pay for their order online and be given a time to pick up their food. Chopt will text the patron when the order is ready. This allows time for the food to be prepared and be ready. The driver will then pull up at the time provided and, having already paid online, thus no time is spent paying at the window by cash or credit card, picks up their order. Therefore, each transaction would take less than 30 seconds and thus, any queueing on the line is limited. This procedure has been expanded nationally by various facilities and companies further developed during COVID-19. In case a patron for Pickup does arrive early, there is a parking space reserved for the driver to pull into so that the Pickup window is not blocked.

5.0 BASE TRAFFIC VOLUMES

Based upon preliminary discussions with the Village's Traffic Consultant, the Site's Entrance and Exit Driveways were determined to be analyzed. Due to COVID-19 impacts on existing traffic volumes, traffic data for West Boston Post Road was obtained from the New York State Department of Transportation (NYSDOT) (copy attached in Appendix C). In addition to the traffic counts obtained from the NYSDOT, Provident reviewed other traffic data including from the Village and within the file of Provident. Provident also conducted field observations to determine roadway geometry, traffic control, etc.

The Weekday Peak AM Roadway Hour and Peak PM Roadway Hour are usually the standard peak hours required to be analyzed. As will be described later, the facility will not be open during the Weekday Peak AM Roadway Hour, thus the Weekday Peak AM Roadway Hour was not analyzed. However, the Site's Peak Hour, which is around lunch time, was analyzed along with the Weekday Peak PM Roadway Hour. As no NYSDOT traffic count was available for the Saturday volumes, the Weekday Peak PM Hour Roadway volumes were utilized after factoring the proportion of Weekday PM Hour volumes and Saturday Peak Volumes from data for a nearby intersection as provided by the Village.

Based upon the NYSDOT traffic counts, the following Peak Hours were determined:

Peak Weekday Roadway Hours:

Peak AM Hour - 8:00 AM to 9:00 AM

Peak PM Hour – 5:00 PM to 6:00 PM

Peak Hour of Site Traffic

Peak Midday Hour – 11:30 PM to 12:30 PM

Peak Saturday Hour

Peak Saturday Hour – 12:00 PM to 1:00 PM

The Base Peak Hour Traffic Volumes are illustrated on Figure No. 2 in Appendix A. For Analysis purposes, the Bank volumes are included on this Figure.

6.0 2022 NO-BUILD TRAFFIC VOLUMES

The Existing Traffic Volumes were then grown by a compounded annual growth rate of 0.5% per year to the Analysis Year of 2022. Based upon information from the Village, there are no adjacent developments that would have a significant impact on traffic volumes in the area. As the property currently houses a bank with two drive-thru's, currently closed, traffic from the bank based upon ITE Trip Generation was included in the No Build Traffic Volumes illustrated on Figure No. 3.

It is noted that discussions were previously held with the Village Engineering Department and it was determined that there were no known roadway improvements proposed for this area.

7.0 SITE-GENERATED AND BUILD TRAFFIC VOLUMES

The ability of any roadway network to accommodate anticipated traffic volumes is measured by comparing Peak Hour Traffic Volumes to roadway capacities. Thus, it is essential to determine the hourly traffic volumes to be generated by the proposed Project and add them to the No-Build Traffic Volumes to determine the Build Traffic Volumes.

The following Table summarizes and compares the Trip Generation:

TRIP GENERATION COMPARISON TABLE												
Land Use	Size (ksf)	Units	Weekday Peak Hour of Adjacent Street Traffic				Weekday Peak Hour of Generator				Saturday Peak Hour of Generator	
			AM Peak Hour		PM Peak Hour		AM Peak Hour (11:30 AM – 12:30 PM)		PM Peak Hour (12:00 PM – 1:00 PM)		Sat Peak Hour (12:00 PM – 1:00 PM)	
			Enter	Exit	Enter	Exit	Enter	Exit	Enter	Exit	Enter	Exit
Drive-in Bank (ITE Land Use 912)	2.5	1,000 GFA	14	10	26	26	19	17	25	25	34	32
Fast Casual Restaurant (ITE Land Use 934)	2.5	1,000 GFA	3	2	19	16	56	35	50	59	47	38
Chopt (1)	2.5	1,000 GFA	-	-	31	31	72	72	72	72	47	38

Note: (1) Trips for Chopt utilized in this Study were based upon weekly peaks of other Chopt facilities in the area. Chopt is not open during the Peak AM Hour of Adjacent Street Traffic. The Peak Hour of Generator for Chopt is 11:30 AM – 12:30 PM. Chopt generates less traffic on Saturdays/Sundays so the ITE Peak Hour of Generator was utilized.

To be conservative, the trips determined from the Chopt order amounts of other nearby Chopt facilities were utilized. These rates are higher than the Peak Hour of Adjacent Street Traffic and Peak Hour of Generator volumes provided by the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition for a Weekday. The Chopt volumes are also conservative as they consist of total orders, thus, if four people arrive in one car to sit inside the facility and eat, they could constitute four separate orders.

In addition, these volumes are further conservative as they are based on the average of the maximum counter transactions on the busiest day for the other Chopt facilities located in the suburban metropolitan area, including, but not limited to, Rye Brook, Mount Kisco, Greenwich, Dobbs Ferry and Scarsdale. It is also based upon the peak days for a Chopt facility, which happen to be Mondays and Tuesday. Saturdays and Sundays as well as the other weekdays have less customers than Monday and Tuesday. During the day, Chopt is busiest at lunch time. Traffic on West Boston Post Road at this Midday time is less than during the Peak PM Roadway Hour. Most Chopt sites see a significant drop-off in customers on the weekends. The facility will not open until 10:30 AM, thus there is no Peak AM Hour (of the Adjacent Street) Traffic. The Peak Hour of Generator for Chopt is 11:30 AM – 12:30 PM based upon the counter order data provided from Chopt and was utilized in the Analyses as this is higher than the ITE rates. Chopt generates less traffic on Saturdays/Sundays so the ITE Peak Hour of Generator was utilized to be conservative.

