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April 19, 2023

Kristen Motel  
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**BY ELECTRONIC MAIL**

Chairperson Seamus O'Rourke  
and Members of the Planning Board  
Village of Mamaroneck  
169 Mt. Pleasant Avenue  
Mamaroneck, NY 10543

Re: Caroline Young and Steven Trachtenbroit  
Wetlands Permit & Site Plan Applications  
Premises: 652 Shore Acres Drive, Village of Mamaroneck, New York  
(Parcel ID: 154.59-1-5)

Dear Chairperson O'Rourke and Members of the Planning Board:

On behalf of Caroline Young and Steven Trachtenbroit (the "Applicants"), owners of the captioned Premises, we respectfully request an extension of the Site Plan and Wetlands Permit approvals for the proposed accessory improvements to the single-family home at the captioned Premises (the "Project") that were granted on May 26, 2021.

On May 11, 2022, the Planning Board granted a 1-year extension of time (until May 31, 2023) for the Applicants to commence construction on the Project. The Applicants were then issued Building Permit # 22-0410 (August 15, 2022), a copy of which is enclosed here for the Board's reference, and construction commenced shortly thereafter.

Over the last year, the Applicants have been working consistently with their design professionals and general contractor to complete construction, and the pool, rear deck, cabana, garage and office are expected to be finished within the next several months. However, global supply chain issues have resulted in unexpected delays and construction of all improvements will likely not be completed by the November 30, 2023 deadline as required by Section 324-83(A). Accordingly, pursuant to Section 342-83(A) of the Zoning Code, the Applicants respectfully request a 12-month extension of time until May 31, 2024 to complete the remaining construction work.

We respectfully request that this matter be placed on the Planning Board's May 10<sup>th</sup> meeting agenda for consideration of the extension. Please advise of any fees associated with this renewal request and we will coordinate payment to the Village.

Thank you for your consideration and courtesy in this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Kristen Motel', is written over a light blue horizontal line.

Kristen Motel

cc: Carolina Fonseca, Building Inspector; Brittanie O'Neill, Planning Board Secretary; Mary Desmond, Esq.,  
Planning Board Attorney; Anthony B. Gioffre III, Esq.; Client

**Resolution of the Village Planning Board Approving the Wetlands Permit and Site Plan for the Proposed Accessory Improvements to the Existing Single-Family Residence at 652 Shore Acres Drive (Section 4, Block 67, Lot 5B)**

**May 26, 2021**

Moved by Richard Litman, Seconded by Ellen Styler,

**WHEREAS**, Steven Trachtenbroit and Caroline Young (the "Applicants") have applied to the Planning Board for a wetlands permit and site plan approval for the proposed accessory improvements to the existing single-family home at 652 Shore Acres Drive (Section 4, Block 67, Lot 5B) in Zoning District R-10 in the Village of Mamaroneck (the "Premises"); and

**WHEREAS**, the Applicants' attorney, Anthony B. Gioffre III of Cuddy & Feder LLP (Cuddy & Feder"), submitted the following documents in support of the application to the Planning Board on August 27, 2020, and on September 1, 2020, and submitted same to the Harbor Coastal Zone Management Commission (the "Commission"):

1. Building Permit application;
2. Planning Board application;
3. Wetlands Permit application;
4. Harbor Coastal Zone Management Commission application;
5. Coastal Assessment Form ("CAF") and narrative;
6. Floodplain Development Permit application;
7. Zoning Compliance Determination from Building Inspector, dated August 12, 2020;
8. Letter from Michael Lewis Architects PC, dated August 28, 2020;
9. Wetland & Watercourse Delineation prepared by William Kenny Associates LLC, dated February 28, 2020;
10. Coastal Natural Resource Assessment, prepared by William Kenny Associates LLC, dated August 28, 2020;
11. Tree Assessment & Preservation Plan, by William Kenny Associates LLC, dated August 18, 2020;
12. Short Environmental Assessment Form, Part 1;
13. Deed & recorded restrictive covenant for 652 Shore Acres Drive;
14. Department of Environmental Conservation letter of no jurisdiction for the project, dated August 20, 2020;
15. List of Property owners of lands within 200 feet of the Premises;
16. Stormwater Pollution Prevention Plan & Drainage Analysis, prepared by Hudson Engineering & Consulting P.C., dated July 10, 2020;
17. Survey and elevation certificate prepared by Ward Carpenter Engineers, Inc., dated March 12, 2020;
18. Planting Plan prepared by William Kenny Associates LLC, dated July 9, 2020 and last revised August 28, 2020;
19. Site drawings and photographs prepared by Michael Lewis Architects PC, dated August 28, 2020; and

20. Civil engineering drawings, prepared by Hudson Engineering & Consulting P.C., dated July 10, 2020 and last revised August 26, 2020. (collectively, the "Application Materials").

