

Zoning Board of Appeals Agenda

VILLAGE OF MAMARONECK ZONING BOARD OF APPEALS AGENDA

October 5, 2017 AT 7:30 PM - 169 Mt Pleasant Avenue Court Room

NOTICE OF FIRE EXITS AND REQUEST TO TURN OFF ELECTRONIC DEVICES

A. PUBLIC HEARINGS

1. **Application # 14A-2017, Laura & Robert Heiss, 408 Rushmore Avenue** (Section 9, Block 67, Lot 74A) for a variance to construct an addition to a single family home and convert the existing garage into a bedroom. The proposed construction is in violation of 342-27 – Schedule of Minimum Requirements where the required lesser side yard setback is 15’ and the Applicant proposes 6’3”. (R-15 District)
2. **Application 15A-2017, Nic & Sasha Barnes, 1005 The Parkway** (Section 4, Block 72, Lot 1) for a variance to construct a two car garage with a deck above. The proposed construction is in violation of 342-27 Schedule of Minimum Requirements where the maximum FAR permitted is 0.3561 and the Applicant proposes 0.3671. (R-10 District)
3. **Application # 16A-2017, Maureen & James Kennel, 310 Anita Lane** (Section 4, Block 24, Lot 4D) for a variance to construct and legalize an existing deck. The existing deck is in violation of 342-27 Schedule of Minimum requirements where the required lesser side yard is 6’ and the existing side yard setback is 5’6”. (R2-F District)
4. **Application # 1SP-2015, DCH Special Permit Renewal** 1305 East Boston Post Road (Section 4, Block 79, Lot 1B2) for the renewal of a Special Permit to operate a Car Dealership (C-1 District)
5. **Application # 4I-2017, Donat, Lividini & Colaneri, regarding 1017 Grove Street** (Section 4, Block 15, Lot 32) for an appeal of Building Permit #17-0429 issued on 4/24/17 for installation of a fence. APPEAL AMENDED 08/17/17 to include - Appeal of Certificate of Compliance 17-0429 issued on 6/22/17, Building Permit #17-0833 issued on 7/27/17 and Building Permit #17-0838 issued on 7/28/17. (R-5 District)
6. **Application # 5I-2017, Jocelyn Donat, regarding 1019 Grove Street** (Section 4, Block 15, Lot 32.1) for an appeal of Certificate of Occupancy #16-0307 issued on 7/28/17, Building Permit #17-0831 issued on 7/27/17, and Building Permit #17-0840 issued on 7/28/17. (R-5 District)
7. **Application # 6I-2017, Stuart Tiekert, regarding 440 Beach Avenue** (Section 4, Block 26, Lot 12) for an appeal of Certificate of Occupancy #15-0471 issued on 7/7/17 (R-5 District).
The Applicant has requested this item be adjourned to the November 2, 2017 agenda

B. CLOSED APPLICATIONS

1. Application # 6SP-2013, **Shore Acres Point Corp.**, 504 The Parkway, (Section 4, Block 76A, Lot 1) to amend permitted hours for organized events for an existing special permit to operate a club (special permit renewal resolution dated November 5, 2015). (R-10 District)
2. **Application # 12A-2017, Joe & Danielle LaPadula, 410 Heathcote Avenue** (Section 9, Block 7, Lot 12) Application for an area variance (FAR) to construct a new single family home on a currently undeveloped parcel. The proposed construction is in violation of Section 342-27, Schedule of Minimum Requirements, where the maximum allowed FAR is 0.42 and the Applicants propose 0.5452. (R-5 District)

C. OTHER BUSINESS

1. **BOARD OF TRUSTEE REFERRAL-PLL P & Q 2017**

D. APPROVAL OF MINUTES

1. **MINUTES- 09 07 2017**

E. ADJOURN MEETING

ANY HANDICAPPED PERSON NEEDING SPECIAL ASSISTANCE IN ORDER TO ATTEND THE MEETING SHOULD CALL THE VILLAGE MANAGER'S OFFICE AT 914-777-7703

All Board of Trustee Regular, ZBA, Planning Board, and HCZM Meetings are Broadcast Live on LMC-TV:

Verizon FIOS Channels 34, 35 & 36

Cablevision Channels: 75, 76 & 77

And Streamed on the Web: www.lmc-tv.org

Village of Mamaroneck, NY

Item Title: 13A-2017 HEISS 408 RUSHMORE AVE

Item Summary: **Application # 14A-2017, Laura & Robert Heiss, 408 Rushmore Avenue** (Section 9, Block 67, Lot 74A) for a variance to construct an addition to a single family home and convert the existing garage into a bedroom. The proposed construction is in violation of 342-27 – Schedule of Minimum Requirements where the required lesser side yard setback is 15’ and the Applicant proposes 6’3”. (R-15 District)

Fiscal Impact:

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
08 23 2017 408 Rushmore Application	9/13/2017	Backup Material
08 23 2017 408 Rushmore Certification	9/13/2017	Backup Material
08 23 2017 408 Rushmore Short EAF	9/13/2017	Backup Material
08 23 2017 408 Rushmore photos	9/13/2017	Backup Material
08 23 2017 408 Rushmore survey	9/13/2017	Backup Material
08 23 2017 408 Rushmore plans	9/13/2017	Backup Material



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543
914-777-7731

8/22/2017

RECEIVED

AUG 23 2017

BUILDING DEPT.

NOTICE OF DISAPPROVAL

APPLICATION NO.: 14A-2017

DISTRICT: R-15

TO: HEISS, ROBERT & LAURA
408 RUSHMORE AV
MAMARONECK, NY 10543

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 6/27/2017

FOR PERMIT TO: CONSTRUCT AN ADDITION TO THE HOUSE AND CONVERT THE EXISTING
GARAGE TO A BEDROOM.

ON PREMISES LOCATED AT: 408 RUSHMORE AV

SBL: 9-67-74A

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

THE PROPOSED CONSTRUCTION IS IN VIOLATION OF 342-27, SCHEDULE OF MINIMUM
REQUIREMENTS WHERE THE LESSER SIDE YARD SETBACK REQUIRED IS 15' AND THE
APPLICANT PROPOSES 6.3' (R-15 DISTRICT)

PLEASE TAKE FURTHER NOTICE THAT YOU, THE APPLICANT, MUST NOTIFY ALL PROPERTY
OWNERS LOCATED WITHIN A RADIUS OF 400 FEET OF THE SUBJECT PREMISES OF YOUR
APPLICATION AND OF THE PROPOSED HEARING.



Building Inspector

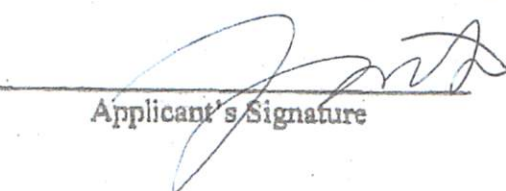
HEARING WILL BE HELD ON OCTOBER 5, 2017 AT 7:30PM IN THE MUNICIPAL BUILDING FIRST FLOOR BOARD ROOM AT 169 MT.
PLEASANT AVENUE, MAMARONECK, NEW YORK. A RECIEPIENT OF A COPY OF THIS NOTIFICATION IS A PROPERTY OWNER
OF RECORD WITHIN A RADIUS OF 400 FT. INTERESTED PARTIES MAY REVIEW PLANS ON ANY APPLICATION IN THE BUILDING
INSPECTORS OFFICE AT VILLAGE HALL.

CHECKLIST FOR INITIAL ZONING BOARD OF APPEALS SUBMISSION

☒ Applicable Fee

Applicant must submit Sixteen (16) Copies of the following:

- ☒ Completed Application
- ☒ All Certificates of Occupancy or Temporary Certificate of Occupancy for the property, or letter from the Building Department in lieu thereof.
- ☒ Violations on the property, and proof that they have been corrected
- ☒ Photographs of the property (3" x 5" or larger) that depict the location and potential impacts of your application
- ☒ Accurate survey of the current status of the property, which has been prepared and certified by a licensed surveyor within the past 12 months of the application date, shall be submitted with each application.
Please note: where a survey certified within the past twelve months is unavailable and the application does not involve any change to the exterior of the property, the ZBA will accept a certification by the owner that to his/her knowledge the existing survey accurately depicts the current status of the property.
- ☒ Certified Drawings, prepared by a registered architect or professional engineer, and other supporting documents
- ☒ Written consent of the owner, if you are not the owner of the property
- ☒ Certification, as required by New York State General Municipal Law.
- ☒ State Environmental Quality Review (SEQR) Short or Long Environmental Assessment Form.
- ☒ Copy of the Determination being appealed.
- ☒ Note: See Instructions regarding submittal of Supplemental Materials or New Plans (Item VII in the Rules of the Zoning Board of Appeals of the Village of Mamaroneck and Instructions for Bringing and Appeal


Applicant's Signature

8/21/17
Date

RECEIVED

AUG 23 2017

BUILDING DEPT.

AUG 23 2017

BUILDING DEPT.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

- [] 16 Copies
[] Completed Application
[] COs or Letter
[] Violations, if any
[] Photographs
[] Survey
[] Certified Drawings
[] Consent
[] Certification/Affidavit
[] EAF
[] Copy of Determination being appealed
[] Riders if Application is Corp./Business Entity
For Office Use Only

Application No.: 14A 2017
Agenda No.: October 5, 2017
SP _____
AV val
UV _____
F _____
S _____
Interpretation _____

VILLAGE OF MAMARONECK
ZONING BOARD OF APPEALS
APPLICATION

Date August 2nd, 2017

TO: ZONING BOARD OF APPEALS - VILLAGE OF MAMARONECK
123 Mamaroneck Avenue
Mamaroneck, New York 10543

I (We) Laura and Bob Heiss
(Name of Applicant)

of 408 Rushmore Avenue, Mamaroneck, NY Zip 10543
(Insert Complete Mailing Address)

Daytime Phone No. (914) 804-7839 Daytime Fax No. _____

Apply to the Board of Appeals regarding property located at 408 Rushmore
Avenue, Mamaroneck, NY, 10543
(Insert Location of Premises)

Bearing Village of Mamaroneck Tax Map Number: 9 167 174A.
(Section) (Block) (Lot)

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

1. This is an Application for the following: (check one [1] or more as applicable)
- ☒ Area Variance – This is to use land in a manner not allowed because of dimensional or topographical requirements in the Zoning Code.
- ☐ Use Variance – This is to allow land to be used in a manner or for a purpose which is prohibited or not allowed by the Zoning code.
- ☐ Special permit
- ☐ Sign Variance
- ☐ Fence Variance
- ☐ Appeal or Interpretation (Specify Code Section _____)
- ☐ Other: Specify _____

2. The Date and Description of the determination that is being appealed (a copy of the determination must be attached)

(6/27/17) The proposed construction is in violation of 342-27,
schedule of minimum requirements where the lesser side yard
setback required is 15' and the applicant proposes 6.3' (R-15 District)

3. What is the present zoning of the property? R-15

4. This Application must be made in the name of the person or entity that has a possessory interest in the property such as a tenant, purchaser or owner. If you are the owner, on what date did you acquire title? _____; If you are not the owner, list the name and address of the owner and describe your relationship to the property and the date said relationship commenced: Bob & Laura Heiss, 408 Rushmore Ave,

Mamaroneck, NY, 10543; As their Architect, our relationship started January

IF you have acquired title to the property within the past two years, provide the name of the prior owner: _____

NOTE:

If the Applicant or Property Owner is a:

Corporation: attach a separate Rider listing all the corporation's officers, shareholders, and their percentage of share ownership.

Partnership: attach a separate Rider listing the type of partnership and identify the partners and their partnership interests.

LLC: attach a separate Rider listing the LLCs members.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

5. If someone else is authorized to act as your representative or to appeal with you on your behalf before the Board, his or her name, address and telephone number must be provided:

Name: Rick Yestadt

Address: 17 N. Chatsworth, Larchmont, NY, 10538

Telephone: (914) 834-1641

6. Has a prior variance, special permit, or interpretation Application ever been submitted for this property?

☐ Yes ☐ No

If YES, you must attach copies of the prior variance or resolution and describe them: _____

7. List all permits you must obtain in order to complete the subject project of this Application (include all permits or approvals necessary from any federal, state, county, or local agency or department): Zoning, Architectural Review Board

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

8. Is the property subject to any covenants, easement, or other restrictions or encumbrances? If so, list and describe these. (You may be required to provide copies of these documents establishing same to the Board.) Please be advised that nothing herein or within board purview will alter or modify any existing contractual rights with respect to the subject property. N/A

9. Check here if there has been any illegal use or violations issued with respect to the property, regardless of whether it has been removed or adjudicated. []

If so, describe and provide the date(s) and details, including if the violation continues: _____

10. The following are the provisions of the Village Code from which either a variance is sought or a permit is requested (you must itemize each variance you seek, since a variance cannot be obtained unless it is expressly requested and is the subject of public notice):

Article 342, Section 27, Subsection _____

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

NOTE:

IF THIS IS AN APPLICATION FOR A USE VARIANCE, COMPLETE QUESTION 11, ON PAGE 5.

IF THIS IS AN APPLICATION FOR AN AREA VARIANCE, COMPLETE QUESTION 12, ON PAGE 6.

IF THIS IS AN APPLICATION FOR ALL OTHER APPLICATIONS, INCLUDING A SPECIAL PERMIT, COMPLETE QUESTION 13, ON PAGE 7.

11. A use variance may only be granted if it is determined that zoning regulations and restrictions cause the property owner unnecessary hardship. New York law provides that: "In order to prove such unnecessary hardship, the property owner shall demonstrate to the Board of Appeals that (1) under the applicable zoning regulations, the owner is deprived of a reasonable return for each and every permitted use under the zoning regulations for the particular district where the property is located. This deprivation must be established by competent financial evidence; (2) the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood; (3) the requested use variance, if granted, will not alter the essential character of the neighborhood; and (4) the alleged hardship has not been self-created."

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

12. Under State law, the Board of Appeals must consider the following factors in making a decision on your request for an area variance: "(1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self created..."

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider):

- ① No change in the character of the neighborhood is being proposed. The proposal is in keeping with the character & Design of the existing house & neighborhood.
- ② We believe there is no other reasonable solution due to the pre-existing non-conformance of the side-yard setback.
- ③ The requested variances generally align with pre-existing non-conforming construction to limit the impact & substantiality.
- ④ For the reasons stated, we believe that the variances will not have an adverse impact on physical or environmental conditions in the neighborhood or district. The changes we are proposing are similar in scale & design concept of its neighbors.
- ⑤ We believe the variance we are requesting is not self-inflicted because of the current position of the pre-existing non-conforming construction.

13. If this Application is not for an area or use variance, provide information that supports your Application. You must refer to the appropriate sections of the Village Code and to other legal requirements necessary for the board to consider your Application.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective 2007)

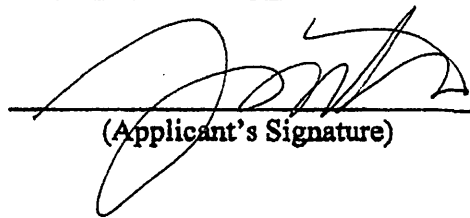
It is the my responsibility as the Applicant to complete this Application completely and carefully, and to provide sixteen (16) copies of this Application, together with all necessary papers, plans, surveys, documents or other required information.

Failure to submit the required documents and information will delay my Application or result in its denial, since the ZBA cannot review or grant relief to incomplete Applications.

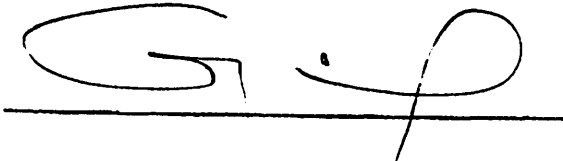
It is my responsibility to comply with all related requirements in presenting this Application, and the ZBA reserves the right to request additional documentation and/or drawings, and to condition any requested relief upon the filing of covenants and restrictions.

Although employees of the Village may provide me with assistance, I understand it is my responsibility to be familiar and comply with all applicable laws and to submit all necessary papers, plans, surveys, documents or other required information. I understand that copies of the Village Code are available for my review at the Village Clerks office, and that I may be represented at the ZBA hearing.

I HEREBY CERTIFY THAT ALL STATEMENTS MADE ON THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE.


(Applicant's Signature)

Sworn to before me this 18th
day of August, 2007



GUY LOREMIL
Notary Public, State of New York
No. 01LO6083318
Qualified in Nassau County
Commission Expires 11-12-18

FILED
AUG 29 2017
CLERK OF THE TOWN OF RYE

CERTIFICATION
(Required by New York State General Municipal Law)

Laura S Robert Heiss states as follows:
(Applicant's name)

1. I am interested in this application for a variance or special use permit now pending before the Village of Mamaroneck Board of Appeals.
2. I reside at _____
3. The nature of my interest in the aforesaid application is as follows: _____
4. If the Applicant or owner is a corporation, list the corporation's officers:
President: N/A Vice President: N/A
Secretary: N/A Treasurer: N/A
5. Do any of the following individuals have an interest, as defined below, in the owner or Applicant:
 - a. Any New York State officers, or
 - b. Any officer or employee of the Village of Mamaroneck, Town of Rye, Town of Mamaroneck, or Westchester County.

[] Yes [☒] No

For the purpose of this disclosure, an officer or employee shall be deemed to have an interest in the owner or Applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:

- a. is the Applicant or owner, or
- b. is an officer, director, partner, or employee of the Applicant or owner, or
- c. legally or beneficially owns or controls stock of a corporate Applicant or owner, or
- d. is a party to an agreement with such an Applicant or owner, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered dependent or contingent upon the favorable approval of such application.

A PERSON WHO KNOWINGLY AND INTENTIONALLY FAILS TO MAKE SUCH DISCLOSURE SHALL BE GUILTY OF A MISDEMEANOR AS PROVIDED IN GENERAL MUNICIPAL LAW, SECTION 809

If "Yes," state the name and nature and extent of the interest of such individual:

(Name)	(Residence)
(Extent of interest)	

Sworn to before me this 18TH
day of AUGUST, 2017

Notary Public

Robert Heiss
(Applicant's signature)

John Dionisio
Notary Public, State of New York
Qualified in Westchester County
No. 01D14804045
Commission Expires 9/30/2018

RECEIVED
AUG 28 2017
MUNICIPALITY OF LARCHMONT

617.20
Appendix B
Short Environmental Assessment Form

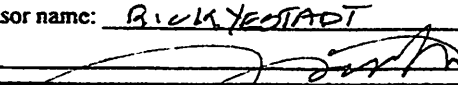
Instructions for Completing

Part I - Project Information. The applicant or project sponsor is responsible for the completion of Part I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part I. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part I - Project and Sponsor Information																		
408 RUSHMORE AVE. ADDITION -																		
Name of Action or Project: HERS																		
Project Location (describe, and attach a location map): 408 Rushmore Ave Mamaroneck, NY																		
Brief Description of Proposed Action: 1 story front-side pushout for new bathroom + porch, convert + alter existing garage into a bedroom																		
Name of Applicant or Sponsor: Rick Yestadt		Telephone: 914-834-1641																
		E-Mail:																
Address: 17 N. Chatsworth Ave																		
City/PO: Larchmont		State: NY	Zip Code: 10538															
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; text-align: center;">NO</td><td style="width: 50%; text-align: center;">YES</td></tr><tr><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; text-align: center;">NO</td><td style="width: 50%; text-align: center;">YES</td></tr><tr><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
3.a. Total acreage of the site of the proposed action? _____ acres																		
b. Total acreage to be physically disturbed? _____ acres																		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres																		
4. Check all land uses that occur on, adjoining and near the proposed action. <table style="width: 100%;"><tr><td><input type="checkbox"/> Urban</td><td><input type="checkbox"/> Rural (non-agriculture)</td><td><input type="checkbox"/> Industrial</td><td><input type="checkbox"/> Commercial</td><td><input checked="" type="checkbox"/> Residential (suburban)</td></tr><tr><td><input type="checkbox"/> Forest</td><td><input type="checkbox"/> Agriculture</td><td><input type="checkbox"/> Aquatic</td><td colspan="2"><input type="checkbox"/> Other (specify): _____</td></tr><tr><td><input type="checkbox"/> Parkland</td><td colspan="4"></td></tr></table>				<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)	<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____		<input type="checkbox"/> Parkland				
<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)														
<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____															
<input type="checkbox"/> Parkland																		

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>RICK YEATDT</u> Date: <u>5-10-17</u> Signature: 		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

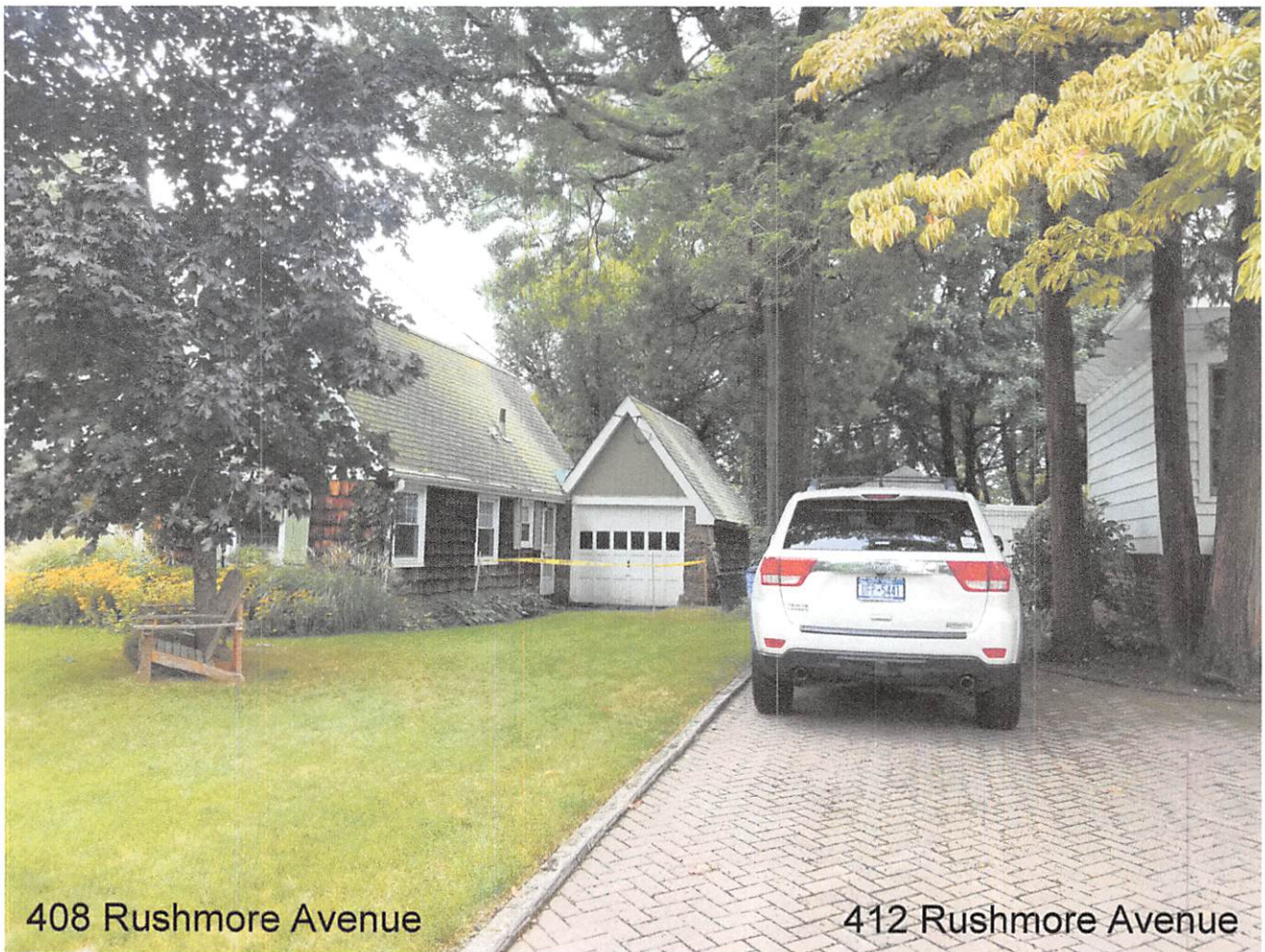
	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<div> <div>Name of Lead Agency</div> <div>Date</div> </div>	
<div> <div>Print or Type Name of Responsible Officer in Lead Agency</div> <div>Title of Responsible Officer</div> </div>	
<div> <div>Signature of Responsible Officer in Lead Agency</div> <div>Signature of Preparer (if different from Responsible Officer)</div> </div>	

PRINT

RESET



408 Rushmore Avenue

412 Rushmore Avenue



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Est. 1947

SURVEYING



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Mamaroneck, NY 10543
(914) 381-2357
www.SpinelliSurveying.com

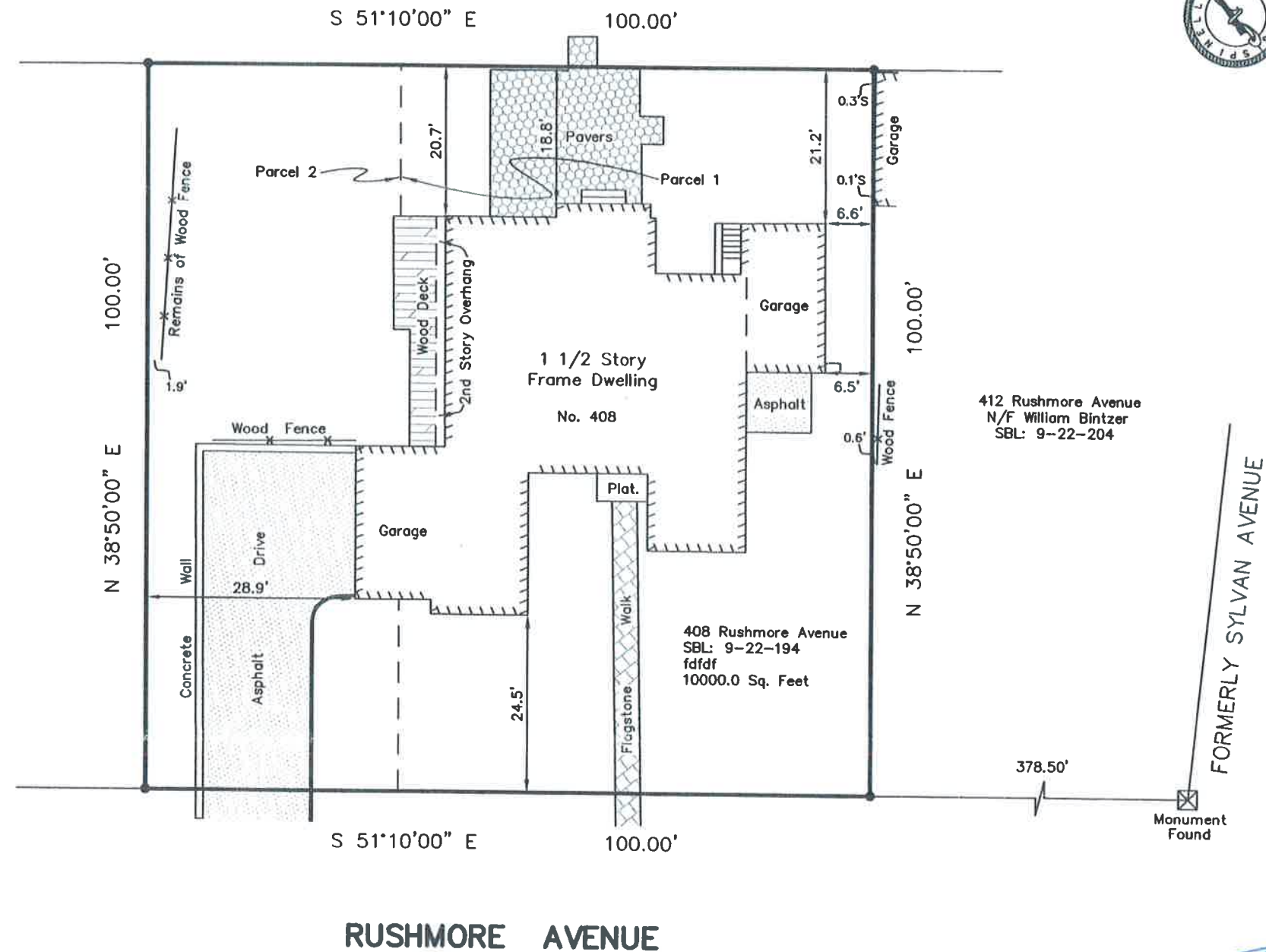
SCALE 1"=20'

33/4983 'RUSHMORE'

Survey of part of lots 12 & 13,
Block 2, as shown on 'Orienta
Shore Hills' in the Village of
Mamaroneck, Westchester County,
New York.
Filed Dec. 8, 1906 as Map 1680

Surveyed May 31, 2017
Map Drawn June 6, 2017

N/F Village of Mamaroneck



NOTES:

1. THE SUBJECT PROPERTY LIES WITHIN THE ZONE "AE", PER FEMA FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 36119C0353F, DATED SEPTEMBER 28, 2007
2. THIS PLAT WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES UPON THE PROPERTY, AND THIS IS SUBJECT TO ALL RESERVATIONS, RESTRICTIONS, EASEMENTS AND AGREEMENTS OF RECORD TO THE EXTENT THAT THEY LAWFULLY APPLY TO THE PROPERTY.
3. THIS PLAT IS BASED ON A CURRENT FIELD SURVEY AND RESEARCH PERFORMED ON OR PRIOR TO THE DATE SHOWN ON PLAT AND IS BASED ON MONUMENTS AND EVIDENCE FOUND IN THE FIELD AND MAY NOT CONFORM TO DEEDS, DESCRIPTIONS OR PLATS OF RECORD.
4. CURRENT SOURCE OF TITLE:
LIBER 9771 PAGE 143
5. PROPERTY CORNER MONUMENTS WERE NOT SET DURING THIS SURVEY

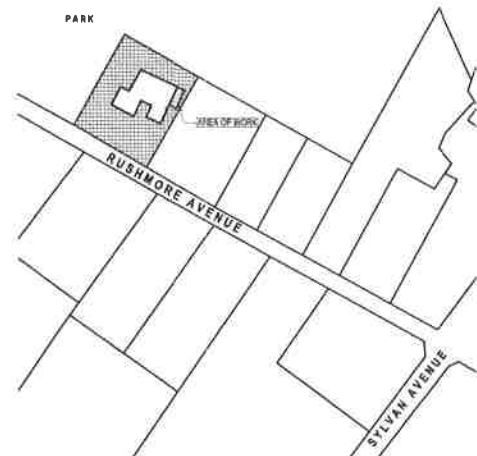
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AUG 23 2017

BUILDING DEPT.

Richard J. Spinelli, L.S. NYS Lic. 50975

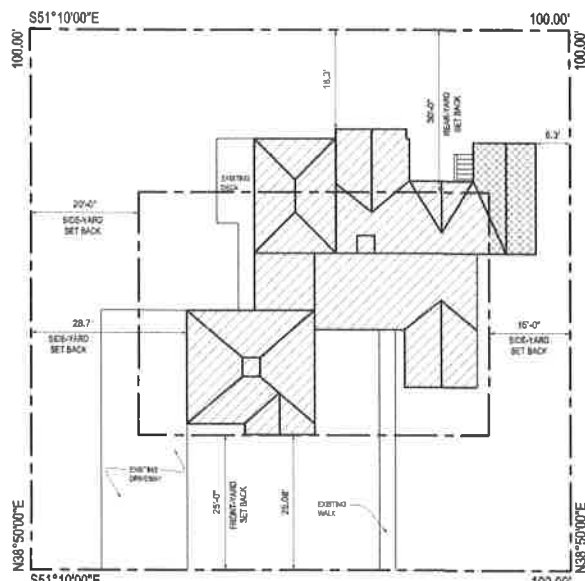
—Unauthorized additions to or alterations of this
plan is a violation of Section 7209 of the N.Y.S.
Education Law.



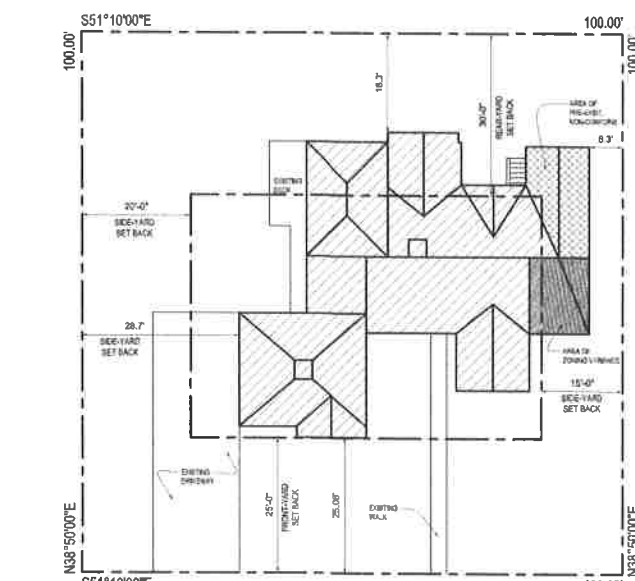
LOCATION PLAN
NO SCALE

ZONING CLASSIFICATION - VILLAGE OF MAMARONECK				
R - 15 ONE FAMILY RESIDENCE DISTRICT				
	REQUIREMENTS	EXISTING	PROPOSED	VARIANCE
MIN. LOT AREA	15,000 SF	10,000 SF	NO CHANGE	NO
MIN. LOT FRONTAGE	100'	100'	NO CHANGE	NO
MIN. LOT DEPTH	100'	100'	NO CHANGE	NO
MIN. FRONT YARD	25'	25.00'	NO CHANGE	NO
MIN. REAR YARD	30'	18.3'	NO CHANGE	NO
MIN. SIDE YARD LESSER	15'	6.3'	NO CHANGE	YES
MIN. OF TWO SIDE YARDS	35' (15' + 20' = 35')	35' (8.3' + 26.7' = 35.0')	NO CHANGE	NO
MAX. HEIGHT	2 1/2 STY. OR 35'	COMPLIANT	NO CHANGE	NO
*LOT COVERAGE	25%	23%	24%	NO
**MAX. FLOOR AREA RATIO	.35 / 3,500 SF	.225 / 2,250 SF	.239 / 2,390 SF	NO
IMPERVIOUS SURFACES	-	4,410 SF	4,598 SF	NO

*LOT COVERAGE INCLUDES THAT PERCENTAGE OF THE LOT AREA COVERED BY THE COMBINED AREA OF ALL BUILDINGS OR STRUCTURES ON THE LOT.



SITE PLAN - EXISTING
SCALE 1/4" = 1'-0"



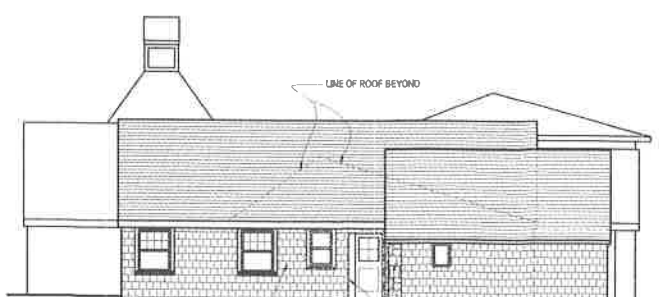
SITE PLAN - PROPOSED
SCALE 1/4" = 1'-0"



EXISTING/DEMO FIRST FLOOR PLAN
SCALE 1/2" = 1'-0"



EXISTING/DEMO FRONT ELEVATION
SCALE 1/2" = 1'-0"



EXISTING/DEMO SIDE ELEVATION
SCALE 1/2" = 1'-0"



EXISTING/DEMO REAR ELEVATION
SCALE 1/2" = 1'-0"

RESIDENTIAL RENOVATION

HEISS RESIDENCE
408 RUSHMORE AVE
VILLAGE OF MAMARONECK, NY

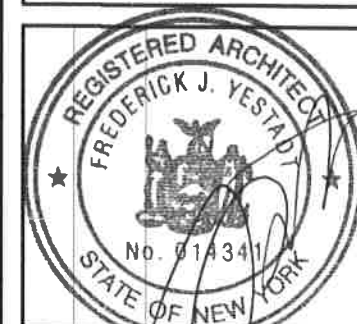
YESTADT
ARCHITECTURE + DESIGN
17 NORTH CHATSWORTH AVENUE
LARCHMONT, NY 10538
T 914 634 1641
F 914 634 1836

DRAWING LIST:

- A-1 PROPOSED SITE PLANS,
LOCATION PLAN, ZONING CHART,
EXISTING / DEMO FLOOR PLANS,
EXISTING ELEVATIONS
- A-2 PROPOSED FIRST FLOOR PLAN
- A-3 PROPOSED ELEVATIONS
- A-4 SPECIFICATION

LEGEND

- EXISTING CONSTRUCTION
TO BE REMOVED
- EXISTING CONSTRUCTION
TO REMAIN
- NEW STUD WALL
CONSTRUCTION
- NEW CONC. WALL



EXISTING
CONDITIONS

JOB NO. 1639 DRAWING NO.
DATE 8.2.17
SCALE AS NOTED
DRAWN BY AJ/JC

A-1

**HEISS RESIDENCE
408 RUSHMORE AVE
VILLAGE OF MAMARONECK, NY**

Y E S T A D T
ARCHITECTURE + DESIGN
17 NORTH CHATSWORTH AVENUE
LARCHMONT NY 10538
T 914 834 1641
F 914 834 1836

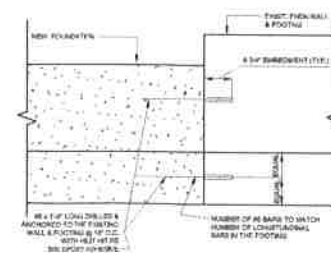
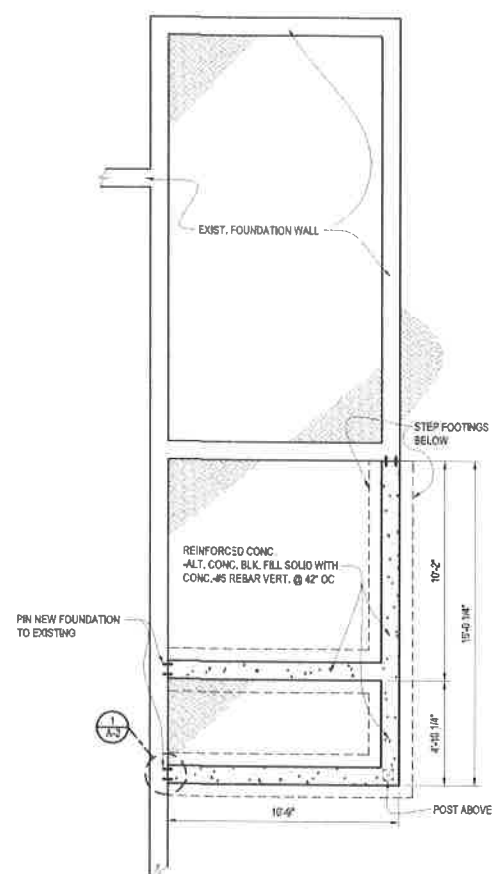
	NY	10538
T	914 834 1641	
F	914 834 1836	

* NOTE: CONTRACTOR TO CONFIRM EXIST. STRUCTURE & NOTIFY ARCHITECT BEFORE PROCEEDING

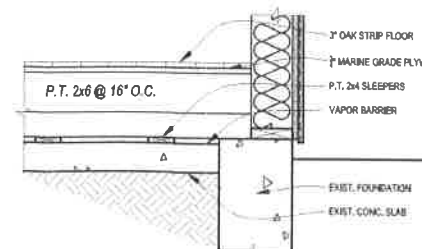
1. CONTRACTOR TO VERIFY WITH OWNER ALL OUTLETS & FIXTURE LOCATIONS BEFORE INSTALLATION.
2. SMOKE DETECTORS SHALL BE INSTALLED ACCORDING TO CODE R131.3.1 OF THE RESIDENTIAL CODE OF NEW YORK STATE. THEY SHOULD BE INSTALLED IN THE FOLLOWING LOCATIONS:
 - A. IN EACH SLEEPING AREA.
 - B. OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS AND ON EACH ADDITIONAL STORY OF THE DWELLING INCLUDING THE BASEMENT. ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTUATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT.
3. CARBON MONOXIDE ALARMS SHALL BE INSTALLED ACCORDING TO CODE R131.3.4 OF THE RESIDENTIAL CODE OF NEW YORK STATE. THEY SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS: WITHIN EACH DWELLING UNIT ON ANY STORY HAVING SLEEPING AREA, ON ANY STORY OF A DWELLING UNIT WHERE FUEL FIRED APPLIANCES AND EQUIPMENT ARE LOCATED, AND IN EACH FUEL BURNING EQUIPMENT, FIREPLACES OR ATTACHED GARAGES ARE LOCATED. ALARM DEVICES SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTUATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT. SEE SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.
4. ADDITIONAL CODE REQUIREMENTS: ALL SMOKE DETECTORS, SWITCHES, DRIVING SWITCHES FOR ALL LIGHT FIXTURES.