For the sites in the New York suburbs, approximately 35% of the sales came through digital channels, with 65% of those sales being Pickup, Pre-COVID. Post-COVID, these sites increased to 70% digital with 75% of those sales being Pickup. In the future, Chopt projects approximately 50% of their sales will be digital and utilize the Pickup window.

To be conservative, no credit was taken for Pass-by Trips along West Boston Post Road, even though these are likely to occur. In addition, no credit was taken for pedestrian trips or trips by public transportation, even though there are Westchester BeeLine Bus Stops in the area and there will be some trips from the High School.

The Site Generated traffic was then distributed to the adjacent roadway network utilizing a 52-48 split along West Boston Post Road for both the entering traffic and the exiting traffic based upon the existing traffic volumes, as illustrated on Figures No. 4 and 5. The Site-generated Traffic Volumes, illustrated on Figure No. 6, were then combined with the 2022 No-Build Traffic Volumes (exclusive of the Bank volumes) to form the 2022 Build Traffic Volumes illustrated on Figure No. 7.

8.0 DESCRIPTION OF ANALYSIS

Synchro Capacity analyses were conducted at the intersection of West Boston Post Road and the Site Driveway to identify the traffic impact associated with the Site. Capacity analysis is a method by which traffic volumes are compared to calculated roadway and intersection capacities to evaluate future traffic conditions. The methodology utilized is described in the Highway Capacity Manual published by the Transportation Research Board. In general, the term "Level of Service" is used to provide a qualitative evaluation based on certain quantitative calculations related to empirical values. In general, Level of Service A represents the best traffic operating condition. Levels of Service for signalized and unsignalized intersections are defined in terms of average delay. Delay is used as a measure of driver discomfort, frustration, efficiency, etc.

West Boston Post Road provides the northbound and southbound approaches to the unsignalized "T" intersection with the Site Driveway. There are actually two "T" intersections, one for the entering driveway and one for the exiting driveway. However, to be conservative, the two intersections were analyzed as one intersection. The northbound West Boston Post Road approach provides one through lane and one through/right-turn lane. The southbound West Boston Post Road approach provides one left-turn/through lane and one through/right-turn lane. The Site Entrance Driveway consists of one lane while the Site Exit Driveway forms the westbound approach and currently provides one left-

turn/right-turn lane, operating under Stop control. The same conditions will remain for the proposed Project.

Capacity analyses were performed for the intersection with the Existing, 2022 No-Build and 2022 Build Traffic Volumes utilizing Highway Capacity Software (Synchro) developed for the FHWA for each of the various conditions. For Analysis comparison purposes, the Existing and No-Build Conditions include the traffic that would have been generated by the Bank. The capacity analyses are summarized in the detailed Levels of Service Table along with the worksheets which are contained in Appendix B of this Report. As illustrated in the Level of Service Summary Table, the Levels of Service will all remain good Levels of Service and the same as the existing conditions, with only some minor differences in average delay. All movements along West Boston Post Road will remain at Level of Service "A" while all movements exiting the Site Driveway will remain at Level of Service "C" or better.

9.0 PEDESTRIAN CONDITIONS

There are sidewalks present on both sides of West Boston Post Road. Proper pedestrian access will be provided between the sidewalk and the facility. In addition, there are pedestrian crosswalks with pedestrian signal heads at the signalized intersections to the north and south of the Site along West Boston Post Road.

To the north there is a signalized intersection with a crosswalk at the High School Driveway, approximately 220 feet from the Site, while to the south, there is a signalized intersection with a crosswalk at Richbell Road/Old Boston Post Road, approximately 500 feet from the Site. Both signalized intersections have pedestrian crosswalks and pedestrian signals.

As the Site is essentially opposite Mamaroneck High School, it is expected that some students and staff will walk to Chopt during lunchtime, similarly as they do now (Pre-Covid when students are attending school in person) to go to the deli, pizza restaurant, Burger IM, McDonalds, etc. that are also across the street from the High School. The existing crosswalk at the High School's signalized Driveway along West Boston Post Road has pedestrian signals. Due to COVID-19 issues, a true vehicle and pedestrian count cannot be obtained at this time.

There are also Westchester County BeeLine Bus stops at the intersection of West Boston Post Road and Richbell Road.

West Boston Post Road in this area is under the jurisdiction of the New York State Department of Transportation (NYSDOT) as part of US Route 1. The speed limit on West Boston Post Road is 30 mph. However, as the Site is located within the School Zone, the speed limit is 20 mph from 7:00 AM to 6:00 PM on School Days.

10.0 PARKING

There are 22 parking spaces provided on-site, not including the parking space reserved in case a driver arrives at the Pickup window early. This exceeds the 17 parking spaces required by Zoning. In addition, it is estimated that approximately 50% of the orders will be ordered online and picked-up through the cashless system at the window.

There is on-street parking permitted in portions of both sides of West Boston Post Road, both north and south of the Site. There is no on-street parking permitted immediately in front of the facility currently.

