



***Environmental, Planning, and Engineering Consultants***

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## Memorandum

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**To:** Village of Mamaroneck Planning Board  
**From:** AKRF, Inc.  
**Date:** December 9, 2022  
**Re:** 129-133 Prospect Ave.

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AKRF, Inc. has reviewed the following application materials for the above-referenced project:

- Letter from Kristen Motel of Cuddy + Feder, LLP to Chair Kathleen Savolt and Members of the Planning Board dated November 23, 2022
- Building Permit Application, signed by Prabjeet K. Green, dated 6/22/2022
- Letter from Matthew J. Popp of Environmental Land Solutions to Kristen Motel regarding Terra Bella memo of 9/23/22, dated November 22, 2022
- Engineering Drawings (5 Sheets), prepared by Hudson Engineering and dated 6/15/2022, last revised 10/18/2022
- Phasing Plan (2 Sheets), prepared by Hudson Engineering and dated 11/07/2022
- Letter from Thomas Kohany of Hudson Engineering to John Kellard, P.E., regarding Kellard Sessions memo of 9/23/22 and dated October 18, 2022
- Landscape and Tree Protection Plan prepared by Environmental Land Solutions, LLC (4 Sheets) dated 6/22/2022, last revised 11/22/2022
- LLC Operating Agreement for 131-133 Street Prospect Avenue Owners LLC, listing members as Prabjeet Green, Peter Green, and Nicholas Williams, dated June 8, 2021
- LLC Operating Agreement for 129 Prospect Avenue Owners LLC, listing members as Prabjeet Green, Peter Green, and Nicholas Williams, dated November 5, 2021
- Architectural Drawings (20 Sheets), prepared by Sarrazin Architecture, date 6/22/2022, Rev 15
- Stormwater Pollution Prevention Plan & Drainage Analysis, prepared by Hudson Engineering & Consulting, P.C. dated 6/15/2022 and revised October 18, 2022
- Traffic and Parking Study, prepared by DTS Provident, dated November 22, 2022

## PROJECT DESCRIPTION

The Applicant proposes to construct a new 13-unit, 4-story residential building on a site comprising two adjacent lots at 129 Prospect Avenue (SBL: 9-7-316) and 131-133 Prospect Avenue (SBL: 9-7-311), totaling is 0.24 acres (10,324 sf) and located in the C-2 zoning district. The site is currently improved with a single-family residence, a two-family residence, and accessory structures, which would be demolished prior to construction. The gross floor area of the proposed apartment building is 20,630 square feet, and it would include 13 residential units and 16 parking spaces. The project requires Site Plan approval (per §§ 342-75A, B, and C) and a Special Permit (per §§ 342-50A.4 and 342-50B.6) from the Planning Board and LWRP Consistency Review from the Harbor & Coastal Zone Management Commission (HCZMC).

## COMMENTS

In response to comments from the Planning Board and its consultants, the Applicant has updated the application. Previous comments are shown in *italics*, new and follow-up comments are in **bold**.

1. *The name of the owner and applicant, Prabjeet K. Green / Williams Green Residential, as provided on application documents (e.g., Building Permit Application, Planning Board Application), does not match the owner/grantee name provided on the submitted deeds for the subject parcels. As provided in the deeds, the grantee for the property at 129 Prospect Ave. is 129 Prospect Avenue Owners, LLC; and for the property at 131-133 Prospect Ave, the grantee is listed as 131-133 Prospect Avenue Owners, LLC. The Applicant should provide documentation of current ownership of the subject parcels. Also, assuming that the owner is Williams Green Residential, the Applicant should provide additional documentation showing the authority of Prabjeet K. Green to act as the owner's agent and to file on the owner's behalf.*

**Comment sufficiently addressed. The documentation provided shows that Prabjeet K. Green is a member of the LLCs that are shown on the deeds as the owners of the subject property. It is still unclear why the application forms list Williams Green Residential LLC as the owner and applicant. However, the Building Permit application includes the Applicant's notarized signature as the property owner and with authority to file the application.**

2. *As a residential use in the C-2 district, this application requires a Special Permit from the Planning Board, in accordance with the approval procedures provided in Article X, Special Permit Procedures (Village Code§ 342-50A.4).*

