



445 Hamilton Avenue, 14th Floor  
White Plains, New York 10601  
T 914 761 1300  
F 914 761 5372  
cuddyfeder.com

Kristen Motel  
[kmotel@cuddyfeder.com](mailto:kmotel@cuddyfeder.com)

February 22, 2023

**BY HAND DELIVERY**

Chairman Thomas Burt  
and Members of the Harbor & Coastal Zone Management Commission  
Village of Mamaroneck  
169 Mt. Pleasant Avenue  
Mamaroneck, NY 10543

Re: 572 Van Ranst Pl, LLC  
Harbor & Coastal Zone Management Commission Consistency Review  
Premises: 572 Van Ranst Place, Village of Mamaroneck, New York  
(Parcel ID: 8-88-15B)

Dear Chairman Burt and Members of the Harbor & Coastal Zone Management Commission:

On behalf of our client, 572 Van Ranst Pl, LLC (“the Applicant”), the owner of the captioned Premises, we respectfully submit the enclosed updated materials in support of the previously filed Harbor & Coastal Zone Management Commission (“HCZMC”) application for consistency review. This submission is made in furtherance of the site plan application submitted to the Planning Board for the proposed sustainable five-story multi-family residential building.

**I. The Premises**

The Premises is an approximately 6,500-square foot lot that is currently improved with a two-family residential building and associated parking area, that was constructed in approximately 1925. The property is classified in the R-M3 (Multiple Residence) Zoning District within an area comprised primarily of commercial and multi-family residential buildings. The Premises is located in the “AE” flood hazard zone with a Base Flood Elevation (“BFE”) of ± 25.80. The existing structure is not compliant with the Village of Mamaroneck Floodplain Development Code (“Floodplain Development Code”) requirements for residential structures within a flood zone.

**II. The Project**

As the Commission is aware, the Applicant is proposing to demolish the existing residential structure and construct a sustainable five-story multi-family residential building with ten (10) units, consisting of six (6) one-bedroom units and four (4) two-bedroom units (“the Project”). Parking will be located on the ground floor of the building.



February 22, 2023  
Page 2

The proposed multi-family building will be powered by a state-of-the-art high-efficiency rooftop fuel cell system, as further detailed in the attached Aris Memorandum. See Exhibit M. This fuel cell technology utilizes air source heat pumps to minimize natural gas consumption.<sup>1</sup> See Exhibit M. The building incorporates a rooftop solar installation and four (4) electric vehicle charging stations. As such, the Project will result in a projected 73% reduction in carbon emissions as compared to a comparable building powered by fossil fuels. See Exhibit M.

### **III. Procedural History & Environmental Review**

As the Commission is aware, the Applicant initially appeared before the HCZMC on November 17, 2021 to introduce the Project for consistency review and in connection with the Planning Board's environmental review of the site plan application.

Construction of the proposed 10-unit multifamily residential building constitutes an Unlisted Action pursuant to the State Environmental Quality Review Act ("SEQRA"). 6 NYCRR 617.2(al); 617.6(a)(3); and 617.7(A)(2). On July 26, 2022, the Planning Board, acting as Lead Agency under SEQRA adopted a negative declaration finding that the Project will not result in any significant adverse environmental impacts. The Applicant has enclosed a copy of the negative declaration and Parts 1, 2 and 3 of the Environmental Assessment Form in **Exhibit F** for this Board's reference.

The Applicant has a pending application for area variances before the Zoning Board of Appeals ("ZBA"). Based on the ZBA's direction to its counsel at the February 2, 2023 meeting, it is the Applicant's understanding that a resolution granting the area variances is being prepared and will be considered at the ZBA's March 2<sup>nd</sup> meeting. As such, the Applicant wishes to be placed on the HCZMC's March 15<sup>th</sup> agenda for continued consistency review.

### **IV. The Proposed Multi-Family Building is Consistent with the LWRP**

As demonstrated in the Coastal Assessment Form and Narrative, enclosed in **Exhibit B**, and discussed in more detail below, the proposed multifamily building is consistent with the applicable Local Waterfront Revitalization Program ("LWRP") policies.

#### **a. Emergency Response - Consistency with LWRP Policies 11, 12 & 17**

The proposed sustainable building will be equipped to provide power to residents during a Village power outage event, which will keep occupants safe and reduce the demand on emergency responders for evacuation assistance. The building will fully comply with, and in some cases

---

<sup>1</sup> The Premises currently has a natural gas connection which will tie-into the proposed hydrogen infrastructure.