11.0 PICKUP WINDOW

As described previously, the recently closed HSBC bank had two typical drive-thru lanes. Chopt will have a vehicle Pickup window at the same location as the window for the bank. The other lane will just be a bypass exit lane for vehicles that had previously parked. It is important to note that the Pickup window is not a typical drive-thru window and is significantly different from a typical drive-thru where a patron would place an order from a menu board and then pull up to at the window to pay and then wait for the food to be prepared. Instead, the proposed methodology is that patrons would place their orders online, pay for their order online and be given a time to pick up their food. They will also be sent a text when their order is ready. This allows time for the food/order to be prepared and be ready. The driver will then pull up at the time provided and, having already paid online, thus no time is spent paying at the window by cash or credit card, picks up their order. Therefore, each transaction will take less than 30 seconds and thus, any queueing on the line is limited. Approximately 50% of the orders will use this system so there would be a conservative peak of 32 vehicles in one hour. These vehicles, with the quick processing time, will not result in long queues experienced at typical drive-thru's.

More than sufficient stacking room for vehicles in line for Pickup orders has been provided to not interfere with vehicles that parked and are exiting the property. As illustrated on the Site Plan, eight - nine vehicles can stack without any possible interference with patrons that parked, even though queues are not projected to be that long. The parking spaces at the rear of the property will be signed for Employees, so in

the unlikely chance of any backup of vehicles in the Pickup queue will not block any customers that have parked. Vehicles leaving the Site that are not using the Pickup lane will utilize the bypass lane.

12.0 CONCLUSIONS

It is the considered professional opinion of Provident that the traffic generated by the Site does not have a significant impact on the adjacent roadway network. Safe and efficient traffic operation will be maintained. More than sufficient storage is provided for the pre-order Pickup window and sufficient parking will be provided.

Respectfully submitted,

PROVIDENT DESIGN ENGINEERING, PLLC



Brian E. Dempsey, P.E., P.T.O.E., RSP1
Senior Project Manager



Danny Cuya, EIT
Traffic Engineer

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**AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF
MAMARONECK, HELD ON APRIL 1, 2021, THE FOLLOWING RESOLUTION WAS
ADOPTED:**

APPLICATION NO. 1SP 2021

Name: Chop't Creative Salad Company LLC
Premises: 1043 West Boston Post Road
District: C-1
Tax I.D.: Section 9, Block 56, Lot 4B

WHEREAS, Chop't Creative Salad Company LLC ("Applicant") applied to this Board on December 10, 2020 for an interpretation of the Village of Mamaroneck Zoning Code (Zoning Code") and a special use permit to operate a restaurant (the "Application") at 1043 West Boston Post Road ("Premises") within the C-1 District pursuant to Article X Chapter 342 (Zoning) of the Code of the Village of Mamaroneck; and

WHEREAS, pursuant to Zoning Code 342-3(B)[Terms Defined, Restaurant], a restaurant is defined as:

A business engaged in the preparation and sale of food and beverages selected by patrons seated at a table or counter, served by a waiter or waitress and consumed on the premises. The term "restaurant" does not include a business whose principal operation is as a bar, cabaret, carry-out restaurant, delicatessen or fast-food restaurant. No drive-up car service shall be permitted. Car service shall be permitted by special use permit only.

WHEREAS, pursuant to Zoning Code 342-3(B)[Terms Defined, Food Establishment], a restaurant is a food establishment and requires a special use permit pursuant to Zoning Code § 342-45; and

WHEREAS, the Premises is currently improved with an existing structure and related off-street parking and drive thru window for an existing bank; and

WHEREAS, the Application sought an interpretation of Zoning Code § 342-45 that a drive up/ window was permitted on the Premises as a result of the modern window pick up operation proposed; and

WHEREAS, on January 7, 2021, the Board held a duly noticed public hearing and determined to first hear the interpretation request by the Applicant; and

WHEREAS, on February 4, 2021, the Board held another duly noticed public hearing and heard arguments related to the Applicant's interpretation request that the modern window pick up operation was permitted on the Premises; and

WHEREAS, on February 11, 2021, by letter from Applicant's attorney, the Applicant abandoned the initial interpretation request and sought to "amend the existing Application to include the use of 'Car Service', as provided by the Mamaroneck Village Code Section 342-3(B)(12)" (the "Amended Application"); and

WHEREAS, pursuant to Zoning Code 342-3(B)[Terms Defined, Car Service], car service is defined as, "[s]ervice from a restaurant provided to customers remaining in their vehicles and parked in a designated parking area of the restaurant parking lot."

WHEREAS, on March 4, 2021, the Board held a duly noticed public hearing on the Amended Application and discussed the abandonment of the interpretation request and the contents of the Amended Application; and

WHEREAS, on March 4, 2021, the Board closed the public hearing for the Application and the Amended Application; and

WHEREAS, the Board recognizes that "car service" is permitted by special use permit pursuant to Zoning Code 342-3(B)[Terms Defined, Restaurant] and as set forth in Article X Chapter 342 of the Zoning Code; and

WHEREAS, the Amended Application included site plans prepared by Provident Design Engineering dated, revised, February 10, 2021, which included a "Striping & Signage Plan" for customer parking (collectively, the "Site Plans"); and

WHEREAS, the Striping & Signage Plan indicates the "car service" designated pick up area; and

WHEREAS, the Site Plan indicates that 17 of the proposed off-street customer parking spaces measure less than 19' in length, where 9' x 19' is required by Zoning Code 342-3(B)[Terms Defined, Parking Space], and thus the majority of the proposed parking spaces are smaller than the Zoning Code requires; and

WHEREAS, a restaurant with 32 seats and 12 employees is required by Zoning Code 342-56 to provide at least a minimum of 17 code compliant off-street parking spaces and the site plan indicates less than that amount. Further, the Board reserves the right to require additional off-street parking as needed; and

WHEREAS, the proposed action is a Type II pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, pursuant to Zoning Code 342-71(D), prior to approving a special use permit, the Board is required to make a finding that "the parking areas to be provided will be of adequate capacity for the particular use, properly located and suitably screened from adjoining residential uses and that the entrance and exit drives shall be laid out so as to achieve maximum safety."

