

**DRAFT Resolution of the Planning Board of the
Village of Mamaroneck**

Approving the application of 572 Van Ranst Pl, LLC for site plan approval at the property
known as 572 Van Ranst Place in the Village of Mamaroneck

Moved by _____; Seconded by _____

Date: May 24, 2023

WHEREAS, an application was submitted by 572 Van Ranst Pl, LLC (the “Applicant”), for site plan approval pursuant to Chapter 342, Article 75, Sections A, B & E of the Code of the Village of Mamaroneck (“Village Code”) to demolish the existing 2-family residential building and construct a 5-story residential building with stormwater improvements (the “Project”) on the 0.149 acre parcel (Section 8, Block 88, Lot 15B) located in the RM-3 zoning district and within the “AE” flood hazard zone with a base flood elevation of 25.8 feet; and

WHEREAS proposed project would include a 10,677 square foot building with 10 dwelling units, consisting of 6 one-bedroom and 4 two-bedroom units with 14 parking spaces (inclusive of 2 stackers), four electric vehicle charging stations within a garage located on the ground floor, and would include a rooftop solar installation and fuel cell system that will provide power during severe flood events; and

WHEREAS, the application is on file at the Village Offices and consists of the following documents:

1. Cuddy & Feder letters of October 27, 2021, February 22, 2023, April 5, 2023 and April 26, 2023
2. Signed HCZMC Application Form
3. Coastal Assessment Form and narrative addressing the 44 criteria of the Village of Mamaroneck Local Waterfront Redevelopment Policy (“LWRP”)
4. Building Permit Application
5. Floodplain Development Permit Application
6. Zoning Compliance Determination
7. Short Environmental Assessment Form
8. 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
9. Data and specifications for the proposed rooftop solar installation and EV charging stations prepared by Aris Energy Solutions, LLC
10. Response to Engineering comments from Hudson Engineering & Consulting, P.C., dated October 27, 2021
11. Stormwater Pollution Prevention Plan & Drainage Analysis prepared by Hudson Engineering & Consulting, P.C., dated September 1, 2021, and last revised July 20, 2022
12. Topographic survey of the Premises, prepared by Ramsay Land Surveying, PC, last updated August 18, 2022

13. Traffic and Parking Study & Trash/Recycling Generation Analysis, prepared by DTS Provident Design Engineering, LLP, dated April 18, 2022
14. Aerial Photographs and Street View Images
15. Architectural Plans prepared by John Sullivan Architecture, P.C., last revised April 24, 2023
16. 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
17. Building Inspector Determination Letter last revised November 8, 2022
18. Planning Board Application dated August 30, 2021
19. Letter from New York Office of Parks, Recreation and Historic Preservation (“OHRP”) dated February 18, 2022
20. Draft Flood Emergency Management Plan for 572 Van Ranst Place
21. Memorandum from Sullivan Architecture, P.C., dated July 15, 2022 regarding the emergency shut-off option for gas and electric utilities serving the building
22. Memorandum from Sullivan Architecture, P.C., dated February 15, 2022 regarding the emergency evacuation egress for the building and flood resiliency features
23. Flood Storage Analysis Plan prepared by Hudson Engineering & Consulting P.C.
24. Floodplain Development Permit Application
25. Landscaping Plan prepared by IQ Landscape Architects, P.C., revised through August 16, 2022
26. Civil Engineering drawings prepared by Hudson Engineering & Consulting, P.C., dated September 1, 2021, and last revised April 28, 2023
27. Survey prepared by Neville V. Ramsay dated March 10, 2021
28. Letter from Mehdi Ganji, Ph.D regarding the Proposed Residential Microgrid
29. Aris Energy Solutions Microgrid Analysis
30. Index of publications, bulletins, reports, articles, and guidance documents on microgrid technology and shelter-in-place actions
31. Resolution of the Zoning Board of Appeals of the Village of Mamaroneck, March 2, 2023
32. Memoranda from Village Board consultants

WHEREAS, on September 24, 2021, the Applicant first appeared for a preliminary site plan review before the Planning Board (the “Board”) where the Board’s consultants provided their initial comments on the application, and the application was classified as an Unlisted / Coordinated action under SEQRA; and

