



Environmental, Planning, and Engineering Consultants

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Memorandum

To: Village of Mamaroneck Planning Board
From: Alicia Moore
Date: April 6, 2023
Re: 1035 Seahaven Drive (Lot Line Adjustment)

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

- Building Permit Application
- Subdivision application dated 3/13/2023
- Reapportionment Map prepared by Richard Spinelli and dated 5/23/2022
- Environmental Assessment Form (EAF) dated 1/27/2023

PROJECT DESCRIPTION

The Applicants, Samuel and Nathalie Orans, own two adjacent parcels and propose to adjust the property line between the two parcels, which are located at 1035 Seahaven Drive (SBL: 9-111-14) (**Lot B**) and 1025 Seahaven Drive (SBL: 9-111-15) (**Lot A**) in the R-20 district. The lot line adjustment would transfer **1,835.2 sf** from **Lot B** (currently 27,775.1 sf; proposed: 25,939.9 sf) to **Lot A** (currently 23,941.8 sf; proposed 25,777.0 sf). The combined acreage is 1.2 (51,716.9 sf). The adjustment would correct the preexisting nonconforming side setback on **Lot B**, which is currently 19.5 feet, and as proposed, would be 20.1 feet. The required minimum side setback in the R-20 district is 20 feet. The parcels are each improved with single-family home, and **Lot A** also includes a swimming pool. No additional modifications or changes to existing structures are proposed. The project requires Subdivision approval per § A348-20.

COMMENTS

1. While no other modifications or construction are proposed as part of this application, the Planning Board may request that the Applicant explain the nature and purpose for the lot line adjustment.
2. The EAF includes a document titled, Figure 5A.35 Stabilized Construction Entrance. The Applicant should clarify the purpose of this document.
3. As noted in the application, the proposed lot line adjustment would correct a preexisting nonconforming side setback on Lot B. The required minimum side setback in the R-20 district is 20 feet (342 Attachment 2). Currently, the side setback on Lot B is 19.5 feet. After the proposed lot line

adjustment, the side set back would be 20.1 feet, bringing the lot into compliance with the zoning requirements.

4. The Building Permit application provides that the parcels are served by municipal sewer.
5. The reapportionment map shows that on Lot A, there is a wall along the perimeter of the driveway that runs concurrent with the existing property line. As a result of the lot line adjustment, a portion of that wall would be on the property of Lot B. An easement would therefore be required to grant Lot A the right to have that portion of the wall on Lot B's property. The reapportionment map includes an Easement Detail. The Planning Board may request additional information about the easement.
6. Proposed lot line adjustments are reviewed as subdivisions under the Village Code. Under Section A348-20, the subdivision plat is required to show the existing and proposed contours (topography) and the existing elevation (per § § A348-20B., E), which are not shown on the submitted reapportionment map. However, since the parcels are not in the floodplain, and no work is proposed, the Planning Board may waive these requirements.
7. Village Code Section A348-21 provides the standards of consideration for approving subdivision plats. The standards generally consider the impact of the anticipated development of the parcels. As the subject parcels are already developed and no new construction is proposed, the standards may be less applicable here than they would to a standard subdivision project. Section A348-21 provides:

A348-21 Standards of consideration.

A. In granting or withholding approval of such a subdivision plat, the Board will consider:

- (1) Whether there is adequate provision and access for a separate sewer connection and a separate water service line to each principal building to be erected on such lots, block or sites.*
- (2) Method whereby such lots, blocks or sites are proposed to be drained.*
- (3) Whether, in other respects, such lots, blocks or sites are of such a character and location that they can be used safely for the purpose and in the manner proposed without danger to health or peril from fire or other menace.*
- (4) Whether there is any reasonable basis for assuming that a street will later be opened adjacent to any part of such lot and, if so, whether the proposed use might interfere with any such street or result in any noncompliance with the provisions of the Zoning Ordinance[1] in the event any such street is later opened.*
- (5) Whether the proposed use will be in harmony with the general purposes and intent of the Zoning Ordinance and consistent with the public health, safety and the general welfare.*

B. In approving any such subdivision plat, the Board may impose such reasonable conditions and safeguards as it may deem appropriate.

8. This application may be classified as a Type II Action under SEQRA §617.5(c)(16) – “granting of individual setback and lot line variances and adjustments.”

RECOMMENDATION

At the April 12, 2023 Planning Board meeting, AKRF recommends that the Planning Board classify the application as Type II under SEQRA and set the public hearing.