**WHEREAS**, on September 9, 2020, the Planning Board opened the public hearing on the Application, determined that the project is a SEQRA type II action and referred the Application to the Commission to review consistency with the Village of Mamaroneck's Local Waterfront Revitalization Program ("LWRP"), pursuant to Village Code § 240-29; and

**WHEREAS**, the Applicants appeared before the Commission on September 16, 2021 for preliminary consistency review; and

**WHEREAS**, by memorandum dated September 14, 2020, Brian Hildenbrand, P.E., of Kellard Sessions, the Village's consulting engineers, submitted to the Commission his comments after reviewing the Application Materials; and

**WHEREAS**, on November 9, 2020, the Applicants requested a Letter of Map Amendment ("LOMA") from the Federal Emergency Management Agency ("FEMA") to remove the portion of the property at elevation 13 from the flood zone; and

**WHEREAS**, by letter dated February 24, 2021, Cuddy & Feder submitted to the Commission, on behalf of the Applicants, the following supplemental materials (which shall be included into the "Application Materials"):

1. Letter from Michael Lewis Architects PC, dated February 24, 2021, detailing amendments to the project including reduction of proposed impervious surface within the wetland buffer and restoration of flood volume storage;
2. FEMA Preliminary Approval of LOMA;
3. Stormwater Pollution Prevention Plan & Drainage Analysis, prepared by Hudson Engineering & Consulting P.C., dated July 10, 2020 and updated February 23, 2021;
4. Planting Plan prepared by William Kenny Associates LLC, dated July 9, 2020 and last revised February 24, 2021;
5. Site drawings and photographs prepared by Michael Lewis Architects PC, dated August 28, 2020 and last revised February 24, 2021; and
6. Civil engineering drawings, prepared by Hudson Engineering & Consulting P.C., dated July 10, 2020 and last revised February 23, 2021.

**WHEREAS**, by a memorandum dated March 17, 2021, Esteban Garcia, P.E., of Kellard Sessions, the Village's consulting engineers, submitted to the Commission its comments after reviewing the Application Materials; and

**WHEREAS**, the Applicants appeared before the Commission on March 17, 2021 for consistency review; and

**WHEREAS**, by a letter dated March 24, 2021, Cuddy & Feder submitted to the Commission, on behalf of the Applicants, the following supplemental materials (which shall be included into the "Application Materials"):

1. FEMA Approval of LOMA, dated March 23, 2021;
2. Letter from Hudson Engineering & Consulting P.C., dated March 23, 2021, responding to the March 17, 2021 Kellard Sessions Review Memorandum;
3. Stormwater Pollution Prevention Plan & Drainage Analysis, prepared by Hudson Engineering & Consulting P.C., dated July 10, 2020 and updated March 23, 2021; and
4. Civil engineering drawings, prepared by Hudson Engineering & Consulting P.C., dated July 10, 2020 and last revised March 23, 2021.

**WHEREAS**, the Commission reviewed and considered the coastal assessment form; the application materials and the correspondence and memoranda and determined that the project is consistent, to the maximum extent practicable, with the policies set forth in the LWRP and will not substantially hinder the achievement of any of those policies subject to adherence to the following conditions:

1. The pool fence and gate detail shall be provided under the pool company drawings.
2. Stormwater As-Built will be submitted prior to the issuance of the Certificate of Occupancy by the Village.
3. Stormwater Maintenance Agreement will be submitted prior to the issuance of the Certificate of Occupancy by the Village.