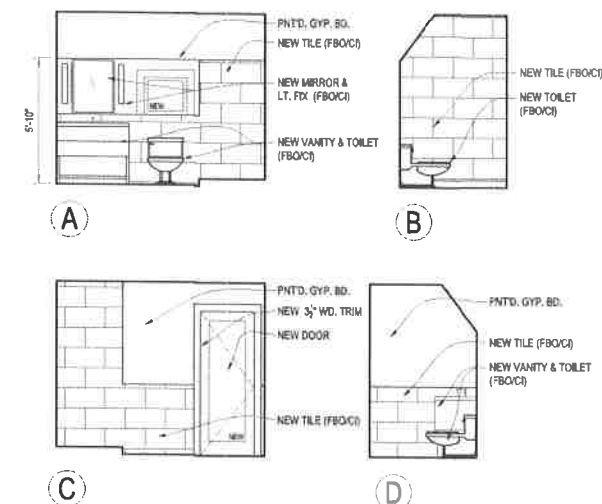
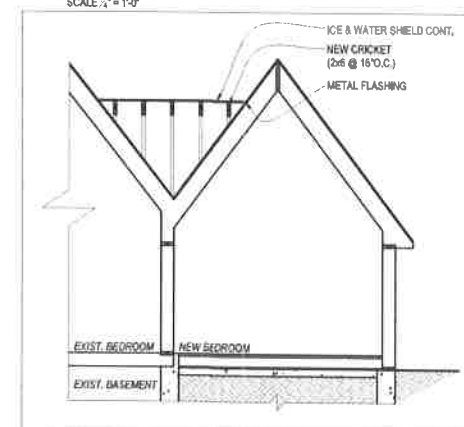
SCALE $\frac{1}{2}" = 1'-0"$



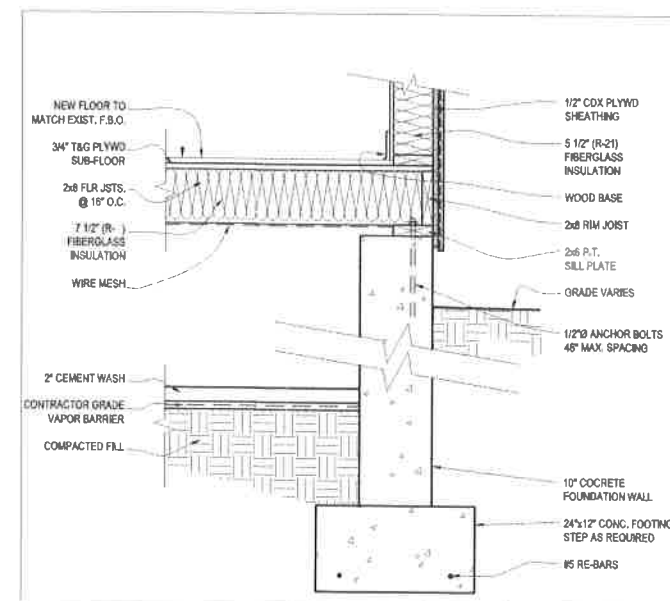
NO SCALE



SCALE 1" = 1'-0"

SCALE $\frac{1}{4}" = 1'-0"$ 

SCALE 1/4" = 1'-0"



SCALE 1" = 1'-0"

- EXISTING CONSTRUCTION TO BE REMOVED
- EXISTING CONSTRUCTION TO REMAIN
- NEW STUD WALL CONSTRUCTION
- NEW CONC. WALL

NO.	DATE	REVISION
-----	------	----------

JOB NO: 1639 DRAWING NO: 1639-1
DATE 8.2.17
SCALE AS NOTED
DRAWN BY AI/JC

A-2

**HEISS RESIDENCE
408 RUSHMORE AVE
MAMARONECK, NY**

Y E S T A D T
ARCHITECTURE + DESIGN
17 NORTH CHATSWORTH AVENUE
LARCHMONT NY 10538
T 914 834 1641
F 914 834 1836

APT	APARTMENT FINISHED FLOOR
BNG	BATHING
CLG	CLOSET
CLO	CLOTHES
COL	COLUMN
CONC	CONCRETE
COAT	CANTHROUS
CTR	COUNTER
CMU	CONCRETE MASONRY UNIT
CP	DEEP
CR	CADDER DRIVER
CRB	CORNER
EXST	EXIT
FBO	FURNISHED BY OWNER
FTDN	FOUNDATION
FLR	FLOOR
FF	FINISHED FLOOR
FTG	FOOTING
GALV	GALVANIZED
GWB	GYPSEUM WALL BOARD
HCRZ	HORIZONTAL
JST	JOIST
LAV	LAVATORY
LIN	LINOLEUM
LUN	LAWN CLOSET
MAINF	MAIN FLOOR
MN	MANHOLE
MN CHN	MANHOLE REINFORCEMENT
MTR	METER
MC	METAL IN CONTACT
OC	ON CENTER
PL	PLATE
PR	POWER ROOM
PRF	PREFORMED
PUTY	PUTTY
REF	REFRIGERATOR
REINF	REINFORCEMENT
REQD	REQUIRED
RFTS	RAFTERS
RO	ROUGH OPENING
STD	STANDARD
STL	STEEL
TYP	TYPICAL
UNCL	UNLESS OTHERWISE NOTED
VF	VERTICAL FIELD
WCH	WATER CLOSET
WC	WATER CLOSET
WD	WOOD
WE	WEIR



NO.	DATE	REVISION
-----	------	----------

PROPOSED ELEVATIONS

JOB NO. 1639 DRAWING NO.
DATE 8.2.17
SCALE AS NOTED
DRAWN BY A/JC

A-3

GENERAL CONDITIONS

- 16.1 THE GENERAL CONDITIONS OF THIS CONTRACT IS THE AMERICAN INSTITUTE OF ARCHITECTURAL DOCUMENT A 201, GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION, LATEST EDITION. A COPY OF SAID DOCUMENT IS AVAILABLE AT THE ARCHITECT'S OFFICE FOR REVIEW.
- 16.2 THE OWNER SHALL RELEASE, HOLD HARMLESS AND INDEMNIFY THE ARCHITECT WITH RESPECT TO: ANY CHANGES MADE TO THE CONSTRUCTION DOCUMENTS BY ANYONE OTHER THAN THE ARCHITECT OR CHANGES IN ANY ASPECT OF THE WORK OR FAILURE BY THE CONTRACTOR TO BUILD IN ACCORDANCE WITH THESE CONSTRUCTION DOCUMENTS.
- 16.3 BEFORE CONSTRUCTION BEGINS, CONTRACTOR MUST HAVE A CURRENT SURVEY OF EXISTING HOUSE. ALL ADDITIONS TO EXISTING STRUCTURE SHALL BE LOCATED BY LICENSED SURVEYOR AND DISTANCE FROM PROPERTY LINE CONFIRMED AT COMPLETION. ALL NEW ADDITIONS TO BE REFLECTED ON AN UPDATED SURVEY, FURNISHED BY OWNER.
- 16.4 THE GENERAL CONTRACTOR SHALL GUARANTEE ALL THE WORK UNDER THE CONTRACT FOR ONE (1) YEAR FROM THE DATE OF FINAL ACCEPTANCE. CONTRACTOR SHALL REPAIR, WITHOUT EXPENSE TO THE OWNER, ANY AND ALL DEFECTS ARISING DURING THE PERIOD THAT ARE DUE TO IMPERFECT MATERIAL AND APPLIANCES AND FOR POOR WORKMANSHIP.
- 16.5 THESE PLANS ARE AN INSTRUMENT OF SERVICE AND ARE THE PROPERTY OF THE ARCHITECT. INFRINGEMENTS WILL BE PROSECUTED.
- 16.6 CONTRACTORS TO PROVIDE OUTDOOR PORTABLE TOILET FACILITIES. (I.E. GALLI-HEAD, PORTA POTTY OR EQUAL)

EROSION CONTROL: SEE SITE PLAN

PROTECTION OF ADJOINING PROPERTY

SECTION 3000: ROOFS

ADJOINING PUBLIC AND PRIVATE PROPERTY SHALL BE PROTECTED FROM DAMAGE DURING CONSTRUCTION REMOVING AND DEMOLITION WORK. PROTECTION MUST BE PROVIDED FOR FOOTINGS, FOUNDATIONS, PARTY WALLS, CHIMNEYS, SKYLIGHTS AND ROOFS. PROVIDING SHALL BE MADE TO CONTROL WATER RUNOFF AND EROSION DURING CONSTRUCTION OR DEMOLITION ACTIVITIES. THE PERSON HAVING OR CAUSING AN EXCAVATION TO BE MADE SHALL PROVIDE WRITTEN NOTICE TO THE OWNERS OF ADJOINING BUILDINGS ADVISING THEM THAT THE EXCAVATION IS TO BE MADE AND THAT THE ADJOINING BUILDINGS SHOULD BE PROTECTED. SAID NOTIFICATION SHALL BE DELIVERED NOT LESS THAN 10 DAYS PRIOR TO THE SCHEDULED STARTING DATE OF THE CONSTRUCTION.

DIVISION 8: DOORS AND WINDOWS

- 8.1 WINDOWS SHALL BE HIGH PERFORMANCE AS SPECIFIED ON DRAWINGS. ALL WINDOWS AND DOORS TO HAVE PERMANENTLY FIXED INTERIOR AND EXTERIOR GRILLES W/ SPACER BAR UNLESS OTHERWISE NOTED.
- 8.2 ALL NEW EXTERIOR DOORS SHALL BE "BROOKCO", "MORGAN" OR EQUIVALENT AS SPECIFIED.
- 8.3 ALL WINDOWS SHALL RECEIVE EXTENSION JAMBS AS REQUIRED FOR A 2" X 4" STUD FRAMED WALL.
- 8.4 ALL NEW EXTERIOR OPERABLE WINDOWS AND DOORS SHALL BE PROVIDED WITH SCREENS.
- 8.5 DOOR HARDWARE TO BE RESIDENTIAL QUALITY SCHLAGE OR APPROVED EQUAL, FINISH TO MATCH EXISTING.

DIVISION 9: FINISHES

- 9.1 EXTERIOR TRIM SHALL BE PAINTED, COLOR TO MATCH EXISTING.
- 9.2 PROVIDE AND INSTALL 5/8" THICK GYPSUM BOARD, M.R. BOARD WALLS ARE TO RECEIVE PLASTER FLOAT COAT, USE "M.R. BOARD" IN ALL BATHROOMS, "GOLD BOND", AS MANUFACTURED BY NATIONAL GYPSUM CO., OR MANUFACTURED BY UNITED GYPSUM CO., SHALL BE USED IN SHOWER AREA. 5/8" HUMITEK GYPSUM PANELS SHALL BE USED IN ALL FINISHED BASEMENTS. PROVIDE METAL CORNER BEAD AS NEEDED. BRAD NAIL AND SAND SO THAT ALL SURFACES AND EDGES ARE SHARP AND TRUE.
- 9.3 ALL WALLS, CEILINGS AND TRIM TO BE PATCHED AND FILLED AS REQUIRED, NEW SURFACES TO RECEIVE 1 COAT OF PRIMER AND 2 FINISH COATS, COLOR SELECTION BY OWNERS.
- 9.4 ALL CERAMIC TILE SHALL BE FURNISHED BY THE OWNER AND INSTALLED BY THE CONTRACTOR. ALL HORIZONTAL AND VERTICAL JOINTS SHALL ALIGN. TILE SHALL BE SET IN CEMENT MORTAR AS SPECIFIED IN THE TILE COUNCIL OF AMERICA'S HANDBOOK FOR TILE INSTALLATION METHOD W223-74. PROVIDE WOOD OR MARBLE SADDLES WHERE REQUIRED.
- 9.5 PAINT MATERIALS SHALL BE AS MANUFACTURED BY BENJAMIN MOORE OR APPROVED EQUIVALENT. COLOR TO BE SELECTED BY OWNER. SURFACES TO BE PAINTED, SEALED, OR STAINED SHALL BE THOROUGHLY CLEAN AND DRY BEFORE WORK IS STARTED. EXTERIOR PAINTS TO MATCH EXISTING. STRIP OAK FLOORING, FINISH FLOOR QUARTER SAUND, CLEAR, OAK, T & G, DRESSED ON ONE SIDE, TO MATCH EXISTING FLOORING. STAIN TO BE SELECTED BY OWNER. THIS FLOORING SHALL BE MATCHED Laid IN LONG LENGTHS, BREAKING JOINTS. IT SHALL BE THOROUGHLY BLIND NAILED AT EVERY SEAM AND AFTER LAYING SHALL BE PLANED OR SCRAPED, WELL SANDPAPERED AND PROTECTED WITH BUILDING PAPER UNTIL ACCEPTED. FLOORS SHALL BE FINISHED AS PER ARCHITECT'S DIRECTION. PROVIDE WIDE PLANK WD. FLOORING WHERE INDICATED ON PLAN.

DIVISION 10: SPECIALTIES

- 10.4 SMOKE ALARMS SHALL BE INSTALLED AS PER SECTION R013 OF THE NEW YORK STATE RESIDENTIAL CODE.
 - A. IN EACH SLEEPING ROOM.
 - B. OUTSIDE OF EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS.
 - C. ON EACH ADDITIONAL STORY OF THE DWELLING, INCLUDING BASEMENT LEVEL.
- ALL SMOKE ALARMS ARE REQUIRED TO BE HARD WIRED & INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL THE ALARMS IN THE INDIVIDUAL UNIT. CARBON MONOXIDE ALARMS SHALL BE INSTALLED AS PER SECTION R013.A OF THE NEW YORK STATE RESIDENTIAL CODE.
 - A. WITHIN EACH DWELLING UNIT ON ANY STORY HAVING A SLEEPING AREA.
 - B. ON ANY STORY OF A DWELLING UNIT WHERE FUEL FIRED APPLIANCES AND EQUIPMENT, SOLID FUEL BURNING APPLIANCES AND EQUIPMENT, FIREPLACES OR ATTACHED GARAGES ARE LOCATED.
- ALL CARBON MONOXIDE ALARMS ARE REQUIRED TO BE HARD WIRED & INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL THE ALARMS IN THE INDIVIDUAL UNIT.
- FIRE AND LIFE SAFETY PROTECTION SECTION A403 OF THE NEW YORK STATE RESIDENTIAL CODE SMOKE ALARM & CARBON MONOXIDE ALARM EXCEPTIONS: ALARMS IN EXISTING AREAS SHALL NOT BE REQUIRED TO BE INTERCONNECTED AND HARD WIRED WHERE INTERIOR WALL OR CEILING FINISHES ARE NOT REMOVED TO EXPOSE THE STRUCTURE. BATTERY OPERATED DEVICES TO BE INSTALLED IN THESE LOCATIONS.
- 10.7 POWDER ROOM EXHAUST FAN TO BE BY PANASONIC-WHISPER CEILING

DIVISION 11: EQUIPMENT

DIVISION 12: FURNISHINGS

DIVISION 13: SPECIAL CONSTRUCTION

DIVISION 14: CONVEYING SYSTEMS

DIVISION 15 & 16: MECHANICAL ELECTRICAL (HVAC & PLUMBING)

- 15.1 ALL NEW HEATING PIPES SHALL BE INSULATED. ALL NEW MATERIALS SHALL BEAR THE "UL" LABEL.
- 15.2 THE ELECTRICAL CONTRACTOR SHALL PROVIDE ALL REQUIRED LABOR, EQUIPMENT, PERMITS, CERTIFICATES AND OTHER SERVICES NECESSARY FOR COMPLETE INSTALLATION AND APPROVAL OF ELECTRICAL WORK. ALL WORK IS TO BE INSTALLED ACCORDING TO THE RULES AND REGULATIONS OF THE NATIONAL BOARD OF FIRE UNDERWRITERS AND MUNICIPAL DEPARTMENT HAVING JURISDICTION. PROVIDE ELECTRICAL SERVICES FOR LAYOUT AS SHOWN IN DRAWINGS. CONTRACTOR TO VERIFY OF EXISTING PANEL IS ADEQUATE AND PROVIDE NEW PANEL IF REQUIRED ALL DUPLEX RECEPTACLES AND WALL SWITCHES TO BE "LEVISION DECOR". PROVIDE HALOGEN LAMPS FOR INCANDESCENT FIXTURES SPECIFIED.
- CERTIFICATES OF INSPECTION AND ACCEPTANCE AT THE COMPLETION OF THE WORK SHALL BE FURNISHED BY THE CONTRACTOR. HIS EXPENSE. CONTRACTOR TO FURNISH OWNER WITH FIRE UNDERWRITERS CERTIFICATE UPON COMPLETION OF THE JOB.
- 15.3 EXTERIOR OUTLETS SHALL BE GFCI AND WATERPROOF.
- 15.4 ALL NEW PLUMBING PIPES TO BE WRAPPED WITH "AUGOSEAL" SOUND BARRIER.
- 15.5 -FORCED AIR DUCTED HEATING & A/C
-HYDRO AIR HEATING & HOT WATER SYSTEM
-CENTRAL AIR CONDITIONING SYSTEM - 2 ZONE
-NEW GAS SERVICE FROM STREET

DIVISION 6: WOOD AND PLASTIC

ROUGH CARPENTRY

6.1 ALL FRAMING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF "NATIONAL DESIGN SPECIFICATION FOR STRESS GRADE LUMBER AND ITS FASTENINGS" AS PUBLISHED BY THE NATIONAL LUMBER MANUFACTURERS ASSOCIATION.	
6.2 WOOD PLATES AND BILLS IN CONTACT WITH CONCRETE FOUNDATIONS OR WITHIN 12" OF GRADE SHALL BE PRESURE TREATED.	
6.3 NEW FRAMING LUMBER SHALL BE DOUGLAS FIR LARCH #2 OR BETTER. MIN. SINGLE P=900 PSI REPEITIVE P=1000 PSI FV#495 AND E=1,200,000 PSI. ALL LUMBER SHALL BEAR VISIBLE GRADE STAMPING, AND HAVE A MOISTURE CONTENT OF 18% OR LESS.	
6.4 DESIGN LOADS:	
DEAD AND LIVE LOAD	DEAD LOAD
15#	40#
ATTIC FLOOR	55#
ROOF	15#
	30#
	45#

STRESS GRADE OF LUMBER:

USE	TYPE OF LUMBER
JOIST	DOUGLAS FIR LARCH #2 OR BETTER
HEADER	DOUGLAS FIR LARCH #2 OR BETTER
ORDER	DOUGLAS FIR LARCH #2 OR BETTER
STUDS	DOUGLAS FIR LARCH #2 OR BETTER

- 6.5 ALL BEAMS AND JOISTS SHALL BE PLACED WITH THEIR NATURAL CROWN UP.
- 6.6 PROVIDE LEDGER, BLOCKING, NAILERS AND ROUGH FRAMING HARDWARE AS REQUIRED. FRAMING HANGERS, HARDWARE, ETC., SHALL BE SIMPSON OR APPROVED EQUAL. SPECIAL NAILS AS SUPPLIED OR RECOMMENDED BY THE MANUFACTURER SHALL BE USED FOR REQUIRED NAILING.
- 6.7 NEW BEAMS AND HEADERS SHALL BE OF SIZES AND SPECIFICATIONS AS INDICATED ON PLANS AND DETAILS.
- 6.8 PROVIDE POSTS UNDER ALL HEADERS AS INDICATED ON PLANS.
- 6.9 PLYWOOD USED FOR WALL AND ROOF SHEATHING SHALL BE APA RATED 24R, EXTERIOR GRADE, UON. USE 1/2" FOR WALL SHEATHING AND 5/8" FOR ROOF SHEATHING. UON. LEAVE 1/16" SPACE AT PANEL JOINTS AND 1/8" SPACE AT END JOINTS. PLACE FACE GRAIN IN DIRECTION OF SPAN (TRANSVERSE TO JOIST SPAN).
- 6.10 BLOCKING REQUIRED FOR INSTALLATION OF SHEETROCK AND SHEATHING HAS BEEN OMITTED ON SECTION AND DETAIL DRAWINGS FOR CLARITY OF FRAMING SYSTEMS.

FINISH CARPENTRY

- 6.11 LUMBER IN CONTACT WITH MASONRY OR CONCRETE TO BE VOLCANIZED PRESURE TREATED AS PER CURRENT AWDA STANDARDS TT-W026-550911. DOUBLE JOIST UNDER ALL PARALLEL PARTITIONS AND UNDER ALL SKYLIGHTS. CROSS BRIDGING TYPICAL ALL FLOOR CONSTRUCTION. FIRESTOPS AT ALL SPOFFIT AND CEILING DROPS.
- 6.12 HIGH WIND CONNECTIONS SHALL BE PROVIDED TO COMPLY WITH NYS RESIDENTIAL CODE.
- UPLIFT CONNECTION-ROOF RAFTER OR TRUSS TO WALL MIN. 1.25" X 33-MIL (32MM X 0.84MM) STEEL UPLIFT STRAP CONNECTING THE RAFTER OR TRUSS TO THE NAILING STUD BELOW SHALL BE PERMITTED. EA. END OF UPLIFT STRAP SHALL BE FASTENED WITH MINIMUM NO. 8 SCREWS AS REQUIRED BY TABLE R603.3.2.1(2).
- UPLIFT CONNECTION-WALL ASSEMBLY TO WALL ASSEMBLY MIN. 1.25" X 33-MIL (32MM X 0.84MM) STEEL UPLIFT STRAP SHALL BE PERMITTED W/ MINIMUM NO. 8 SCREWS ATTACHED TO EA. STUD AS REQUIRED BY TABLE R603.3.2.1(2).
- UPLIFT CONNECTION-FLOOR ASSEMBLY TO FLOOR ASSEMBLY OR FOUNDATION-CONTINUOUS MIN. 1.25" X 33-MIL (32MM X 0.84MM) STEEL UPLIFT STRAP PLACED UNDER THE WOOD SILL AND ATTACHED TO BOTH FLANGES OF THE EXT. STUD. THE UPLIFT STRAP SHALL BE FASTENED TO EACH FLANGE WITH MIN. NO. 8 SCREWS AS REQUIRED BY TABLE R603.3.2.1(2).
- 6.13 ALL CONNECTORS TO BE USED FOR PRESSURE TREATED LUMBER TO BE APPROVED FOR USE WITH ACO PRESURE TREATED LUMBER.
- 6.14 CATEGORY C BRACED WALL PANEL CONSTRUCTION. NOMINAL 1" X 4" CONTINUOUS DIAGONAL BRACES LET IN TO THE TOP AND BOTTOM PLATES AND THE INTERVENING STUDS OR APPROVED METAL STRAP DEVICES INSTALLED IN ACCORDANCE WITH THE MANUFACTURERS SPECIFICATIONS. THE LET IN BRACING SHALL BE PLACED AT AN ANGLE NOT MORE THAN 80 DEGREES OR LESS THAN 45 DEGREES FROM HORIZONTAL.

AMOUNT OF BRACING LOCATED AT EACH END AND AT LEAST EVERY 25' ON CENTER.

- 6.15 PROVIDE SAMPLES OF INTERIOR WINDOW TRIM APRONS, MOLDINGS AND DOOR CASINGS FOR APPROVAL BY OWNERS.
- 6.16 ALL EXTERIOR WOOD TRIM, EXTERIOR RAILINGS, EXPOSED FRAMING AND BOXED-OUT UNITS SHALL BE PAINTED CEDAR.
- 6.17 INSTALL STANDING AND RUNNING WOOD TRIM WITH MINIMUM NUMBER OF JOINTS POSSIBLE. JUTE AT CORNERS TO PRODUCE TIGHT FITTING JOINTS.
- 6.18 INSTALL FINISH CARPENTRY WORK PLUMB, LEVEL, TRUE AND STRAIGHT WITH NO DISTORTIONS. 3/16" AS REQUIRED USING CONCEALED SHIMS. USE BLIND NAILING WHERE POSSIBLE.
- 6.19 SCRIBE FINISH CARPENTRY ITEMS TO FIT ADJOINING WORK.
- 6.20 NEW WOOD FLOORING SHALL BE INSTALLED AND FINISHED IN ACCORDANCE WITH MILL SPECIFICATIONS.
- 6.21 UNLESS OTHERWISE NOTED, EACH CLOSET SHALL HAVE ONE (1) CHROME PLATED BRASS POLE, TWO MELAMINE 1/4" SHELVES, ONE FIXED AND ONE ADJUSTABLE. LINEN CLOSET SHALL HAVE SIX (6) ADJUSTABLE SHELVES. FULL DEPTH OF CLOSET. CLOSET OVER 8'-0" WIDE SHALL HAVE A 12" X 1" MELAMINE BULKHEAD AT CENTER. MELAMINE SHELVES AND BULKHEAD SHALL HAVE MELAMINE EDGE ON EXPOSED EDGE.
- 6.22 INTERIOR TRIM TO MATCH EXISTING WOOD TYPE & SPECIES

DIVISION 7: THERMAL AND MOISTURE PROTECTION

- 7.1 AS DESIGNED, NEW CONSTRUCTION MEETS OR EXCEEDS THE REQUIREMENTS OF THE NEW YORK STATE CONSERVATION CONSTRUCTION CODE ENTITLED "BUILDING DESIGN BY THERMAL RATING METHOD". ALL BUILDING SYSTEMS INCLUDING INSULATION, VAPOR BARRIER AND HVAC EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH PART 8 OF THE REQUIREMENTS.

INSULATION VALUES (PART 8: 6,000 DEGREE DAYS):

ENVELOPE COMPONENT	REQUIRED R19
ROOF/CEILING	R38
FLOOR	R30
FOUNDATION WALL	R10
SLAB EDGE INSULATION	R10
GLAZING	R1.7
ENTRANCE DOORS	R2.5

- 7.2 ALL WINDOWS AND EXTERIOR DOORS TO BE WEATHER STRIPPED AND CAULKED WITH SILICONE IN A COLOR TO MATCH ADJACENT MATERIALS.
- 7.3 ALL FLASHING TO BE NONFERROUS METAL UNLESS OTHERWISE NOTED. ALL ROOF AND ROOF TO WALL JOINTS SHALL BE CONTINUOUSLY FLASHED, PROVIDE EXPANSION JOINTS AS REQUIRED FOR ALL METAL FLASHING.
- 7.4 PITCHED ROOFS AS SHOWN ON PLANS.
- 7.5 INSTALL FULL FIBERGLASS INSULATION IN THE WALL CAVITY, AND A 6 MIL POLY VAPOR BARRIER AT THE ROOM SIDE OF ALL EXTERIOR WALLS AND CEILINGS.
- 7.6 CAULK ALL DOORS, WINDOWS AND PENETRATIONS THROUGH THE EXTERIOR WALLS AND ROOF.
- 7.7 PROVIDE SOUND INSULATION IN ALL BATHROOM & POWDER ROOM INTERIOR PARTITIONS AND INTERIOR PARTITIONS WHERE SHOWN IN THE DRAWINGS. USE "QUIETZONE" ACOUSTIC BATTIS BY OWENS CORNING, OR ACCEPTED ALTERNATE.
- 7.8 FIRE STOP ALL PENETRATIONS IN VERTICAL STUDS, JOISTS AND BRIDGING FOR ALL INTERIOR & EXTERIOR WALLS & CEILINGS.

DIVISION 2: SITE CONSTRUCTION AND DEMOLITION (CONT.)

- 2.13 LOTS TO BE GRADED IN A MANNER TO DIVERT DRAINAGE WATER AWAY FROM BUILDING. MINIMUM FALL OF 6" WITHIN 10'-0" AWAY FROM FOUNDATION. DRAINAGE TO SWALES OR DRAINS PERMITTED WHERE REQUIRED SLOPE NOT POSSIBLE DUE TO LOT LINES, WALLS OR OTHER PHYSICAL BARRIERS.

DIVISION 3: CONCRETE

- 3.1 ALL CONCRETE WORK SHALL COMPLY WITH APPLICABLE PROVISIONS OF THE ACI.
- 3.2 ALL CONCRETE FOR NEW FOOTINGS SHALL BE PERFORMED USING HIGH EARLY STRENGTH PORTLAND CEMENT, BE PROPERLY CURED AND HAVE A MINIMUM DESIGN STRENGTH OF 3600 PSI AT 28 DAYS. ALL CONCRETE BLOCK PIERS, WALLS, ETC. UNDER BEAMS AND COLUMNS TO BE FILLED WITH CONCRETE. TOP AND BOTTOM COURSES OF BLOCK FOUNDATION WALLS TO BE FILLED SOLID.
- 3.3 CONCRETE FOOTINGS SHALL BE POURED ON UNDISTURBED SOIL WITH A MINIMUM BEARING CAPACITY OF 2,000 PSF. FOOTING DEPTH SHALL BE AT LEAST 2'-0" BELOW FINISHED GRADE.
- 3.4 PROTECT CONCRETE FROM PHYSICAL DAMAGE OR REDUCED STRENGTH DUE TO WEATHER EXTREMES DURING MIXING, PLACEMENT AND CURING.
- 3.5 PROVIDE MINIMUM 2" COVERAGE AT ANCHOR BOLTS, 1-1/2" AT REINFORCING BARS AND 3/4" AT POLYETHYLENE TUBES IF UTILIZED AS PART OF RADIANT FLOOR HEATING ASSEMBLY.
- 3.6 REINFORCING BARS SHALL BE ASTM A615, GRADE 60 NEW BILLET STEEL 2 CONT. @ ALL FOOTINGS - VERTICALLY @ 18" OC @ FNOTH WALL.
- MINIMUM 4,000 PSI CONCRETE COMPRESSIVE STRENGTH TO BE USED FOR HORIZONTAL SURFACES EXPOSED TO THE WEATHER INCLUDING PORCHES, STEPS, WALKS, AND GARAGE FLOOR SLABS FOR COMPLIANCE WITH TABLE R402.2 OF THE NYS RESIDENTIAL CODE FOR BEVERE WEATHERING EXPOSURE.

DIVISION 4: MASONRY

- 4.1 INSTALL STONE BY CONVENTIONAL METHODS. PAVERS TO BE THERMAL FINISH PA. BLUESTONE APPROX. 2'X16'X1 1/2". ALL EDGES & TREADS TO BE 2" THICK MATERIAL.
- 4.2 QUALITY ASSURANCE.
 - A - STANDARDS: AC1080 - SPECIFICATIONS FOR MASONRY STRUCTURES, AC1080 - BUILDING CODE REQUIREMENTS FOR MASONRY STRUCTURES.
 - 4.3 SUBMIT SAMPLES FOR APPROVAL.
 - 4.4 COMPLY WITH GOVERNING CODES AND REGULATIONS.
 - 4.5 MATERIALS: BRICK TO MATCH EXISTING - STANDARD MODULAR, 2 1/4" X 3 1/2" X 7 1/2".
 - ASTM C 216, SEVERE WEATHER GRADE, TYPE FBS.
 - MORTAR - ASTM C 27, PORTLAND CEMENT-LIME MORTAR TYPE S.
 - CEMENT - PORTLAND CEMENT, ASTM C 150, TYPE 1.
 - AGGREGATE - ASTM C 144.
 - GROUT AGGREGATE - ASTM C 404.
 - HYDRATED LIME - ASTM C 207, TYPE S.

4.5 CONSTRUCTION GENERAL

- A. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PROVISIONS OF THE APPLICABLE CODE FOR REINFORCED CONCRETE MASONRY UNIT MASONRY.
- B. THE CONTRACTOR SHALL SET OR EMBED IN HIS WORK ALL ANCHORS, BOLTS, REGULETS, SLEEVES, CONDUITS, AND OTHER ITEMS AS REQUIRED.
- C. ALL BLOCK CUTTING SHALL BE BY MACHINE.
- D. MASONRY UNITS SHALL BE SUPPORTED OFF THE GROUND AND SHALL BE COVERED TO PROTECT THEM FROM RAIN, ONLY CLEAN, DRY, UNFRACTURED UNITS SHALL BE INCORPORATED INTO THE WORK.
- E. ALL REINFORCING STEEL SHALL BE CLEANED OF ALL LOOSE RUST AND SCALE AND ALL OIL, DIRT, PAINT, LANTANCE AND OTHER SUBSTANCES WHICH MAY BE DETRIMENTAL TO OR REDUCE BONDING OF THE STEEL & CONCRETE.
- F. IMMEDIATELY BEFORE STARTING WORK, THE CONCRETE UPON WHICH THE MASONRY WILL BE LAID SHALL BE CLEANED WITH WATER UNDER PRESSURE.
- G. A FULL MORTAR JOINT FOR FIRST COURSE SHALL BE PROVIDED. IL UNIT SHALL BE SHOWN TIGHTLY AGAINST ADJACENT UNITS TO ASSURE A GOOD MORTAR BOND.
- H. ERECTION OF CONCRETE BLOCK MASONRY.
 - A. MASONRY WORK SHALL BE ERECTED IN PLACE, PLUMB, LEVEL, STRAIGHT, AND TRUE TO DIMENSIONS SHOWN AND EXECUTED IN ACCORDANCE WITH ACCEPTABLE PRACTICES OF THE TRADE.
 - B. CONCRETE MASONRY UNITS SHALL BE LAID WITH FULL FACE SHELL MORTAR BEDS. VERTICAL HEAD JOINTS SHALL BE SOLIDLY FILLED WITH MORTAR FROM FACE OF UNIT TO A DISTANCE BEHIND THE FACE EQUAL TO NOT LESS THAN THE THICKNESS OF LONGITUDINAL FACE SHELLS. CROSS WEBS OF STARTING COURSE COURSES SHALL BE SOLIDLY BEDDED IN MORTAR.
 - C. UNLESS NOTED OR SHOWN OTHERWISE, MASONRY SHALL BE LAID UP IN STRAIGHT UP/DOWN COURSES WITH RUNNING BONDS.
 - D. ALL MASONRY SHALL BE ERECTED TO PRESERVE THE UNOBTURCTED VERTICAL CONTINUITY OF THE CELLS MEASURING NOT LESS THAN 3 INCHES IN 24 IN CROSS SECTION WALLS AND CROSS WEBS SHALL BE FULLY BEDDED IN MORTAR. ALL HEAD AND END JOINTS SHALL BE SOLIDLY FILLED WITH MORTAR FOR A DISTANCE IN FROM THE FACE OF THE WALL OR UNIT NOT LESS THAN THE THICKNESS OF THE LONGITUDINAL FACE SHELLS.

DIVISION 5: METALS (STRUCTURAL STEEL)

- 5.1 PROVIDE GUTTERS & DOWNSPOUTS AS REQUIRED, (SEE ELEVATIONS)
- 5.2 STRUCTURAL STEEL SHAPES SHALL COMPLY WITH ASTM A36. ERECTION OF STEEL SHALL COMPLY WITH AISC SPECIFICATIONS. PROVIDE TEMPORARY SHORING AS REQUIRED TO COMPLETE THE WORK.
- 5.3 ALL METAL FASTENERS AND ANCHORS, BOTH NEW AND EXISTING, ARE OR SHALL BE HOT DIPPED GALVANIZED EXCEPT AT INTERIOR SPACES. GRADE OF STEEL SHALL BE ASTM A36, UON.

(SEE DIVISION 7 FOR STEEL STRAPS & CONNECTORS)

SPECIFICATIONS

DIVISION 1: GENERAL REQUIREMENTS

- 1.1 ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE RESIDENTIAL CODE OF NEW YORK STATE, AND ALL CODES AND AUTHORITIES HAVING JURISDICTION. WORK SHALL BE DONE TO THE HIGHEST INDUSTRY STANDARDS.
- 1.2 THE CONTRACTOR SHALL VERIFY ALL EXISTING FRAMING, DIMENSIONS AND CONDITIONS BEFORE HIS WORK BEGINS. ANY DISCREPANCIES IN DIMENSIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT IN WRITING BEFORE WORK IS TO PROCEED. THE CONTRACTOR WILL BE HELD TO HAVE EXAMINED THE SITE OF THE JOB, THE DRAWINGS AND THE GENERAL NOTES BEFORE SIGNING THE AGREEMENT WITH THE OWNER AND BE SATISFIED AS TO THE CONDITIONS HE WILL BE OBLIGED TO OPERATE IN PERFORMING ALL WORK UNDER THIS CONTRACT.
- 1.3 UNLESS OTHERWISE NOTED, ALL MATERIALS AND EQUIPMENT SPECIFIED IN THESE DRAWINGS SHALL BE NEW AND FREE FROM DEFECTS. PROVIDE SAMPLES OF ALL FINISHED TRIM AND CUTS OF ALL EQUIPMENT FOR OWNERS APPROVAL. WHERE APPLICABLE, SUPPLY OWNER WITH MANUFACTURER'S WARRANTIES.
- 1.4 CONTRACTOR SHALL BE RESPONSIBLE FOR THE STORAGE OF ALL MATERIALS EITHER WITHIN THE PREMISES, IN DESIGNATED ON-SITE LOCATIONS OR OFF-SITE.
- 1.5 CONTRACTOR SHALL COORDINATE THE WORK OF ALL SUBCONTRACTORS; INSURE FIT AND CLEARANCE AS REQUIRED.
- 1.6 CONTRACTOR SHALL COORDINATE ALL INSPECTIONS REQUIRED BY THE BUILDING OFFICIAL.
- 1.7 THE CONTRACTOR SHALL SECURE ALL PERMITS, TESTS AND CERTIFICATES REQUIRED BY THE LOCAL BUILDING DEPARTMENT.
- 1.8 THE CONTRACTOR SHALL SUPPLY THE OWNER WITH THE CERTIFICATES OF INSURANCE FOR WORKMANS COMPENSATION, LIABILITY, INSURANCE FOR BODILY INJURY, PROPERTY DAMAGE, AUTOMOBILE LIABILITY AND ANY OTHER INSURANCE REQUIRED BY STATE AND THE LOCAL MUNICIPALITY PRIOR TO START OF WORK.
- 1.9 NO RESPONSIBILITY HAS BEEN ASSUMED BY THE ARCHITECT FOR INFORMATION SUPPLIED BY OTHERS AND BELIEVED BY THE ARCHITECT TO BE RELIABLE, OR LATENT DEFECTS IN THE EXISTING STRUCTURE WHICH WERE CONCEALED OR IMPOSSIBLE TO DETECT WITHOUT PROBING OR TESTING.
- 1.10 DIMENSIONS OF WORK SHALL NOT BE DETERMINED BY SCALE OR RULE; FIGURED DIMENSIONS SHALL BE FOLLOWED AT ALL TIMES. DIMENSIONS TO PARTITIONS ARE TO FACE OF STUD. DIMENSIONS TO EXTERIOR WALLS ARE TO FACE OF MASONRY OR FACE OF STUD. IN ANY CASE OF CONFLICT BETWEEN THESE NOTES AND THE DRAWINGS, THE MOST STRINGENT REQUIREMENTS WILL GOVERN UNLESS SPECIFICALLY DIRECTED OTHERWISE BY THE ARCHITECT. THE DIMENSIONS SHOWN ON DRAWINGS ARE BASED ON EXISTING FIELD CONDITIONS OF EXISTING STRUCTURE. FINAL CONSTRUCTION DIMENSIONS MAY VARY BY SEVERAL INCHES FROM DIMENSIONS SHOWN ON CONSTRUCTION DOCUMENTS. LARGER SCALE DETAILS TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. REPETITIVE FEATURES NOT COMPLETELY DESCRIBED AND/OR DETAILED SHALL BE CONSTRUCTED IN ACCORDANCE WITH CORRESPONDING FEATURES THAT ARE DESCRIBED AND/OR DETAILED.
- 1.11 ALL SPECIFIED ITEMS SHALL BE INSTALLED IN CONFORMANCE TO MANUFACTURER'S RECOMMENDATIONS AND SPECIFICATIONS.
- 1.12 ALL ITEMS INDICATED TO BE REMOVED SHALL BE THE PROPERTY OF THE OWNER AND SHALL BE STORED OR DISPOSED OF AS DIRECTED BY THE OWNER.
- 1.13 ALL CHANGE ORDERS SHALL BE SUBMITTED, IN WRITING, FOR THE OWNER'S APPROVAL PRIOR TO STARTING WORK.
- 1.14 DOORS SHALL NOT BE LESS THAN 6'-6" IN HEIGHT, EXCEPT WHERE INDICATED.

DIVISION 3: SITE CONSTRUCTION AND DEMOLITION

- 2.1 ALL DEMOLITION SHALL BE PERFORMED IN A MANNER THAT WILL NOT NECESSARILY DISTURB THE ADJACENT AREAS.
- 2.2 ALL MATERIALS FROM THE DEMOLITION PHASE SHALL BE REMOVED FROM THE SITE AS SOON AS DEMOLITION IS COMPLETED.
- 2.3 PROTECT ALL EXISTING STRUCTURES, FINISHES, UTILITIES, EQUIPMENT, APPLIANCES, ETC., AT THE SITE. MAINTAIN THE STRUCTURAL INTEGRITY OF ALL PARTS OF STRUCTURE DURING THE WORK. DO NOT CUT, WEAKEN OR OVERLOAD ANY STRUCTURAL MEMBER WITHOUT PROPER SHORING AND BRACING. THE CONTRACTOR SHALL ERECT AND MAINTAIN ALL SHORING NECESSARY TO PROTECT THE BUILDING AND ITS OCCUPANTS AND BE RESPONSIBLE FOR THE WORK SITE DURING THE CONSTRUCTION UNTIL FINAL APPROVAL AND CERTIFICATES OF COMPLIANCE OR OCCUPANCY ARE ISSUED BY THE LOCAL BUILDING DEPARTMENT. THE CONTRACTOR SHALL PROVIDE ALL TEMPORARY PROTECTION REQUIRED TO KEEP THE BUILDING WEATHER-TIGHT AT ALL TIMES. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR CONSTRUCTION SITE SAFETY AND CONSTRUCTION METHODS AND TECHNIQUES. ALL FINISHES SHALL MATCH EXISTING FINISHES UNLESS OTHERWISE NOTED.
- 2.5 ALL CUTTING AND PATCHING THROUGH THE ROOF AND EXTERIOR WALLS SHALL BE PROTECTED WITH PLASTIC SHEETS SECURELY FASTENED TO THE STRUCTURE.
- 2.6 POLYETHYLENE SHEETING SHALL BE USED AT WALL AND CEILING OPENINGS TO PROTECT ADJACENT AREAS FROM THE SPREAD OF DUST AND CONSTRUCTION DEBRIS, AND TO PROVIDE THE OWNER WITH A SAFE AND HEALTHY LIVING ENVIRONMENT DURING ALL PHASES OF WORK.
- 2.7 IF ASBESTOS IS FOUND, ALL WORK IS TO STOP AND THE ARCHITECT IS TO BE NOTIFIED IN WRITING. ALL ASBESTOS REMOVAL SHALL BE PERFORMED BY AN APPROVED LICENSED COMPANY.
- 2.8 IF OTHER CONTAMINANTS ARE FOUND (IE LEAD, RADON, OR POLLUTION, OR OTHER) ALL WORK IS TO STOP AND THE ARCHITECT IS TO BE NOTIFIED IN WRITING. CORRECTIVE MEASURES TO BE TAKEN BY AN APPROVED LICENSED COMPANY.
- 2.9 ALL FOUNDATIONS ARE TO BEAR ON UNDISTURBED SOIL HAVING A MINIMUM ALLOWABLE BEARING PRESSURE OF 1 TONS PER SQUARE FOOT. BOTTOMS OF FOOTINGS ARE TO BE CARVED DOWN A MINIMUM OF 3'-4" BELOW FINISHED GRADE OR DOWN TO LEDGE ROCK, WITH THE FOOTINGS BEING PROPERLY SHORED AND PINNED TO SOLID ROCK. ALSO, EXCAVATE FOR TRENCH WALLS, DRAINS, SEWERS, PIPES, ELECTRICAL, AND SUCH WORK AS MAY BE NECESSARY. CONTRACTOR SHALL CONSULT WITH REPRESENTATIVES OF APPLICABLE UTILITIES, INCLUDING GAS, WATER, POWER, SEWER, TELEPHONE AND CABLE TV, TO DETERMINE LOCATION PRIOR TO COMMENCING WORK.
- 2.10 LEADERS AND FOOTING DRAINS SHALL RUN TO ADEQUATELY SIZED DRYWELLS, A MINIMUM OF 15'-0" FROM BUILDING, NOT MORE THAN 3 LEADERS PER DRYWELL. 2.11 THE BUILDING CONTRACTOR SHALL RESTORE THE SITE TO ITS ROUGH GRADE CONDITION AT COMPLETION OF WORK (SEEDING IF REQUIRED). THE CONTRACTOR SHALL REMOVE ALL DEBRIS, RUBBISH AND EXCAVATED EARTH (NOT BEANS RE-USED) FROM THE BUILDING SITE. ALL GRADING SHALL BE ACCOMPLISHED IN ACCORDANCE WITH CHAPTER 10 OF THE UNIFORM BUILDING CODE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FINAL CLEANING, AND LEAVING IT IN BROOM-CLEAN CONDITION.