February 22, 2023

Page 3

exceed, the construction standards for residential buildings provided in Section 186-5 of the Floodplain Development Code, as well as the applicable Federal Emergency Management Agency (“FEMA”) construction standards.

The existing 2-family home, which is not resilient to flooding, had 14 residents occupying the Premises prior to the Hurricane Ida. In comparison, the proposed new building will be powered by a state-of-the-art rooftop fuel cell system capable of supplying continuous energy to residents in a power outage. As further detailed in the enclosed Aris Energy Solutions Memorandum (“Aris Memorandum”), the fuel cell system will operate indefinitely, provided that natural gas is flowing.<sup>2</sup> See Exhibit M. Given the underground nature of natural gas infrastructure, this power source is largely unaffected by wind or severe weather, short of an earthquake, and therefore has more reliability than the electrical grid during flooding events. As such, during the majority of flooding events, the proposed building will have an unlimited supply of power. See Exhibit M.

The proposed building will not put additional strain on the Village’s emergency response system beyond existing conditions. With uninterrupted power, residents can safely remain inside the building without the need for immediate rescue. This alleviates pressure on Village emergency responders so they can focus on rescuing vulnerable people in immediate life-threatening flooding situations. The flood resiliency and high elevation of the building enable occupants to wait until the flood waters recede to leave the building.

Nevertheless, as requested by Commissioners during our initial review and as further detailed below, the Project is designed with an emergency door located above the base flood elevation to enable safe evacuation, if necessary. See Sheet SP1.0 of the enclosed architectural plans prepared by Sullivan Architecture, P.C. This emergency door will be located approximately 12 feet above grade, at an elevation of approximately  $\pm 33$ , in an area where the BFE is  $\pm 25.8$ . Additionally, as this Commission requested, the Project has been modified so that the emergency door provides access to an 8-foot-wide roof area that is also above the BFE, at approximately elevation  $\pm 33$ , that also serves as a covered entry to the lobby entrance below.

Further, at the Planning Board’s request, the Applicant prepared a draft Flood Emergency Management Plan that provides a framework of the procedures for the building to ensure a coordinated, prompt and appropriate response to flooding emergency. See Exhibit J.

---

<sup>2</sup> Details for the fire safety of the fuel cell system are included in **Exhibit K & M** and fire suppression measures will be comparable to fire protection systems for natural gas boilers and furnaces. The proposed building, including the rooftop area, will have a fire suppression system that meets Village and New York State Fire Code requirements and will include two-hour fire rated walls, smoke detectors and heat detectors. The building will be equipped with an emergency shut-off for gas and electrical services that the Fire Department will utilize during fire emergency situations. The fuel cell system has no fuel storage component and therefore, once the gas is shut off to the building, the entire fuel cell will shut down.



February 22, 2023

Page 4

It is respectfully submitted that the proposed building is designed to minimize endangerment of human lives caused by flooding. The building is designed to allow safe evacuation, should it be needed at all, during significant flooding events to reduce the harm to residents and emergency responders.

b. Flooding and Erosion Hazards - Consistency with LWRP Policies 11, 12, 14 & 17

As previously discussed herein, the Premises is located within the AE flood zone, with a BFE of  $\pm 25.8$  and will fully comply with, and in some cases exceed, the standards provided for in the FEMA regulations and Floodplain Development Code. For example, while the Village Flood Code requires the first finished and occupiable floor to be 2 feet above BFE,<sup>3</sup> the Applicant is proposing the first finished floor at almost 8 feet above BFE (at elevation 33, which is approximately 12 feet above the existing grade). This elevation minimizes the endangerment of human lives and loss of property due to flooding.

The Village Flood Code provides that any development within the floodplain cannot reduce the volumetric storage below the flood elevation and the Project will not create a measurable increase in flooding at the site.<sup>4</sup> Notably, the Project will result in an increase in the total flood volume storage onsite by adding approximately 261 cubic feet of storage capacity. See the enclosed Flood Volume Storage Analysis prepared by Hudson Engineering & Consulting P.C.

Stormwater management improvements are also proposed where none exist today and will practically eliminate all overland stormwater flow from leaving the property, thereby reducing the potential for downstream areas to be eroded. See Page 3 of Stormwater Pollution Prevention Plan & Drainage Analysis ("SWPPP") prepared by Hudson Engineering & Consulting, P.C., dated September 1, 2021, and last revised July 20, 2022. Runoff rates leaving the site are reduced for all storms up to and including the 100-year storm event. Thus, the Project will not adversely impact flooding conditions in the Village and will be a source of flood volume storage.