**WHEREAS**, the Planning Board continued and then closed the duly noticed public hearing on the wetlands permit application and the site plan at its May 26, 2021 meeting;

**WHEREAS**, the Planning Board consulted with its planning consultants, AKRF, and it engineering consultants, Kellard Sessions, as well as carefully considering the application materials, the presentation by the Applicant and public comments, if any, with respect to the Project;

**WHEREAS**, the Planning Board carefully examined the site plan criteria at the Village of Mamaroneck Zoning Code Section 342-76 and the criteria for issuing a wetlands permit set forth at 192-14 E:

**NOW, THEREFORE, BE IT RESOLVED THAT** the Planning Board hereby

- 1) affirms that the action is a Type II action pursuant to SEQRA;

2) approves the site development plan for the existing residence as it is proposed to be renovated and the exterior landscaping and swimming pool as shown in the Application;

3) finds that the proposed regulated activity in the adjacent area to the wetlands is consistent with the policy of chapter 192 to preserve , protect and conserve wetlands and the benefits derived therefrom, to prevent the despoliation and destruction of wetlands and to regulate the development of such wetlands in order to secure the natural benefits of wetlands consistent with the general welfare and beneficial economic, social and agricultural development of the Village of Mamaroneck; the proposed regulated activity is consistent with the land use regulations applicable in the Village of Mamaroneck pursuant to Section 24-0903 of Article 24 of the State Environmental Conservation law; the proposed regulated activity is compatible with the public health and welfare, the proposed regulated activity is reasonable and necessary; and there is no reasonable alternative for the proposed regulated activity on a site which is not a wetland or adjacent area;" and

4) issues the wetlands permit which will expire on May 31, 2022 subject to the following conditions:

- a. The conditions imposed by the Commission set forth above;
- b. The Village shall have the right to inspect the project from time to time;
- c. The Applicant shall notify the Village of the date on which project construction is to begin at least five days in advance of such date;
- d. This decision, constituting the wetlands permit, shall be prominently displayed at the project site during the undertaking of the activities authorized by the permit;
- e. All application and consultant review fees shall be paid prior to the issuance of the building permit for the renovation of the building; and
- f. The applicant shall obtain all required state, county and local permits and approvals prior to the issuance of the building permit for the renovation of the building.

<b>Vote Record</b>				
<b>Resolution re: 652 Shore Acres Drive</b>				
<b>May 26, 2021</b>				
	<b>Yes/ Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
Chairperson Savolt	yes			
Richard Litman	yes			
Cindy Goldstein	yes			
John Verni				absent
Ellen Styler	yes			

Planning Board of the Village of Mamaroneck

  
Kathleen Savolt, Chairperson

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**VILLAGE OF MAMARONECK  
PLANNING BOARD MEETING MINUTES  
WEDNESDAY MAY 11, 2022 7:00 PM**

These are intended to be “Action Minutes”, which primarily record the actions voted on by the Planning Board on May 11, 2022. The full public record of this Meeting is the audio/video recording made of this [https://lmcmmedia.org/videos\\_list/village-of-mamaroneck-planning-board-meeting-05-11-22/](https://lmcmmedia.org/videos_list/village-of-mamaroneck-planning-board-meeting-05-11-22/)

**PLEASE BE ADVISED**, that the next Meeting of the Planning Board of the Village of Mamaroneck is scheduled for May 25, 2022 at 7:00 P.M.

**PRESENT:**

**KATHLEEN SAVOLT, CHAIR  
CINDY GOLDSTEIN  
RICHARD LITMAN  
ELLEN STYLER  
SEAMUS O’ROURKE**

**ASHLEY LEY, VILLAGE CONSULTING PLANNER  
ALICIA MOORE – VILLAGE CONSULTING PLANNER  
CHARLES GOTTLIEB, VILLAGE PLANNING BOARD  
ATTORNEY  
FRANK TAVOLACCI, VILLAGE BUILDING INSPECTOR  
JOHN KELLARD – VILLAGE CONSULTING ENGINEER  
SUSAN OAKLEY – VILLAGE LANDSCAPE CONSULTANT  
DENNIS DROGAN – VILLAGE ASST. BUILDING INSPECTOR  
BRITTANIE O’NEILL – VILLAGE LAND USE BOARD  
SECRETARY**

**EXCUSED: NONE**

**CALL TO ORDER**

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

**1. APPROVAL OF MINUTES**

A. The Board reviewed the minutes from the meeting held on April 27, 2022.

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**On motion of Ms. Goldstein, seconded by Mr. Litman and carried, the Board approved the minutes as amended by Ms. Goldstein's comments.**