RESIDENTIAL RENOVATION

HEISS RESIDENCE
408 RUSHMORE AVENUE
MAMARONECK, NY

YESTADT
ARCHITECTURE + DESIGN
17 NORTH CHATSWORTH AVENUE
LARCHMONT, NY 10538
T 914 834 1941
F 914 834 1836

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA							
VILLAGE OF MAMARONECK							
WIND SPEED (MPH)	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP	ICE SHEILD UNDERLAYMENT REQUIRED
		WEATHERING	FROST LINE DEPTH	TERMITE	DECAY		
100 TO 110	C	SEVERE	42"	MODERATE TO HEAVY	SUGHT TO MODERATE	7°	YES

FOR SI - 1 POUND PER SQUARE FOOT = 0.0473 kN / m², MINIMUM 3,600 PSI CONCRETE COMPRESSIVE STRENGTH TO BE USED FOR HORIZONTAL SURFACES EXPOSED TO THE WEATHER INCLUDING PORCHES, STEPS, WALKS, AND GARAGE FLOOR SLABS FOR COMPLIANCE WITH TABLE R402.2 OF THE NYS RESIDENTIAL CODE FOR BEVERE WEATHERING EXPOSURE.
1 MILE PER HOUR = 1.609 km / h

NO.	DATE	REVISION
SPECIFICATIONS & SCHEDULES		
JOB NO.	1639	DRAWING NO.
DATE	8.2.17	AS NOTED
DRAWN BY	AUC	

A-4

Village of Mamaroneck, NY

Item Title: 15A 2017 Nic & Sasha Barnes 1005 The Parkway

Item Summary: **Application 15A-2017, Nic & Sasha Barnes, 1005 The Parkway** (Section 4, Block 72, Lot 1) for a variance to construct a two car garage with a deck above. The proposed construction is in violation of 342-27 Schedule of Minimum Requirements where the maximum FAR permitted is 0.3561 and the Applicant proposes 0.3671. (R-10 District)

Fiscal Impact:

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
09 13 2017 15A 2017 Barnes App	9/28/2017	Backup Material
09 13 2017 15A 2017 Barnes SURVEY	9/28/2017	Backup Material
10 11 2016 BARNES A 1	9/28/2017	Backup Material
10 11 2016 BARNES A 2	9/28/2017	Backup Material
10 11 2016 BARNES A 3	9/28/2017	Backup Material



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543
914-777-7731

7/11/2017

NOTICE OF DISAPPROVAL

APPLICATION NO.: 15A-2017

DISTRICT: R-10

TO: BARNES, NIC AND SASHA
1005 THE PARKWAY
MAMARONECK, NY 10543

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7/10/2017

FOR PERMIT TO: to construct a two car garage with a deck above.

ON PREMISES LOCATED AT: 1005 THE PARKWAY

SBL: 4-72-1

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

The proposed application is in violation of 342-27 Schedule of Minimum Requirements where the the maximum FAR permitted is 0.3561 and the Applicant proposes 0.3671.

PLEASE TAKE FURTHER NOTICE THAT YOU, THE APPLICANT, MUST NOTIFY ALL PROPERTY OWNERS LOCATED WITHIN A RADIUS OF 400 FEET OF THE SUBJECT PREMISES OF YOUR APPLICATION AND OF THE PROPOSED HEARING.



Building Inspector

HEARING WILL BE HELD ON OCTOBER 5, 2017 AT 7:30PM IN THE MUNICIPAL BUILDING FIRST FLOOR BOARD ROOM AT 169 MT. PLEASANT AVENUE, MAMARONECK, NEW YORK. A RECIEPIENT OF A COPY OF THIS NOTIFICATION IS A PROPERTY OWNER OF RECORD WITHIN A RADIUS OF 400 FT. INTERESTED PARTIES MAY REVIEW PLANS ON ANY APPLICATION IN THE BUILDING INSPECTORS OFFICE AT VILLAGE HALL.

COPY

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

- [] 16 Copies
[] Completed Application
[] COs or Letter
[] Violations, if any
[] Photographs
[] Survey
[] Certified Drawings
[] Consent
[] Certification/Affidavit
[] EAF
[] Copy of Determination being appealed
[] Riders if Application is Corp./Business Entity
For Office Use Only

Application No.: 15A-2017
Agenda No.: October 5, 2017
SP _____
AV 100 FAR
UV _____
F _____
S _____
Interpretation _____

VILLAGE OF MAMARONECK
ZONING BOARD OF APPEALS
APPLICATION

Date JULY 10, 2017

TO: ZONING BOARD OF APPEALS - VILLAGE OF MAMARONECK
123 Mamaroneck Avenue
Mamaroneck, New York 10543

I (We) NIC & SASHA BARNES
(Name of Applicant)

of 1005 THE PARKWAY, MAMARONECK, NY Zip 10543
(Insert Complete Mailing Address)

Daytime Phone No. (914) 670-7229 Daytime Fax No. _____

Apply to the Board of Appeals regarding property located at _____

1005 THE PARKWAY, MAMARONECK, NY 10543
(Insert Location of Premises)

Bearing Village of Mamaroneck Tax Map Number: 4 / 72 / 1
(Section) (Block) (Lot)

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective 2007)

1. This is an Application for the following: (check one [1] or more as applicable)

☒ Area Variance – This is to use land in a manner not allowed because of dimensional or topographical requirements in the Zoning Code.

☐ Use Variance – This is to allow land to be used in a manner or for a purpose which is prohibited or not allowed by the Zoning code.

☐ Special permit

☐ Sign Variance

☐ Fence Variance

☐ Appeal or Interpretation (Specify Code Section _____)

☐ Other: Specify _____

2. The Date and Description of the determination that is being appealed (a copy of the determination must be attached)

7/10/2017 (SEE ATTACHED)

3. What is the present zoning of the property? R-10

4. This Application must be made in the name of the person or entity that has a possessory interest in the property such as a tenant, purchaser or owner. If you are the owner, on what date did you acquire title? FEB. 2015; If you are not the owner, list the name and address of the owner and describe your relationship to the property and the date said relationship commenced: _____

IF you have acquired title to the property within the past two years, provide the name of the prior owner: _____

NOTE:

If the Applicant or Property Owner is a:

Corporation: attach a separate Rider listing all the corporation's officers, shareholders, and their percentage of share ownership.

Partnership: attach a separate Rider listing the type of partnership and identify the partners and their partnership interests.

LLC: attach a separate Rider listing the LLCs members.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective 2007)

5. If someone else is authorized to act as your representative or to appeal with you on your behalf before the Board, his or her name, address and telephone number must be provided:

Name: GIOVANNI ORSINI - MICHAEL RINO ARCHITECTS

Address: 434 MAMARONECK AVENUE #106 MAM'K NY 10543

Telephone: (914) 698-6461

6. Has a prior variance, special permit, or interpretation Application ever been submitted for this property?

☐ Yes

☒ No

If YES, you must attach copies of the prior variance or resolution and describe them: _____

7. List all permits you must obtain in order to complete the subject project of this Application (include all permits or approvals necessary from any federal, state, county, or local agency or department): _____

- ZBA APPROVAL

- ARCHITECTURAL REVIEW BOARD APP.

- BUILDING PERMIT

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

8. Is the property subject to any covenants, easement, or other restrictions or encumbrances? If so, list and describe these. (You may be required to provide copies of these documents establishing same to the Board.) Please be advised that nothing herein or within board purview will alter or modify any existing contractual rights with respect to the subject property. _____

NO

9. Check here if there has been any illegal use or violations issued with respect to the property, regardless of whether it has been removed or adjudicated. []

If so, describe and provide the date(s) and details, including if the violation continues: _____

NO

10. The following are the provisions of the Village Code from which either a variance is sought or a permit is requested (you must itemize each variance you seek, since a variance cannot be obtained unless it is expressly requested and is the subject of public notice):

Article 342, Section 27, Subsection _____

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

NOTE:

IF THIS IS AN APPLICATION FOR A USE VARIANCE, COMPLETE QUESTION 11, ON PAGE 5.

IF THIS IS AN APPLICATION FOR AN AREA VARIANCE, COMPLETE QUESTION 12, ON PAGE 6.

IF THIS IS AN APPLICATION FOR ALL OTHER APPLICATIONS, INCLUDING A SPECIAL PERMIT, COMPLETE QUESTION 13, ON PAGE 7.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

11. A use variance may only be granted if it is determined that zoning regulations and restrictions cause the property owner unnecessary hardship. New York law provides that: "In order to prove such unnecessary hardship, the property owner shall demonstrate to the Board of Appeals that (1) under the applicable zoning regulations, the owner is deprived of a reasonable return for each and every permitted use under the zoning regulations for the particular district where the property is located. This deprivation must be established by competent financial evidence; (2) the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood; (3) the requested use variance, if granted, will not alter the essential character of the neighborhood; and (4) the alleged hardship has not been self-created."

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider):

Handwritten notes and lines on the form:

- A diagonal line from the bottom left towards the center.
- A diagonal line from the top right towards the center.
- Handwritten initials "H/A" in the center.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

12. Under State law, the Board of Appeals must consider the following factors in making a decision on your request for an area variance: "(1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self created..."

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider):

SEE ATTACHED.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

13. If this Application is not for an area or use variance, provide information that supports your Application. You must refer to the appropriate sections of the Village Code and to other legal requirements necessary for the board to consider your Application.

(Note: If you are requesting an appeal or interpretation, be specific as to both the remedy sought and the Code section(s) relevant to your request and provide to the Board all legal authorities that support your position, by attaching to this Application.)

Handwritten signature: H. H. H.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

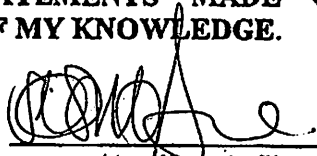
It is the my responsibility as the Applicant to complete this Application completely and carefully, and to provide sixteen (16) copies of this Application, together with all necessary papers, plans, surveys, documents or other required information.

Failure to submit the required documents and information will delay my Application or result in its denial, since the ZBA cannot review or grant relief to incomplete Applications.


It is my responsibility to comply with all related requirements in presenting this Application, and the ZBA reserves the right to request additional documentation and/or drawings, and to condition any requested relief upon the filing of covenants and restrictions.

Although employees of the Village may provide me with assistance, I understand it is my responsibility to be familiar and comply with all applicable laws and to submit all necessary papers, plans, surveys, documents or other required information. I understand that copies of the Village Code are available for my review at the Village Clerks office, and that I may be represented at the ZBA hearing.

I HEREBY CERTIFY THAT ALL STATEMENTS MADE ON THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE.


(Applicant's Signature)

Sworn to before me this 11th
day of July, 2007



DONALD GOLDSMITH
Notary Public, State of New York
No. 01G06021034
Qualified in Westchester County
Commission Expires Dec. 8, 2017

CERTIFICATION
(Required by New York State General Municipal Law)

NICOLA GAGNA BARNES states as follows:
(Applicant's name)

1. I am interested in this application for a variance or special use permit now pending before the Village of Mamaroneck Board of Appeals.
2. I reside at 1005 THE PARKWAY, MAMARONECK, NY 10543
3. The nature of my interest in the aforesaid application is as follows: OWNER
4. If the Applicant or owner is a corporation, list the corporation's officers:
President: _____ Vice President: _____
Secretary: _____ Treasurer: _____
5. Do any of the following individuals have an interest, as defined below, in the owner or Applicant:
 - a. Any New York State officers, or
 - b. Any officer or employee of the Village of Mamaroneck, Town of Rye, Town of Mamaroneck, or Westchester County.

[] Yes [☒] No

For the purpose of this disclosure, an officer or employee shall be deemed to have an interest in the owner or Applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:

- a. is the Applicant or owner, or
- b. is an officer, director, partner, or employee of the Applicant or owner, or
- c. legally or beneficially owns or controls stock of a corporate Applicant or owner, or
- d. is a party to an agreement with such an Applicant or owner, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered dependent or contingent upon the favorable approval of such application.

A PERSON WHO KNOWINGLY AND INTENTIONALLY FAILS TO MAKE SUCH DISCLOSURE SHALL BE GUILTY OF A MISDEMEANOR AS PROVIDED IN GENERAL MUNICIPAL LAW, SECTION 809

If "Yes," state the name and nature and extent of the interest of such individual:

_____ (Name)	_____ (Residence)
_____ (Extent of interest)	

Sworn to before me this 11th
day of July, 2007
Donald Goldsmith
Notary Public

(Signature)
(Applicant's signature)

DONALD GOLDSMITH
Notary Public, State of New York
No. 01GO6021034
Qualified in Westchester County
Commission Expires Dec. 6, 2017

Nic & Sasha Barnes
1005 The Parkway
Mamaroneck, NY 10543

Members of the Zoning Board of Appeals
Village of Mamaroneck, New York
169 Mount Pleasant Avenue
Mamaroneck, NY 10543

RE: Proposed Garage Addition & Deck to:
1005 The Parkway
Mamaroneck, NY 10543

Area Variance - Questions & Answers:

- 1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.**
 - The proposed addition would be located on the rear/right side of the existing two story dwelling and will be aesthetically appropriate with the style, volume, and character of the surrounding houses.
- 2. Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant pursue other than an area variance.**
 - The benefit is to gain a two car garage which the dwelling currently lacks. Due to the recent changes in F.A.R. this project now requires an area variance.
- 3. Whether the requested variance is substantial.**
 - The requested variance is minor. The proposed addition is 125.66 SF over the allowable permitted Floor Area. Based on the recent code revisions to the Floor Area Ratio, our lot suffered greatly in buildable area. Since the inception of the Mamaroneck Zoning Ordinance, a maximum of 5,124.60 SF could have been construction on our particular lot. Per today's code that number has dropped to 4,055.00 SF, which is a significant difference.
- 4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district**
 - The proposed addition will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.
- 5. Whether the alleged difficulty was self created.**
 - This project initiated three years ago but was never brought to fruition. If we had filed the project a year ago, a variance would have not been required.



617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information																		
Name of Action or Project: <div style="text-align: center; font-size: 1.2em;">BARNES RESIDENCE</div>																		
Project Location (describe, and attach a location map): <div style="text-align: center; font-size: 1.2em;">1005 THE PARKWAY, MAMARONECK, NY 10543</div>																		
Brief Description of Proposed Action: <div style="text-align: center; font-size: 1.2em;">PROPOSED GARAGE ADDITION AND DECK ABOVE.</div>																		
Name of Applicant or Sponsor: <div style="text-align: center; font-size: 1.2em;">GIOVANNI OPSINI</div>		Telephone: <div style="text-align: center; font-size: 1.2em;">914-698-6461</div> E-Mail: <div style="text-align: center; font-size: 1.2em;">MICHAEL@NOARCHES.COM</div>																
Address: <div style="text-align: center; font-size: 1.2em;">434 MAMARONECK AVENUE #106</div>																		
City/PO: <div style="text-align: center; font-size: 1.2em;">MAMARONECK</div>		State: <div style="text-align: center; font-size: 1.2em;">NY</div>	Zip Code: <div style="text-align: center; font-size: 1.2em;">10543</div>															
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 2px;">NO</td><td style="width: 50%; padding: 2px;">YES</td></tr><tr><td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td><td style="text-align: center; padding: 2px;"><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: <div style="text-align: center; font-size: 1.2em;">ZBA</div>			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 2px;">NO</td><td style="width: 50%; padding: 2px;">YES</td></tr><tr><td style="text-align: center; padding: 2px;"><input type="checkbox"/></td><td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td></tr></table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>											
NO	YES																	
<input type="checkbox"/>	<input checked="" type="checkbox"/>																	
3.a. Total acreage of the site of the proposed action?		<div style="text-align: center; font-size: 1.2em;">0.261</div> acres																
b. Total acreage to be physically disturbed?		<div style="text-align: center; font-size: 1.2em;">0.018</div> acres																
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<div style="text-align: center; font-size: 1.2em;">0.261</div> acres																
4. Check all land uses that occur on, adjoining and near the proposed action. <table style="width: 100%;"><tr><td><input type="checkbox"/> Urban</td><td><input type="checkbox"/> Rural (non-agriculture)</td><td><input type="checkbox"/> Industrial</td><td><input type="checkbox"/> Commercial</td><td><input checked="" type="checkbox"/> Residential (suburban)</td></tr><tr><td><input type="checkbox"/> Forest</td><td><input type="checkbox"/> Agriculture</td><td><input type="checkbox"/> Aquatic</td><td colspan="2"><input type="checkbox"/> Other (specify): _____</td></tr><tr><td><input type="checkbox"/> Parkland</td><td colspan="4"></td></tr></table>				<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)	<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____		<input type="checkbox"/> Parkland				
<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)														
<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____															
<input type="checkbox"/> Parkland																		

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
b. Consistent with the adopted comprehensive plan?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
16. Is the project site located in the 100 year flood plain?	NO	YES	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <u>DRY WELLS</u> <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	NO	YES	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>GIOVANNI ORSINI</u> Date: <u>7/10/2017</u> Signature: <u>[Signature]</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<div> <div>Name of Lead Agency</div> <div>Date</div> </div>	
<div> <div>Print or Type Name of Responsible Officer in Lead Agency</div> <div>Title of Responsible Officer</div> </div>	
<div> <div>Signature of Responsible Officer in Lead Agency</div> <div>Signature of Preparer (if different from Responsible Officer)</div> </div>	

PRINT

RESET

Liber/Page
2100/56
2204/241
2597/180
2944/329

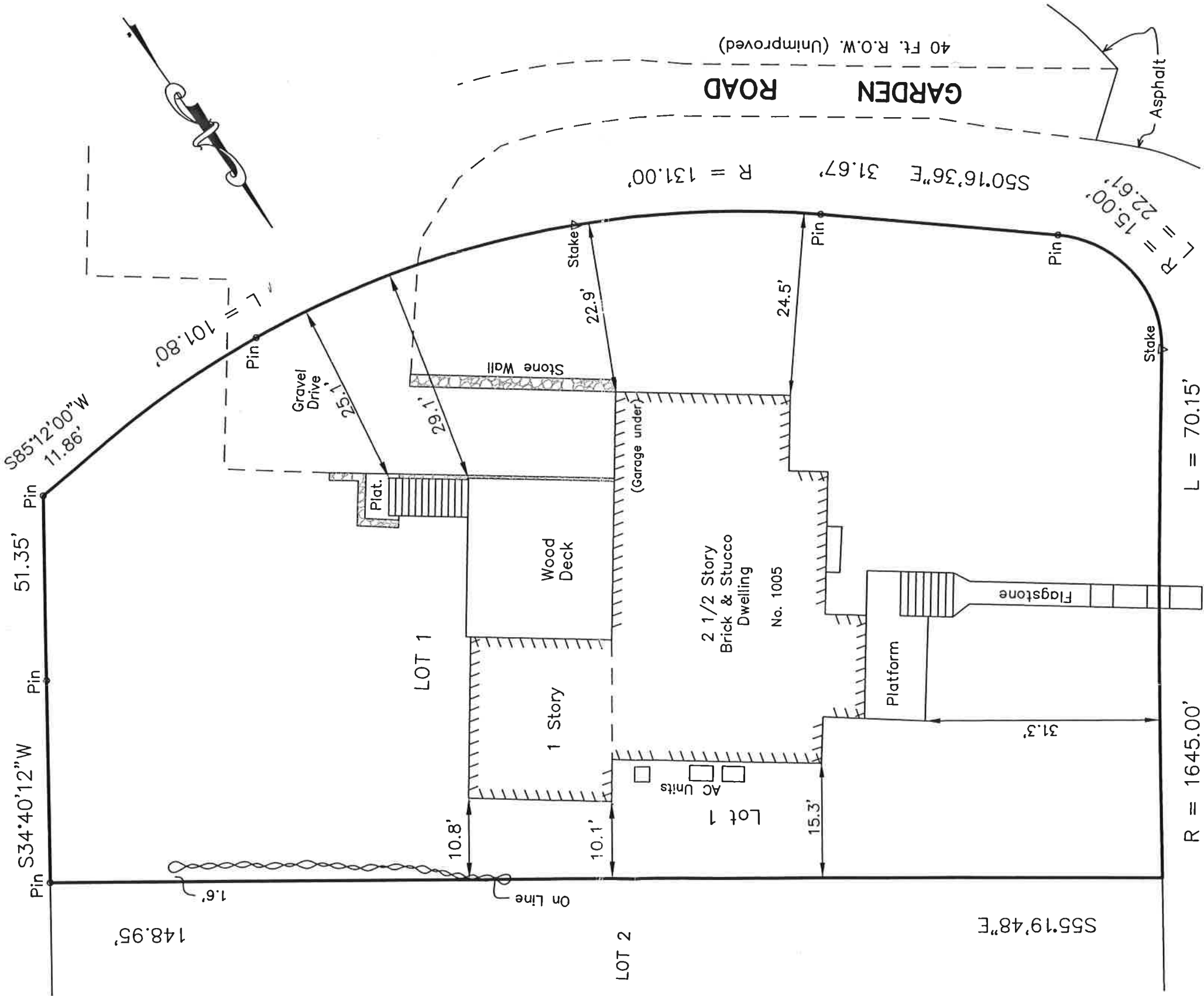
To Westchester Lighting Co. for utilities in road
Deed including Lot 1, Bl 514 includes restrictions
and covenants that expired on Jan. 1940
Deed to Oakhurst Club of Shore Acres (Shore Acres Club)
Sale of property from Julius S. Brodowski and Frances
Brodowski, Edward L. Green and Edna Green. Recites
easements and covenants from previous deeds
(above) same as Liber 2944/329
Same as Liber 2944/329
Gives the rights for the New York Inter-Urban to place
water lines in streets
Deed of streets to the Village of Mamaroneck
A deed from the developers to the property owners of the
"Shore Acre Beach Club" including Bl. 514, Lot 1

3295/213
2510/220

2624/416
4334/57

February 27, 2015 Added C & R's and certifications ONLY

LOT 27



THE PARKWAY



Richard A. Spinelli
Richard A. Spinelli
650 Halstead Avenue
Mamaroneck, N. Y. 10543
(914) 381-2357
N.Y.S. Lic. Land Surveyor
No. 49240

Survey of Lot 1, Block 514 as shown on,
"Plan of Lots called Shore Acres, situate in the
Village of Mamaroneck, Town of Rye, West. Co.
New York"
Filed on June 25, 1914 as Map No. 2064
Scale 1"=15'
August 6, 2004
June 13, 2007 (Locate Foundation)
September 29, 2009 (final)
April 18, 2017 (Updated)

GENERAL NOTES & SPECIFICATIONS

SCOPE OF WORK:

The Contractor is to verify all dimensions and conditions in the field.

All work to be done in accordance with the latest additions of the following codes:

- 2015 International Residential Code
- 2015 International Energy Conservation Code
- National Plumbing Code
- National Electric Code

The Contractor shall be responsible for procuring all necessary Permits and associated fees, Sign-Offs, Certificate of Occupancy, etc.

The Contractor/Sub-Contractor(s) shall provide Workmen's Compensation Liability and Property Damage Insurance, as required by law. Provide Certificate of State to Owner.

The Contractor shall visit the project site to be familiar with all existing conditions along with the scope of new work as shown on the drawings and specifications.

The Contractor shall coordinate the work of all trades including any items provided by the Owner.

The Contractor shall be responsible for having all tests and inspections performed.

The Contractor shall hold harmless the Owner and the Architect and their agents and employees from and against all claims, damages, losses, and expenses arising out of or resulting from the performances of the work.

The Owner may order changes in the work from what is shown on the drawings & specifications. However, all such proposed changes may only be performed upon receipt by the General Contractor (G.C.) of written authorization of the Owner, in the form of a Change Order, to perform such changes.

The Contractor shall maintain the job site in an orderly and clean manner when daily work is completed.

The General Contractor shall provide the Owner with a Construction Schedule. All work to be done in a timely manner.

The Contractor is to provide a Waiver of Liens on all items at the completion of the project.

The Contractor is to guarantee all work for the period of one year from the date of acceptance by the Owner.

The Contractor shall submit shop drawings and samples of materials to the Architect prior to proceeding with the scope of work.

FOUNDATION & CONCRETE WORK:

All footings shall rest on undisturbed soil. The Contractor is to notify the Architect of the date of excavation work so that concealed conditions may be adequately dealt with and match elevations of existing footings or placed at elevations indicated on drawings. Maintain minimum of 3'-6" cover to bottom of footing.

Building footings, foundations, & walls to be concrete 3,000 PSI 28 day. Minimum of 3" cover between reinforcing bars and earth. U.N.O

Provide 95% compaction for all fill under slabs.

Mesh reinforcements shall be in accordance with ASTM A185 and A82.

Rod reinforcement shall be in accordance with ASTM A615 Grade 60 typically. Grade 40 for ties & stirrups.

Welded wire fabric shall be lapped two (2) full mesh panel and securely tied.

Mortar shall comply with ASTM - C270.

Construction joints in all slabs and beams shall not be further than 60 feet apart in any direction. Construction joints in walls shall not be further than 45 feet apart.

All construction joints shall be cleaned and moistened immediately prior to the placement of new concrete.

Place slabs-on-grade in accordance with ACI 302 "Guide for Concrete Floor Slab Construction."

CARPENTRY:

All lumber to conform with present building code standards. (No. 2 grade or higher)

Framing lumber shall be Douglas Fir or Southern Yellow Pine, 1200 PSI flexure for all beams, headers, floor joists, and roof rafters. All frames as per drawing specifications. Any alternate framing or substitutions shall be recalculated and approved by the Architect.

Build to finish floor elevations as shown on drawings.
New floors to be:
- Strip Oak hardwood finish flooring on 3/4" CD exterior grade plywood screwed and glued.
- Ceramic tile finish flooring on (1) layer Dur-Rock tile backer board over 3/4" T&G CD exterior grade plywood screwed and glued.
- Carpet by Owner on 3/4" T&G plywood screwed and glued.
- Stone tile finish flooring on (1) layer Dur-Rock tile backer board over 3/4" T&G CD exterior grade plywood screwed and glued.

All pressure treated materials to be No. 1 Southern Yellow Pine, S4S, 40 retention for decks, sills, and any members or blocking in contact with concrete, block foundations, or other damp/wet locations.

All flush framing to be supported on metal hangers with safe load carrying capacity of reactions.

Provide solid bridging at support points and at every eight (8) foot span or per manufacturers specifications.

Splices in framing members to occur at support points. All new interior moldings, jambs, base, crown, chair rails, window casings, stools, etc. to match ex. U.N.O.

All exterior trim, corner boards, soffits, fascias, etc. to be specified on drawings.

New stucco finish to match existing texture. (If Applicable)

Double up all rafters, joists, and framing adjacent to skylights, around openings, under all parallel partitions, non-bearings walls, etc. U.N.O.

Provide termite protection on all sills.

Provide 4 x 4 post supports for all fitch & glulam beams U.N.O. provide solid blocking below all posts down to foundation.

All new headers to be 2 x 12's with 3/4" plywood gusset, U.N.O.

New fitch beams to be bolted with 1/2" bolts @ 12" O.C. staggered top and bottom of beam and provide 1-1/2" clearance between bolts and top and bottom edges of beam.

All dimensions are to face of stud.

Do not scale drawings.

U.N.O. all finished cabinetry, built-ins, bath cabinetry, vanity tops, etc. shall be provided by Owner and installed by G.C.

All interior paint finishes, wall coverings, and carpet provided by Owner.

All exterior paint finishes of new work are by G.C.

All interior base boards, door and window trim, and moldings as specified on drawings.

Thermal & Moisture Protection:

Install vapor barriers where indicated on the drawings.

Install insulation of the size and type as indicated on the drawings. All batt insulation located in exterior walls or ceiling below attics or in locations abutting unheated areas shall be kraft paper or fited faced.

Waterproof foundation with asphaltic mastic below grade.

Wrap all new exterior walls with asphalt paper before installation of windows, doors, siding, trim, etc.

Install caulk joints windows, doors, and construction joints as required.

Provide sill seat insulation at all framing sills.

All flashing to be lead coated copper. Flash over heads of all windows, doors, trim, water table, roof transitions where lower roofs, intersect walls, masonry chimneys, etc. as shown of the drawings.

All finished roofing materials to be as specified on the drawings.

Insulate all floor areas and roof rafters as specified on the drawings.

DOORS & WINDOWS:

All new windows to be as specified on the drawings. See Window Schedule for sizes and notes.

All doors to be as specified on the drawings. See Door Schedule for sizes and notes.

PAINTING & FINISHES:

See wall construction notes on the drawings.

All new drywall to be taped, spackled, and sanded smooth. All surfaces to receive paint or wall coverings and shall be free from all depressions, cracks, and crevices, etc.

All ceramic tile, stone floor, and wall tile to be installed according to the American National Standards Institute (ANSI) specifications by G.C. installation shall conform to local building codes, ordinance trade standards, and practices.

All ceramic tiles shall be provided by the Owner for installation by G.C.

ELECTRICAL:

System design to be provided by G.C.'s Subcontractors. Discuss the requirements with the Owner all work to comply with local & national codes.

Provide all necessary labor, materials, and equipment required to perform a complete installation of fixtures including, but not limited to feed, meters, sub-panels, circuiting, conduit, wiring, switches, outlets, controls, etc.

All decorative surface mounted lighting fixtures to be provided by the Owner for installation by G.C. All recessed lighting to be provided and installed by G.C.

The style and color of all duplex outlets, telephone jacks, switches, etc. to match existing or as selected by the Owner.

Coordinate exact location of outlets, fixtures, etc. with the Owner and the Architect based on the plans provided.

Provide cable TV outlets, telephone outlets, etc. as directed on the drawings. See drawings for additional locations and notes.

Install smoke, carbon monoxide, and heat detectors as per code.

G.C. to provide revisions and alterations to home security systems if required due to construction.

TABLE 402.1.2 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT*

CLIMATE ZONE	FENESTRATION U-FACTOR ^a	SKYLIGHT ^b U-FACTOR	GLAZED FENESTRATION SHGC ^{b,c}	CEILING R-VALUE	WOOD FRAME WALL R-VALUE	MASS WALL R-VALUE	FLOOR R-VALUE	BASEMENT ^d WALL R-VALUE	SLAB ^d R-VALUE & DEPTH	CRAWL SPACE WALL R-VALUE
1	NR	0.75	0.25	30	13	3/4	13	0	0	
2	0.40	0.65	0.25	38	13	4/6	13	0	0	
3	0.35	0.55	0.25	38	20 or 13+5 ^h	8/13	19	5/13 ⁱ	0	
4 except Marine	0.35	0.55	0.40	49	20 or 13+5 ^h	8/13	19	10/13	10, 2 ft	
5 and Marine 4	0.32	0.55	NR	49	20 or 13+5 ^h	13/17	30 ^g	15/19	10, 2 ft	
6	0.32	0.55	NR	49	20+5 or 13+10 ^h	13/17	30 ^g	15/19	10, 4 ft	
7 and 8	0.32	0.55	NR	49	20+5 or 13+10 ^h	19/21	38 ^g	15/19	10, 4 ft	

For Sl: 1 foot = 304.8 mm.
a. R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.
b. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration. Exception: Skylights may not be excluded from glazed fenestration SHGC requirements in climate zones 1 through 3 where the SHGC for such skylights does not exceed 0.30.
c. "15/19" means R-15 continuous insulation on the interior or exterior of the home or R-19 cavity insulation at the interior of the basement wall. "15/19" shall be permitted to be met with R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulation on the interior or exterior of the home. "10/10" means R-10 continuous insulation on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall.
d. R-5 shall be added to the required slab edge R - values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less in Climate Zones 1 through 3 for heated slabs.
e. There are no SHGC requirements in the Marine Zone.
f. Basement wall insulation is not required in warm-humid locations as defined by Figure R301.1 and Table R301.1.
g. Or insulation sufficient to fill the framing cavity, R-19 minimum.
h. The first value is cavity insulation, the second value is continuous insulation, so "13+5" means R-13 cavity insulation plus R-5 continuous insulation.
i. The second R-value applies when more than half the insulation is on the interior of the mass wall.

TABLE 402.1.4 EQUIVALENT U-FACTORS*

CLIMATE ZONE	FENESTRATION U-FACTOR	SKYLIGHT U-FACTOR	CEILING U-FACTOR	FRAME WALL U-FACTOR	MASS WALL U-FACTOR ^a	FLOOR U-FACTOR	BASEMENT WALL U-FACTOR	CRAWL SPACE WALL U-FACTOR
1	0.50	0.75	0.035	0.084	0.197	0.064	0.360	0.477
2	0.40	0.65	0.030	0.064	0.165	0.064	0.360	0.477
3	0.35	0.55	0.030	0.060	0.098	0.047	0.091 ^b	0.136
4 except Marine	0.35	0.55	0.026	0.060	0.098	0.047	0.059	0.065
5 and Marine 4	0.32	0.55	0.026	0.060	0.082	0.033	0.050	0.055
6	0.32	0.55	0.026	0.045	0.060	0.033	0.059	0.055
7 and 8	0.32	0.55	0.026	0.045	0.057	0.028	0.059	0.055

a. Non fenestration U-factors shall be obtained from measurement, calculation or an approved source.
b. When more than half the insulation is on the interior, the mass wall U - factors shall be a maximum of 0.17 in Climate Zone 1, 0.14 in Climate Zone 2, 0.12 in Climate Zone 3, 0.087 in Climate Zone 4 except Marine, 0.065 in Climate Zone 5 and Marine 4, and 0.057 in Climate Zones 6 through 8.
c. Basement wall U-factors of 0.360 in warm-humid locations as defined by Figure R301.1 and Table R301.1.

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND SPEED (mph)	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			ICE BARRIER UNDERLAYMENT REQUIRED	FLOOR HAZARDS
			Weathering	Frost Line Depth	Termite		
30	100/110	C	SEVERE	3'-6"	MOD. to HEAVY	YES	NO

NY STATE CLIMATE ZONE BASED ON FIGURE R301.1 - CLIMATE ZONES

CLIMATE ZONE = 4A

OTHER REQUIREMENTS CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA TO BE FILLED BY LOCAL JURISDICTION AUTHORITIES

ENERGY CONSERVATION DATA:

Energy Conservation specifications are in compliance with the requirements of the 2015 International Energy Conservation Code.

I, Pellegrino Orsini, R.A., certify to the best of my knowledge, belief, and professional judgement that these plans and specifications are in compliance with the 2015 International Energy Conservation Code.

NOTES:

- ALL ELECTRICAL WORK TO BE FILED SEPARATELY.

- ALL PLUMBING WORK TO BE FILED SEPARATELY.

LOADING SCHEDULE:

Soil Bearing assumed to be: 3,000 PSF
ROOF Loading:
- Live Load: 30 PSF
- Dead Load: 15 PSF
- Total Load: 45 PSF
FLOOR Loading:
- Live Load: 40 PSF
- Dead Load: 15 PSF
- Total Load: 55 PSF
STRUCTURAL LUMBER, allowable PSI
- Extreme fiber stress: F = 1, 100 PSI
- Modulus of elasticity: E = 1, 400,000
- All plywood sheathing to be 1/2" exterior grade
STRUCTURAL STEEL to be A-36, FS = 24,000
CONCRETE to be 4,000 PSI in 28 days

STAIR & RAILING NOTES:

8" Max. Risers & 9" Min. Treads from nosing to nosing. U.N.O.

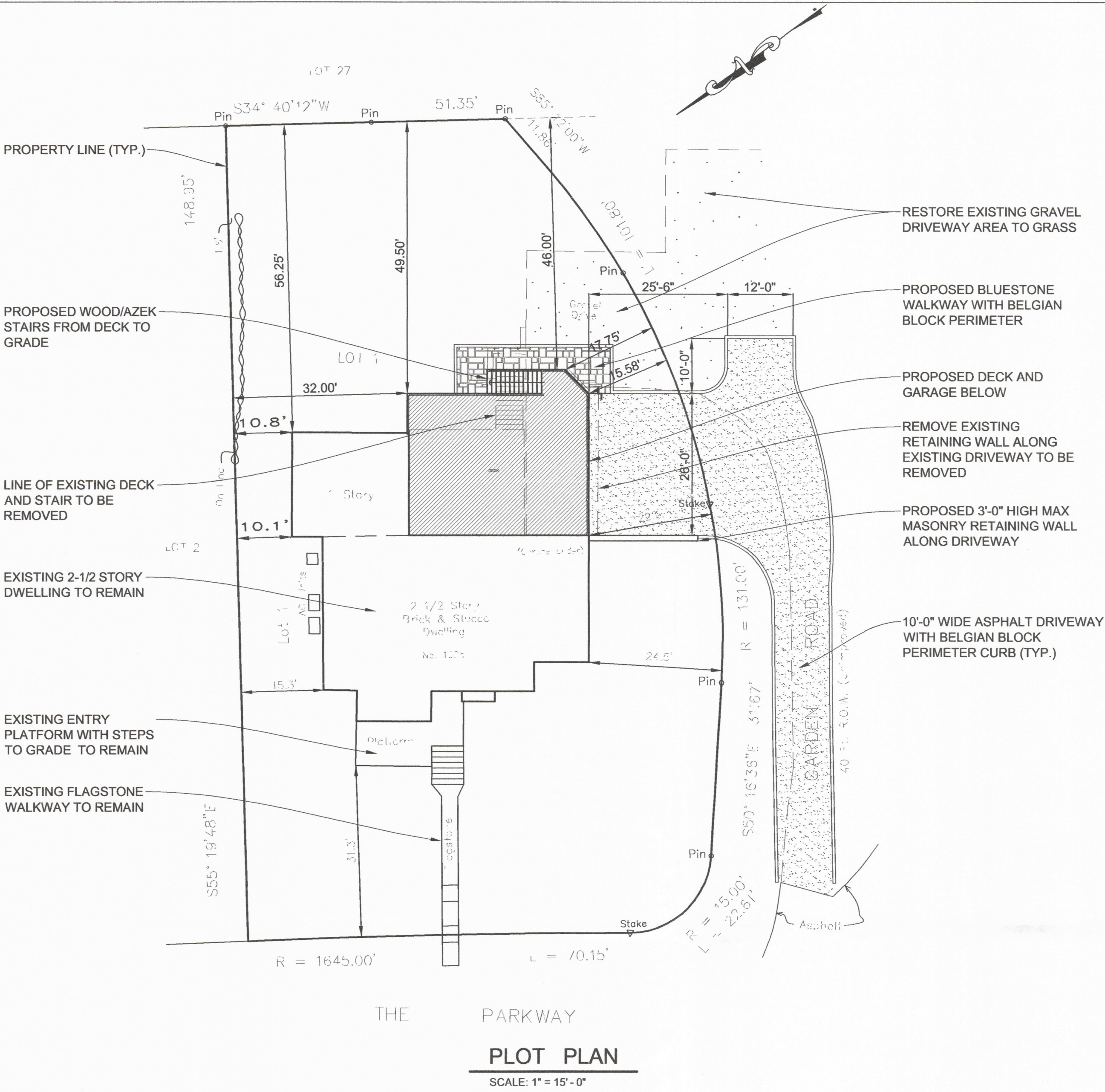
Minimum stair width = 3'-0" unless noted otherwise. U.N.O.

Handrail height = 36" - Measured vertically from the sloped plane adjoining the tread nosing. U.N.O.

Railing balusters @ 4" max spacing in between.