Further, the building will be designed to safely withstand flooding events to minimize the damage to property from flooding. The Site Plans demonstrate that flood vents will be incorporated in critical areas of the ground floor to increase the total flood volume storage on the Premises and provide additional flooding relief. Mechanical rooms and utility services will be located in the mechanical space on the roof and not on the ground floor where they would be susceptible to water damage. See Site Drawings, Sheet SP1.0. The lobby at grade, elevator and stairs will be constructed of concrete walls with epoxy finish to minimize future repairs due to water damage. See Exhibit N. Lighting, mechanical systems and electrical outlets on the ground floor will be

---

<sup>3</sup> Village Flood Code Section 186-5(C).

<sup>4</sup> Village Flood Code Section 186-5(A)(3).



February 22, 2023

Page 5

located in the ceiling at an approximate elevation of 31 feet to prevent damage from flooding. See Exhibit N. Elevators will automatically be “parked” on the second or third floors for safety and to avoid repeat damage. See Exhibit N.

Similarly, the additional renewable energy infrastructure on the Premises will not present safety concerns during flooding events. The electric vehicle charging stations in the parking area will be equipped with electric short circuit protection for safety in the event they are submerged in water. Additionally, the Applicant is exploring installing commercially available electric vehicle chargers that are ceiling-mounted with pull-down plugs to further mitigate damage from flooding. See Exhibit N. The rooftop solar installation will be equipped with emergency disconnect switches and rapid shutdown features required by the current electrical codes which enable firefighters to disconnect electrical service outside the building in the event of an emergency. See Exhibit K.

As detailed in the draft Flood Emergency Management Plan (**Exhibit J**), the Applicant will notify all residents to remove vehicles from the Premises prior to any major storm. Nevertheless, the grade-level parking area has been designed to be fully enclosed with a guard fence to prevent vehicles from leaving the site during a significant flooding event. See Site Plans, Sheet SP1.0.

These innovative design features make the proposed building resilient to flooding events and can positively influence redevelopment within the floodplain. The flood resilient building is designed to minimize damage from flooding events while becoming a source of flood volume storage and will not measurably increase flooding conditions in the Village.

c. Water Resources - Consistency with LWRP Policies 33, 37, 38 & 44

The proposed stormwater infrastructure will result in a marked improvement over existing conditions by reducing stormwater flow and runoff. The proposed stormwater management features will minimize the nonpoint discharge of excess nutrients, organics and eroded soils into coastal waters.

As detailed in the civil engineering drawings prepared by Hudson Engineering & Consulting P.C., dated September 1, 2021 and last revised February 16, 2022 (“Engineering Drawings”), the Applicant’s Stormwater Management design meets water quality and reduction standards. This plan includes a hydrodynamic separator to provide water quality treatment of the runoff prior to conveying runoff to the proposed exfiltration system consisting of 14 Cultec recharger 280 HD units. The treatment capacity of the water quality device exceeds the treatment required by the Village, while the capacity of the exfiltration system greatly reduces the amount of runoff leaving the site. Additionally, runoff rates leaving the site are reduced for all storms up to and including the 100-year storm event. See enclosed SWPPP.



February 22, 2023  
Page 6

Prior to the start of construction, sediment and erosion control practices will be implemented onsite and maintained for the duration of construction to the satisfaction of the Village. All temporary sediment and erosion control measures will remain in place until the site is fully stabilized. All sediment and erosion control practices proposed are in conformance with the latest version of the New York State Standards and Specifications for Erosion and Sediment Control.

The Project proposes the addition of flood-tolerant shrubs in the area between the parking lot and the fence to maximize water uptake. The project will add six (6) new trees along with numerous shrubs and perennial plantings. See Site Plans, Sheet L-1.

The Project uses Best Management Practices to control stormwater runoff and minimize the nonpoint discharge of excess nutrients, organics and eroded soils into coastal waters. By exceeding the State and Village stormwater management design standards, the quality and quantity of surface water supplies will be conserved and protected from the reduction in runoff rates and increase in the stormwater storage on site.

d. Scenic Quality - Consistency with LWRP Policies 23 & 25

The materials provided herein demonstrate that the proposed multi-family building will not result in any impairment of a local or State scenic resource. Correspondence from the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”), dated February 18, 2022 (**Exhibit H**), confirmed that no historical, or archaeological resources, listed in or eligible for the State and National Registers of Historic Places, will be impacted by the Project.

