



Environmental, Planning, and Engineering Consultants

34 South Broadway
Suite 300
White Plains, NY 10601
tel: 914 949-7336
fax: 929 284-1085
www.akrf.com

Memorandum

To: Village of Mamaroneck Planning Board
From: Alicia Moore
Date: April 21, 2023
Re: 850 Rushmore Avenue, Mamaroneck, NY

AKRF, Inc. has reviewed the following documents and plans for the above referenced application:

- Architectural Set (21 Sheets), prepared by Brian Crowley Architecture and dated 4/5/2023
- Board of Architectural Review Meeting Minutes from the Village of Mamaroneck, dated 11/2/2022
- Memo to the Village of Mamaroneck Planning Board prepared by Brian Crowley Architecture, dated 4/5/2023 (“BCA Memo”)
- Variance Consideration Memo, prepared by Brian Crowley Architecture, dated 4/5/2023
- Building Determination Letter from Carolina Fonesca, Village Building Inspector, dated 3/20/2023
- Building Permit Application prepared by Brian Crowley Architecture, dated 10/3/2022
- Comment Response Letter prepared by Catizone Engineering, dated 2/14/2023 (provided in response to Kellard Sessions Memo dated 11/28/2022)
- Flood Certification Letter from Richard Spinelli, Surveyor, dated 5/15/2012
- Planning Board Application prepared by Brian Crowley Architecture, dated 4/5/2023
- Survey prepared by Richard Spinelli, Surveyor, dated 5/15/2012
- Stormwater Pollution Prevention Plan prepared by Catizone Engineering, and last revised on 1/18/2023

PROJECT DESCRIPTION

The Applicant, Brian Crowley, on behalf of the property owner, Richard Hassler, proposes renovations and additions to the existing 1 ½ story, single-family residence located at 850 Rushmore Ave (SBL: 9-97A-9), a 0.26-acre lot in the R-15 zoning district. The proposed additions would expand the building footprint by 214 sq. ft. on the first floor to create a lounge and extend the garage, and they would also create a second floor with a primary suite. Renovations to the property would include new roofing, siding and windows. The property is in the R-15 zoning district, as well as Flood Zone AE, with a base flood elevation of 12’. Newly proposed square footage is proposed at an elevation of 12.9’, just above base flood elevation. A floodplain variance is required because the project is considered a substantial improvement within the floodplain, less than 2’ above the base floor elevation, per Village Code § 189-6(B).

COMMENTS

1. This project was previously approved by the BAR in 2021. Subsequently, the property owners retained a new architect (the Applicant), revised the architectural plans, and received BAR approval 10/20/2022. Catizone Engineering provided the civil engineering and site plan development for the previous design and has provided the same services on the current design.
2. The BCA Memo notes that the footprint of the current design has been reduced in size from the previous design in the following ways:
 - (1) The garage is extending towards Rushmore Ave. 7'-0", opposed to the previous design which extended the garage 11'-2" towards Rushmore Ave.
 - (2) The rear lounge has reduced in size to 15'-6" x 20' x 11", opposed to the previous design which was 18'-9" x 22'-4".
3. Under Village Code Chapter 186, the proposed project is a "substantial improvement" because the cost "equals or exceeds 50% of the market value of the structure at the time of the improvement." For residential structures, Section 186-5.C requires that "substantial improvements shall have the lowest floor (including basement) elevated to or above two feet above the base flood level." Here, the existing basement is below base flood level; therefore, a variance is required.
4. Under Section 186-6.B.(1), variances may be issued for substantial improvements:
 - (1) on a lot of one-half acre or less in size;
 - (2) contiguous to and surrounded by lots with existing structures constructed below the base flood level; and
 - (3) provided that items in Section 186-6A(4)(a) through (g) have been fully considered.
5. In turn, Section 186-6A(4)(a) through (g), provides:
 - (4) In passing upon such applications, the Planning Board shall consider all technical evaluations, all relevant factors, standards specified in other sections of this article and:
 - (a) The danger that materials may be swept onto other lands to the injury of others;
 - (b) The danger to life and property due to flooding or erosion damage;
 - (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (d) The importance of the services provided by the proposed facility to the community;
 - (e) The necessity to the facility of a waterfront location, where applicable;
 - (f) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - (g) The compatibility of the proposed use with existing and anticipated development;
6. The Applicant addresses the floodplain variance requirements in the Variance Considerations Memo. The Planning Board may request that the Applicant clarify the response to § 186-6(a)(4)(a), which provides that the proposed design reduces flood storage volume.
7. As shown on the Zoning Schedule and Sheet SD-202, the property is preexisting nonconforming due to reduced lot size (11,520 sf provided; 15,000 sf required), reduced lot depth (94.5' provided; 100' required); and minimum side setback (14'-8" provided; 15' required). (The Planning Board may

request that these nonconformities are flagged in the Zoning Schedule.) While the Zoning Schedule and plans show that no changes are planned to the existing setbacks, the Applicant should confirm that the planned construction will not increase the height or mass within the preexisting nonconforming setbacks. An increase in the height or mass within the reduced setbacks may require an area variance.

8. The area of disturbance is approximately 0.17 acres and therefore requires a SWPPP, which the Applicant has provided.
9. On Sheet SD-202, the plan notes the removal/relocation of a tree. While a Tree Protection Plan is provided on Sheet SD-205, Village Code Section 318-8D requires a Tree Preservation Plan for any “site plan approval whose plans would require the removal of any trees on the property.” Therefore, this plan should be renamed and revised as necessary to comply with Chapter 318.
10. This application is considered a Type II Action under SEQRA per § 617.5(c)(11), as follows:
construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections...

RECOMMENDATION

At the April 26, 2023 Planning Board meeting, AKRF recommends that the Planning Board classify the application as a Type II Action under SEQRA (617.5(c)(11)).