WALL & PARTITION LEGEND:

	EXISTING WALLS/PARTITIONS TO REMAIN
	EXISTING WALLS/PARTITIONS TO REMOVE
	PROPOSED WALLS/PARTITIONS
	EXISTING FOUNDATION WALLS
	PROPOSED FOUNDATION WALLS



BUILDING DATA:

VILLAGE OF MAMARONECK

WESTCHESTER COUNTY

SECTION: 4

BLOCK: 72

LOT: 1

ZONE: R - 10 (One Family)

LOT AREA: 11,388.00 SF

BUILDING GROSS AREA:

Existing First Floor Area: (28.66' x 38.66') + (10.00' x 23.33') + (7.00' x 4.58') + (14.00' x 5.50') + (18.50' x 21.66') = 1,851.06 SF
Existing Second Floor Area: (28.66' x 38.66') + (10.00' x 5.50') = 1,163.00 SF
Existing Attic Area: (38.66' x 10.00') = 386.60 SF
Proposed Garage: (26.00' x 30.00') = 780.00 SF
Proposed Deck - Over Garage: (26.00' x 33.33') + (4.33' x 8.66') = 904.08 SF
TOTAL EXISTING BUILDING AREA = 3,400.66 SF
TOTAL PROPOSED BUILDING AREA - Including Garage = 4,180.66 SF

LOT COVERAGE PERMITTED = 35.0 %

EXISTING LOT COVERAGE: (1,851.06/11,388.00) = 0.1625 or 16.25 %

PROPOSED LOT COVERAGE: (2,631.06/11,388.00) = 0.2310 or 23.10 %

F.A.R. PERMITTED = 0.3561 MAXIMUM or 4,055.00 SF

EXISTING F.A.R.: (3,400.66/11,388.00) = 0.2986

PROPOSED F.A.R.: (4,180.66/11,388.00) = 0.3671

ZONING ANALYSIS:

ITEMS:	REQUIRED	EXISTING	PROPOSED
ZONING DISTRICT:	R - 10	R - 10	R - 10
LOT AREA:	10,000.00 SF	11,388.00 SF	11,388.00 SF
LOT WIDTH:	100.00 FT	85.15 FT	85.15 FT
LOT DEPTH:	100.00 FT	148.95 FT	148.95 FT
FRONT YARD:	25.00 FT	31.30 FT	31.30 FT @ Porch
SIDE YARDS: - ONE SIDE:	10.00 FT	10.10 FT	15.58 FT
- TOTAL TWO SIDES:	25.00 FT	33.00 FT	25.68 FT
REAR YARD:	25.00 FT	56.25 FT	46.00 FT @ Deck
BUILDING HEIGHT:	2 ½ St./35.0 FT	2 St./28.00 FT	1 St./9.00 FT
LOT COVERAGE:	35.00 %	16.25 %	23.10 %
F.A.R.:	0.3561	0.2986	0.3671
OFF STREET PARKING:	2	2	2

● INDICATES REQUIRED ZONING VARIANCE

REVISIONS:		
NO.:	DESCRIPTION:	DATE:

NOT FOR CONSTRUCTION
FINAL PLANS TO BE SUBMITTED



Michael • Rino
Architects and Planners

Pellegrino Orsini R.A.

434 Mamaroneck Avenue
Mamaroneck, NY 10543

Telephone: (914)-698-6461
Fax: (914)-698-6467

BARNES
RESIDENCE

Proposed Garage
Addition & Deck to:
1005 The Parkway
Mamaroneck, NY

DRAWING TITLE:
PLOT PLAN, BUILDING
& ZONING ANALYSIS,
GENERAL NOTES,
LOADING SCHEDULE,
WALL LEGEND

PROJECT NO.: 16 - 115

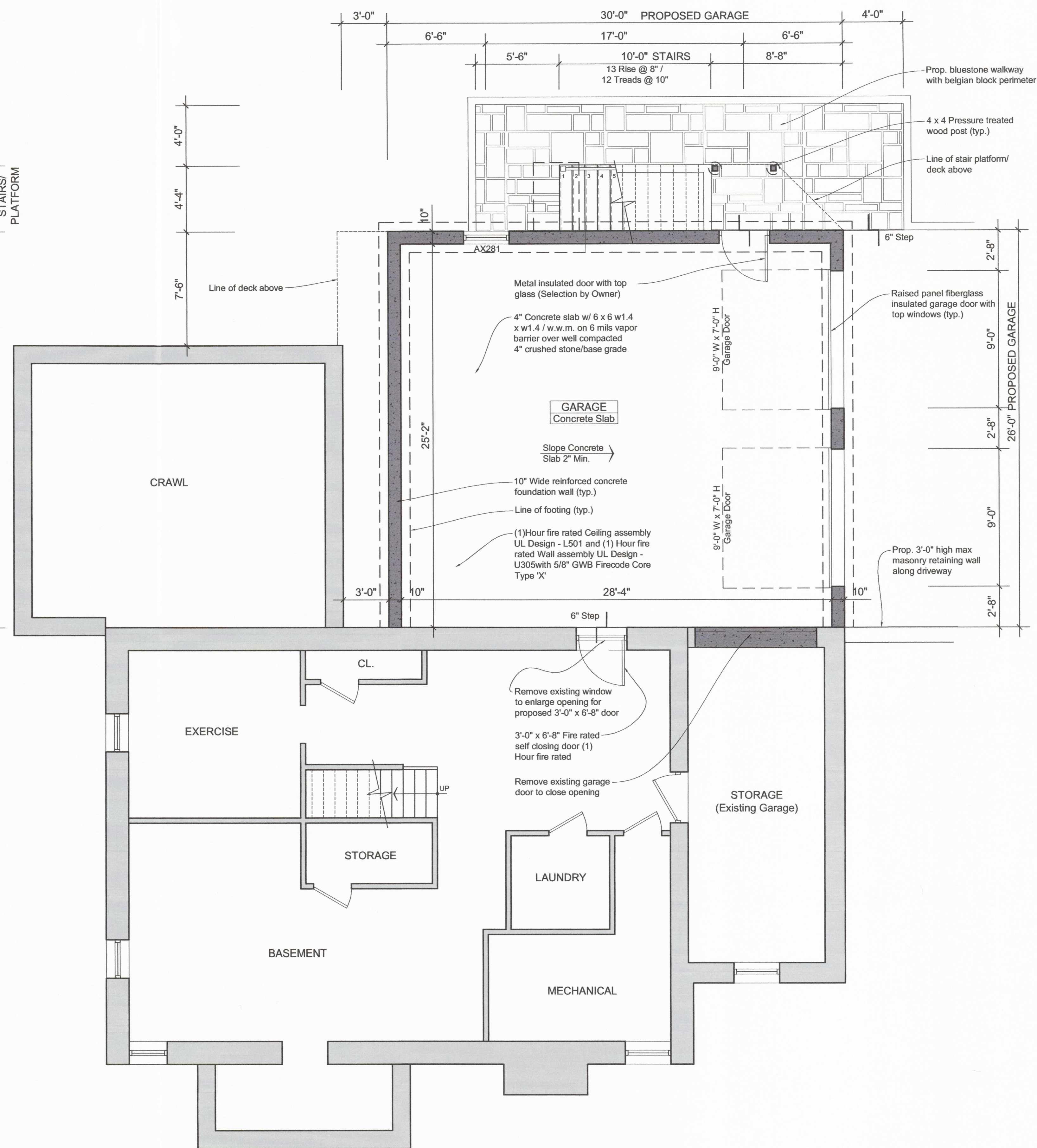
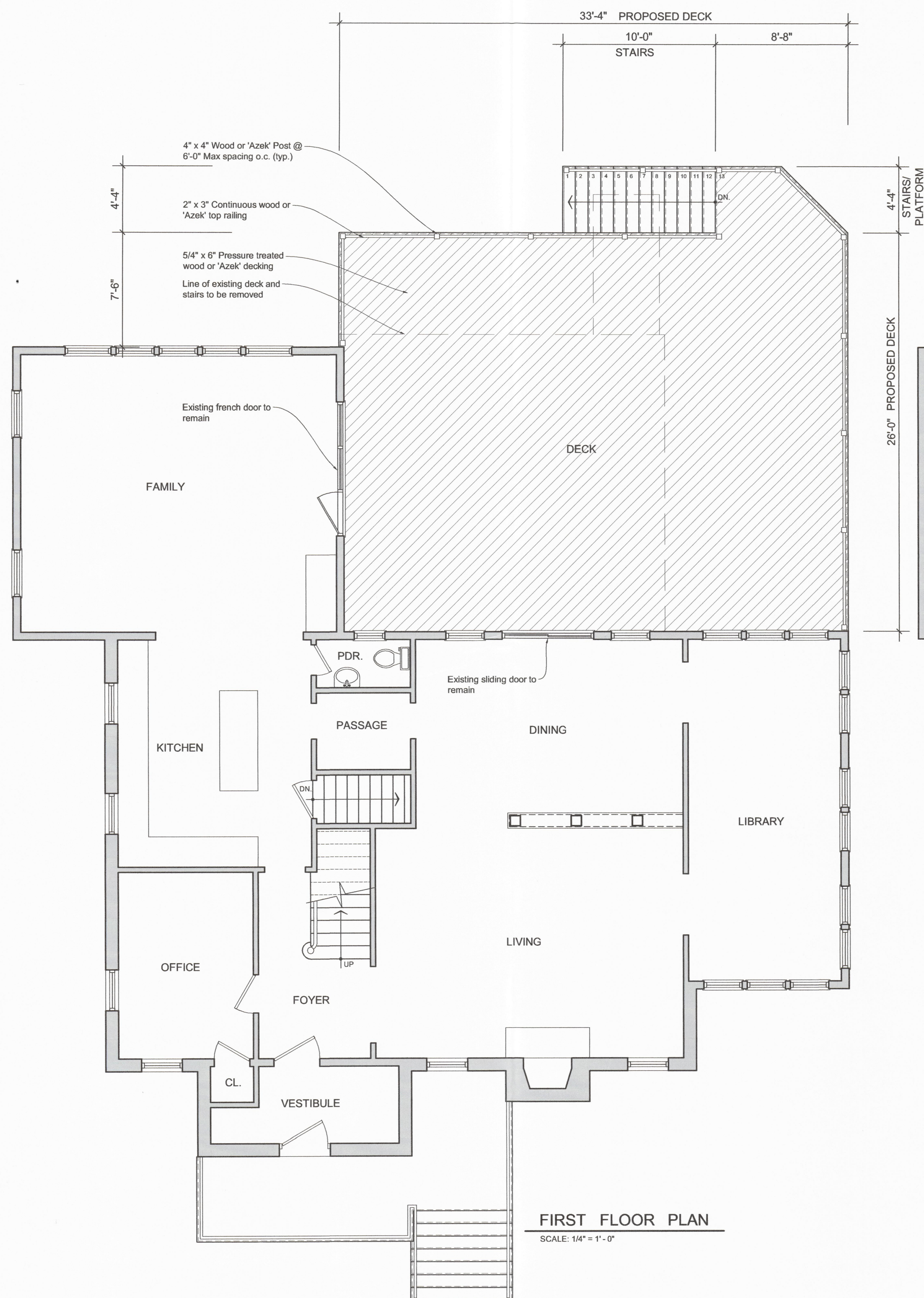
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DATE: 10/11/2016	CHECKED BY: P.O.
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DRAWING NO.:

A - 1
OF 3

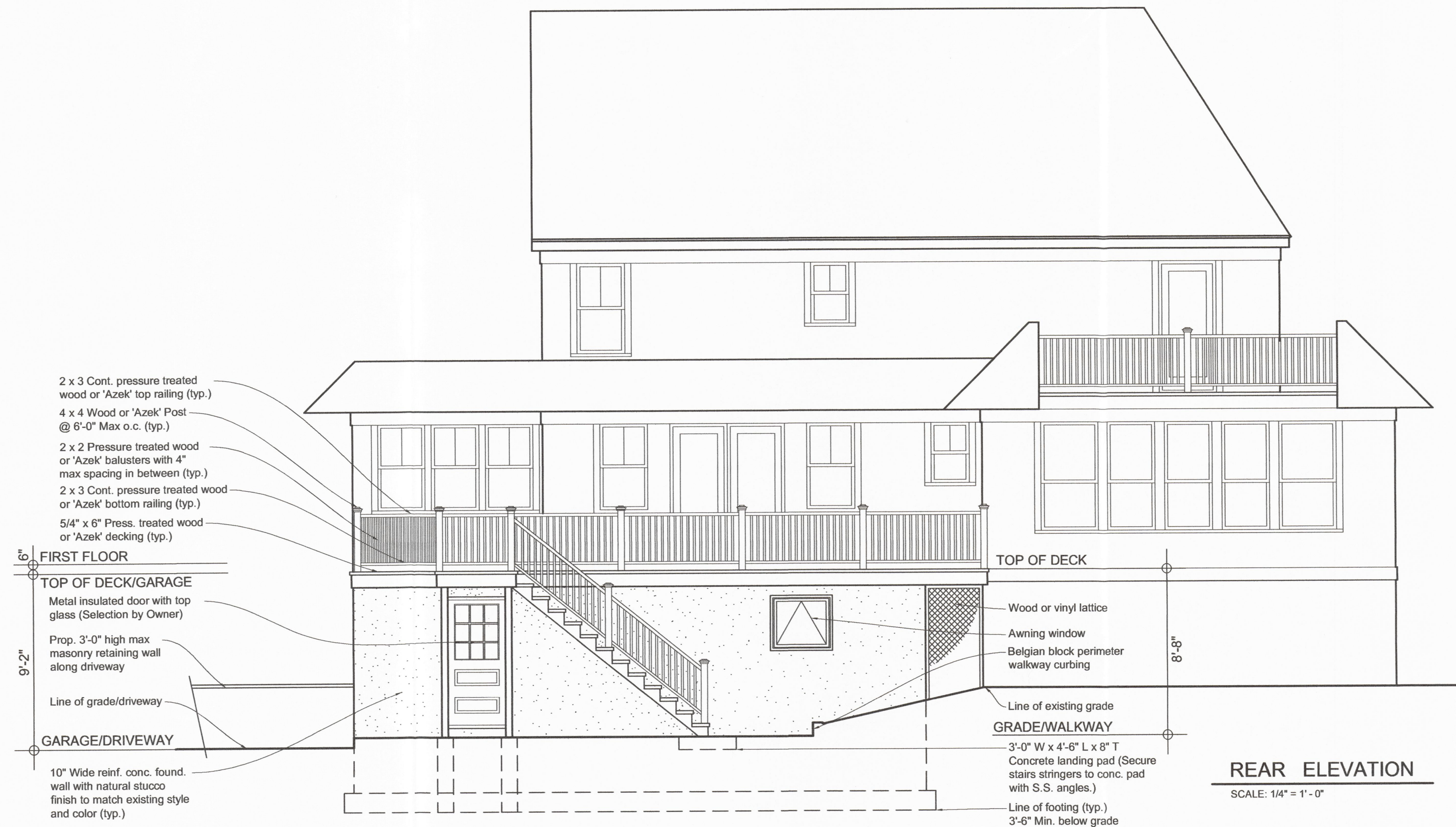
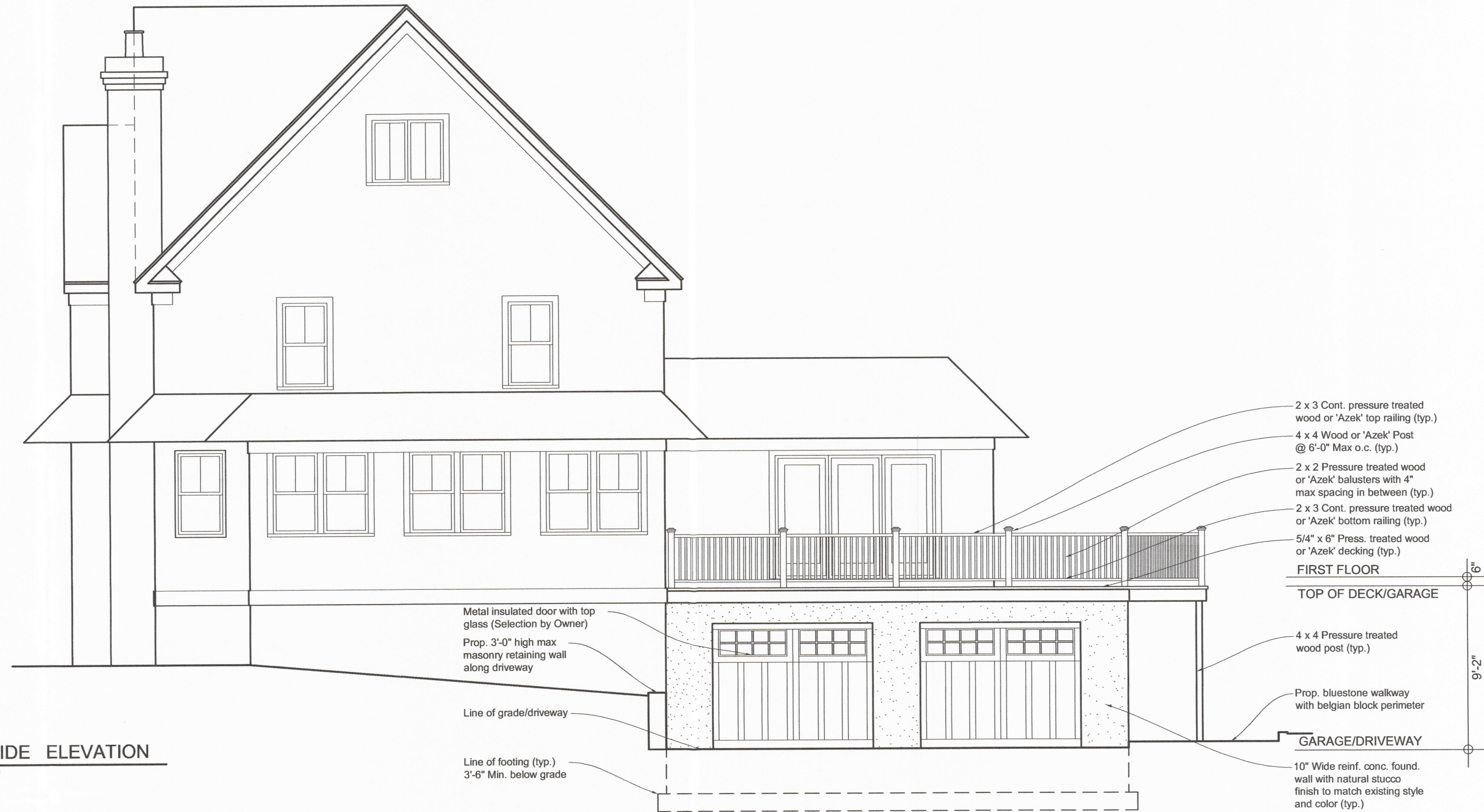
STORM WATER RUN-OFF & DRYWELL DESIGN BY ENGINEER.



REVISIONS:								
NO.:	DESCRIPTION:	DATE:						
<div>NOT FOR CONSTRUCTION FINAL PLANS TO BE SUBMITTED</div> <div></div> <div>Michael • Rino Architects and Planners Pellegrino Orsini R.A. 434 Mamaroneck Avenue Mamaroneck, NY 10543 Telephone: (914)-698-6461 Fax: (914)-698-6467</div> <div>BARNES RESIDENCE Proposed Garage Addition & Deck to: 1005 The Parkway Mamaroneck, NY</div> <div>DRAWING TITLE: BASEMENT AND FOUNDATION PLAN, FIRST FLOOR PLAN</div> <div><table><tr><td colspan="2">PROJECT NO.: 16 - 115</td></tr><tr><td>SCALE: NOTED</td><td>DRAWN BY: G.O.</td></tr><tr><td>DATE: 10/11/2016</td><td>CHECKED BY: P.O.</td></tr></table><div>DRAWING NO.: A - 2 OF 3</div></div>			PROJECT NO.: 16 - 115		SCALE: NOTED	DRAWN BY: G.O.	DATE: 10/11/2016	CHECKED BY: P.O.
PROJECT NO.: 16 - 115								
SCALE: NOTED	DRAWN BY: G.O.							
DATE: 10/11/2016	CHECKED BY: P.O.							

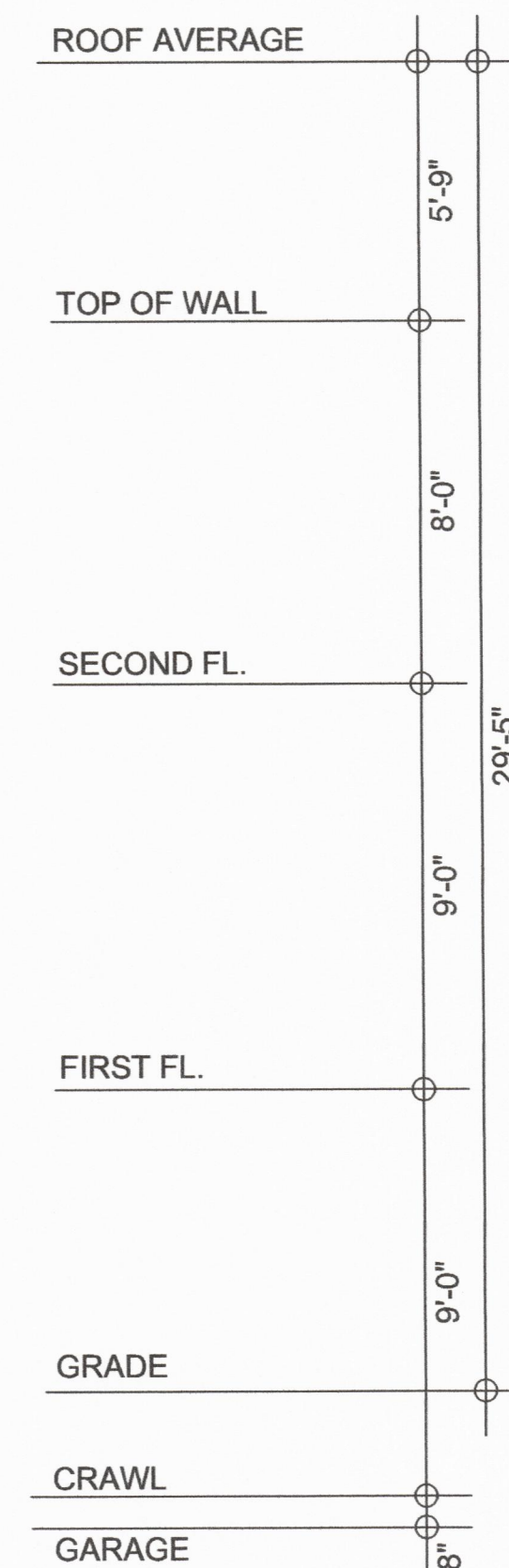
RIGHT SIDE ELEVATION

SCALE: 1/4" = 1' - 0"



REAR ELEVATION

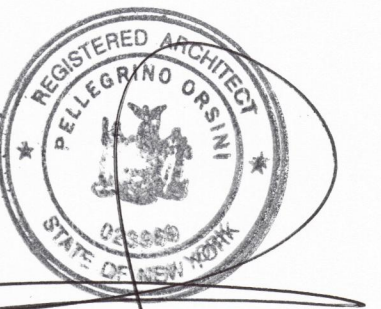
SCALE: 1/4" = 1' - 0"



REVISIONS:

NO.: DESCRIPTION: DATE:

NOT FOR CONSTRUCTION
FINAL PLANS TO BE SUBMITTED



Michael • Rino
Architects and Planners

Pellegrino Orsini R.A.

434 Mamaroneck Avenue
Mamaroneck, NY 10543

Telephone: (914)-698-6461
Fax: (914)-698-6467

**BARNES
RESIDENCE**

Proposed Garage
Addition & Deck to:
1005 The Parkway
Mamaroneck, NY

DRAWING TITLE:
**GARAGE/DECK
ELEVATIONS,
WALL/DECK SECTION
DETAIL,**

PROJECT NO.: **16 - 115**

SCALE: NOTED
DATE: 10/11/2016
DRAWN BY: G.O.
CHECKED BY: P.O.

DRAWING NO.:

A - 3
OF 3

Village of Mamaroneck, NY

Item Title: 16A-2017 Kennel 310 Anita Lane Variance

Item Summary: **Application # 16A-2017, Maureen & James Kennel, 310 Anita Lane** (Section 4, Block 24, Lot 4D) for a variance to construct and legalize an existing deck. The existing deck is in violation of 342-27 Schedule of Minimum requirements where the required lesser side yard is 6' and the existing side yard setback is 5'6". (R2-F District)

Fiscal Impact:

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
09 05 2017 16A-2017 Kennel Application	9/27/2017	Backup Material
09 05 2017 310 Anita Lane Past COs	9/28/2017	Backup Material
310 Anita Lane corrected Site Plan	9/28/2017	Backup Material
photos	9/28/2017	Backup Material



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543
914-777-7731

8/11/2017

RECEIVED
SEP 5 2017
BUILDING DEPT.

SCANNED

COPY

NOTICE OF DISAPPROVAL

APPLICATION NO.: 16A-2017

DISTRICT: R-2F

TO: KENNEL, JAMES & MAUREEN

310 ANITA LANE

MAMARONECK, NY 10543

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 8/11/2017

FOR PERMIT TO: Construct and Legalize and existing deck

ON PREMISES LOCATED AT: 310 ANITA LANE

SBL: 4-24-4D

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

construct and legalize an existing deck- the existing deck is in violation of 342-27 Schedule of Minimum Requirements for the R2-F zone where a 6' lesser side yard is required and the existing setback is 5'6". (R2-F District).

PLEASE TAKE FURTHER NOTICE THAT YOU, THE APPLICANT, MUST NOTIFY ALL PROPERTY OWNERS LOCATED WITHIN A RADIUS OF 400 FEET OF THE SUBJECT PREMISES OF YOUR APPLICATION AND OF THE PROPOSED HEARING.


Building Inspector

HEARING WILL BE HELD ON OCTOBER 5, 2017 AT 7:30PM IN THE MUNICIPAL BUILDING FIRST FLOOR BOARD ROOM AT 169 MT. PLEASANT AVENUE, MAMARONECK, NEW YORK. A RECIEPIENT OF A COPY OF THIS NOTIFICATION IS A PROPERTY OWNER OF RECORD WITHIN A RADIUS OF 400 FT. INTERESTED PARTIES MAY REVIEW PLANS ON ANY APPLICATION IN THE BUILDING INSPECTORS OFFICE AT VILLAGE HALL.

CHECKLIST FOR INITIAL ZONING BOARD OF APPEALS SUBMISSION

RECEIVED

SEP 5 2017

BUILDING DEPT.

☒ Applicable Fee

Applicant must submit Sixteen (16) Copies of the following:

☒ Completed Application

☒ All Certificates of Occupancy or Temporary Certificate of Occupancy for the property, or letter from the Building Department in lieu thereof

☐ Violations on the property, and proof that they have been corrected

☒ Photographs of the property (3" x 5" or larger) that depict the location and potential impacts of your application

☒ Accurate survey of the current status of the property, which has been prepared and certified by a licensed surveyor within the past 12 months of the application date, shall be submitted with each application.

Please note: where a survey certified within the past twelve months is unavailable and the application does not involve any change to the exterior of the property, the ZBA will accept a certification by the owner that to his/her knowledge the existing survey accurately depicts the current status of the property.

☒ Certified Drawings, prepared by a registered architect or professional engineer, and other supporting documents

☒ Written consent of the owner, if you are not the owner of the property

☒ Certification, as required by New York State General Municipal Law.

☒ State Environmental Quality Review (SEQR) Short or Long Environmental Assessment Form.

☒ Copy of the Determination being appealed.

☐ Note: See Instructions regarding submittal of Supplemental Materials or New Plans (Item VII in the Rules of the Zoning Board of Appeals of the Village of Mamaroneck and Instructions for Bringing and Appeal

Mamie Kessel
Applicant's Signature

8/8/17
Date

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective 2007)

RECEIVED

SEP 5 2017

BUILDING DEPT.

- ☐ 16 Copies
- ☐ Completed Application
- ☐ COs or Letter
- ☐ Violations, if any
- ☐ Photographs
- ☐ Survey
- ☐ Certified Drawings
- ☐ Consent
- ☐ Certification/Affidavit
- ☐ EAF
- ☐ Copy of Determination being appealed
- ☐ Riders if Application is Corp./Business Entity

Application No.: 16A 2017
Agenda No.: October 5 2017
SP _____
AV X _____
UV _____
F _____
S _____
Interpretation _____

For Office Use Only

VILLAGE OF MAMARONECK
ZONING BOARD OF APPEALS
APPLICATION

Date 9/5, 2017

TO: ZONING BOARD OF APPEALS - VILLAGE OF MAMARONECK
123 Mamaroneck Avenue
Mamaroneck, New York 10543

I (We) James & Maureen Kennel
(Name of Applicant)

of 310 Anita Lane Mamaroneck NY zip 10543
(Insert Complete Mailing Address)

Daytime Phone No. 917-923-7517 Daytime Fax No. 914-824-5821

Apply to the Board of Appeals regarding property located at 310 Anita
Lane, Mamaroneck, NY 10543 (side deck)
(Insert Location of Premises)

Bearing Village of Mamaroneck Tax Map Number: 4, 24, 41
(Section) (Block) (Lot)

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

1. This is an Application for the following: (check one [1] or more as applicable)
- ☒ Area Variance – This is to use land in a manner not allowed because of dimensional or topographical requirements in the Zoning Code.
- ☐ Use Variance – This is to allow land to be used in a manner or for a purpose which is prohibited or not allowed by the Zoning code.
- ☐ Special permit
- ☐ Sign Variance
- ☐ Fence Variance
- ☐ Appeal or Interpretation (Specify Code Section _____)
- ☐ Other: Specify _____
2. The Date and Description of the determination that is being appealed (a copy of the determination must be attached)
08/11/17 - denied due to side yard setbacks
3. What is the present zoning of the property? R-2F
4. This Application must be made in the name of the person or entity that has a possessory interest in the property such as a tenant, purchaser or owner. If you are the owner, on what date did you acquire title? 6/2012; If you are not the owner, list the name and address of the owner and describe your relationship to the property and the date said relationship commenced: _____

IF you have acquired title to the property within the past two years, provide the name of the prior owner: _____

NOTE:

If the Applicant or Property Owner is a:

Corporation: attach a separate Rider listing all the corporation's officers, shareholders, and their percentage of share ownership.

Partnership: attach a separate Rider listing the type of partnership and identify the partners and their partnership interests.

LLC: attach a separate Rider listing the LLCs members.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

5. If someone else is authorized to act as your representative or to appeal with you on your behalf before the Board, his or her name, address and telephone number must be provided:

Name: _____

Address: _____

Telephone: _____

6. Has a prior variance, special permit, or interpretation Application ever been submitted for this property?

☐ Yes

☒ No

If YES, you must attach copies of the prior variance or resolution and describe them: _____

7. List all permits you must obtain in order to complete the subject project of this Application (include all permits or approvals necessary from any federal, state, county, or local agency or department): _____

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective 2007)

8. Is the property subject to any covenants, easement, or other restrictions or encumbrances? If so, list and describe these. (You may be required to provide copies of these documents establishing same to the Board.) Please be advised that nothing herein or within board purview will alter or modify any existing contractual rights with respect to the subject property. _____

9. Check here if there has been any illegal use or violations issued with respect to the property, regardless of whether it has been removed or adjudicated. []

If so, describe and provide the date(s) and details, including if the violation continues: _____

10. The following are the provisions of the Village Code from which either a variance is sought or a permit is requested (you must itemize each variance you seek, since a variance cannot be obtained unless it is expressly requested and is the subject of public notice):

Article 342, Section 27, Subsection _____

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

NOTE:

IF THIS IS AN APPLICATION FOR A USE VARIANCE, COMPLETE QUESTION 11, ON PAGE 5.

IF THIS IS AN APPLICATION FOR AN AREA VARIANCE, COMPLETE QUESTION 12, ON PAGE 6.

IF THIS IS AN APPLICATION FOR ALL OTHER APPLICATIONS, INCLUDING A SPECIAL PERMIT, COMPLETE QUESTION 13, ON PAGE 7.

11. A use variance may only be granted if it is determined that zoning regulations and restrictions cause the property owner unnecessary hardship. New York law provides that: "In order to prove such unnecessary hardship, the property owner shall demonstrate to the Board of Appeals that (1) under the applicable zoning regulations, the owner is deprived of a reasonable return for each and every permitted use under the zoning regulations for the particular district where the property is located. This deprivation must be established by competent financial evidence; (2) the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood; (3) the requested use variance, if granted, will not alter the essential character of the neighborhood; and (4) the alleged hardship has not been self-created."

This image shows a blank sheet of white paper with horizontal black ruling lines. A single diagonal black line runs from the bottom-left corner towards the top-right corner, intersecting the horizontal lines. The lines are evenly spaced and extend across the width of the page.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

12. Under State law, the Board of Appeals must consider the following factors in making a decision on your request for an area variance: "(1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self created..."

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider):

I, Maureen Kenneel am applying for a variance to legalize my deck. Due to the lack of safety of previous deck, considering I have 2 young boys, my husband attempted to repair deck. While trying to repair, it was so bad, he ended up replacing it because it was beyond repair. I had no idea that I would that we needed to apply for a permit. It defies logic that I would risk doing this; if I had known, I would have applied for permit rather than go through all of this. I moved to a house from a co-op to avoid these restrictions. The change does not have an undesirable effect on character of neighborhood. It is actually an improvement, compared to the unsightly previous deck. The deck does not infringe on any environmental conditions in neighborhood.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

13. If this Application is not for an area or use variance, provide information that supports your Application. You must refer to the appropriate sections of the Village Code and to other legal requirements necessary for the board to consider your Application.

(Note: If you are requesting an appeal or interpretation, be specific as to both the remedy sought and the Code section(s) relevant to your request and provide to the Board all legal authorities that support your position, by attaching to this Application.)

Handwritten diagonal line across the lined area.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective 2007)

It is the my responsibility as the Applicant to complete this Application completely and carefully, and to provide sixteen (16) copies of this Application, together with all necessary papers, plans, surveys, documents or other required information.

Failure to submit the required documents and information will delay my Application or result in its denial, since the ZBA cannot review or grant relief to incomplete Applications.

It is my responsibility to comply with all related requirements in presenting this Application, and the ZBA reserves the right to request additional documentation and/or drawings, and to condition any requested relief upon the filing of covenants and restrictions.

Although employees of the Village may provide me with assistance, I understand it is my responsibility to be familiar and comply with all applicable laws and to submit all necessary papers, plans, surveys, documents or other required information. I understand that copies of the Village Code are available for my review at the Village Clerks office, and that I may be represented at the ZBA hearing.

I HEREBY CERTIFY THAT ALL STATEMENTS MADE ON THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE.


(Applicant's Signature)

Sworn to before me this 8th
day of August, 200017



BETTY-ANN SHERER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SH6302179
Qualified in Dutchess County
My Commission Expires April 28, 2018

CERTIFICATION
(Required by New York State General Municipal Law)

Maureen & Jim Kennel states as follows:
(Applicant's name)

1. I am interested in this application for a variance or special use permit now pending before the Village of Mamaroneck Board of Appeals.
2. I reside at 310 Anita Lane Mamaroneck, NY 10543
3. The nature of my interest in the aforesaid application is as follows: legalization of deck
4. If the Applicant or owner is a corporation, list the corporation's officers:
President: _____ Vice President: _____
Secretary: _____ Treasurer: _____
5. Do any of the following individuals have an interest, as defined below, in the owner or Applicant:
 - a. Any New York State officers, or NYS Court Clerk
 - b. Any officer or employee of the Village of Mamaroneck, Town of Rye, Town of Mamaroneck, or Westchester County.

[] Yes [] No

For the purpose of this disclosure, an officer or employee shall be deemed to have an interest in the owner or Applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:

- a. is the Applicant or owner, or
- b. is an officer, director, partner, or employee of the Applicant or owner, or
- c. legally or beneficially owns or controls stock of a corporate Applicant or owner, or
- d. is a party to an agreement with such an Applicant or owner, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered dependent or contingent upon the favorable approval of such application.

A PERSON WHO KNOWINGLY AND INTENTIONALLY FAILS TO MAKE SUCH DISCLOSURE SHALL BE GUILTY OF A MISDEMEANOR AS PROVIDED IN GENERAL MUNICIPAL LAW, SECTION 809

If "Yes," state the name and nature and extent of the interest of such individual:

_____ (Name)	_____ (Residence)
_____ (Extent of interest)	

Sworn to before me this 04
day of August, 2007

Betty Ann Sherer
Notary Public

Maureen Kennel
(Applicant's signature)

BETTY-ANN SHERER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SH6302179
Qualified in Dutchess County
My Commission Expires April 28, 2018

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: <div style="text-align: center; font-size: 1.2em;">Deck</div>							
Project Location (describe, and attach a location map): <div style="text-align: center; font-size: 1.2em;">310 Anita Lane Mamaroneck, NY 10543</div>							
Brief Description of Proposed Action: <div style="text-align: center; font-size: 1.2em;">Legalize deck</div>							
Name of Applicant or Sponsor: <div style="text-align: center; font-size: 1.2em;">Maureen + James Kennel</div>		Telephone: <div style="text-align: center; font-size: 1.2em;">917-923-2547</div> E-Mail: <div style="text-align: center; font-size: 1.2em;">jimmoe16@gmail.com</div>					
Address: <div style="text-align: center; font-size: 1.2em;">310 Anita Lane</div>							
City/PO: <div style="text-align: center; font-size: 1.2em;">Mamaroneck</div>		State: <div style="text-align: center; font-size: 1.2em;">NY</div>	Zip Code: <div style="text-align: center; font-size: 1.2em;">10543</div>				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 2px;">NO</td><td style="width: 50%; padding: 2px;">YES</td></tr><tr><td style="text-align: center; padding: 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 5px;"><input type="checkbox"/></td></tr></table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: <div style="text-align: center; font-size: 1.2em;">Village of Mamaroneck</div>			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 2px;">NO</td><td style="width: 50%; padding: 2px;">YES</td></tr><tr><td style="text-align: center; padding: 5px;"><input type="checkbox"/></td><td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td></tr></table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <div style="display: flex; flex-wrap: wrap; padding: 5px;"><div style="width: 50%;"><input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)</div><div style="width: 50%;"><input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____</div><div style="width: 100%;"><input type="checkbox"/> Parkland</div></div>							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: <u>8/8/17</u> Signature: <u>Maurice Kexel</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

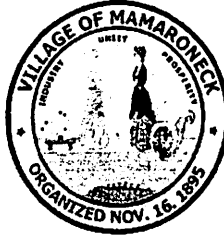
Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<div> <div>Name of Lead Agency</div> <div>Date</div> </div>	
<div> <div>Print or Type Name of Responsible Officer in Lead Agency</div> <div>Title of Responsible Officer</div> </div>	
<div> <div>Signature of Responsible Officer in Lead Agency</div> <div>Signature of Preparer (if different from Responsible Officer)</div> </div>	

PRINT

RESET

VILLAGE OF



MAMARONECK

Village Hall
Mamaroneck, N.Y. 10543

OFFICE OF THE
BUILDING INSPECTOR

Address Reply to:
P.O. Box 369

Telephone
(914) 777-7731

CERTIFICATE OF COMPLIANCE

No. 23135

DATE: 11/5/2009

THIS CERTIFIES that the building located at 310 Anita Lane, Tax Map # 4-24-4D of the Village of Mamaroneck, conforms substantially to the approved plans and specifications heretofore filed in this office, pursuant to which Building Permit No. 23135 dated 9/13/2007 was issued and conforms to all of the requirements of the Zoning Ordinance or Special Ruling by the Zoning Board of Appeals or Village Board of Trustees. The use for which this certificate is issued is:

legalize 4' high fence

This certificate is issued to Chemelecki, Edward & Suzanne, owner of the aforesaid property.

Building Inspector

(The Certificate of Compliance will be issued only after the Building Inspector is convinced of the completion of the construction in compliance with State Uniform Building & Fire Prevention Code and with other laws, ordinances, or regulations affecting the premises, and in conformity with the approved plans and specifications. A final electrical and plumbing certificate or other evidence of compliance will be required before the issuance of the Certificate of Compliance.)

THE FRIENDLY VILLAGE

VILLAGE OF



MAMARONECK

Village Hall
Mamaroneck, N.Y. 10543

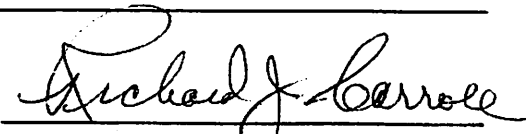
CERTIFICATE OF COMPLIANCE

No. C-21779

Date: Sept. 16, 2005

THIS CERTIFIES that the alterations located at 310 Anita
Lane Section No. 4, Block No. 24, Lot No. 40, Tax Map
of the Village of Mamaroneck, conforms substantially to the approved plans and specifications
heretofore filed in this office with application for Building Permit dated January 12, 2005
pursuant to which Building Permit No. 21779, dated Feb. 8, 2005,
was issued and conforms to all of the requirements of the Zoning Ordinance or Special Ruling by
the Zoning Board of Appeals or Village Board of Trustees. The use for which this certificate is
issued is alterations to basement area bathroom and laundry room.

This certificate is issued to Edward Chmelecki
of the aforesaid property. (owner)


Building Inspector

(The Certificate of Compliance will be issued only after the Building Inspector is convinced of the completion of the construction in compliance with the State Uniform Building & Fire Prevention Code and with other laws, ordinances, or regulations affecting the premises, and in conformity with the approved plans and specifications. A final electrical and plumbing certificate or other evidence of compliance will be required before the issuance of the Certificate of Compliance.)

VILLAGE OF



MAMARONECK

Village Hall
Mamaroneck, N.Y. 10543

CERTIFICATE OF COMPLIANCE

No. C-21435

Date: Nov. 1, 2004

THIS CERTIFIES that the platform & stairs located at 310 Anita
Lane Section No. 4, Block No. 24, Lot No. 4D, Tax Map
of the Village of Mamaroneck, conforms substantially to the approved plans and specifications
heretofore filed in this office with application for Building Permit dated March 3, 2004
pursuant to which Building Permit No. 21435, dated April 16, 2004,
was issued and conforms to all of the requirements of the Zoning Ordinance or Special Ruling by
the Zoning Board of Appeals or Village Board of Trustees. The use for which this certificate is
issued is installation of rear platform & stairs.

This certificate is issued to Sylvester Karagis
of the aforesaid property. (owner)

Richard J. Barroce
Building Inspector

(The Certificate of Compliance will be issued only after the Building Inspector is convinced of the completion of the construction in compliance with the State Uniform Building & Fire Prevention Code and with other laws, ordinances, or regulations affecting the premises, and in conformity with the approved plans and specifications. A final electrical and plumbing certificate or other evidence of compliance will be required before the issuance of the Certificate of Compliance.)

BUILDING DEPARTMENT
VILLAGE OF MAMARONECK

MUNICIPAL BUILDING, MAMARONECK, N. Y.