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

**Nays:** None

**Abstain:** Mr. O'Rourke

## **2. PRELIMINARY SITE PLAN REVIEW**

### **A. 415 Claflin Avenue (Section 9, Block 66, Lot 5A) located in the R-15 Zoning District, Preliminary Site Plan Review Application**

The applicant proposes to renovate and construct an addition to the property which involves removing an existing permitted 2<sup>nd</sup> garage and apartment on the property and moving the pool to another location at the rear of the home as per Village Code Chapter 342, Article 75, Section CE.

Liam Winters, R.A.:

Mr. Winters shared pictures of the property, the site plan, the drawings, the stormwater drawings and the landscape plan on screen.

- The accessory structure will be consolidated with the main house
- The pool will be moved a little bit away from the house, centered in the back of the new kitchen
- The existing garage will be removed
- The new garage will be in the front with another driveway to access the street

Michael Stein, P.E.:

- There will be a substantial reduction of impervious area with the elimination of the driveway around the rear and the garage
- The new driveway will be asphalt, not gravel
- We're providing mitigation for the runoff from the driveway, the pool, the terrace and the addition

Vikrant Yadav, the homeowner:

- 13 new fruit trees will be planted towards the upper right corner
- 2 trees will be planted close to the house, where the old driveway was
- A bigger tree will be added in the front, by the driveway
- 3 trees will be added in the bottom left corner
- More trees will be added between the guest house and the neighbor
- Planning borders around the property will be added
- The plan will be updated to show tree protection
- The existing wild Cherry tree will remain
- The existing Maple tree will be removed
- We'll be planting 30 new trees

Chair Savolt advised Mr. Yadav of the Village's tree law.

Ms. Ley:

- The property is bisected by a text boundary line
- The lots may have to be merged unless it can be determined that it was never formally subdivided

Planning Board Meeting

May 11, 2022

Page 2 of 5

## DRAFT

- Overall the project is compliant with Chapter 300
- If any outdoor lighting is proposed, we like to see the photo metrics
- We need to make sure the pool equipment is within the property lines

Mr. Kellard:

- One of our issues was stormwater mitigation of the driveway, Mr. Stein has said that he's providing the mitigation
- Our other comment was the backout area by the garage, there aren't any dimensions on the plan

Ms. Oakley:

- The majority of the landscaping is native
- A number of the trees on the plan aren't marked for removal or protection
- A tree protection plan is required

Mr. Gottlieb:

- The County GIS system shows it as 2 tax lots
- The applicant should file a lot consolidation plat as part of this application

Ms. Ley recommended typing the project as a Type II under SEQRA.

**On motion of Mr. Litman, seconded by Ms. Goldstein and carried, the Board typed the application as a Type II Action under SEQRA.**

**Ayes: Ms. Styler, Mr. Litman, Mr. O'Rourke, Ms. Goldstein, Chair Savolt**

**Nays: None**

**Excused: None**

### **3. SITE PLAN REVIEW**

#### **A. 572 Van Ranst Place (Section 8, Block 88, Lot 15B) located in the R-M3 Zoning District, Site Plan Review Application**

The applicant proposes to construct a 5-story building including 10 residential apartment units and an on-grade parking structure for 12 parking spaces. The application requires Planning Board Site Plan Approval per Village Code Chapter 342, Article 75.

Kristen Motel, Esq.:

- The existing structure is a 2-family dwelling, each unit has 3 bedrooms
- We're proposing to demolish the existing dwelling and construct a 5-story residential building with 10 units
- There'll be 6 one-bedroom units and 4 two-bedroom units
- Parking will be at grade on site
- the property is in the AE flood zone
- the building will be sustainable and flood and climate resilient
- hydrogen fuel cell power will continue supplying energy in the event of a power outage
- the building will use 50% less natural gas than the current building uses
- an emergency door and queuing area will be at the second floor
- we're proposing to go above and beyond Village and FEMA construction standards
- the first floor will be 8' above the base flood elevation, only 2' is required
- the flood volume storage will be increased over the existing