NOW, THEREFORE BE IT RESOLVED, that, after duly reviewing the Amended Application, and considering the same, the Board hereby **DENIES** the Amended Application's special use permit request to operate a restaurant with car service because it fails to meet the requirements in the Zoning Code 342-71(D).

BE IT FURTHER RESOLVED, that the proposed off-street parking spaces do not comply with the minimum parking requirements set forth in the Zoning Code.

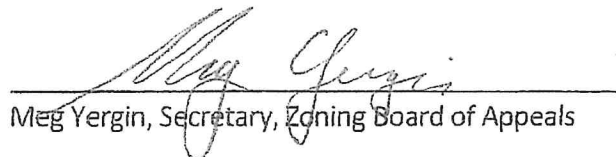
BE IT FURTHER RESOLVED, that, the Applicant may resubmit a new application to this Board, based on different facts from the Amended Application and Site Plans, which would include additional Zoning-compliant off-street parking spaces. Such future application may be for the following special use permits: (1) operation of a restaurant; and (2) operation of a car service as defined by the Zoning Code, in connection with the proposed restaurant, or such other application as the Applicant may propose.

BE IT FURTHER RESOLVED, that the Board directs that a complete copy of this resolution be filed with the Village Clerk in compliance with New York State Village Law.

On the motion of ZBA member **NEUFELD**, seconded by ZBA member **YERGIN** the foregoing resolution was adopted with the ZBA members voting as follows:

Robin Kramer, Chair	YES
Meg Yergin	YES
David Neufeld	YES
Abby Roberts	Absent
Gretta Heaney	Absent


Robin Kramer, Chair, Zoning Board of Appeals


Meg Yergin, Secretary, Zoning Board of Appeals

DATED: Mamaroneck, New York
April 9, 2021



Photograph No. 1



Photograph No. 2



Photograph No. 3



Photograph No. 4



Photograph No. 5



Photograph No. 6



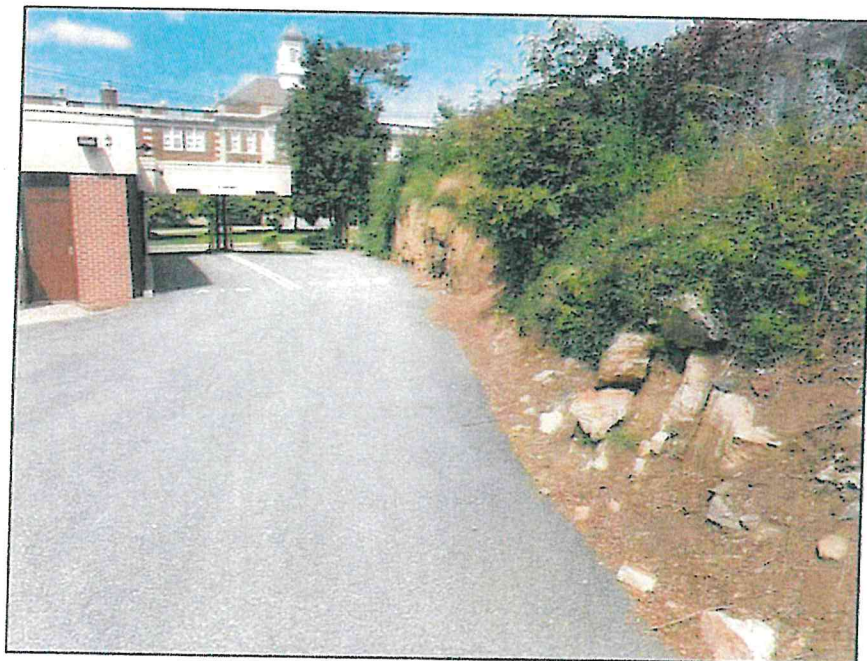
Photograph No. 7



Photograph No. 8



Photograph No. 13



Photograph No. 14

CHOPT

CREATIVE SALAD CO.

1043 WEST BOSTON POST ROAD
MAMARONECK, NY 10543



PROJECT ADDRESS
1043 WEST BOSTON POST ROAD
MAMARONECK, NY 10543

CLIENT
CREATIVE SALAD CO.

DATE
12/15/2018

PROJECT NO.
C1.0

PROJECT CONTACTS

NAME	PHONE	EMAIL
JOHN DOE	(914) 555-1234	jdoe@creative.com
JANE SMITH	(914) 555-5678	jsmith@creative.com

INDEX OF DRAWINGS

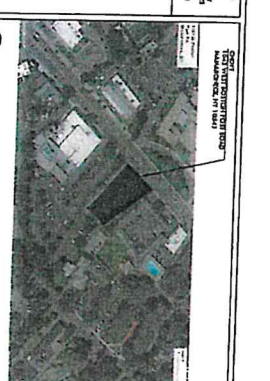
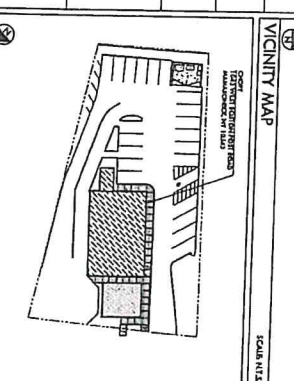
NO.	DESCRIPTION
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4	SCOPE OF WORK
5	SITE - PROPERTY PLAN
6	VICINITY MAP
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8	ELEVATION
9	SECTION
10	DETAIL