TELEPHONE—MAMARONECK 9-3140

Certificate of Occupancy

No. *0-12156*

Date *January 29* 19*60*

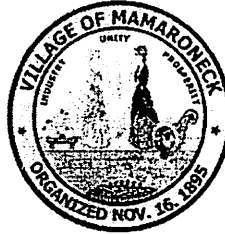
THIS CERTIFIES that the building located at *310 Anita Lane*
Section No. *4*, Block No. *24*, Lot No. *4D*, Tax Map of the
Village of Mamaroneck, conforms substantially to the approved plans and specifications
heretofore filed in this office with Application for Building Permit dated *March 17*
19*59*, pursuant to which Building Permit No. *12156*, dated *March 31*
19*59*, was issued, and conforms to all of the requirements of the Zoning Ordinance or
Special Ruling by the Zoning Board of Appeals or Village Board of Trustees. The occu-
pancy for which this certificate is issued is *two family dwelling*

This certificate is issued to *Sam De Litta*
of the aforesaid building. (owner, lessee or tenant)

Ed Langerfeld
Building Inspector

(The Certificate of Occupancy will be issued only after the Building Inspector is convinced of the completion of the construction in compliance with the State Building Construction Code and with other laws, ordinances or regulations affecting the premises, and in conformity with the approved plans and specifications. A final electrical and plumbing certificate or other evidence of compliance will be required before the issuance of the Certificate of Occupancy.)

VILLAGE OF



MAMARONECK

Village Hall
Mamaroneck, N.Y. 10543

OFFICE OF THE
BUILDING INSPECTOR

Address Reply to:
P.O. Box 369

Telephone
(914) 777-7731

CERTIFICATE OF COMPLIANCE

No. 21805

DATE: 6/12/2012

THIS CERTIFIES that the building located at 310 Anita Lane, Tax Map # 4-24-4D of the Village of Mamaroneck, conforms substantially to the approved plans and specifications heretofore filed in this office, pursuant to which Building Permit No. 21805 dated 3/14/2005 was issued and conforms to all of the requirements of the Zoning Ordinance or Special Ruling by the Zoning Board of Appeals or Village Board of Trustees. The use for which this certificate is issued is:

Installation of central air conditioning system

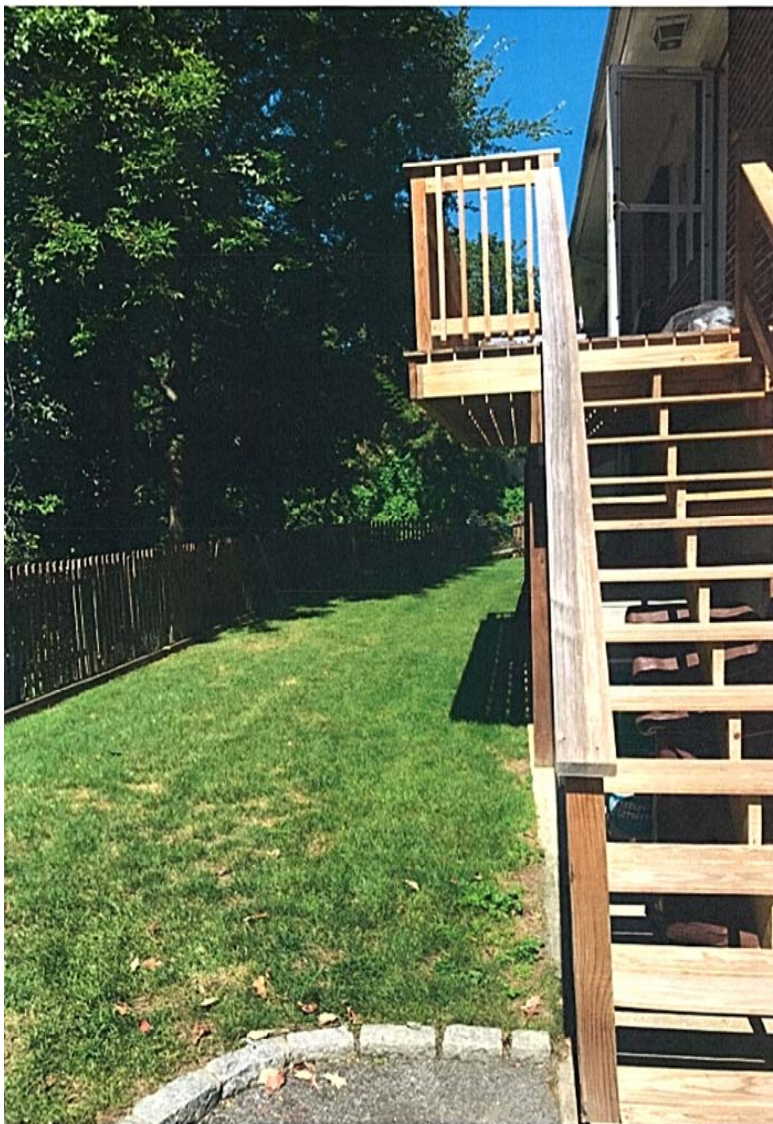
This certificate is issued to Edward Chmelecki, owner of the aforesaid property.

Robert Melillo
Building Inspector

(The Certificate of Compliance will be issued only after the Building Inspector is convinced of the completion of the construction in compliance with State Uniform Building & Fire Prevention Code and with other laws, ordinances, or regulations affecting the premises, and in conformity with the approved plans and specifications. A final electrical and plumbing certificate or other evidence of compliance will be required before the issuance of the Certificate of Compliance.)

THE FRIENDLY VILLAGE





Village of Mamaroneck, NY

Item Title: 1SP-2015 Renewal of DCH SPecial Permit

Item Summary: **Application # 1SP-2015, DCH Special Permit Renewal** 1305 East Boston Post Road(Section 4, Block 79, Lot 1B2) for the renewal of a Special Permit to operate a Car Dealership (C-1 District)

Fiscal Impact:

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
DCH Renewal Application	9/27/2017	Backup Material

**VILLAGE OF MAMARONECK
ZONING BOARD OF APPEALS**

APPLICATION FOR RENEWAL OF SPECIAL PERMIT

SPECIAL PERMIT NO. 1SP-2015

Date: AUGUST 31, 2017

Name of Permittee: DCH INVESTMENTS, INC. d/b/a DCH HOLDINGS LLC

Doing Business as: TOYOTA CITY

Premises : 1305 East Boston Post Road

Section: 4 Block: 79 Lot(s): 1B2

DCH INVESTMENTS, INC. d/b/a DCH HOLDINGS LLC hereby applies to the Village of Mamaroneck Zoning Board of Appeals for a renewal of the above-referenced Special Permit, which was originally granted on JANUARY 6, 2015 and which will expire on JANUARY 6, 2018.

Said Special Permit was granted for the following use at the above-noted property:

OPERATE A CAR DEALERSHIP

1. All conditions of the Special Permit have been complied with.

YES X NO

If "NO", please explain: _____

2. Since the last application for this Special Permit, I have no knowledge nor have I been advised of any complaints made to the Village of Mamaroneck Building Department, Police Department or any other department or agency of the Village in connection with the operation of the use allowed by the subject special permit.

YES X NO

APPLICATION FOR RENEWAL OF SPECIAL PERMIT

Page 2

If "NO", please explain: _____

3. Since the last application for this Special Permit, no violations have been noticed, no violations have been cited, nor have any proceedings been commenced in connection with the operation of the use allowed by subject special permit.

YES X NO

If "NO", please explain: _____

4. I have read the attached "Instructions for Renewal Application" and have complied with same.

YES X NO

If "NO", please explain: _____

5. Please indicate any facts or changes in circumstances which may require a modification of the conditions previously set forth in connection with the subject Special Permit:

NONE

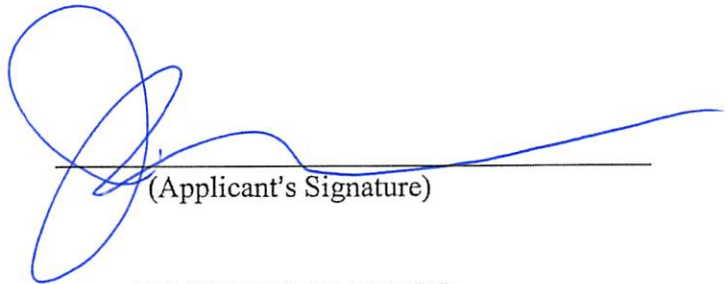
6. Please indicate any other information that you want the Board to consider:

NONE

APPLICATION FOR RENEWAL OF SPECIAL PERMIT

Page 3

THE UNDERSIGNED HEREBY AFFIRMS, UNDER PENALTIES OF PERJURY, THAT ALL STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE. THE UNDERSIGNED FURTHER ACKNOWLEDGES THAT THE ZONING BOARD OF APPEALS WILL RELY UPON THE TRUTH AND ACCURACY OF THE STATEMENTS CONTAINED IN THIS APPLICATION IN PROCESSING THIS REQUEST FOR RENEWAL.

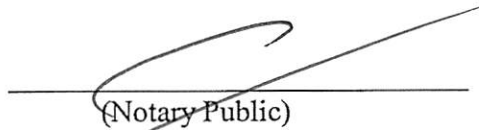


(Applicant's Signature)

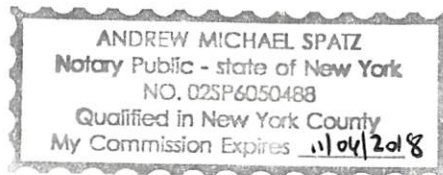
JAMES WEINGARTNER

(Print Name)

Sworn to before me this 31 day
of AUGUST, 2017



(Notary Public)



Applicant's Address: 955 Route 9 North
South Amboy, New Jersey 08879

Applicant's Daytime Telephone Number: 732-727-9168

JOHN DeCRESCENZO
1402 Henry Avenue
Mamaroneck, New York 10543

August 28, 2017

Village of Mamaroneck
Zoning Board of Appeals
169 Mt. Pleasant Avenue
Mamaroneck, New York 10543

Re: Application for Renewal of Special Permit
1SP-2015
Toyota City – 1305 East Boston Post Road
Mamaroneck, New York

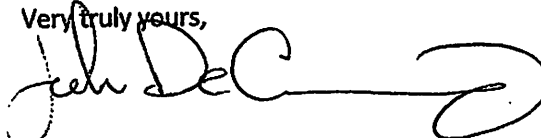
To Whom it May Concern:

Please be advised that I am the Owner/Landlord of the premises known as 1305 East Boston Post Road, Mamaroneck, New York which premises is rented by DCH Investments, Inc. for the operation of the car dealership known as Toyota City.

I hereby authorize the submission of the Application for Renewal of the Special Permit (1SP-2015) by the Tenant which Renewal is due on January 6, 2018.

Thank you.

Very truly yours,



JOHN DeCRESCENZO

AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF
MAMARONECK, HELD ON JANUARY 6, 2015 THE FOLLOWING RESOLUTION
WAS ADOPTED:

APPLICATION NO. 1SP-2015

2015 JAN 14 A 11: 00

VILLAGE OF MAMARONECK

NEW YORK

Name: DCH INVESTMENTS, INC. D/B/A DCH HOLDINGS LLC
Premises: 1305 East Boston Post Road
District: C-1

Section 4, Block 79, Lot 1B2

WHEREAS, DCH Investments, Inc. D/B/A DCH Holdings LLC ("Applicant") has applied to this Board for a special permit to operate a car dealership at 1305 East Boston Post Road ("Premises") within a C-1 District, pursuant to Article X Chapter 342 (Zoning) of the Code of the Village of Mamaroneck; and

WHEREAS, after due notice, this Board held a public hearing on such application on January 6, 2015, at which time it heard all parties and received their evidence and proofs; and the public hearing having been closed; and members of this Board having made personal inspection of the Premises and being familiar therewith; and

WHEREAS, after duly considering all the proofs and evidence before it, this Board finds as follows:

1. The location and size of the use, the nature and intensity of the operation, and the traffic involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to the type, arrangement, and capacity of streets giving access to it, are such that the use, as set forth by the Applicant, will be in harmony with the appropriate and orderly development of the district in which it is located. A car dealership and showroom have been situated at the Premises for many years. Service operations are being eliminated and moved to another location, with the new showroom consisting of approximately 10,000 square feet.
2. The location, nature, and height of buildings, walls and fences, and the nature and extent of the landscaping and screening on the site, as existing or proposed, are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.
3. The operation in connection with the use, as set forth by the Applicant, will not be objectionable by reason of noise, fumes, smoke, dust, vibration, glare, intensity, or flashing lights.
4. The use, as set forth by the Applicant, will not adversely affect the public health, safety and welfare, and the comfort and convenience of the public in general, and of the residents of the neighborhood in particular.
5. The application is in compliance with special permit standards and requirements as set forth in Section 342-71 of the Code of the Village of Mamaroneck.

6. The Applicant is entitled to the granting of the special permit under the circumstances of this application.

NOW THEREFORE, on motion of Mr. Ianniello, and seconded by Mr. Sullivan:

BE IT RESOLVED, this Board finds that the within application is an unlisted action under the State Environmental Quality Review Act (SEQRA) and the Board adopts a negative declaration finding no significant adverse environmental impacts for the action, with the negative declaration of the Planning Board dated November 12, 2014 further supporting this determination.

In favor: Ianniello, Sullivan, Violi, Weprin

Opposed: None

Absent: Neufeld

NOW THEREFORE, on motion of Mr. Sullivan, and seconded by Mr. Violi:

BE IT FURTHER RESOLVED, that in accordance with the vote of this Board taken on January 6, 2015 that the application for such special permit is hereby granted, subject to the following conditions:

A. That the special permit granted herein shall be valid for an initial probationary period of three (3) years beginning January 6, 2015 with the renewal application having to be made by Applicant no less than four (4) months prior to the expiration date; and, upon the Applicant's failure to make said renewal application, the special permit granted herein shall expire without further notice to the Applicant.

B. That the special permit is granted to the Applicant and shall expire upon a transfer of ownership or a change in the use of the Premises.

C. That any work done hereunder shall be in strict compliance with the plans as filed with this application, except as expressly modified by the conditions herein or as approved by the Building Inspector.

D. That the granting of this application shall not be deemed to relieve the Applicant of the need to obtain approval of any other board or agency or officer prescribed by law or ordinance with regard to the plans or construction or any other phase of the proposed project.

E. That the Applicant shall procure a building permit from the Building Department within one (1) year where necessary to comply with federal, state, or local codes, laws, regulations or requirements and all work shall be completed within one (1) year from the date of the building permit, otherwise this application is denied; and any request for extending the time within which to obtain said building permit shall be filed no less than sixty (60) days prior to the expiration of the one (1) year period.

F. The hours of operation shall be no greater than between the hours of 9 a.m.

to 8 p.m. Monday through Thursday, 9 a.m. to 6 p.m. on Fridays, 9 a.m. to 5 p.m. on Saturdays, and from 11 a.m. to 4 p.m. on Sundays.

G. That the failure to observe and perform any of these conditions shall render this permit invalid.

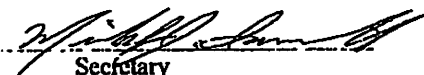
In favor: Ianniello, Sullivan, Violi, Weprin

Opposed: None

Absent: Neufeld

Dated: January 6, 2015
Mamaroneck, N.Y.


Chairman


Secretary

Village of Mamaroneck, NY

Item Title: 4i-2017 Donat 1017 Grove

Item Summary: **Application # 4I-2017, Donat, Lividini & Colaneri, regarding 1017 Grove Street** (Section 4, Block 15, Lot 32) for an appeal of Building Permit #17-0429 issued on 4/24/17 for installation of a fence. APPEAL AMENDED 08/17/17 to include - Appeal of Certificate of Compliance 17-0429 issued on 6/22/17, Building Permit #17-0833 issued on 7/27/17 and Building Permit #17-0838 issued on 7/28/17. (R-5 District)

Fiscal Impact:

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
06 13 2017 4i2017 Donat Appeal fence	6/20/2017	Backup Material
Building Department files for permit 17-0429	6/27/2017	Backup Material
06 22 2017 Certificate of compliance	6/30/2017	Backup Material
08 17 2017 4i 2017 Revised Amendments	8/17/2017	Backup Material
09 07 2017 4i 2017 Photos Applicant submission Grove Street	10/4/2017	Presentation
09 21 2017 Lividini 1017_Grove_Street	10/4/2017	Backup Material
1017 Grove Subdivision As Built Approved SWPPP Comparision	10/4/2017	Backup Material
1017 Grove Subdivision As Built Comparision	10/4/2017	Backup Material
plan posted with 2 2016 BAR Agenda lot 2	10/4/2017	Backup Material
plan posted with 2 2016 BAR Agenda lot3	10/4/2017	Backup Material

CHECKLIST FOR INITIAL ZONING BOARD OF APPEALS SUBMISSION

☒ Applicable Fee \$146

Applicant must submit Sixteen (16) Copies of the following:

- ☒ Completed Application
- ☐ All Certificates of Occupancy or Temporary Certificate of Occupancy for the property, or letter from the Building Department in lieu thereof
- ☐ Violations on the property, and proof that they have been corrected
- ☐ Photographs of the property (3" x 5" or larger) that depict the location and potential impacts of your application
- ☐ Accurate survey of the current status of the property, which has been prepared and certified by a licensed surveyor within the past 12 months of the application date, shall be submitted with each application.
Please note: where a survey certified within the past twelve months is unavailable and the application does not involve any change to the exterior of the property, the ZBA will accept a certification by the owner that to his/her knowledge the existing survey accurately depicts the current status of the property.
- ☐ Certified Drawings, prepared by a registered architect or professional engineer, and other supporting documents
- ☐ Written consent of the owner, if you are not the owner of the property
- ☐ Certification, as required by New York State General Municipal Law.
- ☐ State Environmental Quality Review (SEQR) Short or Long Environmental Assessment Form.
- ☒ Copy of the Determination being appealed. Building permit #17-0429
- ☐ Note: See Instructions regarding submittal of Supplemental Materials or New Plans (Item VII in the Rules of the Zoning Board of Appeals of the Village of Mamaroneck and Instructions for Bringing and Appeal

Janey B. Davis
Applicant's Signature

6/12/17
Date

RECEIVED
JUN 13 2017
hand fw

RECEIVED
JUN 13 2017
BUILDING DEPT.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

- ☐ 16 Copies
- ☐ Completed Application
- ☐ COs or Letter
- ☐ Violations, if any
- ☐ Photographs
- ☐ Survey
- ☐ Certified Drawings
- ☐ Consent
- ☐ Certification/Affidavit
- ☐ EAF
- ☐ Copy of Determination being appealed
- ☐ Riders if Application is Corp./Business Entity

Application No.: _____
Agenda No.: _____
SP _____
AV _____
UV _____
F _____
S _____
Interpretation _____

For Office Use Only

VILLAGE OF MAMARONECK
ZONING BOARD OF APPEALS
APPLICATION

Date June 12, 2017

TO: ZONING BOARD OF APPEALS - VILLAGE OF MAMARONECK
123 Mamaroneck Avenue
Mamaroneck, New York 10543

I (We) Joelyn Donat, along with Anthony Lividini and Karen Colaneri
(Name of Applicant)
of 670 Hampshire Road Mamaroneck, NY
(Insert Complete Mailing Address) Zip 10543

Daytime Phone No. 917 783 2125 Daytime Fax No. _____

Apply to the Board of Appeals regarding property located at
1017 Grove Street - Lot 3
(Insert Location of Premises)

Bearing Village of Mamaroneck Tax Map Number: 4 / 15 / 32
147.82 / 2 / 8
(Section) (Block) (Lot)

Known as
"1017 Grove Street"

Parcel 1 Tax
Map ID
147.82-2-8

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

1. This is an Application for the following: (check one [1] or more as applicable)

☐ Area Variance – This is to use land in a manner not allowed because of dimensional or topographical requirements in the Zoning Code.

☐ Use Variance – This is to allow land to be used in a manner or for a purpose which is prohibited or not allowed by the Zoning code.

☐ Special permit

☐ Sign Variance

☐ Fence Variance

☒ Appeal or Interpretation (Specify Code Section 342-3, 342-21 and

☒ Other: Specify Violates Landscape Plan 342-14
Violates Final Plat Restrictions and Covenant

2. The Date and Description of the determination that is being appealed (a copy of the determination must be attached) Permit # 17-0429

Building Permit For Fence issued 4/24/17

3. What is the present zoning of the property? R-5

4. This Application must be made in the name of the person or entity that has a possessory interest in the property such as a tenant, purchaser or owner. If you are the owner, on what date did you acquire title? _____; If you are not the owner, list the name and address of the owner and describe your relationship to the property and the date said relationship commenced: ARC Properties, LLC 40 Marc

Construction 32 High Street Rye, NY 10580

IF you have acquired title to the property within the past two years, provide the name of the prior owner: _____

relationship - neighboring property owners

NOTE:

If the Applicant or Property Owner is a:

Corporation: attach a separate Rider listing all the corporation's officers, shareholders, and their percentage of share ownership.

Partnership: attach a separate Rider listing the type of partnership and identify the partners and their partnership interests.

LLC: attach a separate Rider listing the LLCs members.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

5. If someone else is authorized to act as your representative or to appeal with you on your behalf before the Board, his or her name, address and telephone number must be provided:

Name: Anthony Lindini or Karen Colaneri

Address: Wood Street

Telephone: (917) 783-2125

6. Has a prior variance, special permit, or interpretation Application ever been submitted for this property?

☒ Yes ☐ No

If YES, you must attach copies of the prior variance or resolution and describe them: _____

(Appeal made on subdivision
approval - resolutions were
violated - 7/2015 (21-2015)
Appeal made on issuance of
building permits 3/2016.)

7. List all permits you must obtain in order to complete the subject project of this Application (include all permits or approvals necessary from any federal, state, county, or local agency or department): _____

N/A

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

8. Is the property subject to any covenants, easement, or other restrictions or encumbrances? If so, list and describe these. (You may be required to provide copies of these documents establishing same to the Board.) Please be advised that nothing herein or within board purview will alter or modify any existing contractual rights with respect to the subject property. _____

Yes - Plat restrictions recorded
against The property and a Landscape
Plan approved by The Planning Board.

9. Check here if there has been any illegal use or violations issued with respect to the property, regardless of whether it has been removed or adjudicated. []

If so, describe and provide the date(s) and details, including if the violation continues: _____

N/A

10. The following are the provisions of the Village Code from which either a variance is sought or a permit is requested (you must itemize each variance you seek, since a variance cannot be obtained unless it is expressly requested and is the subject of public notice):

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

NOTE:

IF THIS IS AN APPLICATION FOR A USE VARIANCE, COMPLETE QUESTION 11, ON PAGE 5.

IF THIS IS AN APPLICATION FOR AN AREA VARIANCE, COMPLETE QUESTION 12, ON PAGE 6.

IF THIS IS AN APPLICATION FOR ALL OTHER APPLICATIONS, INCLUDING A SPECIAL PERMIT, COMPLETE QUESTION 13, ON PAGE 7.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

11. A use variance may only be granted if it is determined that zoning regulations and restrictions cause the property owner unnecessary hardship. New York law provides that: "In order to prove such unnecessary hardship, the property owner shall demonstrate to the Board of Appeals that (1) under the applicable zoning regulations, the owner is deprived of a reasonable return for each and every permitted use under the zoning regulations for the particular district where the property is located. This deprivation must be established by competent financial evidence; (2) the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood; (3) the requested use variance, if granted, will not alter the essential character of the neighborhood; and (4) the alleged hardship has not been self-created."

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider):

N/A

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

12. Under State law, the Board of Appeals must consider the following factors in making a decision on your request for an area variance: "(1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self created..."

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider):

N/A

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

13. If this Application is not for an area or use variance, provide information that supports your Application. You must refer to the appropriate sections of the Village Code and to other legal requirements necessary for the board to consider your Application.

(Note: If you are requesting an appeal or interpretation, be specific as to both the remedy sought and the Code section(s) relevant to your request and provide to the Board all legal authorities that support your position, by attaching to this Application.)

see Attached

13.

This application to the Zoning Board of Appeals is to appeal the decision made by the building department to issue a building permit for a fence at 1017 Grove Street.

1017 Grove Street has been subdivided into 3 Lots – Lot 1, Lot 2 and Lot 3. As a condition of the subdivision approval, the Planning Board imposed covenants and restrictions on the property that are outlined in the “Resolutions” as well as on the “Final Plat” filed with the County of Westchester.

One of the Planning Board “covenants and restrictions” for approving the subdivision and clearly stated on the Final Plat includes the following:

“4. All improvements, including without limitation any residential dwellings and accessory structures, to be constructed on the property shall be located wholly within the building envelope areas for allowable construction shown on the final subdivision plat.” – (verbatim from Final Plat text)

A fence is defined in the Village Code as a structure.

In the Village Code, a fence is listed as an allowable accessory use.

The fence was constructed outside of the defined building envelope clearly defined on the Final Plat and therefore should not have been allowed.

In addition, there was a negotiated Landscape Plan which included low shrubs along the Wood Street area. The building of the 6' fence obstructs the shrubs that were agreed upon with the Wood Street neighbors during the Planning Board process. The installation of a fence violates the agreed upon Landscape Plan as it makes it irrelevant if the Wood Street neighbors now view a 6' tall fence vs. the agreed upon shrubbery.

I am aggrieved by the issuance of this permit as I border the property at 1017 Grove street and have to look at the fence. Both Karen Colaneri and Anthony Lividini, both owners on Wood Street have joined me in submitting this appeal. Both of their properties border Lot 3. They were both part of the Planning Board process when discussions and agreements took place regarding the creation of the Landscape Plan.

We expect that the conditions, covenants and restrictions put in place by the Planning Board will be strictly enforced by the Village.

Please revoke the permit to build the fence effective immediately because;

- The fence, a structure, has been built outside of the building envelope set by the Planning Board**
- The fence violates the agreed upon Landscape plan – the Wood Street residents cannot even see the landscaping that they requested because the fence is blocking their view of the property**

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

It is the my responsibility as the Applicant to complete this Application completely and carefully, and to provide sixteen (16) copies of this Application, together with all necessary papers, plans, surveys, documents or other required information.

Failure to submit the required documents and information will delay my Application or result in its denial, since the ZBA cannot review or grant relief to incomplete Applications.

It is my responsibility to comply with all related requirements in presenting this Application, and the ZBA reserves the right to request additional documentation and/or drawings, and to condition any requested relief upon the filing of covenants and restrictions.

Although employees of the Village may provide me with assistance, I understand it is my responsibility to be familiar and comply with all applicable laws and to submit all necessary papers, plans, surveys, documents or other required information. I understand that copies of the Village Code are available for my review at the Village Clerks office, and that I may be represented at the ZBA hearing.

I HEREBY CERTIFY THAT ALL STATEMENTS MADE ON THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE.

Sworn to before me this 12th day of JUNE, 2007

[Signature]
(Applicant's Signature)

[Signature]
SHANTELL S SMALLS
Notary Public, State of New York
No. 01SM6249686
Qualified in Nassau County
Commission Expires 10/11/9

FENCE PERMIT



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543
914-777-7731

Parcel ID: 4-15-32

Permit #: 17-0429

Permit Date: 4/24/2017

Expiration Date: 4/24/2018

Owner: AVC PROPERTIES LLC

Location: 1017 GROVE ST

Applicant: AVC PROPERTIES LLC

Work Description: FENCE

6' high PVC white fence on Lot 3

Contractor:

Marc Construction
32 High Street
Rye, NY 10580

Work: 804-1180

Lic. Number: WC18695-H07

Required Inspections:

FINAL CO/CC

Tasks To Be Completed:

FINAL COST AFFIDAVIT

CERTIFICATE OF COMPLIANCE FEE RESIDENTIAL

Fees:

BUILDING APPLICATION FEE RESIDENTIAL	\$60.00
BUILDING PERMIT FEE RESIDENTIAL	\$46.80
Total	\$106.80

ALL PERMITS ARE REQUIRED TO HAVE EITHER A CERTIFICATE OF COMPLIANCE OR A CERTIFICATE OF OCCUPANCY. IF A CERTIFICATE OF OCCUPANCY IS REQUIRED, ONE MUST BE OBTAINED BEFORE THE BUILDING OR ANY PART MAY BE OCCUPIED.

NOTICE: All work shall be executed in strict compliance with the permit application, approved plans, the NYS Uniform Fire Prevention and Building Code, and all other laws, rules and regulations which apply. The building permit does not constitute authority to build in violation of any federal, state or local law or other rule or regulation.

Acting Building Inspector
Village of Mamaroneck - Building Department

STES

LOCATION MAP

PROPOSED PUBLIC WATER / PUBLIC SEWER MAIN EXTENSION
Westchester County Department of Health

Approved pursuant to chapter 872, Article X, Sections 873.001 and 873.002 and Articles VI and XXII of the Winchester County Sanitary Code subject to the provision of public water supply and public sanitary sewer facilities to serve each habitable building hereafter constructed. These buildings are to be installed in accordance with land improvement plans and specifications approved by the Board to which office, when in the consideration of such applications.

Each purchaser of property shown herein shall be furnished a true copy of this plan showing this endorsement. Any erasures, changes, additions or alterations of any kind, except the addition of signatures of other approving authority and the date forced made on this plan after this approval, shall voidable the approval.

Accounted for by the Assistant Commissioner of Health on Behalf of the Department of Health

Accounted for filing in the Worcester County Clerk's Office Division of Records

[Signature]
Record Owner: AVC PROPERTIES LLC.

Record Owner) AVC PROPERTIES LLC.
President/owner

Approved by resolution No. 1 of the Planning Board of the Village of Mamaroneck
New York on the 27th Day of May, 2015

Subject to all requirements and conditions of said resolution. Any changes, amendments, modifications, or revisions of this plan are approved shall void this approval.

Month	Year
January	2018
February	2018
March	2018
April	2018
May	2018
June	2018
July	2018
August	2018
September	2018
October	2018
November	2018
December	2018

Chelmsford

George J. Molarelli, the surveyor who made this map, do hereby certify that the survey upon which this map is based was completed on September 27, 2012, and that this map was completed on March 7, 2013.

NY/State/Personal and Summary No. 40782

SUBDIVISION MAP OF
PROPERTY BELONGING TO AVC PROPERTIES LLC
VILLAGE OF MAMARONECK
WESTCHESTER COUNTY, N.Y.

Scale: 11 = 100

Date : March 7, 2015
Revised : May 20, 2015

UNRECORDED COPY ONLY. MONEY MARKET/ CREDIT 27 28 NOV 2004

ESTER COUNTY INDEX 370/EM SHEET
PAGE THIRTYNINE OF 39

70741 ABEA-21 884 1 04 1 0355

Prepared By: George J. McDevitt PE, L.S., PC.
Civil Engineer & Land Surveyor
23 Rose Ave. Haverhill, N.Y.

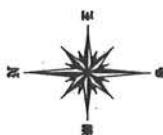


PROPOSED WATER MAIN AND APPURTENANCES APPROVED
BY THE DISTRICTS JOINT WATER WORKS

7/1/65

UTILITIES DESIGNED BY MICHAEL F. STEIN P.E. OF

Date: 6/12/15 By: Michael F. Stein



HAMPSHIRE ROAD

STREET

For Lot 147.02-2-8

OT 1
725.0 M

LOT 2	12,388.0 M ²
-------	-------------------------

BUILDING ENVELOPE AREA FOR ALLOWABLE CONSTRUCTION



1

COVENANTS AND RESTRICTIONS AS PER PLANNING BOARD APPROVAL.

- [illegible]

VILLAGE OF MAHARANECK ZONING RECOMMENDATIONS					
R-1.5 One + Family Residence					
IN ONE FAMILY	REQUIRED	PROPOSED		LOT 1	LOT 2
		LOT 1	LOT 2		
MINIMUM LOT AREA	5,000 SF	10,000 SF	10,000 SF	10,000 SF	10,000 SF
MINIMUM LOT FRONTAGE	50.0 FT	100.0 FT	100.0 FT	100.0 FT	100.0 FT
MINIMUM LOT DEPTH	100.0 FT	100.0 FT	100.0 FT	100.0 FT	100.0 FT
MINIMUM LOT AREA PER RESIDENT (Sqm) (1 Sqm = 10.76 SF)	250	500	500	500	500
MINIMUM LOT FRONT YARD SETBACK	10 FT	10 FT	10 FT	10 FT	10 FT
MINIMUM LOT SIDE SETBACK	10 FT	10 FT	10 FT	10 FT	10 FT
MINIMUM LOT REAR SETBACK	10 FT	10 FT	10 FT	10 FT	10 FT
MINIMUM LOT WIDTH	20 FT	30 FT	30 FT	30 FT	30 FT
MINIMUM LOT DEPTH	25 FT	30 FT	30 FT	30 FT	30 FT
MINIMUM LOT AREA PER RESIDENT (Sqm) (1 Sqm = 10.76 SF)	250	500	500	500	500

ANY ALTERATION OR ADDITION TO THIS PLAN IS A VIOLATION OF

FINAL PLAT DETAIL

Taken from the Final Plat Filed with the County of
Westchester May, 2015:

COVENANTS AND RESTRICTIONS AS PER PLANNING BOARD APPROVAL

4. All improvements, including without limitation
any Residential Dwellings and Accessory Structures, to be
constructed on the property shall be located wholly within
the Building Envelope Areas for allowable construction
shown on the final Subdivision Plat.

VILLAGE CODE

Mamaroneck Code

§ 342-3 Terms defined.

Chapter 342: Zoning Article II: Definitions and Word Usage

§ 342-3 Terms defined.

B.

As used in this chapter, the following terms shall have the meanings indicated:

STRUCTURE

Anything constructed, erected or installed the use of which requires location on or under the ground level, in whole or in part, or attachment to something having location on or under the ground. Depending upon its applicability, the use herein of "structure" shall include the term "building."

[Amended 9-11-1972, effective 9-27-1972]

§ 342-21 One-Family Residence Districts.

Chapter 342: Zoning Article V: Residential District Regulations

§ 342-21 One-Family Residence Districts.

B.

Permitted accessory uses. The following accessory uses are permitted in R-20, R-15, R-10, R-7.5, R-6 and R-5 One-Family Residence Districts only in conjunction with a permitted principal use:

(9)

Fences, walls or retaining walls pursuant to § 342-14.

[Amended 5-31-1979 by L.L. No. 10-1979, effective 6-8-1979; 5-10-2010 by L.L. No. 12-2010, effective 5-26-2010]

§ 342-14 Building projections.

Chapter 342: Zoning Article IV: General Regulations

§ 342-14 Building projections.

C.

Fences, walls or retaining walls shall be constructed with the finished side facing outward from the property, and shall not exceed six feet in height, except:

[Amended 5-10-2010 by L.L. No. 12-2010, effective 5-26-2010]

(1)

On a corner parcel, placed beyond the front or side building lines, they shall not exceed four feet in height.

(2)

VILLAGE CODE P. 2

An additional six inches in height may be allowed, at the discretion of the Building Inspector, to provide for necessary distance between the grade and the bottom of the fence, for greater flexibility in mounting.

(3)

Where required pursuant to Article XI.

(4)

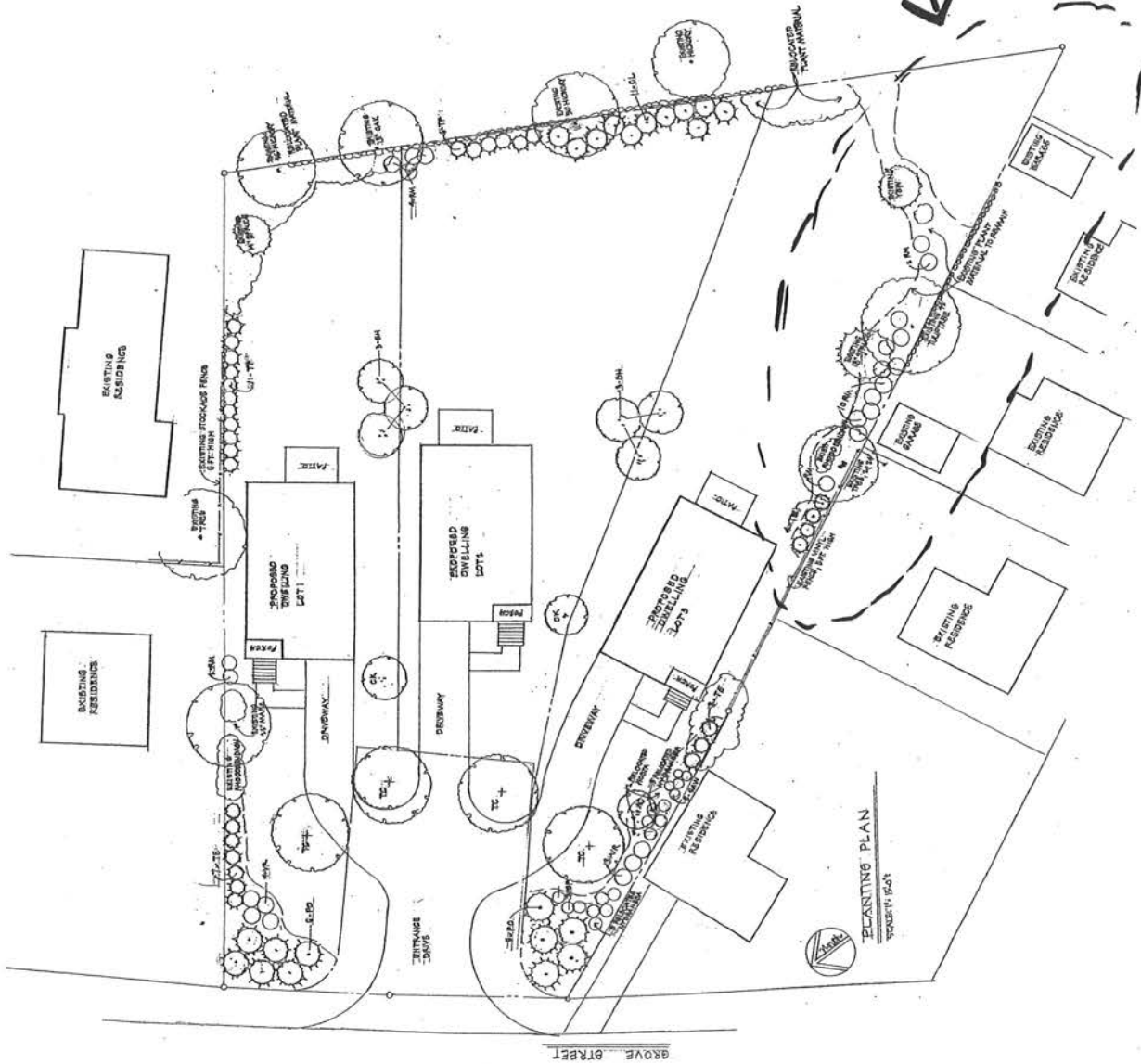
Where approved in conjunction with a special permit granted under Article X.