WHEREAS, the Board declared its intent to be Lead Agency on March 9, 2022 and undertook a coordinated review with the other involved agencies for the Project; and

WHEREAS, the Board adopted part 2 of the Environmental Assessment Form (“EAF”) on July 13, 2022, and on July 22, 2022 adopted parts 1 and 3 of the EAF; and

WHEREAS, upon careful review of the Project and adoption of the EAF, the Board issued a negative declaration under SERQA after determining that the Project will not result in an adverse

environmental impact, and referred the matter to the Harbor Coastal Zone Management Commission (“HCZMC”) for a Consistency Determination; and

WHEREAS, the Applicant appeared before the Zoning Board of Appeals (“ZBA”) on March 2, 2023, where all requisite variances were granted; and

WHEREAS, the Application was considered by the HCZMC during the March 15, 2023 work session and the April 19, 2023 regular meeting, and after hearing members of the public, reviewing materials submitted by the applicant, and considering memoranda and comments of its consultants, the HCZMC determined that the Project is consistent with the Local Waterfront Revitalization Program; and

WHEREAS, the Applicant appeared before the Board on May 10, 2023 for continued review and consideration of the site plan application, and the Board’s engineering consultant, Kellard Sessions, stated that its review of the Project was complete, noting that its concerns, including those relating to stormwater and flooding, were previously addressed before the HCZMC; and

WHEREAS, also during the May 10, 2023 Board meeting, the Board’s planning consultant AKRF reviewed its memorandum of May 5, 2023, provided an overview of the proceedings before the ZBA and HCZMC, noted the revisions and additional information submitted for the Project concerning the proposed microgrid and shelter-in-place actions, and concluded that AKRF had no additional concerns regarding the Project; and

WHEREAS, the Board’s landscaping consultant, Terra Bella Land Design (“TBLD”), reviewed the Applicant’s plans, and in a memorandum dated May 4, 2023, identified inconsistencies in the Landscaping Plan which, were addressed by further submittals by the Applicant prior to the May 10, 2023 Board meeting; and

WHEREAS, during the aforementioned meetings, the Board reviewed and considered the application materials, the standards for site plan development as set forth in Village Code §342-76, the requirements for stormwater management and erosion and sedimentation control set forth in Village Code §294, the requirements for the tree protection plan found in Village Code §318-8, the advice of its consultants, and comments provided by the public, and upon completion of its review determined that the applicable site plan standards and criteria have been satisfied with the conditions of approval stated below,

NOW, THEREFORE, BE IT RESOLVED that the Board hereby grants site plan approval subject to the following conditions:

Conditions

- 1) Applicant obtains a Floodplain Development Permit.
- 2) All demolition materials shall be removed from the project site and disposed of in accordance with Federal, State and Local Regulations.
- 3) Prior to the issuance of a Certificate of Occupancy, applicant shall submit a fully executed maintenance agreement approved by the Village for the proposed stormwater management facilities which is binding on all subsequent landowners and recorded in the office of the County Clerk as a deed restriction on the property.

- 4) Prior to the issuance of a Certificate of Occupancy, the Applicant's Flood Emergency Management Plan shall be submitted to and approved by the Village Manager.
- 5) If the Building Inspector determines that, as a result of conditions in the field or concerns related to public health, safety, and welfare, minor changes are necessary to complete the work authorized by the approved plans, the Building Inspector may, allow such changes and amend the building permit(s) accordingly. The applicant must submit amended plans reflecting the approved field changes. If the Building Inspector determines that conditions in the field or concerns related to the public health, safety and welfare require a change in the approved plans but that change is not minor, any deviation from or change in the approved Plans must be approved by the Planning Board by amendment to this approval.
- 6) Prior to the issuance of a building permit, the applicant must pay all outstanding professional and consultant review fees in connection with Planning Board review of this application.
- 7) Prior to the issuance of a building permit, the applicant shall make a payment to the Village Clerk-Treasurer, to be held by the Village Clerk-Treasurer as a contribution to the Village Recreation Site Acquisition and Improvement, a recreation fee in the amount of \$85,000, calculated, based upon Village Code § A347-1 ("Fee Schedule").

Vote

Ayes:

Nays:

Recused:

Absent:

Seamus O'Rourke, Chair