ABBREVIATIONS

SYMBOL	DESCRIPTION
1	FOUNDATION
2	ROOF
3	WALL
4	FLOOR
5	CEILING
6	DOOR
7	WINDOW
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BUILDING CODE DATA

LOCAL CODES: 2018 INTERNATIONAL BUILDING CODE (IBC) WITH 2015 AMENDMENTS
STATE CODES: 2018 INTERNATIONAL BUILDING CODE (IBC) WITH 2015 AMENDMENTS
FEDERAL CODES: 2018 INTERNATIONAL BUILDING CODE (IBC) WITH 2015 AMENDMENTS



PLAN

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SCOPE OF WORK

THE SCOPE OF WORK FOR THIS PROJECT INCLUDES THE FOLLOWING:

- 1. PRELIMINARY DESIGN AND SCHEDULING
- 2. PERMITTING AND REGULATORY COMPLIANCE
- 3. CONSTRUCTION ADMINISTRATION
- 4. POST-CONSTRUCTION SUPPORT

CONTRACT DATA

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2	ROOF
3	WALL
4	FLOOR
5	CEILING
6	DOOR
7	WINDOW
8	STAIR
9	ELEVATOR
10	MECHANICAL

BUILDING CODE DATA

LOCAL CODES: 2018 INTERNATIONAL BUILDING CODE (IBC) WITH 2015 AMENDMENTS
STATE CODES: 2018 INTERNATIONAL BUILDING CODE (IBC) WITH 2015 AMENDMENTS
FEDERAL CODES: 2018 INTERNATIONAL BUILDING CODE (IBC) WITH 2015 AMENDMENTS

SCOPE OF WORK

THE SCOPE OF WORK FOR THIS PROJECT INCLUDES THE FOLLOWING:

- 1. PRELIMINARY DESIGN AND SCHEDULING
- 2. PERMITTING AND REGULATORY COMPLIANCE
- 3. CONSTRUCTION ADMINISTRATION
- 4. POST-CONSTRUCTION SUPPORT

CONTRACT DATA

NO.	DESCRIPTION
1	FOUNDATION
2	ROOF
3	WALL
4	FLOOR
5	CEILING
6	DOOR
7	WINDOW
8	STAIR
9	ELEVATOR
10	MECHANICAL

CONTRACT DATA

NO.	DESCRIPTION
1	FOUNDATION
2	ROOF
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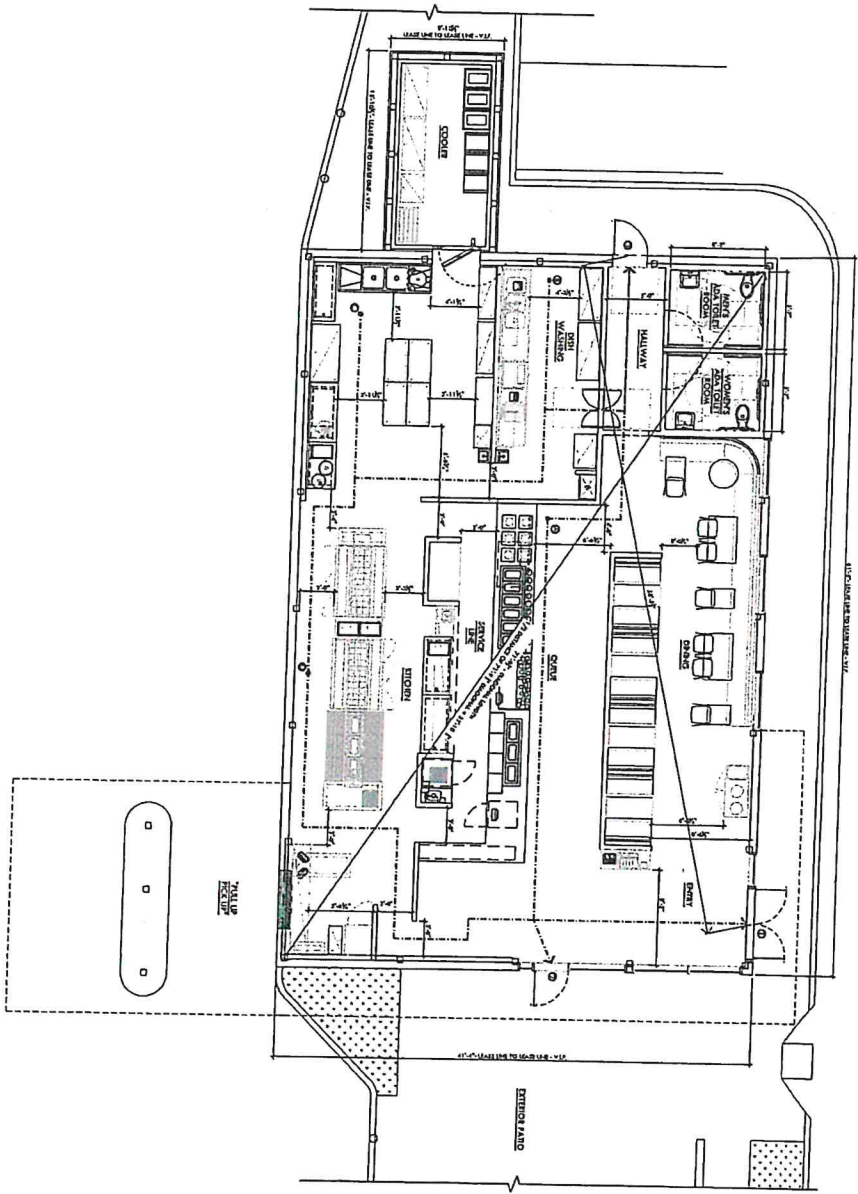
ALABAMA ALLOWED TRAVELER TO GET,
FOR THE FIRST TIME, STRENGTHENED PROTECTOR
BUTHERS CODE OF THE FINEST (1917-21)
ACTUAL ALABAMA TRAVELER, DETAINED TO DAY, 77 PER
CENT OF TRAVELER, FOR TRAVEL
A TO 1 - 3100