Planning Board Meeting

May 11, 2022

Page 3 of 5



## DRAFT

- the mechanicals will be on the top floor
- the elevator and outlets will be above the base flood elevation
- the parking area will be secured by a guard fence to prevent the vehicles from leaving during a flood
- the amount of impervious coverage will be less than existing through a smaller building footprint
- all stormwater volume will be treated and the runoff rates will be reduced
- a traffic analysis shows a nominal impact in the area
- the 14 provided parking spaces are fully compliant
- electric charging stations will be on site
- currently there isn't any landscaping on site
- we've submitted a landscaping plan, we'll address Ms. Oakley's comments
- the architecture of the building will complement the adjacent condo building
- natural gas consumption will be minimized
- there will be rooftop solar
- it's projected that there will be a 73% net reduction in carbon emissions compared to a comparable building
- it's estimated that there will be 1 school aged child
- based on the provided record and reports, we believe that there are no significant adverse impacts

Ms. Ley:

- there are a couple of items that should be cleaned up before the Board makes a SEQRA determination, they are outlined in the memos from AKRF, Terra Bella Land Design and Kellard Sessions
- the Rockers numbers that were used maybe the older numbers, they should be updated
- the application should be referred to Metro North as an interested agency

Mr. Kellard:

- I need more information on the flood storage analysis

Ms. Oakley:

- The street level plants are native and flood tolerant
- I suggest additional shade trees for the rear of the property
- I need to confirm the material of the substantial planters on the roof terrace

Mr. O'Rourke questioned the risks of the rooftop fuel cells.

Dan Connors of Aris Energy Solutions:

- The fuel cell system is very similar to a gas system in terms of safety
- There's no fuel storage, there's a continuous flow of natural gas into it
- There hasn't been further need for additional fire suppression and safety in other installations of this product than you would have for a gas furnace or hot water heater

Mr. Tavalacci noted that he will speak to the Fire Inspector about the rooftop fuel cells.

Ms. Goldstein questioned the number of parking spaces, as AKRF's memo noted 12 spaces. She also noted the importance of an emergency management plan and manual.

Planning Board Meeting

May 11, 2022

Page 4 of 5

DRAFT

Ms. Motel stated that there will be a stacker system for 2 of the spaces, bringing the total number of spaces to 14. She also stated that the owners intend to have an emergency manual with the Village which will include a notification system for severe weather.

The applicant will submit materials addressing the Board's and the consultant's comments and return at a future meeting.

#### **4. ADMINISTRATIVE ACTION**

- A. 652 Shore Acres Drive (Section 4, Block 67, Lot 5B) located in the R-10 Zoning District.** The applicant requests an extension of the site plan and Wetlands Permit approvals set to expire on May 31, 2022.

**On motion of Ms. Goldstein, seconded by Mr. Litman and carried, the Board extended the previous approval for another 12 months to commence construction.**

**Ayes: Mr. O'Rourke, Ms. Styler, Ms. Goldstein, Mr. Litman, Chair Savolt**

**Nays: None**

**Excused: None**

#### **5. EXECUTIVE SESSION/ADVICE OF COUNSEL**

- A. Hampshire Recreation LLC v. Village of Mamaroneck and the Village of Mamaroneck Planning Board**

It is anticipated that a motion will be offered to enter into Advice of Counsel pursuant to 105(1)(d) of the New York State Public Officers Law to discuss matters of ongoing litigation.

**On motion of Ms. Goldstein, seconded by Mr. Litman and carried, the Board entered into Advice of Counsel at 8:25 p.m.**

**All in favor?**

**Aye.**

**None opposed or excused.**

**On motion of Ms. Goldstein, seconded by Ms. Styler and carried, the Board returned from Advice of Counsel at 8:58 p.m.**

**All in favor?**

**Aye.**

**None opposed or excused.**

#### **6. ADJOURN MEETING**

**On motion of Ms. Goldstein, seconded by Ms. Styler and carried, the meeting was adjourned at 8:59 p.m.**

**All in favor?**

**Aye.**

**None opposed or excused.**

VILLAGE OF  MAMARONECK

**BUILDING DEPARTMENT**

*This notice must be prominently displayed on the property or premises to which it pertains.*

**BUILDING PERMIT**

**22-0410**

DATE ISSUED 08/15/22

FOR Additions  
Renovations