

# Natural Concerns

About building Adjacent to Otter Creek  
On 921 Soundview Drive

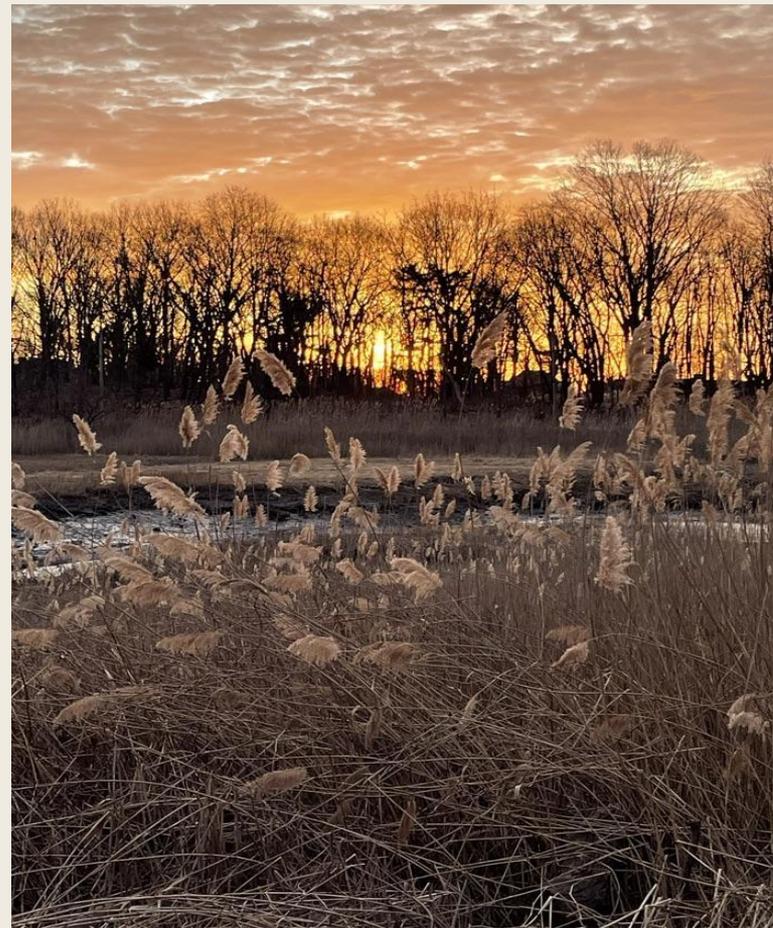


## Otter Creek is a unique, precious and environmentally significant place not only for humans

- The environmental concerns that are being raised have focused on technical issues regarding impact on water quality and preservation of marsh habitat.
- The marsh is not just plants and water, but it is home to many diverse species of life. Designated “Critical Environmental Area” by Westchester County and New York State.
- I have lived next door to this property for almost 30 years, during which time I have become aware of the value of the marsh—and how it has changed in the past decades.
- I also lived on another house on Soundview Drive—not on the marsh side— from 1976-1985. Several other families moved to this side of Soundview from from other houses in Shore Acres. Because of Otter Creek.



What does Otter Creek look like?









**EXTRAORDINARY LOCATION**  
921 is not an isolated plot of land. Because it is adjacent to the wetland, there is increased importance to factoring in the environmental concerns

This drone shot shows the homes on Soundview Drive starting just south of 921 looking towards Mamaroneck Harbor. You can see the long trail of the creek leading to Long Island Sound. NY City is visible in the background.

Wetland preservation here is critical. There is so little of it and it carries a big environmental burden.

The back of property at 911

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# What is a wetland buffer and Why do we care about it?

- DEC website says if building is allowed on land “adjacent area within 100 ft” of a wetland, the benefits gained by allowing the action to occur must outweigh the wetland benefits lost. Source: [DEC.ny.gov](http://DEC.ny.gov)
- 100 ft back from the wetland has been identified as the “buffer zone”. Focus on this is very relevant– but some important issues have escaped notice:

What line are they using to measure from? Where does measurement for the buffer start?

- On the submitted plans it says “former line of wood fence” [survey 12/20/2010]; another “line of flagged wetlands/existing fence”
- It is my understanding that the origin line of the buffer should be “MEAN HIGH WATER” line. It is my understanding from my research that there is a requirement that “mean high water” be shown on maps that designate a buffer. THIS HAS NOT BEEN DONE, from what I can see.
- To date it appears that the application has relied on an old fence line to begin the determination of this crucial boundary.
- There is a FEMA designated “AE flood zone” indicated in the plans, but this seems to have no relevance here. It is, in fact at least 20’ closer to the street than the fence.

And: What type of wetland is this? Various documents submitted indicate the property is either within or adjacent to both tidal and freshwater wetlands. Each will require approval from different agencies. The application has confusing with omissions and conflicting statements.