The Premises is also not listed as a site of historic, architectural or archeological importance contained within the LWRP, nor will it have any negative impact on any of the 54 historic resources identified in the LWRP. While the Premises is located across the street from Columbus Park, and the Columbus Park Monument, the redevelopment of this already-improved site in a manner that is consistent in architecture, scale and massing with the adjacent condominium building and surrounding pattern of land use development, will not impact the Park.

As demonstrated by the renderings of the proposed building in the neighborhood, provided on Sheet A4.1 of the enclosed Site Drawings and the enclosed aerial and street view images, the Project will not create a negative aesthetic impact to the Park. See Exhibit G- Aerial Photographs & Street View Images. Indeed, the proposed building will be more comparable in scale to the surrounding development than the existing two-family building because it will complement the architecture of the adjacent five-story Parkview Station condominium building, which also fronts on Columbus Park. See Sheet A4.1 of the Site Drawings & Exhibit G. Therefore, the Project will not result in the impairment of a local scenic resource.



February 22, 2023  
Page 7

## V. Materials Enclosed

In further support of this application, and for ease of reference to previously filed materials, enclosed please find two (2) sets of the following materials:

- Exhibit A: Signed HCZMC Application Form;
- Exhibit B: HCZMC Coastal Assessment Form and updated narrative addressing 44 LWRP criteria;
- Exhibit C: Building Permit Application;
- Exhibit D: Floodplain Development Permit Application;
- Exhibit E: Updated Zoning Compliance Determination, dated November 8, 2022;
- Exhibit F: Village of Mamaroneck Planning Board SEQRA Negative Declaration Resolution and Negative Declaration, dated July 26, 2022 and Parts 1, 2 and 3 of the Environmental Assessment Form;
- Exhibit G: Aerial photographs of the Premises and street view images of the surrounding neighborhood;
- Exhibit H: Letter from New York Office of Parks, Recreation and Historic Preservation (“OHRP”), dated February 18, 2022;
- Exhibit I: Traffic and Parking Study & Trash/Recycling Generation Analysis, prepared by DTS Provident Design Engineering, LLP, dated April 18, 2022;
- Exhibit J: Draft Flood Emergency Management Plan for 572 Van Ranst Place;
- Exhibit K: Memorandum from Sullivan Architecture, P.C., dated July 15, 2022 regarding the emergency shut-off option for gas and electric utilities serving the building;
- Exhibit L: Data and specifications for proposed rooftop solar installation and EV charging stations, prepared by Aris Energy Solutions, LLC;
- Exhibit M: Fuel Cell information prepared by Aris Energy Solutions, dated June 27, 2022, and Memorandum prepared by Aris Energy Solutions, dated April 20, 2022 regarding operation of the Fuel Cell system; and
- Exhibit N: Memorandum from Sullivan Architecture, P.C., dated February 15, 2022 regarding the emergency evacuation egress for the building and flood resiliency features.

Also enclosed, please find two (2) copies of the following:

- Stormwater Pollution Prevention Plan & Drainage Analysis, prepared by Hudson Engineering & Consulting P.C., revised through July 20, 2022;
- Updated Topographic Survey of the Premises prepared by Ramsay Land Surveying, P.C., dated August 18, 2022;



February 22, 2023  
Page 8

- Architectural drawings prepared by Sullivan Architecture, P.C., dated December 16, 2020, revised through October 25, 2022;
- Flood Storage Analysis Plan, prepared by Hudson Engineering & Consulting P.C., dated June 22, 2022 and revised July 14, 2022;
- Landscaping Plan prepared by IQ Landscape Architects, P.C., revised through June 15, 2022; and
- Civil engineering drawings prepared by Hudson Engineering & Consulting P.C., dated September 1, 2021, revised through February 16, 2022.

We look forward to appearing again before the HCZMC on March 15, 2023, to continue the consistency review of this Application. If you have any further questions or comments in the interim, please do not hesitate to contact me. Thank you in advance for consideration of the enclosed.

Very truly yours,

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

Kristen Motel

Enclosures

cc: Brittanie O'Neill, Land Use Board Secretary  
Ashley Ley, AKRF, Village Planning Consultant  
Sullivan Architecture, P.C.  
Hudson Engineering & Consulting P.C.  
Aris Energy Solutions  
Anthony B. Gioffre III, Esq.  
Client