**A public hearing will be required to review the Special Permit request (Village Code § 342-71).**

3. *The applicable Special Permit standards, as provided in § 342-50B, are as follows:*
  - a. *Green design. Section 342-50B.4 requires that the proposed development incorporate green building elements and/or green infrastructure to the satisfaction of the Planning Board. Green building elements and green infrastructure are defined in § 342-3 as follows:*

### **"GREEN BUILDING ELEMENTS**

*Measures incorporated into building design and construction that are intended to minimize impacts to the environment through conservation of natural resources, increased energy and efficiency and improved indoor air quality.*

### **GREEN INFRASTRUCTURE**

*Measures that utilize best management practices for stormwater management that infiltrate or otherwise reuse stormwater. Such techniques may include green roofs,*

*landscaping, rain gardens, bioretention areas, vegetated swales, pocket wetlands, infiltration planters and vegetated median strips. Individual green infrastructure practices shall be defined according to the current New York State Stormwater Management Design Manual.”*

*The proposed project appears to include some green design features. However, these features should be clearly listed to facilitate Planning Board review.*

- b. Affordable housing. Section 342-50B.6 requires that the development include Fair and Affordable Housing Units (FAHU) in accordance with Article XV. The minimum number of affordable housing units for buildings with 11 to 20 units in the C-2 District is 2 FAHU.

*The Architectural Plans provide that the proposed building will have 13 residential units, two of which will be affordable (Sheet A220), thus satisfying this requirement.*

**No further comments.**

4. *Affordable housing units must meet the following development standards:*

- a. Design. Section 342-104A states that:

*“Fair and affordable residences must be physically integrated into the design of the development in a manner satisfactory to the Planning Board and must be distributed among efficiency, one, two- and three-bedroom units in the same proportion as all other units in the development, unless a different proportion is approved by the Planning Board because it is better related to the housing needs, current or projected, of the Village of Mamaroneck. The fair and affordable residences must not be distinguishable from market rate units from the outside of the unit or the building exterior.”*

*The proposed project includes 13 units – eight one-bedroom units and five 2-bedroom units. The floor plans and locations of the units are shown on the Architectural Plans; however, the proposed affordable units are not labeled.*

*To determine compliance with the design requirements, including the distribution of affordable units among the market-rate units, the site plan should be amended to show which of the units are proposed as affordable.*

**Comment addressed. The revised site plan labels two 1-bedroom units as affordable units.**

- b. Minimum floor area. Section 342-104B states that:

*“The minimum gross floor area per dwelling unit for fair and affordable residences must not be less than the comparable market rate housing unit in the development, or the following minimums, whichever is less:*

*(1) Efficiency: 450 square feet.*

*(2) One bedroom: 650 square feet.*

(3) *Two bedrooms: 850 square feet.*

(4) *Three bedrooms: 1,100 square feet, including at least 1 1/2 baths."*

*The proposed project includes only one- and two-bedroom units. The smallest one-bedroom unit is 710 square feet, and the smallest two-bedroom unit is 1,347 square feet. Therefore, compliance can be presumed even though the affordable units have not yet been identified.*

**No further comments. The revised site plan identifies two 710-square foot one-bedroom units as the affordable units.**

5. *The project proposes the removal of existing trees. The Applicant should submit a tree preservation plan. (Village Code § 318-8).*

**Comment addressed. The Applicant has submitted a Landscape and Tree Protection Plan.**

6. *Due to the presumed common ownership and proposed development that spans both lots, it is recommended that the Applicant merge the two lots into a single lot.*

**At the last Planning Board meeting of September 28, 2022, the Applicant confirmed that the two lots would be merged.**

7. *The application requires review by the HCZMC to determine the proposed project's consistency with the policies of the Village of Mamaroneck LWRP. (Village Code § 240-5).*

**This application should be referred to the HCZMC for a Consistency Determination.**

8. *The application requires review and approval by the Board of Architectural Review. (Village Code § 6-6).*

**No further comments.**

9. *This application is considered an Unlisted/Coordinated Action under the State Environmental Quality Review Act (SEQRA).*

**At the September 28, 2022 meeting, the Planning Board declared its intent to be Lead Agency. Notice should be circulated to Involved agencies, BAR and HCZMC.**

## **RECOMMENDED ACTIONS**

At the December 14, 2022 meeting, AKRF recommends that the Planning Board circulate Lead Agency notice to BAR and HCZMC and refer the application to the HCZMC for a Consistency Determination.