Two sets of data were obtained from the following experiments:

1. CaCO_3 (99.99%) = 1.1 g
2. CaCO_3 (99.99%) = 1.1 g

11 BASIC NYNEX ROOMS AT 77 PK
2 BACKLIP PARK DOOR AT 11 PK

EGRESS REQUIREMENTS


$$3\text{CALG } 1/\epsilon^2 = 1:0^{\circ}$$

CHOPT

943 WITH TONCH FOR POLY
MULTI-EX, NT 10143

1131

2010 JUL 14 5 00 PM '09

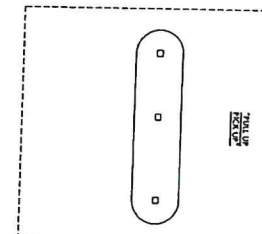
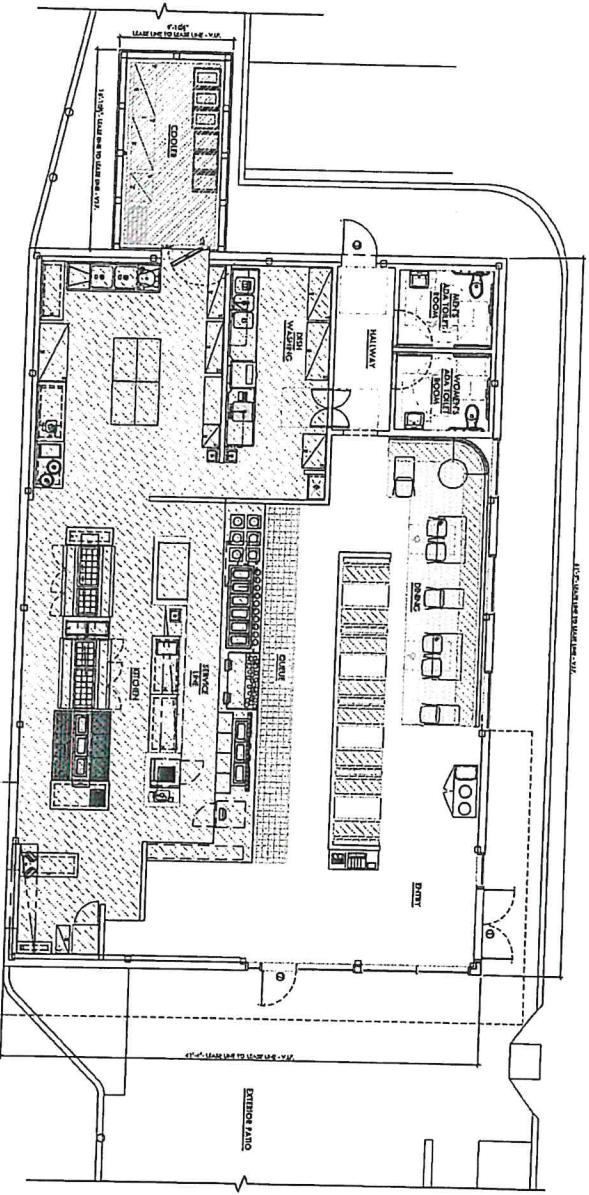
011221

	_____	_____ / month
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BOOK PLAY

C1.1

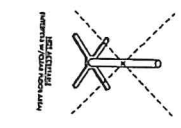
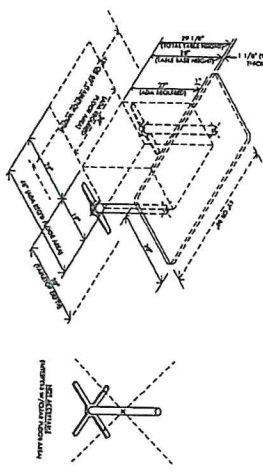




OCCUPANCY PLAN

NO.	DESCRIPTION	AREA	PERCENTAGE
1	LOBBY / WAITING ROOM	11.0	11.0
2	EXAM ROOM	11.0	11.0
3	OFFICE / CONSULTING ROOM	11.0	11.0
4	RECEPTION AREA	11.0	11.0
5	STORAGE	11.0	11.0
6	RESTROOM	11.0	11.0
7	ENTRY	11.0	11.0
8	STAIRS	11.0	11.0
9	MECHANICAL	11.0	11.0
10	LANDSCAPE	11.0	11.0
11	TOTAL	11.0	11.0