17

GENERAL NOTES[illegible]LANDSCAPING FOR PROPOSED 3 LOT SUBDIVISION at
1017 BROVE STREET, VILLAGE OF MANASSA, NEW YORK

DEVELOPER, AND PROPERTIES, LLC, 35 HIGH STREET, RYE, NY
ENGINEER: HODSON ENGINEERING CONSULTING, P.C. 30 SOUTH BROADWAY, TASTETOWN, NY
LAND ARCHITECT: ANTHONY ACCIOLLA LANDSCAPE ARCHITECT, 121 THEODORE GARDEN RYE BEACH, NY

JUNE 21, 2014

[illegible]

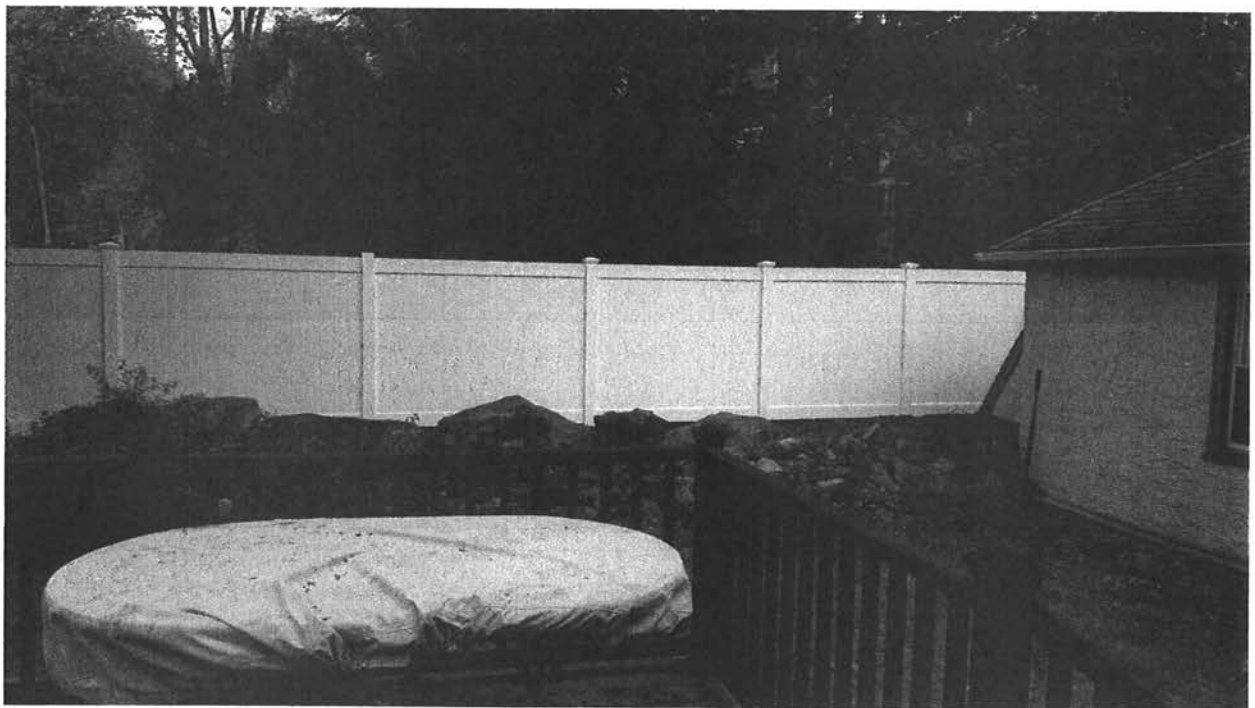
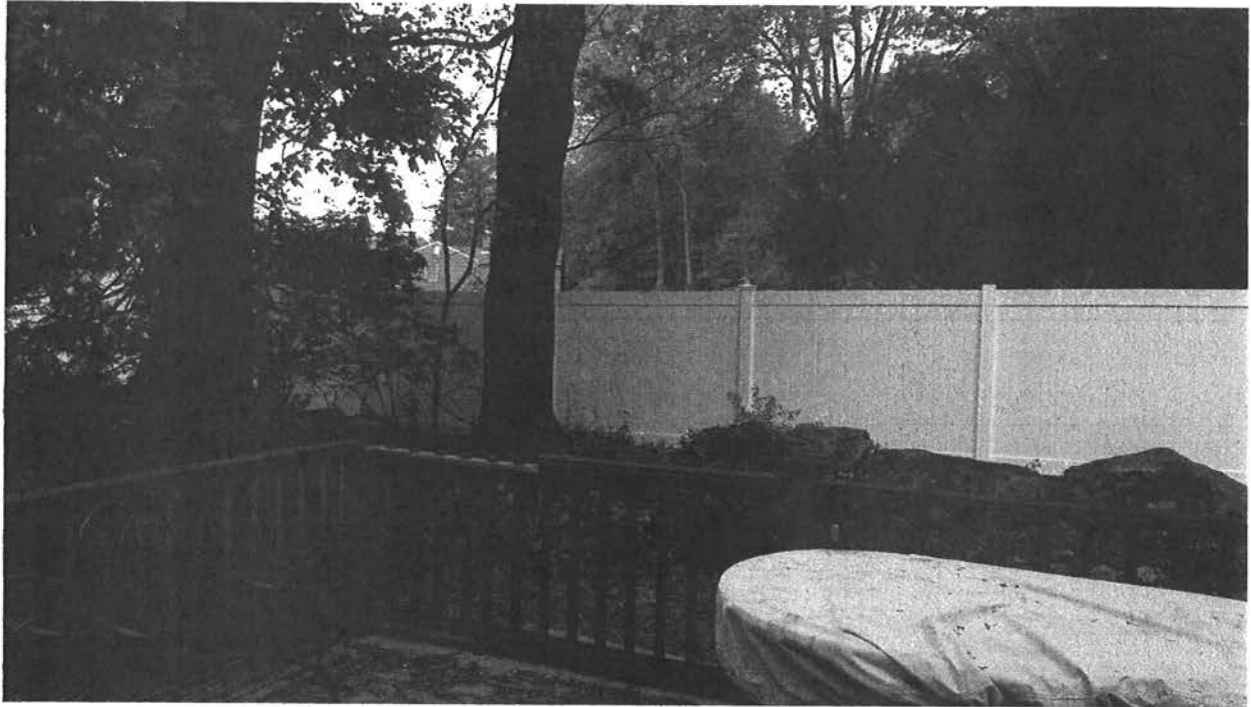
PHOTOS

View from Wood Street – Lividini Residence BEFORE



PHOTOS

View from Wood Street – Lividini Residence AFTER



EMAIL - LIVIDINI

From: **Tony Lividini** tlividini@gmail.com
Subject: Appeal
Date: June 12, 2017 at 6:20 PM
To: Jocelyn Donat jocelyn.donat@gmail.com



To whom it may concern,

I Anthony Lividini residing at 645 Wood Street Mamaroneck, New York 10543
Would like to appeal the building permit for the fence issued on April 24, 2017

1) It violates the agreed upon and negotiated landscape plan
that was discussed at numerous town meetings

2) It also violates the building envelope restrictions for the Grove street subdivision

As a tax payer on (2) properties in the Village I expect the rules, codes and Village policies be followed for all residents

Anthony Lividini

RESOLUTIONS

VILLAGE OF MAMARONECK PLANNING BOARD (Adopted May 27, 2015)

RE:1017 Grove Street – 3 Lot Subdivision Resolution of Conditional Final Subdivision Approval

After due discussion and deliberation, on motion by Mr. Sjunnemark, seconded by Mr. Mendes and carried, the following resolution was adopted:

WHEREAS, on January 10, 2014, AVC Properties LLC, the Applicant, (all references to which shall include and be binding upon the Applicant's successors and/or assigns) submitted to the Village of Mamaroneck Planning Board ("Planning Board") an Application with accompanying documentation seeking to subdivide an existing lot containing an existing two family residence ("Premises") into three lots, to demolish the existing two family residence and to construct three new single family residences on the newly created lots ("Application"); and

WHEREAS, the Applicant's property is located at 1017 Grove Street ("Property"), situated within the R-5 Residential District; and

WHEREAS, the Planning Board conducted a site visit on the Property on March 29, 2014 and is familiar with the Property and all aspects of the proposed action and has been satisfied that the subdivision plat will conform to the requirements of the Village Code; and

WHEREAS, the Planning Board has carefully reviewed the application and considered comments from the Village Planner in memoranda dated June 19, 2014 and September 19, 2014 as well as in memoranda from the Village Landscape Consultant dated February 12, 2014, July 8, 2014, September 5, 2014, September 12, 2014, September 15, 2014 and October 22, 2014, Westchester County Planning Department's referral review dated October 20, 2014 and from the Village Engineer dated July 6, 2014. The Village Engineer has evaluated and approved the Applicant's SWPPP revised December 10, 2014 and verbally provided information to the Planning Board at its public meetings on the Application; and

WHEREAS, the Planning Board has requested and reviewed alternate subdivision plats from the Applicant regarding impervious surfaces, layout design, street design, positioning of the footprints of the proposed residential units vis-à-vis neighboring properties, landscaping, watershed analysis, location of culverts and other stormwater management improvements on the Property, fire truck turning analysis, driveway configurations, proposed rendering of residential units and location of garages. The Board reviewed the Applicant's Engineer's memo dated June 4, 2014 outlining the impacts of alternative layouts. The Board also reviewed the following set of plans dated January 17, 2014 with final revision dated October 13, 2014 (except for WJWW 5/15/15 revisions as noted), a Short-Form Environmental Assessment Form ("EAF") and a Coastal Assessment Form ("CAF") dated December 17, 2013 and a Stormwater Pollution Prevention Plan ("SWPPP") (dated April 11, 2014 and revised October 13, 2014) prepared by Hudson Engineering & Consulting, P.C. (HEC) as submitted by the Applicant which forms a part of the Application:

1. Drawing C-1- "Proposed 3 Lot Subdivision, 1017 Grove Street, Mamaroneck, "Existing Conditions Map."
2. Drawing C- 2 - "Layout Plan. "
3. Drawing C-3 – "Stormwater Management Plan."
4. Drawing C-4 – "Utilities Plan Revised." (Revised 5/15/15 per WJWW)

5. Drawings C-5 – "Roadway and Utility Profiles." (Revised 5/15/15 per WJWW)
6. Drawing C-6 – "Erosion & Sediment Control plan." (Revised 5/15/15 per WJWW)
7. Drawing C-7 – "Site Details." (Revised 5/15/15 per WJWW)
8. Drawings C-8 – C-13 – "Site Details."
9. Drawing C-14 – "Site Details." (Revised 5/15/15 per WJWW)
10. Drawing C-15 – "Notes." (Revised 5/15/15 per WJWW)
12. "Pre-Conditions Watershed Map, Proposed 3 Lot Subdivision."
13. "Landscape Plan" prepared by Anthony Acocella, Landscape Architect, P.C., dated June 21, 2014 and revised July 16, 2014.
15. Coastal Assessment Form ("CAF") dated December 17, 2013 and submitted pursuant to Local Law No. 30-1984;
16. Short-Form Environmental Assessment Form ("EAF") dated December 17, 2013.

WHEREAS, the house locations shown on the "Layout Plan" were established through extensive study and mutual agreement between the Applicant and the Planning Board; and

WHEREAS, a duly advertised public hearing on the application was opened on March 26, 2014 and continued on April 23, 2014, June 11, 2014, July 9, 2014, September 10, 2014, and October 22, 2014 and closed on October 22, 2014 at which the opportunity for public comment was offered to all interested parties. The Planning Board received and reviewed written communications from neighbors and other interested parties as well as Applicant's response and his Engineer's response to certain of those communications in separate letters both dated October 22, 2014; and

WHEREAS, on February 12, the Planning Board tentatively determined that the Project was an unlisted action under SEQRA and directed issuance of a Notice of Intent to be Lead Agency and on March 26, 2014, assumed Lead Agency status; and

WHEREAS, on November 12, 2014, after reviewing Part 1 of the SEAF and completing Parts 2 and 3 of the EAF and based upon the application as revised by the Applicant, the Planning Board determined that the proposed unlisted action would not result in any significant adverse environmental impacts and adopted a Negative Declaration for the proposed unlisted action; and

WHEREAS, pursuant to the authority granted to it under Section A348-19 of the Village's Subdivision Regulation the Planning Board has determined to grant the Applicant a waiver from strict compliance with the provisions of Section 348-14(E) of the Subdivision Regulations; and

WHEREAS, the Applicant appeared before the Harbor and Coastal Zone Commission (HCZMC) on September 17, 2014 and November 19, 2014, and, on that later date, the HCZMC determined that the Project is consistent with the Village's Local Waterfront Revitalization Program ("LWRP") pursuant to Chapter 240 of the Village Code; and

WHEREAS, on December 10, 2014, the Planning Board adopted a Resolution of Preliminary Plat Approval on the Application; and

WHEREAS, on May 13, 2015 application was made for approval of a final subdivision plat entitled "Subdivision Map of Property Belonging to AVC Properties LLC Village of Mamaroneck Westchester County, NY" prepared by George J. Mottarella PE, LS. PC dated May 20, 2015 ("Final Plat"); and

WHEREAS, the Final Plat is in substantial conformity with the previously approved Preliminary Subdivision Plat so as to obviate the need for a public hearing on the Final Plat; and

WHEREAS, the Planning Board has received and considered comments on the Final Plat from staff, counsel and the Acting Village Engineer and has received and considered comments from the public on the Final Plat; and

WHEREAS, the Planning Board has completed its review and evaluation of the application and the final plat and has fully considered the factors set forth in Village Code and determined that such standards and criteria have been satisfied:

NOW, THEREFORE, BE IT

RESOLVED, that the application for approval of a final subdivision plat composed of C-2, *Proposed 3 Lot Subdivision, 1017 Grove Street, Layout Plan, C-2 Grading and Drainage Plan, C-3 Stormwater Management Plan, C-4 Utilities Plan, C-5 Roadway and Utility Profiles, C-6 Erosion and Sediment Control Plan, C-7 through C-14 Site Details and C-15 Notes* prepared by Hudson Engineering & Consulting, P.C. revised October 13, 2014 for the subdivision of property located at 1017 Grove Street into three lots ("Premises") and the construction of new single-family residences on each lot, and approval of a Stormwater Pollution Prevention Plan ("SWPPP") dated ~~December 1, 2014~~, approved subject to compliance with the following conditions and modifications

1. The Applicant shall pay all outstanding consultant review fees in connection with the Planning Board review of this Application.
2. All conditions of this resolution shall be satisfied prior to the Planning Board Chairman's signing of the Final Plat, unless otherwise provided herein.
3. The preparation and submission to the Planning Board of a plat in final form within 180 days of the date of the filing of this resolution granting conditional final subdivision plat approval, which shall be accompanied by the items of information enumerated in Section A348-10 of the Village of Mamaroneck Subdivision Regulations. One or more extensions may be granted by the Planning Board provided that the Applicant makes application to the Planning Board not less than thirty (30) days prior to the expiration of the original or subsequent approvals. A request for an extension of time to submit a final plat must include information regarding the date that the Planning Board granted final subdivision approval and a statement as to whether any prior application for an extension of time has been made by the Applicant and the action taken by the Planning Board on such application.
4. The Applicant, in form satisfactory to Counsel to the Village shall submit to the Village (1) a written offer of dedication of all streets shown to be improved; and (2) a written offer of easements as required across lots or parcels of land not covered by the above offer of dedication, giving the Village the right to install, construct, reconstruct and maintain therein all storm and sanitary sewers, water services and other Village services.
5. The Planning Board having determined that the need for recreational facilities created by this subdivision cannot be met on the property, payment of a recreation fee of \$8,125.00 for each of the three newly created lots or a total of \$24,375.00 pursuant to Section A 348-13 of the Village Code in accordance with the subdivision recreation fee schedule established under Chapter A347, Fees in the Village Code.

6. The proposed three new single family residences shall be limited to 2,750 square feet of floor area for the residence and an additional 400 square feet for a garage for a total of 3,150 square feet. This restriction shall be incorporated into a Declaration, in form acceptable to counsel to the Village to be recorded against the property in the Westchester County Clerk's office.

7. Any change in the house locations shown on the "Layout Plan" shall require prior approval of the Planning Board.

8. The submission by the Applicant of a Declaration, in recordable form subject to the approval of the Village Engineer and counsel to the Village, concerning the construction, maintenance and inspection of the features of the stormwater managementsystem for each of the three lots and the posting of a bond or bonds required for maintenance of the stormwater management system on each of the three lots.

9. As offered by the Applicant, the Applicant will undertake the construction and improvement of Village infrastructure on Grove Street as shown on the "Grading and Utilities Plan" as part of final plat approval by the Planning Board, including, but not limited to, the following: (1) installation of a proposed Village standard precast concrete catch basin (NYSDOT Type 'F') and casting, (2) installation of proposed 15 inch minimum diameter storm sewer and extension of the existing 30" RCP storm sewer, and any other modifications, as required, to complete the Work, (3) removal and replacement of the existing double grate catch basin on Grove Street with a Village standard precast concrete catch basin (NYSDOT Type 'O') and casting, (4) installation of a stormwater bypass system capable of temporarily diverting surface, groundwater or other flows during installation of the proposed Village standard catch basins, (5) due to an existing Village utility conflict, modification (i.e. re-routing) of approximately forty (40) linear feet of existing 15 inch vitrified clay sanitary sewer main adjacent and parallel to the existing double grate catch basin, (6) removal of an existing sanitary sewer manhole located immediately north of the existing double grate catch basin and replacement with a proposed Village standard precast concrete sanitary sewer manhole, (7) installation of a proposed (new) sanitary sewer manhole required for the re-alignment of the existing sanitary sewer main away from the existing double grate catch basin, (8) installation of a sanitary sewer bypass system capable of temporarily diverting sanitary sewer flow during modification to the existing 15 inch sanitary sewer main and (9) replacement of a portion of the existing sidewalk located to the south of the property with a Village standard concrete sidewalk, including the installation of a Village standard curb ramp and detectable warning unit.

10. The Applicant will install a fire hydrant on the Property in a location approved by the Fire Chief and Village Engineer. The type of fire hydrant shall be specified by Westchester Joint Water Works (WJWW).

11. All proposed curbing within the Village Right-of-Way and site shall be granite, with finishes (e.g. split face, sawn top) as specified by the Village Engineer.

12. If the Applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, he shall report such conditions immediately to the Village Engineer. The developer may submit, if he so desires, his recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. The Village Engineer, without unnecessary delay, shall investigate the condition or conditions, and shall either approve the Applicant's recommendations to correct the conditions, order a modification thereof, or issue his own specifications for the correction of the conditions. In the event of the

Applicant's disagreement with the decision of the Village Engineer, or in the event of a significant change resulting to the site plan or any change that involves the wetlands regulated areas, the matter shall be decided by the Planning Board. Any such conditions observed by the Planning Board or its agents shall be similarly treated.

13. All work performed within the Village Right-of-Way shall be in accordance with Village standard construction details and specifications to the satisfaction of the Village Engineer.

14. Submission of Westchester County Department of Environmental Facilities (WCDEF) and Westchester Joint Water Works (WJWW) "Will Serve" letters stating that each utility has the ability to accommodate the additional sanitary sewer flow and water supply demand generated from the proposed development.

15. The Applicant shall obtain all necessary approvals from the Westchester Joint Water Works (WJWW) and Westchester County Department of Health (WCDOH) for the proposed modifications to the existing water and sanitary sewer mains located within Grove Street. The installation of a proposed fire hydrant and modifications to the existing sanitary sewer are considered "public water and sewer main extensions". Therefore, the Applicant shall coordinate the applications for the "public water and sewer main extensions" with the WJWW and WCDOH. The Applicant shall coordinate all regulatory agency submissions with the Village Engineer. Prior to receiving final plat approval, the Applicant shall provide the Village Engineer with the approvals issued by the WJWW and WCDOH.

16. The Applicant shall include approximate locations for proposed gas, electric and telephone service lines on the plans.

17. The Applicant shall provide a "Maintenance and Protection of Traffic Plan" for all work performed within the Village Right-of-Way to the satisfaction of the Village Engineer.

18. Submission of a completed MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form for Construction Activities Seeking Authorization under SPDES General Permit GP-0-10-001 (or as amended or revised), in form acceptable to the Village Engineer.

19. Submission of an "Existing Conditions Map" to the satisfaction of the Village Engineer. Two (2) signed and sealed copies of the original survey shall also be submitted to the Village Engineer and Building Department.

20. Submission of a final "Erosion and Sediment Control Plan" to the satisfaction of the Village Engineer.

21. Submission of a final "Roadway and Utility Profiles" to the satisfaction of the Village Engineer.

22. Submission of final "Site Details" to the satisfaction of the Village Engineer.

23. Inclusion of additional plan notes related to the proposed development, as deemed appropriate by the Village Engineer.

24. Addition of the following notes to the final construction and soil and sedimentation control plans:

(a) Throughout the construction period, a qualified professional retained by the Applicant shall, on at least a weekly basis, prior to any predicted rain event and after any runoff-producing rain

event, inspect the soil erosion and sedimentation control measures to ensure their proper functioning. Soil shall be removed from the silt fence when bulges develop in the fence, in accordance with Village and New York State Department of Environmental Conservation (NYSDEC) recommendations.

(b) Prior to the commencement of any site work, the Applicant shall stake the location of the proposed residences and the proposed roadway, and shall flag the trees to be removed and/or relocated for inspection and approval by the Village Engineer and Building Inspector.

(c) All soil erosion and sedimentation control measures shown on this plan shall be in place prior to the start of any site work. The Village Engineer shall have inspected the installation of all required soil erosion and sedimentation control measures prior to the authorization to proceed with any phase of the site work.

(d) Grading and clearing and other construction-related activities shall take place only within the delineated area of disturbance lines. These area of disturbance lines represent the maximum limits of construction activities. Every attempt shall be made to further reduce grading and clearing activities within the area of disturbance lines by maintaining natural vegetation and topography wherever practicable.

(e) Area of disturbance lines shall be clearly delineated in the field by installing snow fence around the entire proposed construction area. No encroachment beyond these limits by workers or machinery shall be permitted.

25. The Applicant will develop an area for snow removal and note such on the plans.

26. The Applicant shall provide a performance bond, letter of credit or other security acceptable to the Village Board, as required, for utilities, streets, landscaping, curbing, lighting, stormwater improvements, off-site stormwater/catch basin improvements and construction in form acceptable to counsel to the Village in an amount or amounts to be established by the Village Engineer.

27. The Applicant shall provide a maintenance bond or other suitable guarantee sufficient to cover the full cost, as estimated by the Village Engineer of maintaining all such improvements and of making such repairs and improvements as may be necessary in that at the end of the five (5) years completion, said improvements shall conform to the requirements imposed by the Planning Board.

28. Prior to the Planning Board Chairman's signing of the final subdivision plat, the Applicant shall provide liability insurance as required by Section A348-18 of the Village Subdivision Regulations.

29. Prior to the Planning Board Chairman's signing of the final subdivision plat, the Applicant shall secure approval of the water supply and wastewater disposal system and the endorsement of the plat by the Westchester County Department of Health.

30. Approval by the Planning Board, acting upon the advice of the Village Engineer, of the Stormwater Pollution Prevention Plan ("SWPPP") for a land development activity pursuant to Chapter 294 of the Village Code.

31. Prior to and during the course of construction, the care and treatment of tree roots in close proximity to construction shall be supervised by a Certified Arborist. Prior to the issuance of a building permit, the Applicant shall submit to the Village Engineer and Building Department a protocol from the

arborist that follows industry standards/procedures, including, but not limited to, the use of hand tool excavation of soil to locate roots, clean cuts using hand saws, and wounds covered with wet burlap until back filled, and the submission of a final report after project excavation is completed confirming that the protocol was adhered to and observed at all stages by the arborist. As agreed to by the Applicant, the name and credentials of the Arborist selected to perform the above tasks shall be submitted to the Village for review and approval prior to commencement of those tasks.

32. Prior to the issuance of a building permit, the Applicant shall furnish to counsel to the Village, and file with the Village Clerk, a copy of all documents required to be recorded as a condition of this approval and written evidence of the submission of such documents to the County Clerk's Office for recording.

33. Prior to the issuance of a certificate of occupancy for any of the lots, the Applicant shall submit to counsel to the Village and to the Building Department written evidence of the actual recording in the County Clerk's Office of all documents required to be recorded as a condition of this approval.

ANDBE IT FURTHER

RESOLVED, that the physical work as set forth in the above conditions shall be completed on or before the date this Final Plat is submitted for signature by the Planning Board Chairman, provided, however, in lieu of performing said physical work prior to the Planning Board Chairman's signature on the Final Plat, a performance bond or other security acceptable to counsel to the Village sufficient to cover the full cost of said work, including the required set of "As Built" drawings, as now estimated by the Planning Board acting on the advice of the Acting Village Engineer, to be \$162,010, may be filed with the Village Board of Trustees prior to the submission of the Final Plat for signature by the Planning Board chairman, such bond or other security to be issued by a surety company or other institution approved by the Village Board of Trustees and further approved by Counsel to the Village as to form, sufficiency and manner of execution, and said bond or other security shall expire no later than three years from the date this Resolution is adopted.

AND BE It FURTHER

RESOLVED, that in the event that prior to the completion of the designated improvements to the Village's satisfaction, the issuer of the bond or other security furnished to the Village hereunder becomes insolvent or, for any reason, disaffirms the validity of such security, the Applicant shall notify the Village Board immediately and replace the invalid or disaffirmed security with a new bond or other security acceptable to the Village Board within thirty (30) days thereafter. The existence of a valid bond, letter of credit or other security shall be a condition precedent to the validity of any permits issued or to be issued in connection with this final subdivision plat.

AND BE IT FURTHER

RESOLVED, that if said conditions be not fully complied with within the above time limit, the said subdivision plat shall be disapproved.

VOTE: Ayes: Sterk, Sjunneemark, Mendes, Verni
Nays: Wexler

PLANNING BOARD
Village of Mamaroneck

Stewart Sterk, Chairman

Date: May 27, 2015

Fwd: 1017 Grove St.

Jocelyn <jocelyn.donat@gmail.com>

Tue 6/13/2017 10:59 AM

To: The UPS Store #2276 <store2276@theupsstore.com>;

Please print - to be picked up by MaryAnn Sangiuolo

- Jocelyn

Begin forwarded message:

From: Karen Colaneri <karencola649@gmail.com>

Date: June 13, 2017 at 9:28:30 AM EDT

To: Jocelyn Donat <jocelyn.donat@gmail.com>

Subject: 1017 Grove St.

I, Karen M Colaneri, residing at 649 Wood Street, Mamaroneck, NY, would like to appeal the building permit for the fence issued on April 24, 2017.

It violates the agreed upon/negotiated landscape plan.

It also violates the building envelope restrictions.

Sincerely,

Karen M. Colaneri

Building Department
documents for the
issuance of permit

17-0429

1017 Grove fence

FENCE PERMIT



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543
914-777-7731

Parcel ID: 4-15-32

Permit #: 17-0429

Permit Date: 4/24/2017

Expiration Date: 4/24/2018

Owner: AVC PROPERTIES LLC

Location: 1017 GROVE ST

Applicant: AVC PROPERTIES LLC

Work Description: FENCE

6' high PVC white fence on Lot 3

Contractor:

Marc Construction
32 High Street
Rye, NY 10580

Work: 804-1180

Lic. Number: WC18695-H07

Required Inspections:

FINAL CO/CC

Tasks To Be Completed:

FINAL COST AFFIDAVIT

CERTIFICATE OF COMPLIANCE FEE RESIDENTIAL

Fees:

BUILDING APPLICATION FEE RESIDENTIAL	\$60.00
BUILDING PERMIT FEE RESIDENTIAL	\$46.80
Total	\$106.80

ALL PERMITS ARE REQUIRED TO HAVE EITHER A CERTIFICATE OF COMPLIANCE OR A CERTIFICATE OF OCCUPANCY. IF A CERTIFICATE OF OCCUPANCY IS REQUIRED, ONE MUST BE OBTAINED BEFORE THE BUILDING OR ANY PART MAY BE OCCUPIED.

NOTICE: All work shall be executed in strict compliance with the permit application, approved plans, the NYS Uniform Fire Prevention and Building Code, and all other laws, rules and regulations which apply. The building permit does not constitute authority to build in violation of any federal, state or local law or other rule or regulation.

Acting Building Inspector
Village of Mamaroneck - Building Department



Village of Mamaroneck Building Department
169 Mt. Pleasant Avenue
Mamaroneck, N.Y. 10543
914-777-7731 Fax 914-777-7792
www.village.mamaroneck.ny.us

RECEIVED

MAR 30 2017

VILLAGE OF MAMARONECK
BUILDING DEPARTMENT

Application #

17-0139

Permit #

Building Permit Application

NOTE: Two sets of construction documents must be submitted with application.

1. Project address: 107 Grove Street Lot 3							
Zone	R5	Section	4	Block	15	Lot	32
Existing use Residential:	<input checked="" type="checkbox"/> Single Family	<input type="checkbox"/> 2 Family	<input type="checkbox"/> Other				
Intended Use:	<input checked="" type="checkbox"/> Single Family	<input type="checkbox"/> 2 Family	<input type="checkbox"/> Other				
Existing Use Commercial:	<input type="checkbox"/> Multi Family How Many?	<input type="checkbox"/> Retail	<input type="checkbox"/> Restaurant	<input type="checkbox"/> Business			
<input type="checkbox"/> Other (Please specify)							
Intended Use:	<input type="checkbox"/> Multi Family How Many?	<input type="checkbox"/> Retail	<input type="checkbox"/> Restaurant	<input type="checkbox"/> Business			
<input type="checkbox"/> Other (Please specify)							
Is This a Non Conforming Use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Please specify)							
Estimated cost:	\$3,000	Application Fee:	\$0	Permit Fee:	466.80		
2. Description of work: Install a 6' PVC white Fence as shown on attached Survey Highlighted in green.							
3. Owners name and address : AVC Properties LLC 32 High St Rye, NY 10580 Phone #: 914-967-8031							
4. Applicant name and address : MARL Construction 32 High St Rye, NY 10580 E-Mail Address: marlconstruction@att.net Phone #: 914-967-8031							
5. Applicant Name (Please print): MARL Castaldi				Applicants Signature: <i>[Signature]</i>			
6. Is this a new residential house? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Addition <input type="checkbox"/> Alteration							
7. Is this a new commercial building? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Addition <input type="checkbox"/> Alteration							
8. Municipal sewer? Yes Septic system? (If applicable, attached Health Dept. approval)							
9. Is this structure with in the flood plain? NC <input type="checkbox"/> If yes, please file a Flood Development Permit							
10. Is this project with in the tidal wetland or buffer? NC <input type="checkbox"/> If yes, please file a wetland activity permit.							
11. Is this project with in the fresh water wetland or buffer? NC <input type="checkbox"/> If yes, please file a wetland activity permit.							
12. Is there a disturbance of land greater than 1,000 square feet? NC <input type="checkbox"/> If yes, please file a SWPPP permit per section 294.							
13. Topography: <input checked="" type="checkbox"/> Flat <input type="checkbox"/> Hilly <input type="checkbox"/> Rocky <input type="checkbox"/> Steep Incline <input type="checkbox"/> Other							
14. Do you require any other board approvals? If yes please check which boards you require below. NC							
<input type="checkbox"/> BAR	<input type="checkbox"/> Zoning	<input type="checkbox"/> Planning	<input type="checkbox"/> HCZM	<input type="checkbox"/> Other			

15. Architect/Engineer name and address:

N/A

Phone #:

16. Contractor name and address:

MARL Construction & Excavating Inc
32 High St
Rye, NY 10580License #: WC-27 879-H15
Expiration date: 7/21/17

Phone #: 914-967-8031

17. Electrician name and address:

N/A

License #:

Expiration date:

Phone #:

18. Plumbers name and address:

N/A

License #:

Expiration date:

Phone #:

19. State of New York
County of Westchester

MARL Castaldi Pro

being duly sworn deposes and says

(Name of Applicant)

He/She is the Contractor of said property, and duly authorized
(Owner, Contractor, Agent or Corporate officer)to perform or have performed the said work and to file this application: that all statements contained in this application are true to the best of my knowledge and belief, and that the work will be performed in the manner set forth in the application in the plans and specification filed therewith and in full compliance with New York State Codes.
Sworn to before me this 6 day of March, 2017SONOMI AKINO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01AK6307962Qualified in Westchester County
(Signature of Notary) Commission Expires July 14, 2018

Do not write below this line office use only

- Received By: BL
- ☒ Residential Application Fee \$0.00
- ☐ Commercial Application Fee \$100.00
- ☒ License:

- ☒ Residential Permit Fee
- ☐ Commercial Permit Fee
- ☐ CO or CC Fee

- ☒ Insurance:
- ☒ 2 Sets of drawings: Survey
- ☒ EAS:
- ☐ Flood Plain Development Application if required

Building Inspector approval: _____

Date approved: _____

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: <u>Fence Installation.</u>			
Project Location (describe, and attach a location map): <u>1017 Grove St Lot 3</u>			
Brief Description of Proposed Action: <u>Installation of PVC 6' Fence white</u>			
Name of Applicant or Sponsor: <u>AVC Properties LLC</u>		Telephone: <u>914-967-8031</u> E-Mail: <u>marconstruction@bhamilton.com</u>	
Address: <u>32 High St</u>			
City/PO: <u>Rye, NY 10580</u>		State: <u>NY</u> Zip Code: <u>10580</u>	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? <u>0.33</u> acres			
b. Total acreage to be physically disturbed? <u>0.001</u> acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <u>0.37</u> acres			
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>AVC Properties LLC</u> Date: <u>3/6/17</u> Signature: <u>[Signature]</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

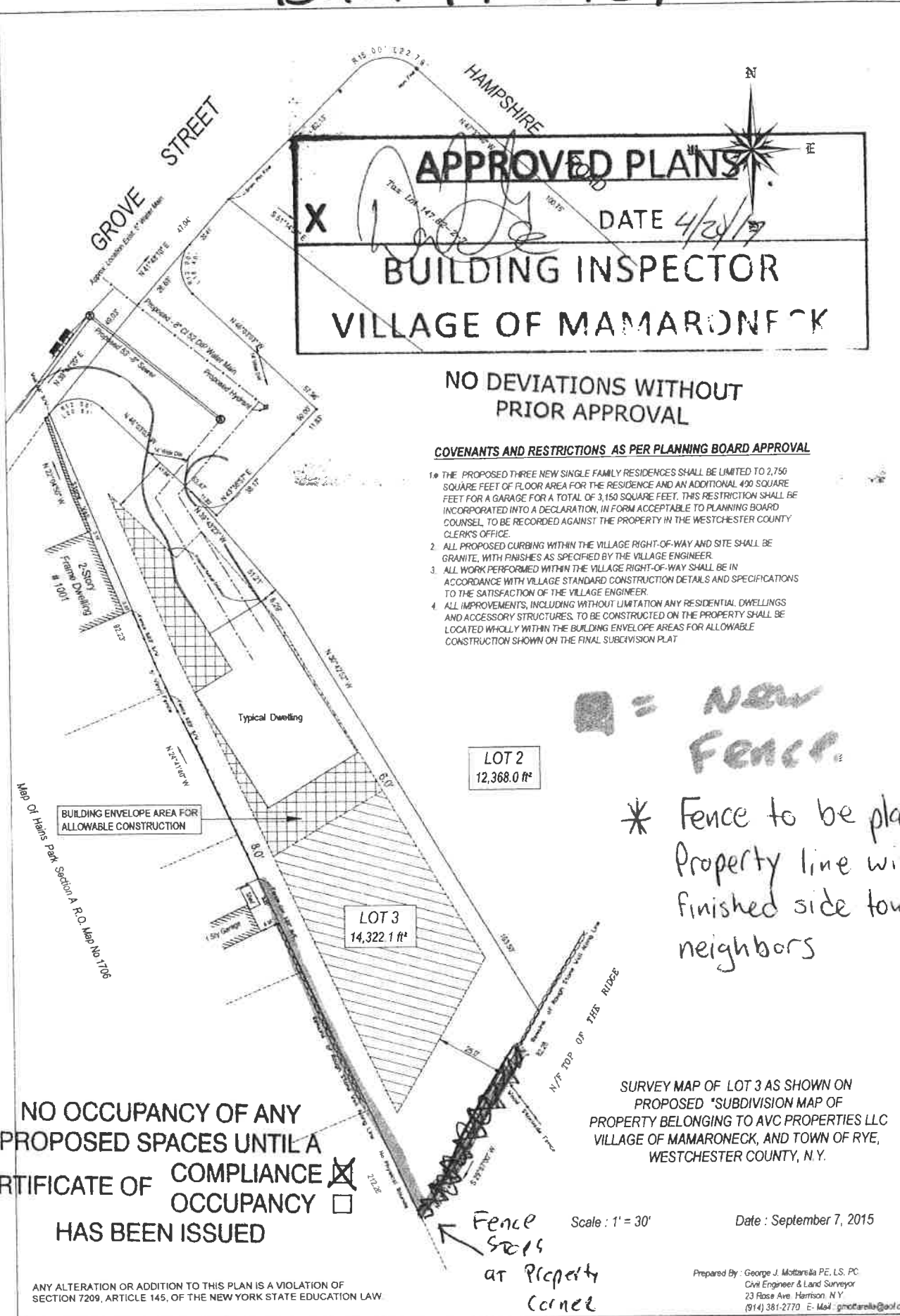
Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.						
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.						
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">Name of Lead Agency</td> <td style="width: 50%; text-align: center;">Date</td> </tr> <tr> <td style="text-align: center;">Print or Type Name of Responsible Officer in Lead Agency</td> <td style="text-align: center;">Title of Responsible Officer</td> </tr> <tr> <td style="text-align: center;">Signature of Responsible Officer in Lead Agency</td> <td style="text-align: center;">Signature of Preparer (if different from Responsible Officer)</td> </tr> </table>		Name of Lead Agency	Date	Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer	Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)
Name of Lead Agency	Date						
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer						
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)						

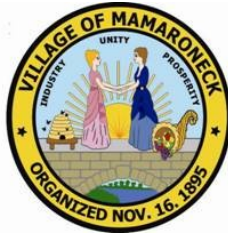
PRINT

RESET

B.P.#17-0429



VILLAGE OF MAMARONECK



Village Hall
Mamaroneck, N.Y. 10543

OFFICE OF THE
BUILDING INSPECTOR

Address Reply to:
P.O. Box 369

Telephone
(914) 777-7731

CERTIFICATE OF COMPLIANCE

No. 17-0429

DATE: 6/22/2017

THIS CERTIFIES that the building located at 1017 GROVE ST, Tax Map # 4-15-32 of the Village of Mamaroneck, conforms substantially to the approved plans and specifications heretofore filed in this office, pursuant to which Building Permit No. 17-0429 dated 4/24/2017 was issued and conforms to all of the requirements of the Zoning Ordinance or Special Ruling by the Zoning Board of Appeals or Village Board of Trustees. The use for which this certificate is issued is:

6' High PVC White Fence on Lot 3

This certificate is issued to AVC PROPERTIES LLC, owner of the aforesaid property.

A handwritten signature in black ink, appearing to read "David L. Green", is written over a horizontal line. The signature is written in a cursive style.

(The Certificate of Compliance will be issued only after the Building Inspector is convinced of the completion of the construction in compliance with State Uniform Building & Fire Prevention Code and with other laws, ordinances, or regulations affecting the premises, and in conformity with the approved plans and specifications. A final electrical and plumbing certificate or other evidence of compliance will be required before the issuance of the Certificate of Compliance.)

THE FRIENDLY VILLAGE

To: Chair Weprin and Zoning Board of Appeals Members

From: Jocelyn Donat

Date: August 14, 2017

RECEIVED 7

AUG 15 2017

BUILDING DEPT.
Revised 8/17/17
by J Donat

This is a letter to request the following amendments to the Zoning Board of Appeals application 4i2017:

LOT 2 (1019 GROVE STREET)

- Appealing the Certificate of Occupancy 16-0307 issued on July 28, 2017.
 - As built home did not comply with BAR Approved Building Plans from February 2016.
 - Planning Board Approved Landscape Plan was not adhered to – 20 trees were to be planted at the rear of Lot 2 (3 rhododendronss, 11 leyland cypress and 6 arborvitae)
 - Patios, window wells and Egresses are built outside of the Planning Board defined building envelope
 - Regrading of Property
- Appealing the Building Permit 17-0831 issued on July 27, 2017 allowing for finishing of basement
 - Building Permit was issued prior to Certificate of Occupancy being issued
 - As built home does not comply with BAR Approved Building Plans from February 2016
- Appealing the Building Permit 17-0840 issued on July 28, 2017 allowing for two garage windows to be lowered and for the installation of one window to match existing 2nd floor windows.
 - Certificate of Occupancy was improperly issued on the same day.
 - Circumvented BAR Approval process – same changes were presented at August 18, 2016 BAR meeting and builder withdrew his application. No approval was ever received.
 - Public argued that the homes had twice as many windows as any other in the surrounding neighborhood (data provided) and allowing an additional window without BAR approval should not have been allowed.
 - As built includes 4 additional windows not approved in the BAR Approved Building plans OR in the Building Permits issued on July 27th and July 28th

[illegible]

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2.

LOT 3 (1017 GROVE STREET)

- Appealing the Certificate of Compliance 17-0429 issued on June 22, 2017 for Lot 3's installed 6' Fence
 - Violates Planning Board's approved Landscape Plan
 - Fence is a structure built outside of the approved building envelope
- Appealing the Building Permit 17-0833 issued on July 27, 2017 allowing for two garage windows to be lowered and for the installation of one window to match existing 2nd floor windows.
 - Building Permit was issued prior to Certificate of Occupancy being issued
 - As built home does not comply with BAR Approved Building Plans from February 2016
- Appealing the Building Permit 17-0838 issued on July 28, 2017 allowing for finishing of basement
 - Building Permit was issued prior to Certificate of Occupancy being issued
 - As built home does not comply with BAR Approved Building Plans from February 2016
- Pre-emptively appealing any issued Certificate of Occupancy
 - Residents moved into property on August 19, 2017 without a Certificate of Occupancy
 - Patios, window wells and Egresses are built outside of the Planning Board defined building envelope
 - Regrading of Property

UPDATE:

PLEASE BE ADVISED THAT AS OF AUGUST 9, 2017 THAT THE CASTALDI FAMILY HAS BEEN LIVING AT 1017 GROVE STREET – LOT 3 WITHOUT A CERTIFICATE OF OCCUPANCY. BARBARA RITTER FROM THE BUILDING DEPARTMENT CONFIRMED AS OF YESTERDAY AFTERNOON (AUGUST 14) THAT THERE IS NOT A CERTIFICATE OF OCCUPANCY ISSUED FOR LOT 3.

2A

Issues organized in 4 categories:

1. **“Not on Plan”** - Not done as per the **February 18, 2016** Approved Construction Plans.
 - Deviations noted during construction
 - August 2016 Builder submitted revisions for Lots 1 & 2 but not 3
 - Building permit revisions for Lots 1 & 2 were presented but NOT approved by the Board of Architectural Review on August 18, 2016.
 - **Assistant Building Inspector Jeff Farrell as well as Building Inspector Dan Gray both had confirmed that the Plans approved in February 2016 are the Plans that are required to be adhered to in order for C of O to be granted.**
2. **“Building Envelope”** - Violates the Building Envelope defined by the Planning Board for allowable construction of dwellings and accessory structures
3. **“Landscape Plan”** - Violates the Planning Board’s Approved Landscape Plan approved as a Condition of the Subdivision Approval
4. **“Regrading of Lot”** - Lot Grade is higher than preconstruction

Lot 3

Not on Plan

- ☐ Page A0 – No Patio – built blue stone impervious patio
- ☐ Page A0 – No Back Steps – built steps to Patio
- ☐ Page A0 – *To be measured* – Rear Yard, Front Yard, Side yards
- ☐ Page A1 – Window on the back (2nd floor right side) is not in the same location as on the approved plan. It is not centered.
- ☐ Page A2 – 4 basement windows on plan – built 6 basement windows
- ☐ Page A2 – No Window wells – built 6
- ☐ Page A2 – All Basement Window(s) are not the same size windows on plan 3x2'6. At least 1 window is larger
- ☐ Page A2 – No egress(es). Built egress with a window well protruding 3' from the home – a violation of Code § 342-14
- ☐ Page A5 – Window location on Wood Street side of home (1st floor right nearest garage) has been changed.
- ☐ Page A5 – A window not on the plan has been added on the Wood Street side of the home.

Building Envelope

- ☐ Fence – listed in the Village Code as a structure and an accessory use it required to be located within the Building envelope but is not
- ☐ Impervious Patio
- ☐ Egress(es)
- ☐ Window wells

Landscape Plan

- ☐ Determined by the Planning Board and Landscape Consultant in the Planning process – Fence was built (not on approved plan and in violation of the building envelope) blocking all negotiated screening on the Wood Street side



Regrading of Lot

- ☐ Rear by wall shared with Top of the Ridge
- ☐ Back yard
- ☐ Front yard
- ☐ Side yards


Note – this is only what can be viewed on the exterior of the home. Interior compliance to be done by the Building Department

1019 (LOT 2) - Certificate of OCL

C of O - Dan_07282017 (3)

Page 1 of 1  PDF	8.5 in x 11 in 
<div style="border: 1px solid black; display: inline-block; padding: 2px 10px;">Zoom Tool</div> <div style="border: 1px solid black; display: inline-block; padding: 2px 10px;">View Plain Text</div>	

CERTIFICATE OF OCCUPANCY



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543

7/28/2017

Location: **1019 GROVE ST**

This Certifies that the building(s) located at the premises listed above conforms substantially to all of the requirements of the applicable provisions of the law. The occupancy for which this certificate is issued is

*** < New One Family Dwelling (lot 2)**
BAR Approval 2/18/18
Revised Plans Approved 08/20/17 for the Addition of a Patio & Beam Call Out

Map. No.: **4-15-32.1**

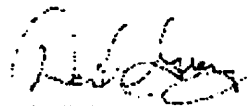
Permit No.: **16-0307**

Cert. No.: **16-0307**

This CERTIFICATE is issued to the owner -

AVC PROPERTIES LLC

of the aforesaid building(s).