- Studies indicate that buffers from 50 to 150 feet are necessary to protect a wetland from direct human disturbance in the form of human encroachment (e.g., trampling, debris). The appropriate width to prevent direct human disturbance depends on the type of vegetation, the slope, and the adjacent land use. Some wetlands are more sensitive to direct disturbance than others.
  - I refer you all to the following source for very detailed explanation of buffers: Washington State Department of Ecology: “Wetland buffers, use and effectiveness”  
[https://www.spk.usace.army.mil/Portals/12/documents/regulatory/pdf/Wetland\\_Buffers\\_Use\\_and\\_Effectiveness.pdf](https://www.spk.usace.army.mil/Portals/12/documents/regulatory/pdf/Wetland_Buffers_Use_and_Effectiveness.pdf)
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# I object to any pool proposed at 921 Soundview Dr

- The proximity to the Otter Creek Sanctuary requires keen attention to the environmental impact of *anything* built on this property. It is not an ordinary lot, where pools are routinely permitted in the village. You have good reason to make a distinction and deny this particular request.
  - Several different iterations for the pool have been proposed. Perhaps this has been an attempt to address the concerns often raised, but none have reached the level of having the benefit outweigh the detrimental impact of building in the buffer. The bottom line is that most of the house and all of the pool—wherever it is—is too close to a sensitive, critical habitat.
  - We have concerns about the adverse impact of light and noise on wildlife. Owls are sensitive to lights. Bats and nesting osprey as well can be affected. Sounds carry across the marsh. Amplified sound would potentially affect a wide range of inhabitants
  - Shore Acres community pool is open until 8 PM in the summer. Use of a private pool is likely to be used late into the night where there is no restriction on private use. The best plan is not to build a pool at all.
  - Should a pool be permitted here EVEN WITH stipulations to limit sound and light, there is no assurance that these contingencies would be enforced. I am concerned that the responsibility for enforcement would fall on myself and other neighbors to complain. This sets up a difficult situation, as you can imagine
  - Finally, allowing one pool this close to the wetland will set a precedent for any similar proposal in the future.
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# A Changing Habitat

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Flood in 2011 on property next door to 921  
Soundview



Recent Flooding



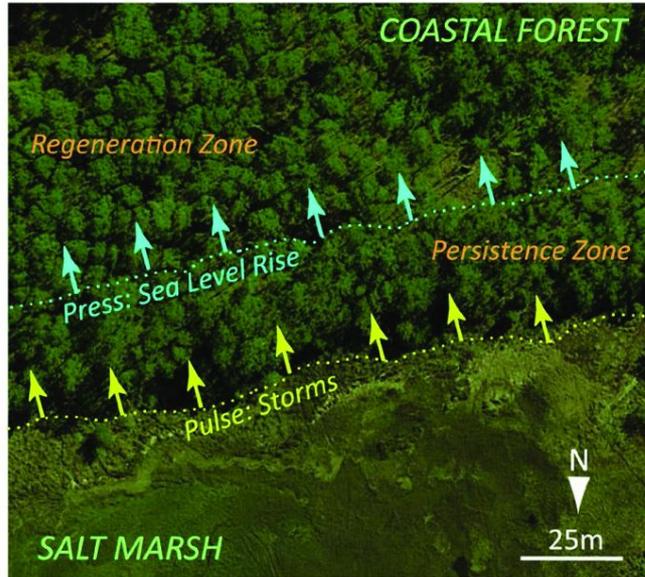


Flooding in the past few decades has required construction of boardwalks to maintain trails across Otter Creek sanctuary between S. Barry and Taylors Lane —a clear sign of local sea level rise which contributes to Marsh Migration.



**“Marsh migration** is a process of non-wetland coastal plants, like pine trees, dying due to storms and saline soils at the marsh border, then marsh plants growing in their place. This is a natural process that has always taken place a bit at a time, but in recent decades it has begun to speed up with sea-level rise.” Source: Nrdc.org

### Ecological Ratchet Model



This is happening now— Any building that close to the marsh is going to be in the “Regeneration Zone”, even perhaps the “Persistence Zone”.

I ask:

Is building a pool so close to areas that are already flooding really necessary? Even if it's not necessary, is it wise?

We have other neighbors who cannot speak for themselves. Who are they?



Coyotes



Foxes– mating



Two red tailed hawks  
hanging in their favorite  
place—later they were seen  
mating



Red-bellied  
woodpecker



"An enormous array of life depends on wetland ecosystems, but we are losing wetland habitats even faster than we are losing the rainforest, according to Amphibian and Reptile Conservatory"

*from NY Times article by Margaret Renkl, February 10, 2023 p A24*

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What will happen to our non-human neighbors when these trees are gone and in their place will be the lights, noise and disturbance of a pool and a house of this scope?

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# “In wildness is the preservation of the world”

This profound statement by Thoreau is relevant to my discussion. It is not just people who live here. We are just one species living adjacent to a wild marsh that is home to many species of plants and animals. They cannot advocate against the destruction of their home. Only we can protect them in an attempt to preserve the world, through what wild places remain.

Human beings are important— for sure. People need homes. Our village needs people—and their tax money. The issue is one of relative value and scale.

What is the relative need for a 6122 square foot 5 bedroom house and a swimming pool compared to the impact on Otter Creek’s wild neighborhood? Why build on this scale adjacent to the protected sanctuary? The price of the impact is much too high.

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THANK YOU FOR YOUR TIME



A Good Place