1. THE BUILDING SHALL BE DESIGNED TO ACCOMMODATE THE FOLLOWING OCCUPANCY LOADS:
 - a. LOBBY / WAITING ROOM: 100 PERSONS PER 1,000 SQ. FT.
 - b. EXAM ROOM: 10 PERSONS PER 1,000 SQ. FT.
 - c. OFFICE / CONSULTING ROOM: 10 PERSONS PER 1,000 SQ. FT.
 - d. RECEPTION AREA: 10 PERSONS PER 1,000 SQ. FT.
 - e. STORAGE: 10 PERSONS PER 1,000 SQ. FT.
 - f. RESTROOM: 10 PERSONS PER 1,000 SQ. FT.
 - g. ENTRY: 10 PERSONS PER 1,000 SQ. FT.
 - h. STAIRS: 10 PERSONS PER 1,000 SQ. FT.
 - i. MECHANICAL: 10 PERSONS PER 1,000 SQ. FT.
 - j. LANDSCAPE: 10 PERSONS PER 1,000 SQ. FT.
2. THE BUILDING SHALL BE DESIGNED TO ACCOMMODATE THE FOLLOWING OCCUPANCY LOADS:
 - a. LOBBY / WAITING ROOM: 100 PERSONS PER 1,000 SQ. FT.
 - b. EXAM ROOM: 10 PERSONS PER 1,000 SQ. FT.
 - c. OFFICE / CONSULTING ROOM: 10 PERSONS PER 1,000 SQ. FT.
 - d. RECEPTION AREA: 10 PERSONS PER 1,000 SQ. FT.
 - e. STORAGE: 10 PERSONS PER 1,000 SQ. FT.
 - f. RESTROOM: 10 PERSONS PER 1,000 SQ. FT.
 - g. ENTRY: 10 PERSONS PER 1,000 SQ. FT.
 - h. STAIRS: 10 PERSONS PER 1,000 SQ. FT.
 - i. MECHANICAL: 10 PERSONS PER 1,000 SQ. FT.
 - j. LANDSCAPE: 10 PERSONS PER 1,000 SQ. FT.
3. THE BUILDING SHALL BE DESIGNED TO ACCOMMODATE THE FOLLOWING OCCUPANCY LOADS:
 - a. LOBBY / WAITING ROOM: 100 PERSONS PER 1,000 SQ. FT.
 - b. EXAM ROOM: 10 PERSONS PER 1,000 SQ. FT.
 - c. OFFICE / CONSULTING ROOM: 10 PERSONS PER 1,000 SQ. FT.
 - d. RECEPTION AREA: 10 PERSONS PER 1,000 SQ. FT.
 - e. STORAGE: 10 PERSONS PER 1,000 SQ. FT.
 - f. RESTROOM: 10 PERSONS PER 1,000 SQ. FT.
 - g. ENTRY: 10 PERSONS PER 1,000 SQ. FT.
 - h. STAIRS: 10 PERSONS PER 1,000 SQ. FT.
 - i. MECHANICAL: 10 PERSONS PER 1,000 SQ. FT.
 - j. LANDSCAPE: 10 PERSONS PER 1,000 SQ. FT.
4. THE BUILDING SHALL BE DESIGNED TO ACCOMMODATE THE FOLLOWING OCCUPANCY LOADS:
 - a. LOBBY / WAITING ROOM: 100 PERSONS PER 1,000 SQ. FT.
 - b. EXAM ROOM: 10 PERSONS PER 1,000 SQ. FT.
 - c. OFFICE / CONSULTING ROOM: 10 PERSONS PER 1,000 SQ. FT.
 - d. RECEPTION AREA: 10 PERSONS PER 1,000 SQ. FT.
 - e. STORAGE: 10 PERSONS PER 1,000 SQ. FT.
 - f. RESTROOM: 10 PERSONS PER 1,000 SQ. FT.
 - g. ENTRY: 10 PERSONS PER 1,000 SQ. FT.
 - h. STAIRS: 10 PERSONS PER 1,000 SQ. FT.
 - i. MECHANICAL: 10 PERSONS PER 1,000 SQ. FT.
 - j. LANDSCAPE: 10 PERSONS PER 1,000 SQ. FT.
5. THE BUILDING SHALL BE DESIGNED TO ACCOMMODATE THE FOLLOWING OCCUPANCY LOADS:
 - a. LOBBY / WAITING ROOM: 100 PERSONS PER 1,000 SQ. FT.
 - b. EXAM ROOM: 10 PERSONS PER 1,000 SQ. FT.
 - c. OFFICE / CONSULTING ROOM: 10 PERSONS PER 1,000 SQ. FT.
 - d. RECEPTION AREA: 10 PERSONS PER 1,000 SQ. FT.
 - e. STORAGE: 10 PERSONS PER 1,000 SQ. FT.
 - f. RESTROOM: 10 PERSONS PER 1,000 SQ. FT.
 - g. ENTRY: 10 PERSONS PER 1,000 SQ. FT.
 - h. STAIRS: 10 PERSONS PER 1,000 SQ. FT.
 - i. MECHANICAL: 10 PERSONS PER 1,000 SQ. FT.
 - j. LANDSCAPE: 10 PERSONS PER 1,000 SQ. FT.