Building Inspector

Go to top Page 1 of 1

1019 (LOT 2) - FINISH BASEMENT

From: Jocelyn Donat jocelyn.donat@gmail.com
Subject: Building Permit - Dan_07272017 - Laserfiche WebLink
Date: August 8, 2017 at 8:35 PM
To:



<http://205.56.82.68/WebLink/DocView.aspx?id=304716&searchid=96dc13fd-8271-44c0-9095-91e954807a38.docid=0>



View Print Info 8/8/17

RESIDENTIAL - ALTERATIONS/RENOVATIONS PERMIT



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543
914-777-7731

Parcel ID: 4-15-32.1

Permit #: 17-0831

Permit Date: 7/27/2017

Expiration Date: 7/27/2018

Owner: AVC PROPERTIES LLC

Location: 1019 GROVE ST

Applicant: AVC PROPERTIES LLC

Work Description: RESIDENTIAL - ALTERATIONS/RENOVATIONS
Frame & Sheetrock Exterior Basement Walls Install Vinyl Floor.

Contractor:

Marc Construction
32 High Street

Work: 804-1180

Lic. Number: WC18695-H07

1019 (LOT 2) - GARAGE & WINDOWS

From: Jocelyn Donat jocelyn.donat@gmail.com
Subject: Building Permit - Dan_07282017 - Laserfiche WebLink
Date: August 8, 2017 at 8:39 PM
To:



<http://26.56.62.68/WebLink/DocView.aspx?id=334778&searchid=98dc13fd-9271-44c0-8055-91a354909a38&doc=0>



View Print Mail

RESIDENTIAL - ALTERATIONS/RENOVATIONS PERMIT



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543
914-777-7731
Parcel ID: 4-15-32.1

Permit #: 17-0840

Permit Date: 7/28/2017

Expiration Date: 7/28/2018

Owner: AVC PROPERTIES LLC

Location: 1019 GROVE ST

Applicant: AVC PROPERTIES LLC

Work Description: RESIDENTIAL - ALTERATIONS/RENOVATIONS

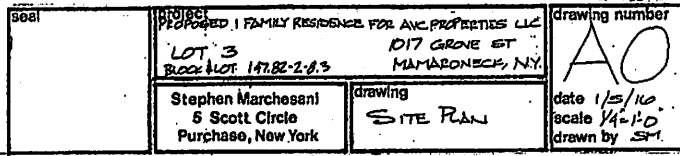
Relocate Existing Garage Windows to a Usable Height off Garage Floor. Install Fixed Window in Stairwell to Match Existing 2nd Floor Window Sizes on Plans Page #'s A5 & A6

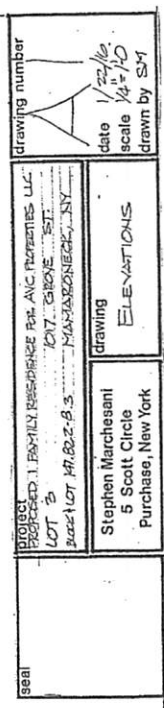
Contractor:

Marc Construction

Work: 804-1180

3





**VILLAGE OF MAMARONECK**

Village Hall
Mamaroneck, N.Y. 10543

OFFICE OF THE
BUILDING INSPECTOR

Address Reply to:
P.O. Box 369

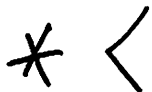
Telephone
(914) 777-7731

CERTIFICATE OF COMPLIANCE

No. 17-0429

DATE: 6/22/2017

THIS CERTIFIES that the building located at 1017 GROVE ST, Tax Map # 4-15-32 of the Village of Mamaroneck, conforms substantially to the approved plans and specifications heretofore filed in this office, pursuant to which Building Permit No. 17-0429 dated 4/24/2017 was issued and conforms to all of the requirements of the Zoning Ordinance or Special Ruling by the Zoning Board of Appeals or Village Board of Trustees. The use for which this certificate is issued is:



6' High PVC White Fence on Lot 3

This certificate is issued to AVC PROPERTIES LLC, owner of the aforesaid property.

(The Certificate of Compliance will be issued only after the Building Inspector is convinced of the completion of the construction in compliance with State Uniform Building & Fire Prevention Code and with other laws, ordinances, or regulations affecting the

1017 (LOT 3) - GARAGE & WINDOWS

From: Jocelyn Donat jocelyn.donat@gmail.com
Subject: Building Permit - Dan_07272017 - Laserfiche WebLink
Date: August 8, 2017 at 8:38 PM
To:



<http://26.58.82.68/WebLink/DocView.aspx?id=284726&searchid=056137d-827f-44c0-8065-91e354f07b3&cmd=d>



View Page Info 100% 110%

RESIDENTIAL - ALTERATIONS/RENOVATIONS PERMIT



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543
914-777-7731
Parcel ID: 4-15-32

Permit #: 17-0833

Permit Date: 7/27/2017

Expiration Date: 7/27/2018

* < Owner: AVC PROPERTIES LLC
Location: 1017 GROVE ST
Applicant: AVC PROPERTIES LLC
Work Description: RESIDENTIAL - ALTERATIONS/RENOVATIONS
Relocate Existing Garage Windows to a Usable Height off Garage Floor. Install Fixed Window in Stairwell to Match Existing 2nd Floor Window Sizes Located on Plan Page # A5 & A6

Contractor:

Marc Construction

Work: 804-1180

**RESIDENTIAL - ALTERATIONS/RENOVATIONS PERMIT**

Village of Mamaroneck
189 Mt. Pleasant Ave
Mamaroneck, New York 10543
914-777-7731
Parcel ID: 4-15-32

Permit #: 17-0838

Permit Date: 7/28/2017

Expiration Date: 7/28/2018

Owner: AVC PROPERTIES LLC**Location:** 1017 GROVE ST**Applicant:** AVC PROPERTIES LLC**Work Description:** RESIDENTIAL - ALTERATIONS/RENOVATIONS
Frame & Sheetrock Exterior Basement Walls and Install Vinyl Floor**Contractor:**

Marc Construction
32 High Street
Rye, NY 10580

Work: 804-1180**Lic. Number:** WC18695-H07

Wired Up Electric, Inc.
90 Harmony Road
Pawling, NY 12564

Work: 845-855-5494**Lic. Number:** 1487

Gino Frabasile P.E.
130 Laura Joy Circle
Mamaroneck, NY 10543

Work: 914-263-6972**Lic. Number:****Required Inspections:**

FRAMING

INSULATION

FINAL CO/CC

Tasks To Be Completed:

FINAL COST AFFIDAVIT

CERTIFICATE OF COMPLIANCE FEE RESIDENTIAL

ELECTRICAL PERMIT REQUIRED

ELECTRICAL CERTIFICATE

Fees:

BUILDING APPLICATION FEE RESIDENTIAL	\$80.00
BUILDING PERMIT FEE RESIDENTIAL	\$153.00
Total	\$213.00

Lot 2 (1019 Grove Street) and Lot 3 (1021 Grove Street)

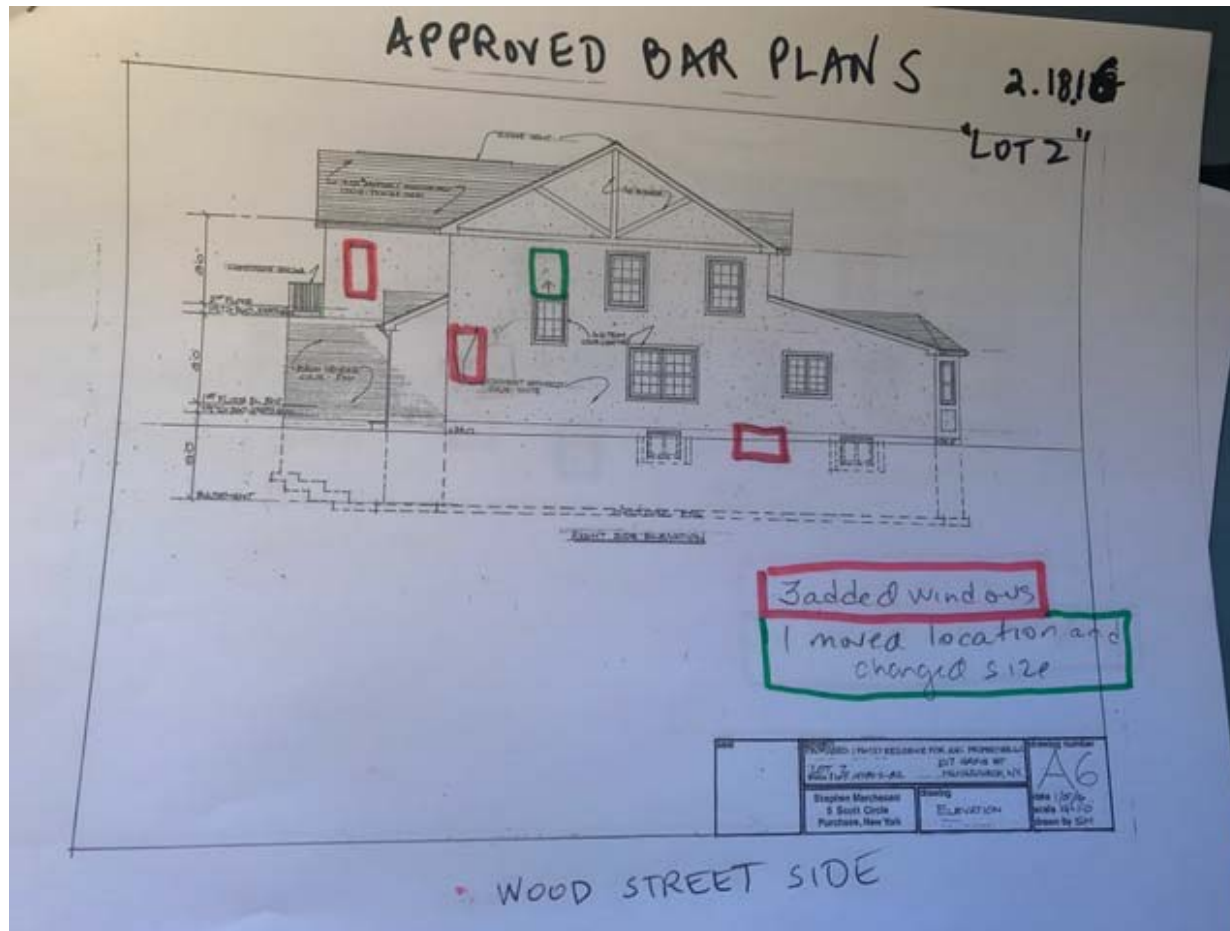
Interior Concerns previously communicated that were agreed to be reviewed prior to Certificates of Occupancy being issued:

- ☐ Maximum FAR of 2,750 sq. feet (attic height to be measured)
- ☐ Height of floor (Basement, 1st to 2nd and 2nd to Top) to match approved plan
- ☐ Garage maximum of 400 sq. feet

High Level Timeline

- **February 18, 2016** – BAR Approval of Construction Plans
- **April 1, 2016** – August, 2016 – Complaints that Construction does not comply with approved plans
- Summer 2016 – Revised Construction submitted to Building Department
- **August 18, 2016** – Revised Construction plans reviewed by BAR and NOT approved. Applicant withdrew his applications
- **Summer 2017** – Certificate of Occupancy issued for Lot 2 and Temporary Certificate of Occupancy supposedly issued for Lot 3 yet not on file in the Building Department. Homes built as per Revised Construction plans circumventing the approval process of the BAR and ignoring Resolutions set by the Planning Board

1019 Grove Street - LOT 2 – WINDOWS ADDED/MOVED LOCATION AND SIZE



1019 Grove Street - LOT 2 – WINDOWS ADDED/MOVED LOCATION



1019 Grove Street - LOT 2 – Regrading/Construction above Grade

SEPTEMBER 2016

AT&T 1:02 AM 32%
September 1, 2016 11:43 AM Details

HDR



JANUARY 2017



APRIL 2017

AT&T 1:13 AM 29%
April 6 10:22 AM Details



1019 Grove Street - LOT 2 – JANUARY 2017 CONSTRUCTION



1019 Grove Street
"Lot 2"

Date September 2016
Windows Built



1019 Grove Street - LOT 2 – WINDOWS NOT ON THE PLAN



**1019 Grove Street - LOT 2 – WINDOWS NOT ON THE PLAN BEING
“HIDDEN”**



1017 Grove Street - LOT 3 – WINDOWS NOT ON THE PLAN

BUILT JULY 2016



1017 Grove Street
“Lot 3”

Date January 2017

Windows



REGRADING – FRONT OF LOTS



**1019 AND 1017 Grove Street – PATIOS AND BACK STEPS
CONSTRUCTION NOT ON APPROVED PLANS – CONCRETE/NON POROUS**



1017 GROVE STREET – LOT 3 FENCE CONSTRUCTION



Mr. Weprin I hope this document is reviewed carefully by you and the board

1) I would first like to address Mr. Castaldi's claim that there was always a fence boarding lot # 3 and my property (645 Wood) that is false !

In fact before Mr. Castaldi there was no need for a fence and Mr. Cefaloni's (641 Wood street) children were allowed to play baseball in the large yard which is now lots 1,2 & 3.

Please refer to pictures 1 & 2 taken 2/13/2014 notice the coverage of trees & bushes (even in the winter) and no fence. Also note the pictures (3,4,6,8,9,10) taken 2014 thru 7/2017 notice the trees and bushes and coverage to lot #3 in excess of 8 feet ! And no fence ! Also see a picture (18) when my house was purchased 2006 notice the trees and bushes coverage and no fence ! It's interesting to note that my property could barely be seen from lot #3 because of the bushes in excess of 8 feet and only now can be seen after Mr. Castaldi removed bushes boarding lot #3 (some of which were on my property) all of which were maintain by me for over 10 years

2) At numerous town meetings the sub division was discussed 3 lots vs 2 lots and a circle driveway in the center. It was agreed upon that the houses would be pushed forward and that there would be a special consideration for this odd subdivision and there would be a building envelope that nothing could be built past that point. In addition to the special circumstances of this subdivision a landscaping plan was created so that the neighboring lots retain a woodsy environment of bushes and trees that was the purpose of the landscaping plan. Mrs. Colaneri (649 Wood) made a specific request for flowering plants which were added to the landscaping plan. Not one time during any of these meetings was a fence discussed in fact a fence negates the landscaping plan because the landscaping cannot be seen (see pictures 12, 13, 14 & 15) and negates what was promised to neighboring lots by the board that the look and feel on the neighboring lots would remain the same and would not be impacted by the development.

3) There are other issues not related to the fence but I will bring them up briefly to point out the pattern of not conforming to the approved plans the back porches, number of windows & window wells on all 3 houses Lots 1, 2 & 3

In summery special conditions were made for this subdivision and a fence was not discussed in any discussions and a permit for a fence should not have been allowed by Mr. Gray and the building department. Because of this Mr. Gray has opened the Village to another law suite much like Ralf's Italian ice. An easier solution is remove the fence and plant some type of evergreen that within a year will be 10' high (a fence will not grow) which was originally agreed upon in an email exchange I had with Mr. Castaldi before the fence was installed.

Thanks for your time I look forward to someone in the village returning one of my emails or phone calls

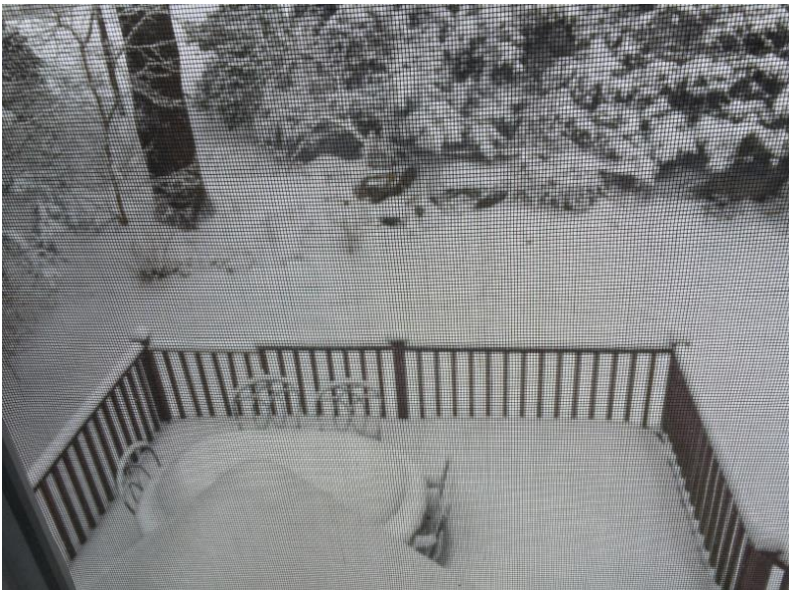
Tony Lividini

645Wood Street, Mamaroneck New York - Cell (914) 309 -1322

This e-mail, including any attachments, may be confidential, privileged or otherwise legally protected. It is intended only for the addressee. If you received this e-mail in error or from someone who was not authorized to send it to you, do not disseminate, copy or otherwise use this e-mail or its attachments. Please notify the sender immediately by reply e-mail and delete the e-mail from your system.



(1) 2/13/2014



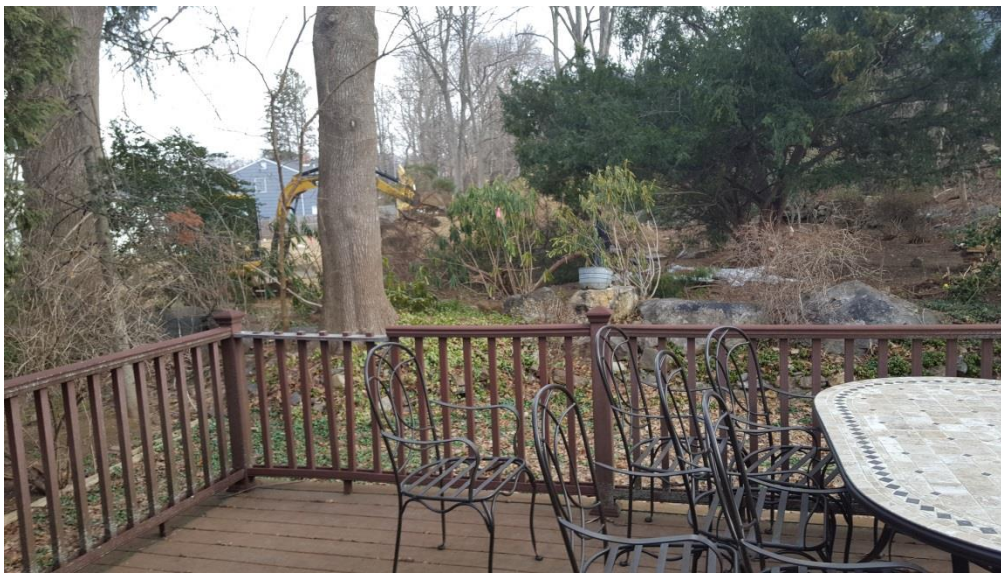
(2) 2/13/2014



(3) 7/25/2015



(4) 7/25/2015



(5) 3/4/2017 – With bushes removed



(6) 8/30/2014



(7) 5/1/2017 – With bushes removed



(8) 8/30/2014



(9) 7/25/2015



(10)8/30/2014



(11) 5/1/2017 – With bushes removed



(12) 5/21/2017



(13) 5/8/2017



(14) 5/8/2017



(15) 5/8/2017



(16) 5/1/2017 – With bushes removed

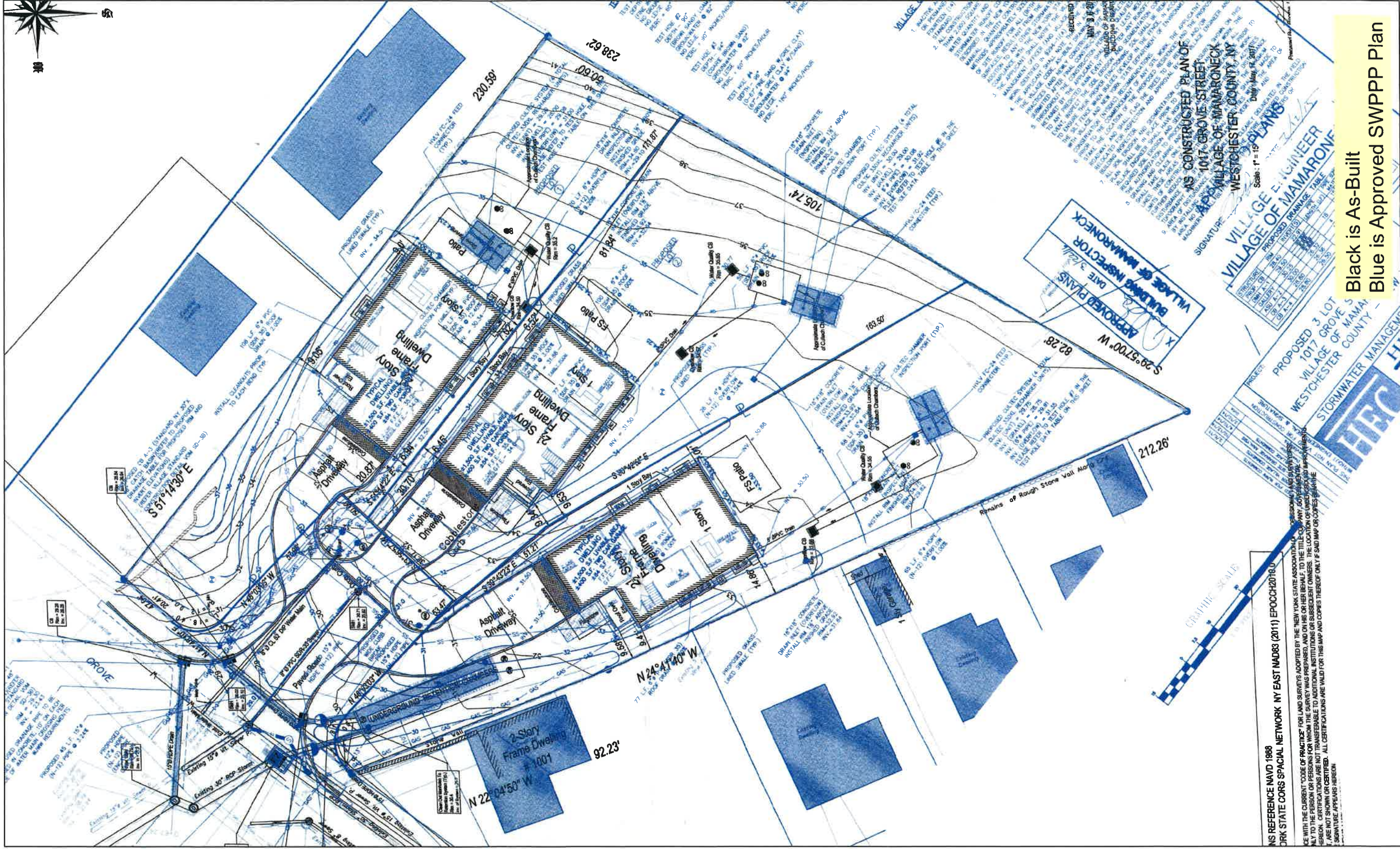


(17) 3/4/2017 – With bushes removed



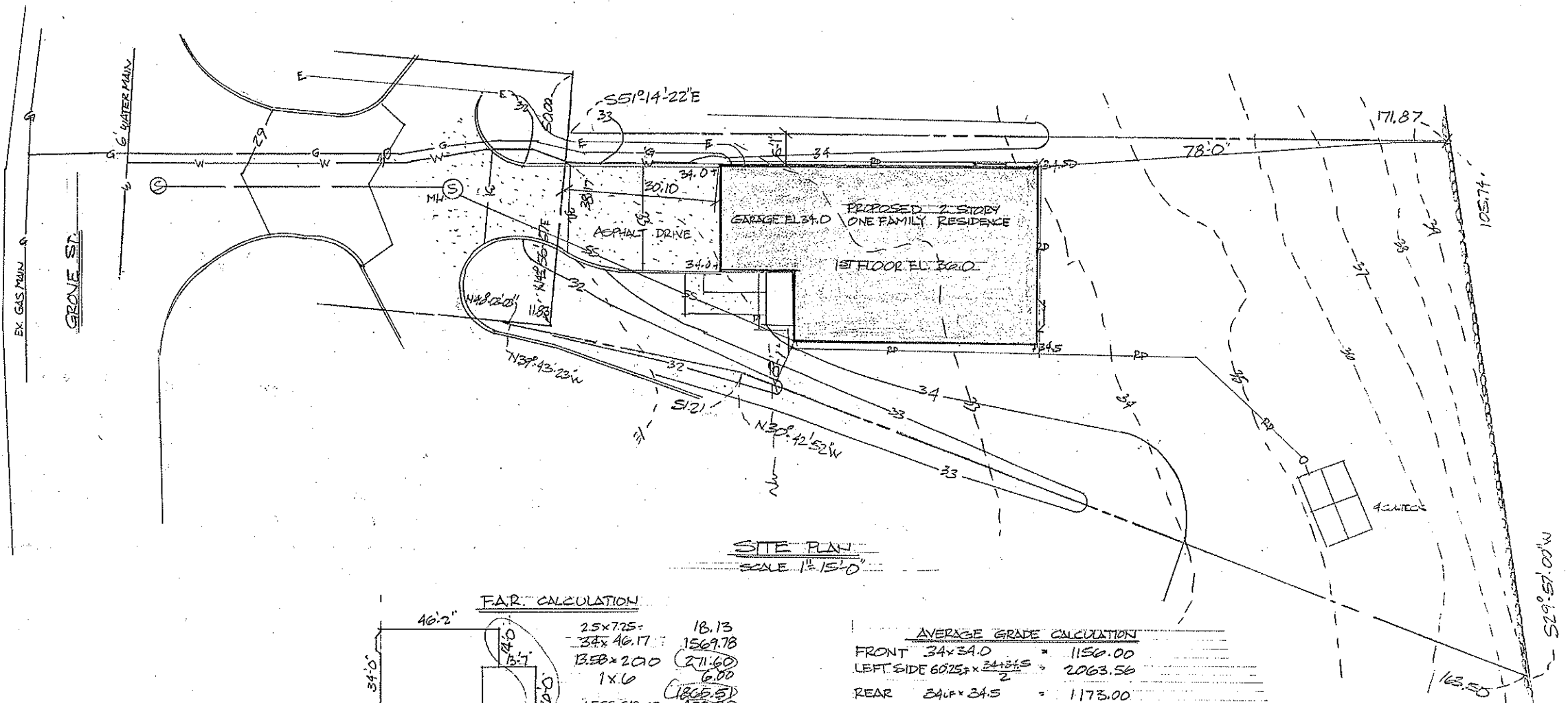
2006 (18)

As-Built Comparison

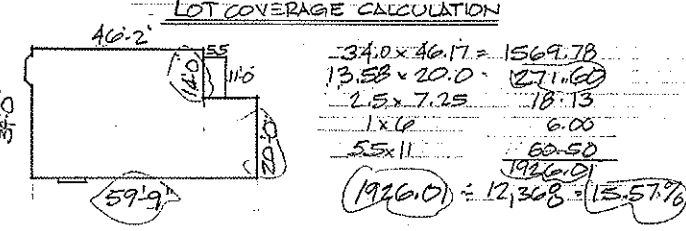
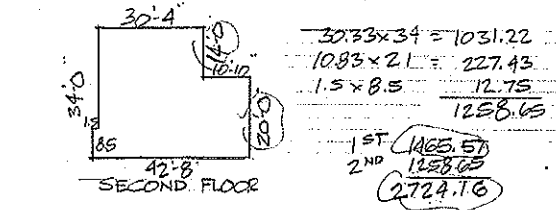
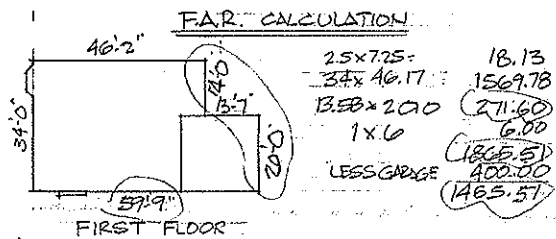


As-Built Comparison





SITE PLAN
SCALE 1"=15'-0"



AVERAGE GRADE CALCULATION

FRONT	34×34.0	$= 1156.00$
LEFT SIDE	$60.25 \times \frac{34+34.5}{2}$	$= 2063.56$
REAR	34×34.5	$= 1173.00$
RIGHT SIDE	140.83×34.0	$= 478.82$
	$46.17 \times \frac{24+24.5}{2}$	$= 1531.32$
1885	64527	= 1885.3423 AVE GRADE

BUILDING HEIGHT CALCULATION

MID POINT ROOF	$8.85 \div 2$	$= 4.43$
2 ND FLOOR TO TOP PLATE		$= 8.00$
1 ST FLOOR TO 2 ND FLOOR		$= 9.00$
AVE GRADE TO 1 ST FLOOR		$= 1.77$
		23.20 FT

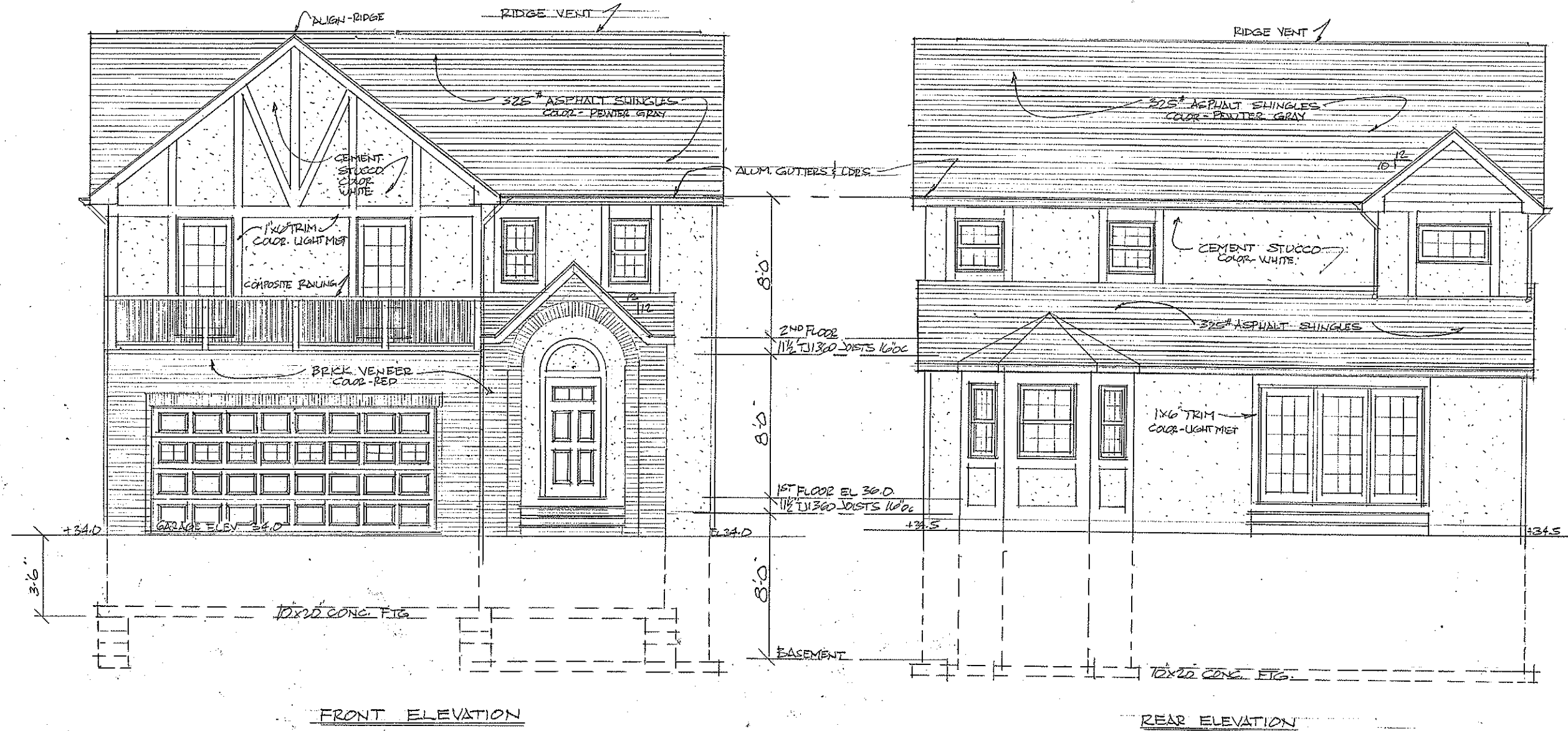
Table R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

Ground Snow Load ¹	Wind Speed (mph) ²	Seismic Design Category ³	SUSCEPTIBLE TO DAMAGE FROM			Ice Shield Overlayment ⁵	Flood Hazard ⁶
			Freezing ⁴	Front Line Depth ⁴	Termites ⁴		
30	100/110	C	SEVERE	42"	MID/HVY	YES	FEH 9/24/07

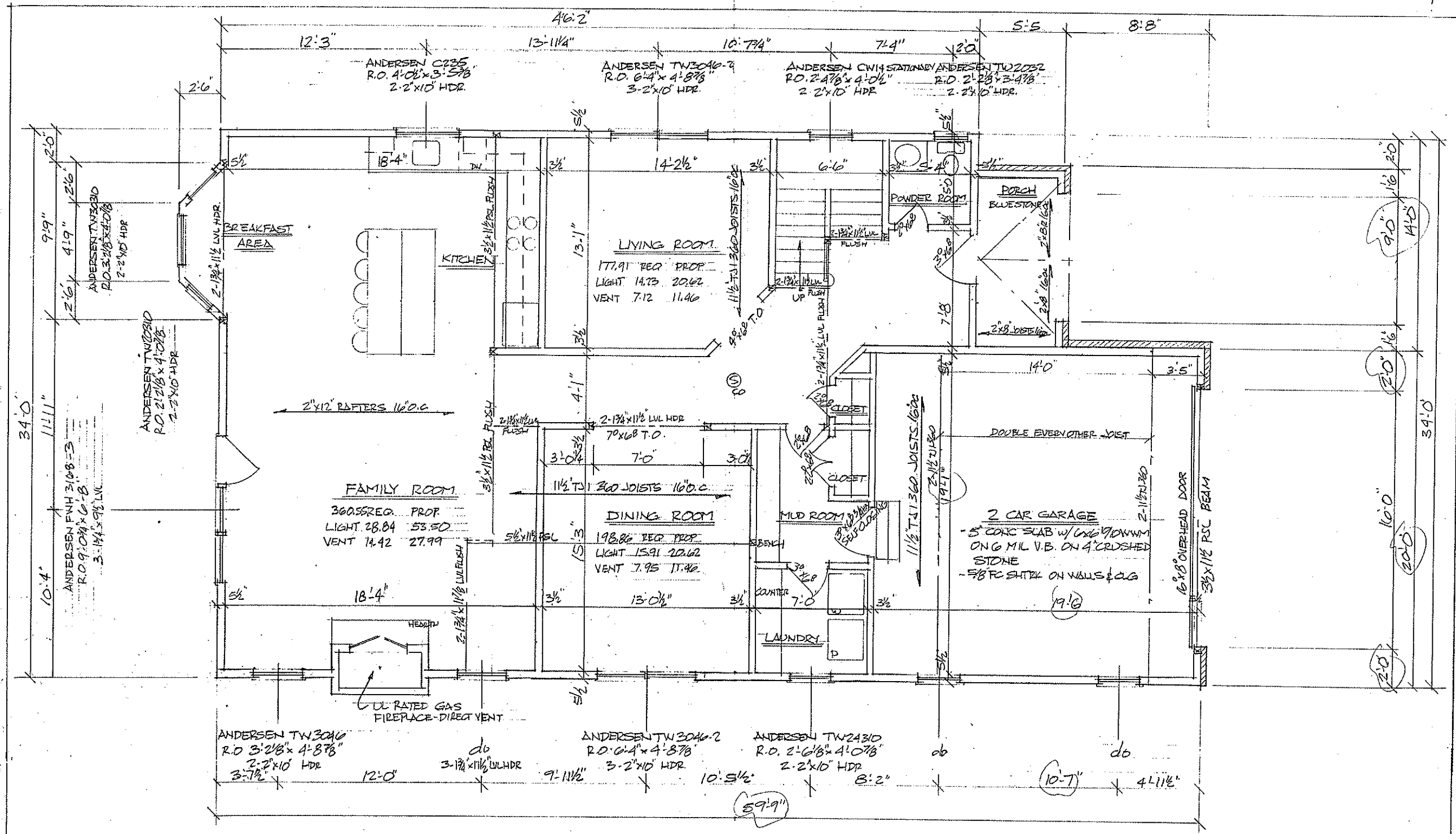
ZONING DISTRICT RS

	REQUIRED	ACTUAL
LOT AREA	5,000 ^{ss}	12,368 ^{ss}
LOT COVERAGE	35%	15.57%
LOT WIDTH	50'-0"	50'-0"
YARDS - FRONT	20'-0"	30'-10"
YARDS - SIDE FOR 1	6'-0"	6'-1"
YARDS - SIDE TOTAL	14'-0"	14'-2"
YARDS - REAR	25'-0"	18'-0"
HEIGHT - STORIES	2.2	2
HEIGHT - FEET	35'-0"	23.20
FAR	.55	.549

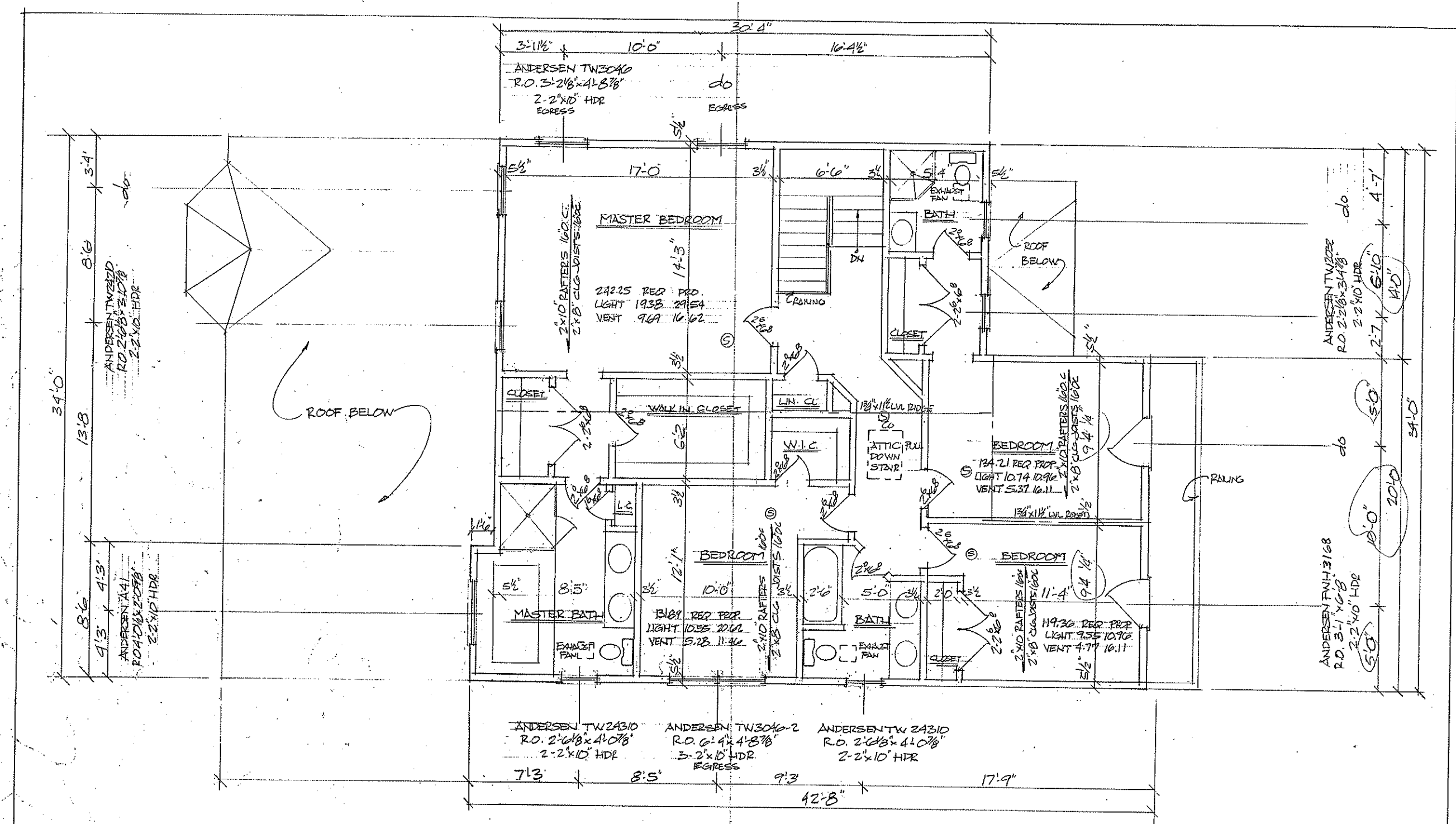
seal 	Project PROPOSED 1 FAMILY RESIDENCE FOR AHC PROPERTIES LLC LOT 2 BLOCK 1 LOT 147.82-2-82 1017 GROVE ST MAMARONECK, NY	drawing number AO
	Stephen Marchesani 5 Scott Circle Purchase, New York	drawing SITE PLAN