OCCUPANCY LOAD CALCULATIONS

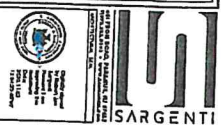
GENERAL TACTILE SIGNAGE NOTES

ADA STANDARD TABLE

FOR HILL NOT USED

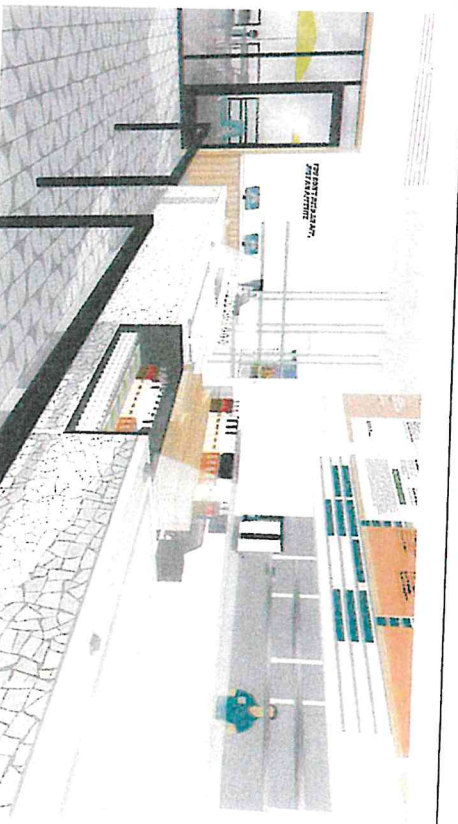
SCALE 1/4" = 1'-0"

C1.2



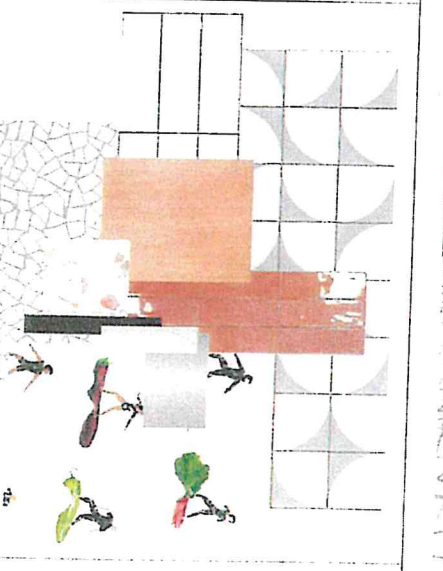
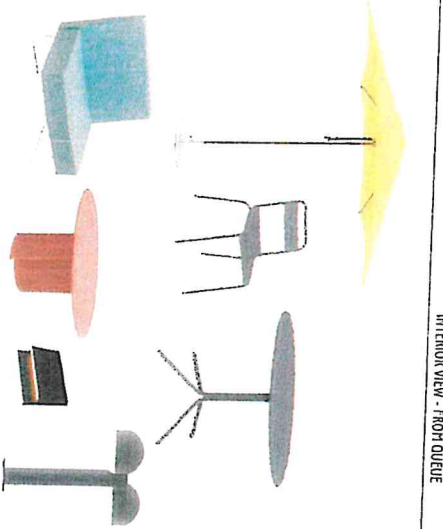
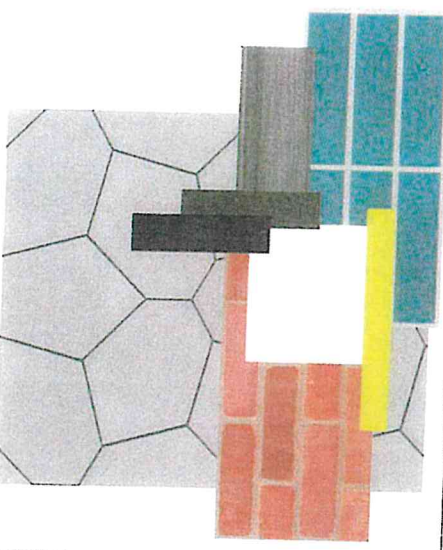
CHOPT
 4500 W. 10TH AVE. SUITE 100
 DENVER, CO 80202
 (303) 733-1111
 www.chopt.com

OCCUPANCY PLAN



INTERIOR VIEW - FROM PRIMARY ENTRY

INTERIOR VIEW - FROM QUEUE



PROPOSED EXTERIOR FINISHES

PROPOSED EXTERIOR FIXTURES

PROPOSED INTERIOR FINISHES

CHOPT CREATIVE
1043 W BOSTON POST RD
MAMARONECK NY

RENDERINGS
FOR EXHIBITION ONLY



Village of Mamaroneck
169 Mount Pleasant Avenue - Third Floor
Mamaroneck, New York 10543
(914) 777-7731

Date: 4/14/21

Property Address: 1043 W. Boston Post Road

Section: 9

Block: 56

Lot: 4B

☐ Flash drive Submitted

Zoning: C-1

Applicant (name/address/email/phone): Chop't Creative Salad Company, LLC C/O Andrew Spatz, Esq.

800 Westchester Ave., Suite N-321 Rye Brook NY 10573

justin.gould@founders-table.com, ams@spatzllc 603-974-43362

Owner(name/address/email/phone):

1043 Mamaroneck Partners, LLC

275 Madison Avenue, Suite 1100 New York NY 10016

Description of work:

conversion of existing former bank building into a Chop't restaurant utilizing the existing drive-thru aisle as a pick-up window

After reviewing the Village Code, it appears the following Land Use Boards and approvals are required:

- ☐ Planning Board ☐ Board of Architectural Review ☐ Other:
☒ Zoning Board ☐ Harbor/Coastal Zone Management

Chapter	Article	Section	Part	Description	Approval Required
342.54	VII	B	1	area variance - 5' side yard required, 4' proposed	Zoning Board
342.54	VII	B	1	pull-off area front yard setback - 50', 7.4' proposed	Zoning Board
342	X	67		change of use, special permit required for restaurant and car service	Zoning Board

Escrow Determination(s):

already paid

Respectfully,

Frank Tavoracci
Building Inspector