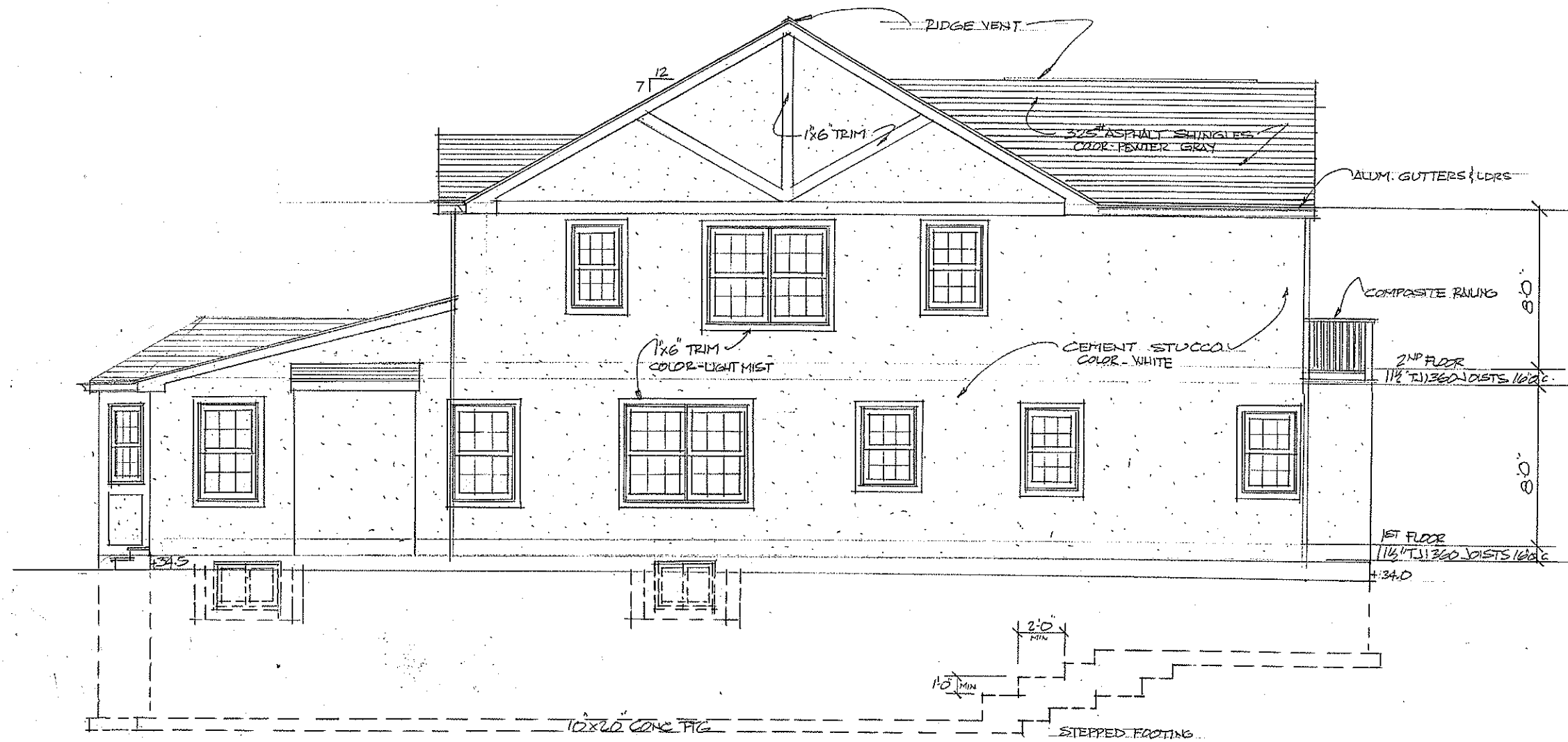
seal	project	drawing number
	PROPOSED FAMILY RESIDENCE FOR AVC PROPERTIES LLC	AI
	LOT 2 1017 GROVE ST.	date 1/5/10
	block/lot 147.02-2-B.2 MAMARONECK, NY.	scale 1/4" = 1'-0"
	Stephen Marchesani	drawn by S.M.
	5 Scott Circle	
	Purchase, New York	
	ELEVATIONS	



seal	Project: PROPOSED 1 FAMILY RESIDENCE FOR AVC PROPERTIES LLC LOT 2 BLOCK 107 147-82-2-8.2	drawing number A3
	107 GROVE ST. MAMARONECK, NY	date 1/5/16 scale 1/4"=1'-0" drawn by SM
Stephen Marchesani 5 Scott Circle Purchase, New York		drawing FIRST FLOOR PLAN

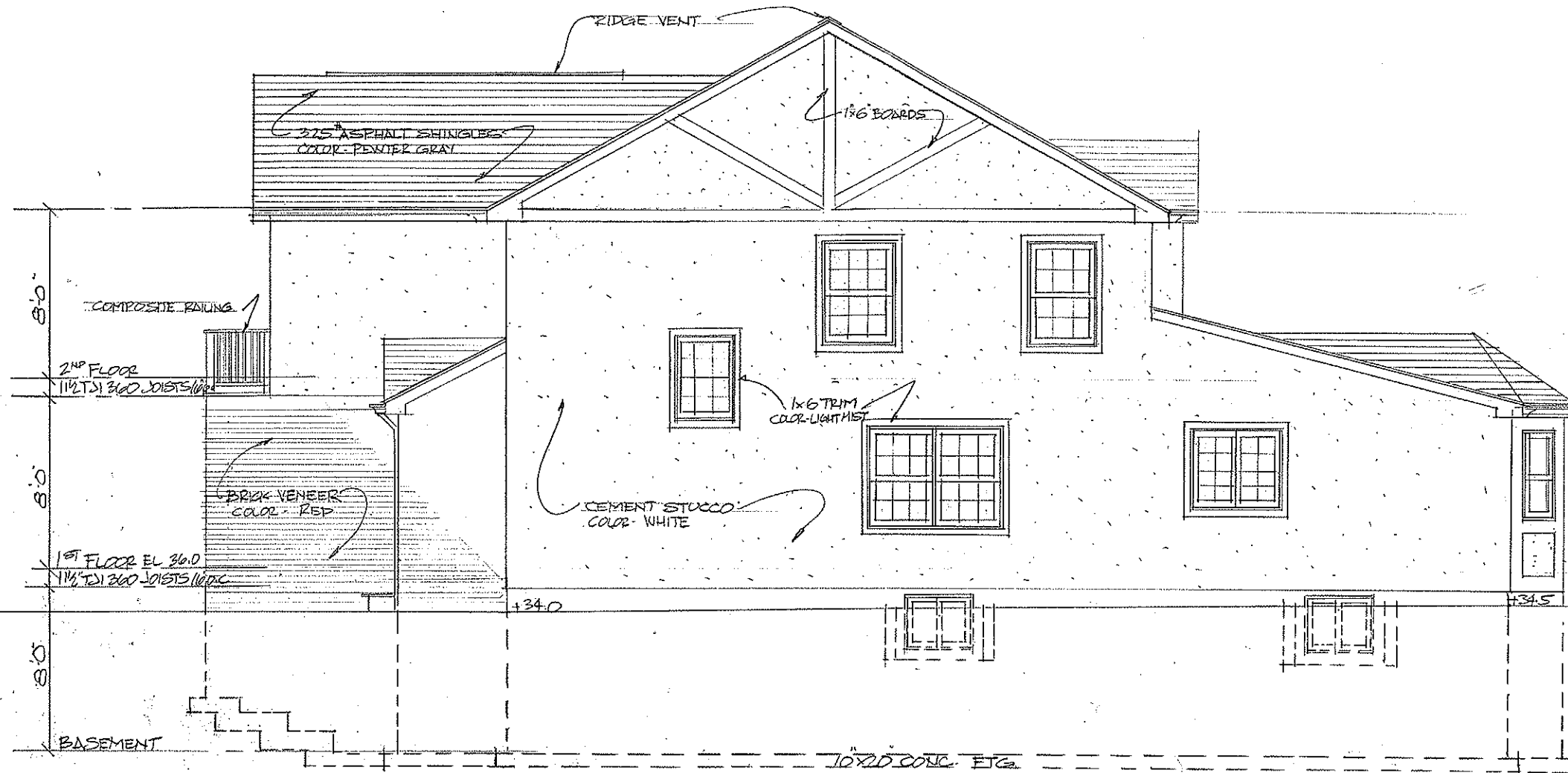


seal	Project PROPOSED 1 FAMILY RESIDENCE FOR ANC PROPERTIES LLC LOT 2 BLOCK 1 LOT 147.82-2-B.2		drawing number A 4 date 1/5/16 scale 1/4" = 1'-0" drawn by SM
	1017 GROVE ST MAMARONECK, NY		
	Stephen Marchesani 5 Scott Circle Purchase, New York	drawing SECOND FLOOR PLAN	



LEFT SIDE ELEVATION

seal	project PROPOSED 1 FAMILY RESIDENCE FOR ALC PROPERTIES LLC LOT 2 Bldg LOT 147.82.2.8.2	1017 GROVE ST MAMARONECK, NY	drawing number A5 date 1/5/16 scale 1/4" = 1'-0" drawn by SM.
	Stephen Marchesani 5 Scott Circle Purchase, New York	drawing ELEVATION	



RIGHT SIDE ELEVATION

seal	project PROPOSED 1 FAMILY RESIDENCE FOR ANIC PROPERTIES LLC LOT 2 BLOCK & LOT 14702-2-B.2	drawing number A6
	1017 GROVE ST MAMARONECK, N.Y. Stephen Marchesani 5 Scott Circle Purchase, New York	date 1/5/16 scale 1/4"=1'-0" drawn by SM

> Design Loads-Live Loads:

- Living Areas 40 LBSF
- Sleeping Rooms 30 LBSF
- Attic-No Storage 10 LBSF
- Attic-Storage 20 LBSF
- Stairs 40 LBSF
- Decks 40 LBSF
- Exterior Balconies 60 LBSF
- Roof 45 LBSF
- Guards and Handrails 200 LBSF

> Two family dwellings to be separated by a one hour rating except when a fire sprinkler is installed than a one half hour rating is permitted.

> Basements with habitable spaces and every sleeping room to have at least one open able emergency escape and rescue opening of minimum 5.7 percent net clear opening with a minimum opening height of 24 inches and opening with width of 20 inches net clear opening.

> Stairs:

- Maximum Riser Height 8 1/4"
- Minimum Tread Depth 9"
- Minimum Head Room 6'-8" from tread nosing to sloped ceiling
- Minimum Width 36" above rail and 31 1/2" at rail height and below with rail on one side or 27" with hand rails on both sides.

> Stair Handrails:

- 34" minimum and 38" maximum height at tread risers
- Minimum 1 1/2" space from wall to rail
- Minimum one hand rail at each stairway of two risers or more.

> Guards:

- Required at surface more than 30" above floor
- Height minimum of 36"
- At open side of stairs minimum 34"
- Intermediate rails or ornamental closures cannot allow the passage of a sphere 4" or more in diameter.
- Triangular opening formed by risers treads and bottom rail of guard at open side of stair shall not allow a sphere of 6" to pass through.

> Smoke Alarms:

- Each sleeping room to have a smoke alarm
- Outside of each sleeping area in the immediate vicinity of the bedrooms to have a smoke.
- All smoke detectors to be interconnected.
- All smoke detectors shall be listed and installed as per NFPA72.
- All smoke detectors shall be hardwired and have battery backup.

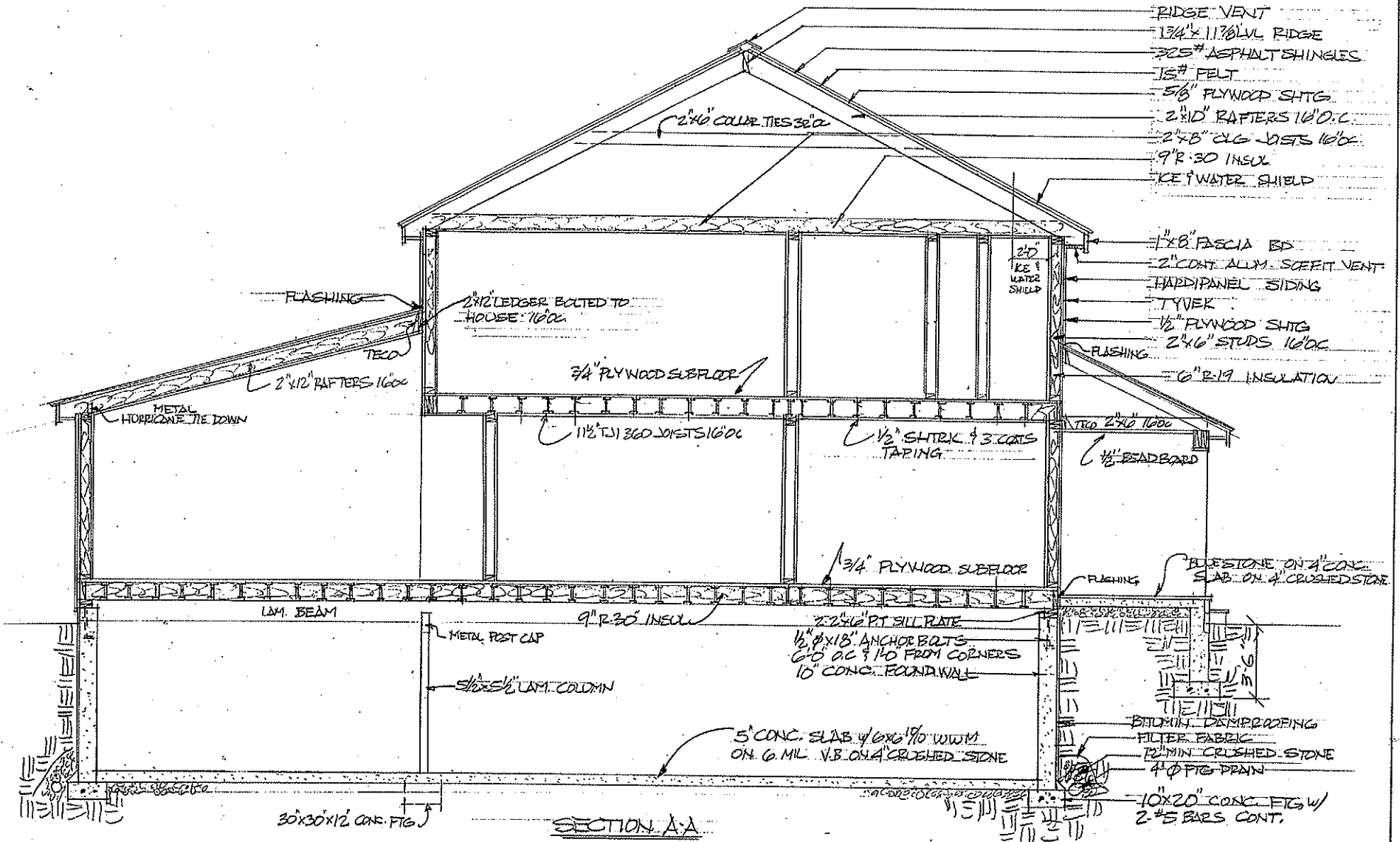
> Combustion air for fuel burning appliances shall have one opening 12" from top of enclosure and 12" from bottom. Each opening to have an area of one square inch per 1000 B.T.U. of the total input rating of all appliances but not less than 100 sq.in.

> All plumbing work to conform to the requirements in the Residential Code of New York State.

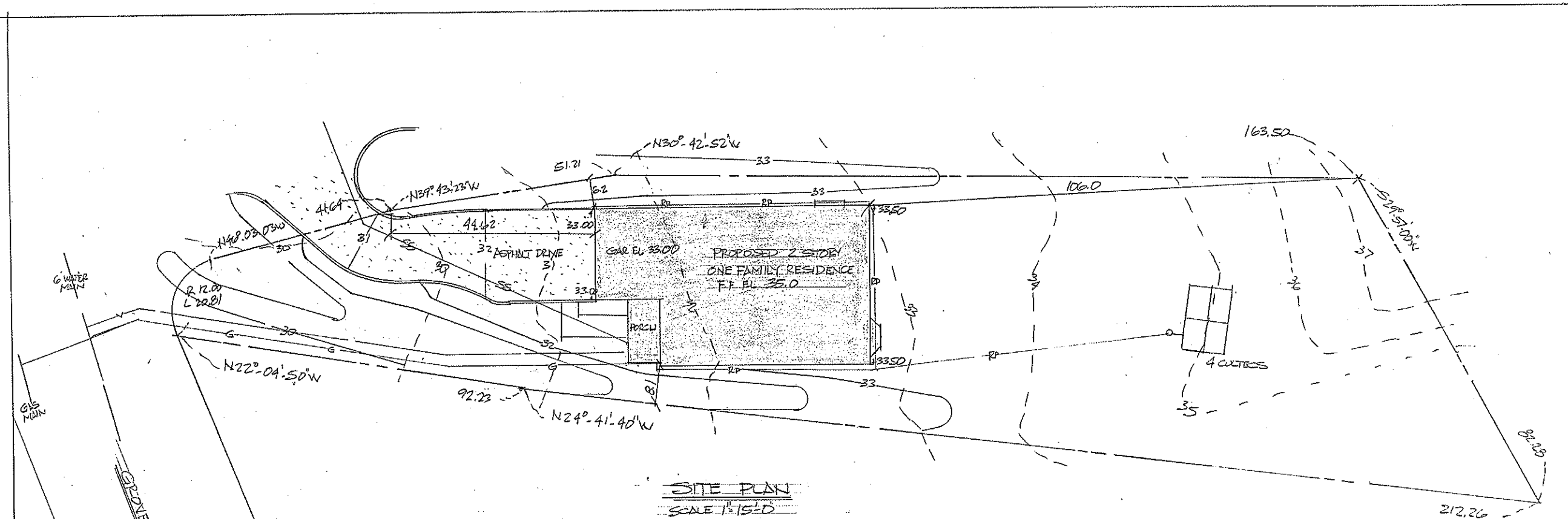
> All electric work to conform to the requirements in the Residential Code of New York State.

NOTES

- 1). PROVIDE A CODE 53 CONFIRMATION NUMBER BEFORE STARTING ANY DIGGING OR EXCAVATING
- 2). IF ANY TREES ARE TO BE REMOVED A TREE PERMIT IS REQUIRED
- 3). IF ANY FILL OR REGRADING IS TO BE DONE A PERMIT IS REQUIRED
- 4). FILE FOR A DEMOLITION PERMIT BEFORE STARTING ANY DEMOLITION
- 5). ALL WORK TO BE DONE ACCORDING TO STATE AND LOCAL CODES
- 6). ALL PLUMBING WORK TO BE DONE BY A LICENSED PLUMBER
- 7). ALL ELECTRIC WORK TO BE DONE BY A LICENSED ELECTRICIAN
- 8). ALL SMOKE DETECTORS TO BE HARDWIRED AND INTERCONNECTED AS PER N.Y.S. CODE P313.1
- 9). ALL LUMBER TO BE DOUG/FIR MIN. 1200 P.S.I. FIBER STRENGTH
- 10). ALL DECK LUMBER TO BE PRESSURE TREATED SOIL BEARING CAPACITY MIN. 2 TONS
- 11). ANY POURED CONCRETE TO HAVE MIN. 3000 P.S.I.
- 12). CONCRETE BLOCK WALL TO HAVE HORIZONTAL REINFORCEMENT 16" O.C.
- 13). FINISH GRADES TO SLOPE AWAY FROM THE HOUSE
- 14). FINISH GRADES TO BE MIN. 8" BELOW TOP OF FOUNDATION WALL
- 15). STEEL TO BE MIN. A36 GRADE
- 16). DOUBLE JOISTS UNDER PARALLEL PARTITIONS
- 17). CO DETECTORS TO BE INSTALLED AS PER N.Y.S CODE P313.4

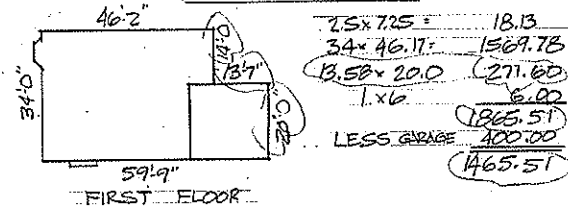


seal	project PROPOSED 1 FAMILY RESIDENCE FOR ANC PROPERTIES LLC LOT 2 BLOCK LOT 147.02-2-B.2 1017 GROVE ST MAMARONECK, NY. Stephen Marchesani 5 Scott Circle Purchase, New York	drawing number A7 date 1/5/10 scale 1/4" = 1'-0" drawn by SM
	drawing SECTION	

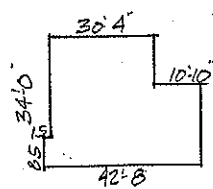


SITE PLAN
SCALE 1"=15'-0"

FAR CALCULATION

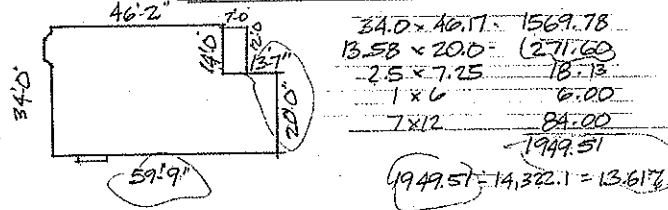


FIRST FLOOR



SECOND FLOOR

LOT COVERAGE CALCULATION



AVERAGE GRADE CALCULATION

FRONT	34' x 33.0	1122.00
LEFT SIDE	60.25' x 33.5	2023.31
REAR	34' x 33.5	1139.00
RIGHT SIDE	14.083' x 33.0	464.74
	46.17' x 33.5	1535.15
	188.5	6264.2 ÷ 188.5 = 33.23

BUILDING HEIGHT CALCULATION

MID POINT ROOF	8.85 ÷ 2	4.43
2 ND FLOOR TO TOP PLATE		8.00
1 ST FLOOR TO 2 ND FLOOR		9.00
AVG. GRADE TO 1 ST FLOOR		1.77
		23.20 ft

ZONING DISTRICT

	REQUIRED	ACTUAL
LOT AREA	5000.5	14,322.1
LOT COVERAGE	35%	13.61%
LOT WIDTH	50.0'	66.94'
YARDS - FRONT	20.0'	44.62'
YARDS - SIDE FOR 1	6.0'	6.2'
YARDS - SIDE TOTAL	14.0'	14.3'
YARDS - REAR	25.0'	106.0'
HEIGHT - STORIES	2 1/2	2
HEIGHT - FEET	35.0'	23.20'
FAR	.55	.549

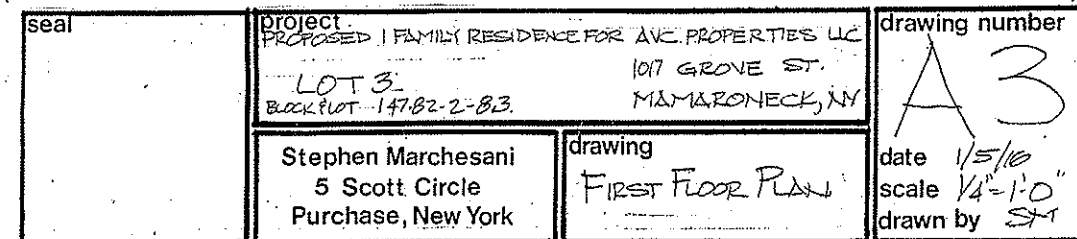
Table R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

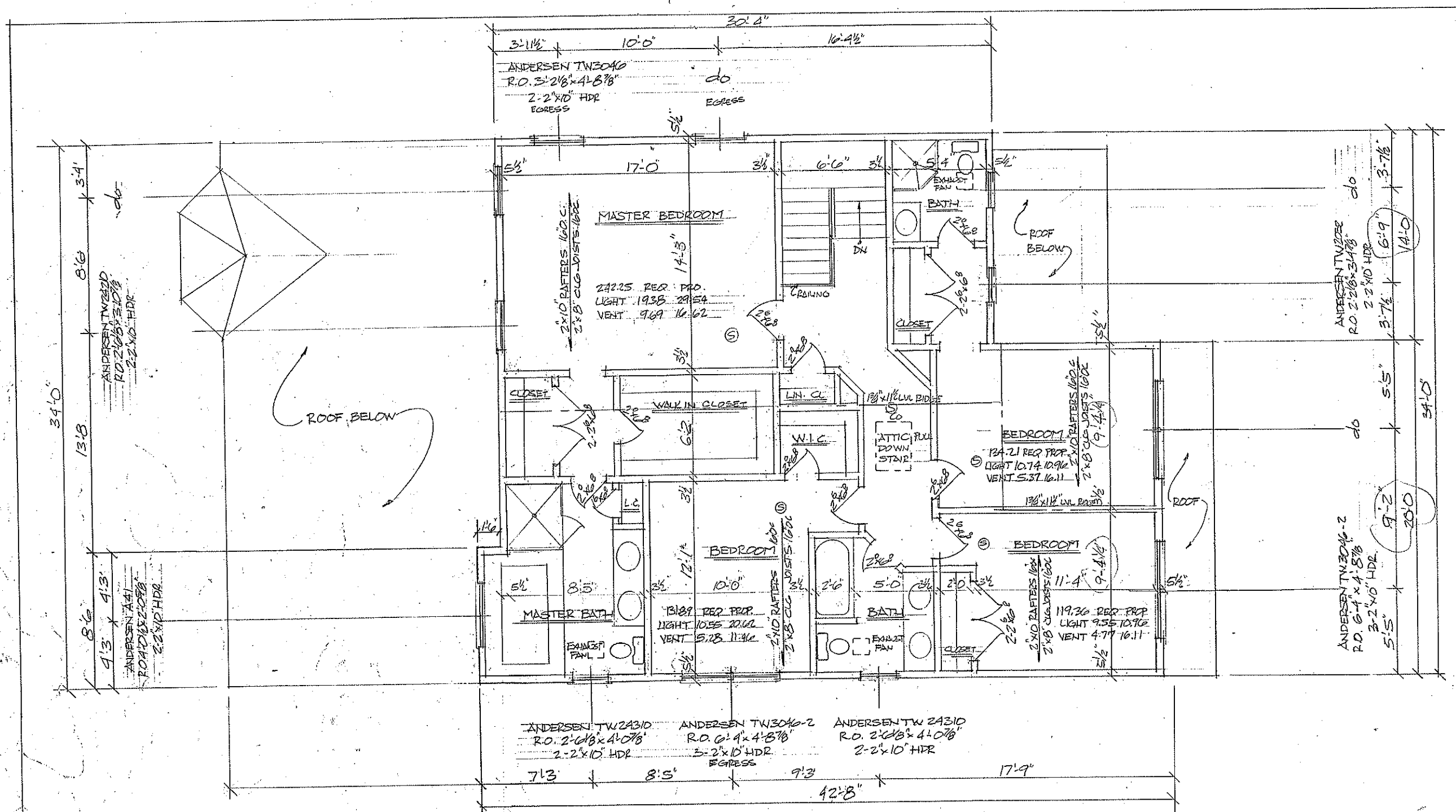
Ground Snow Load ¹	Wind Speed (mph) ²	Seismic Design Category ³	FLOOD TO DAMAGE TYPE			Ice Shield Underlayment Required ⁴	Flood Hazards ⁵
			Weathering ⁶	Freeze Depth ⁷	Tenacity ⁸		
30	100/110	C	SEVERE	42"	MOD/STY	YES	FIRM 9/28/07

seal	Project PROPOSED 1 FAMILY RESIDENCE FOR ANK PROPERTIES LLC LOT 3 BLOCK 2 LOT 147.82-2-8.3	drawing number AO
	1017 GROVE ST MAMARONECK, N.Y.	date 1/5/10 scale 1/4"=1'-0" drawn by SM
Stephen Marchesani 5 Scott Circle Purchase, New York		drawing SITE PLAN



seal	project PROPOSED 1 FAMILY RESIDENCE FOR AVC PROPERTIES LLC LOT 3 BLOCK & LOT 147.82-2-B.3	drawing number A1
	1017 GROVE ST. MAMARONECK, NY	date 1/22/16 scale 1/4" = 1'-0" drawn by SM
Stephen Marchesani 5 Scott Circle Purchase, New York		drawing ELEVATIONS





seat

Project
PROPOSED 1 FAMILY RESIDENCE FOR ANC PROPERTIES LLC
LOT 3
1017 GROVE ST
BLOCK & LOT 147.82-2-8.3
MAMARONECK, N.Y.

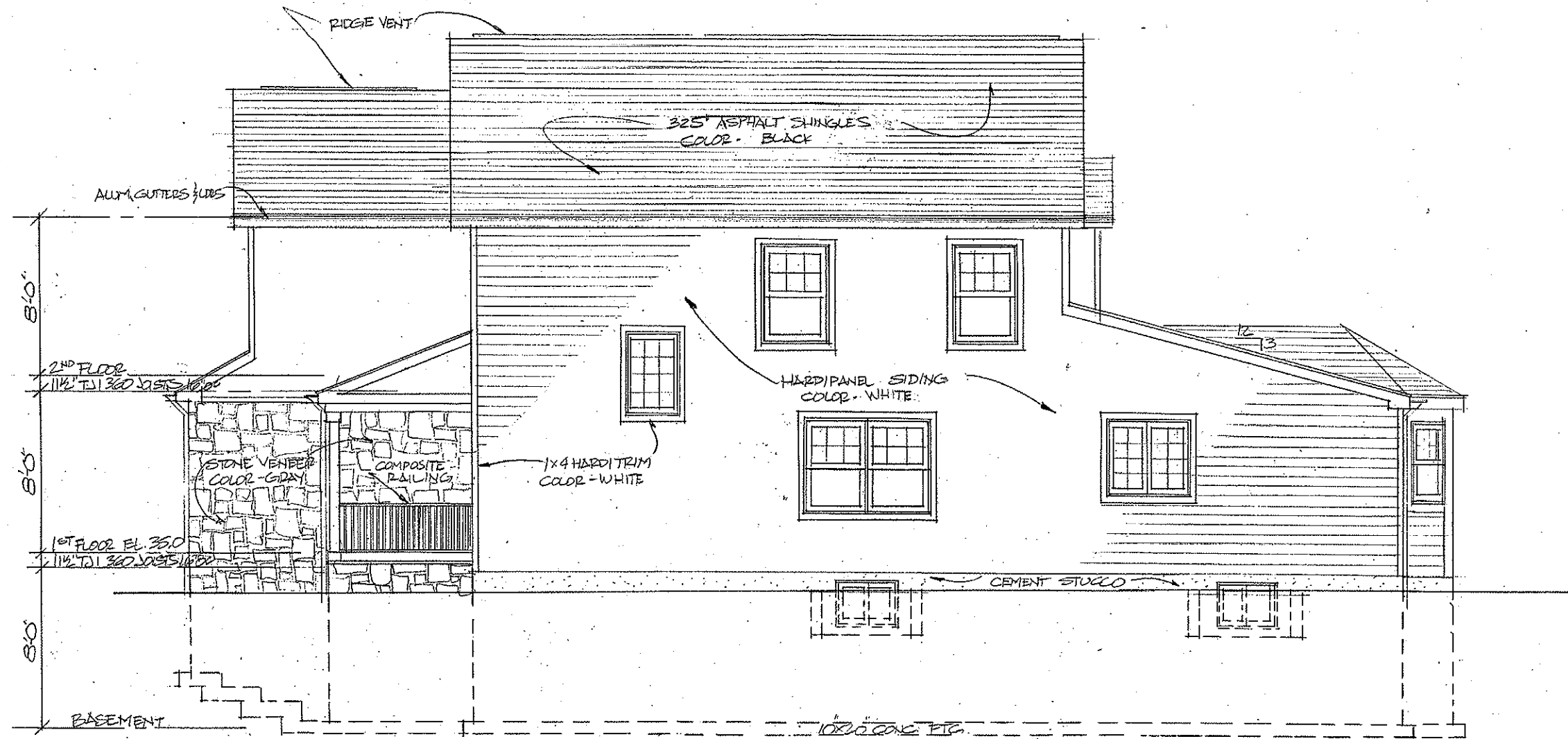
Stephen Marchesani
5 Scott Circle
Purchase, New York

drawing
SECOND FLOOR PLAN

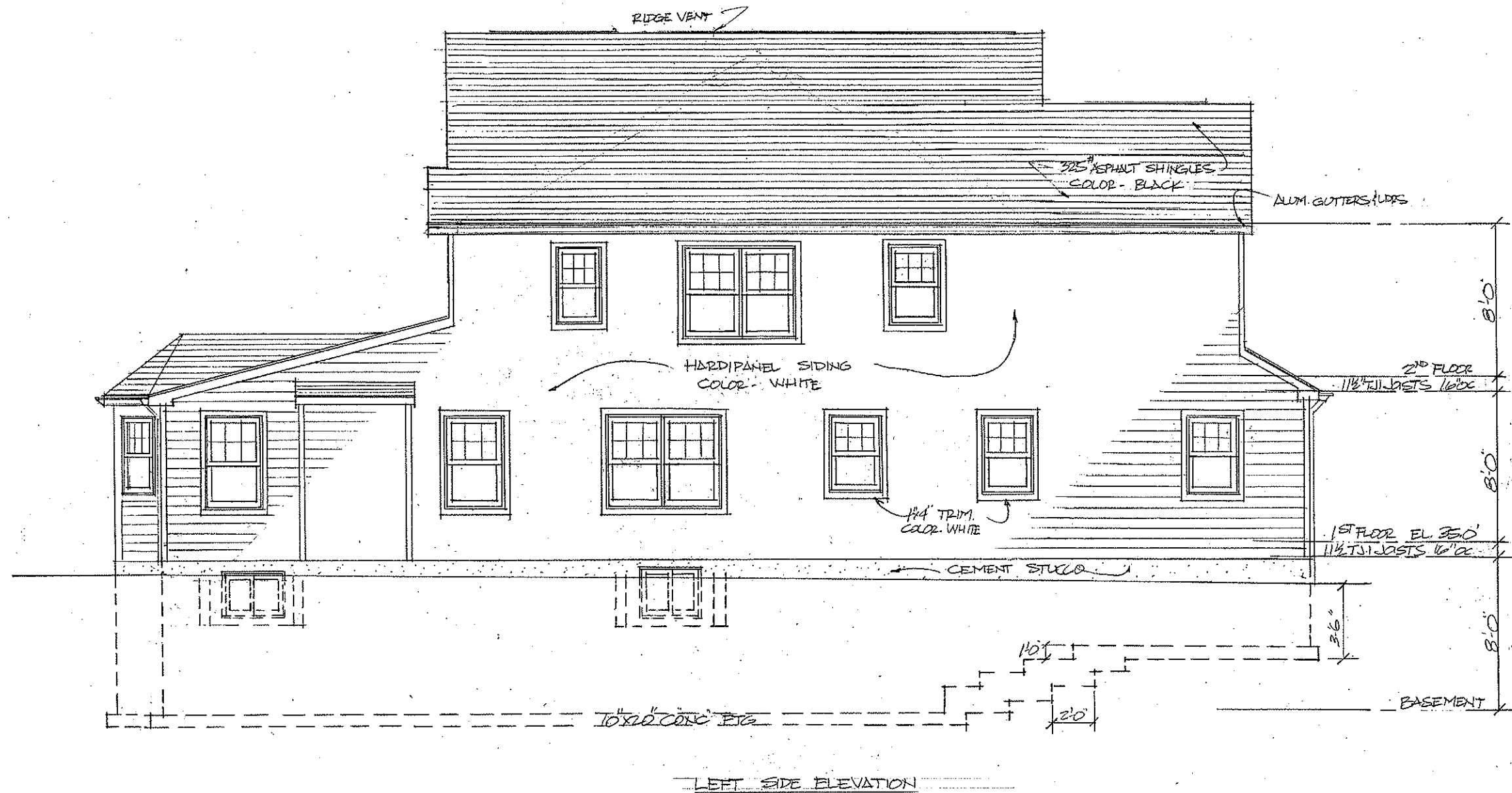
drawing number

A 4

date 1/5/16
scale 1/4" = 1'-0"
drawn by SM



seal	project PROPOSED FAMILY RESIDENCE FOR AVC PROPERTIES LLC LOT #3 BLOCK LOT 147.82-2-83 1017 GROVE ST. MAMARONECK, NY	drawing number A5 date 1/22/16 scale 1/4"=1'-0" drawn by SM
	Stephen Marchesani 5 Scott Circle Purchase, New York	
	drawing ELEVATION	



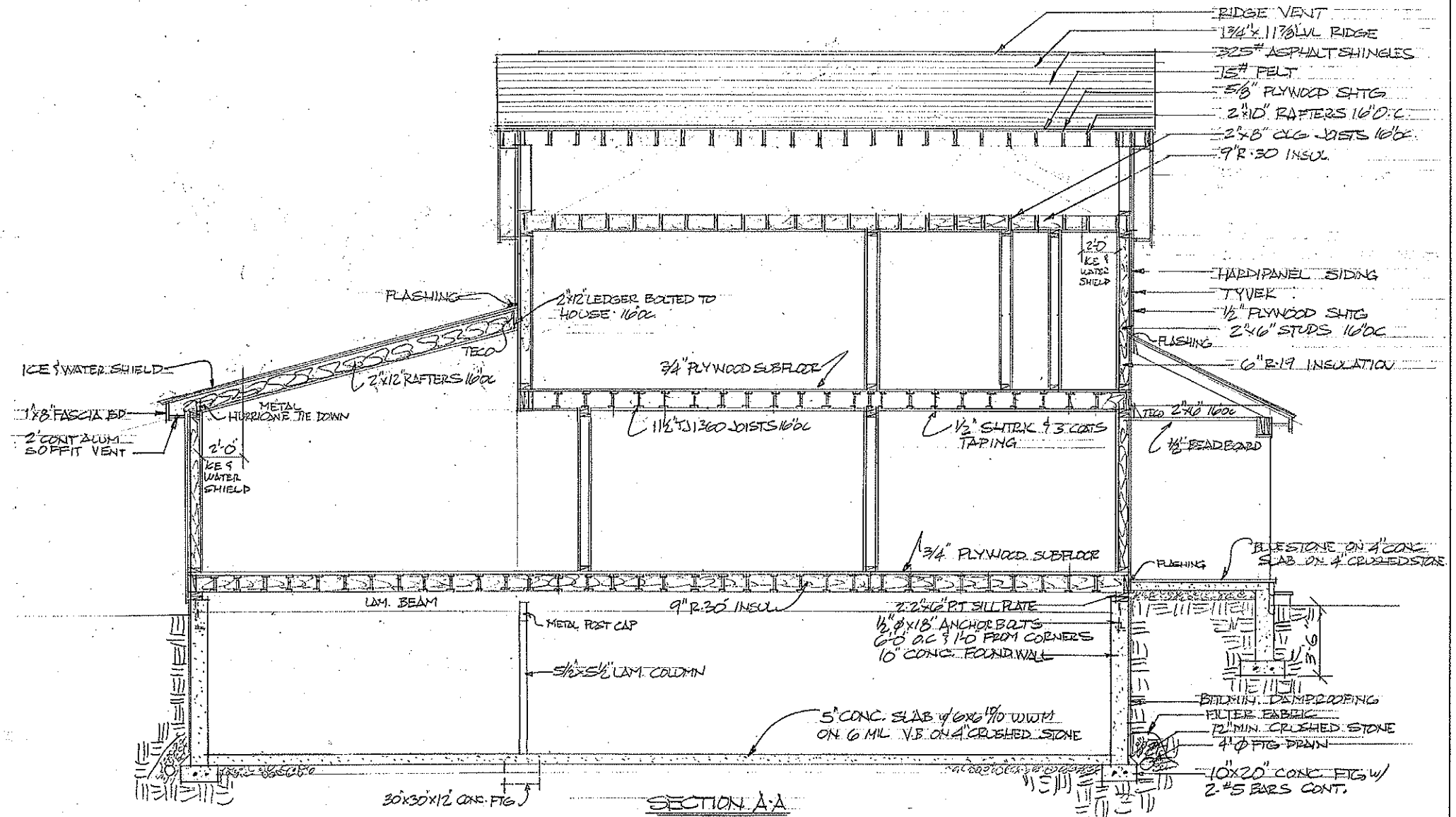
seal	project	drawing number
	PROPOSED 1 FAMILY RESIDENCE FOR AVE PROPERTIES LLC LOT #3 BLK LOT 147.82-2-83	1017 GROVE ST. MAMARONECK, NY
Stephen Marchesani 5 Scott Circle Purchase, New York	drawing ELEVATION	date 1/22/16 scale 1/4" = 1'0" drawn by SM

Residential Code of New York State

- > Design Loads-Live Loads:
 - Living Areas 40 LBSF
 - Sleeping Rooms 30 LBSF
 - Attic-No Storage 10 LBSF
 - Attic-Storage 20 LBSF
 - Stairs 40 LBSF
 - Decks 40 LBSF
 - Exterior Balconies 60 LBSF
 - Roof 45 LBSF
 - Guards and Handrails 200 LBSF
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- > Basements with habitable spaces and every sleeping room to have at least one open able emergency escape and rescue opening of minimum 5.7 percent net clear opening with a minimum opening height of 24 inches and opening with width of 20 inches net clear opening.
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 - Required at surface more than 30" above floor
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- > All plumbing work to conform to the requirements in the Residential Code of New York State.
- > All electric work to conform to the requirements in the Residential Code of New York State

NOTES

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- 7). ALL ELECTRIC WORK TO BE DONE BY A LICENSED ELECTRICIAN
- 8). ALL SMOKE DETECTORS TO BE HARDWIRED AND INTERCONNECTED AS PER N.Y.S. CODE P 23.7
- 9). ALL LUMBER TO BE DOUGLIFIR MIN. 1200 P.S.I. FIBER STRENGTH
- 10). ALL DECK LUMBER TO BE PRESSURE TREATED SOIL BEARING CAPACITY MIN. 2 TONS
- 11). ANY POURED CONCRETE TO HAVE MIN. 3000 P.S.I.
- 12). CONCRETE BLOCK WALL TO HAVE HORIZONTAL REINFORCEMENT 18" O.C.
- 13). FINISH GRADES TO SLOPE AWAY FROM THE HOUSE
- 14). FINISH GRADES TO BE MIN. 8" BELOW TOP OF FOUNDATION WALL
- 15). STEEL TO BE MIN. A36 GRADE
- 16). DOUBLE JOISTS UNDER PARALLEL PARTITIONS
- 17). CO DETECTORS TO BE INSTALLED AS PER N.Y.S CODE P 23.7



seal	Project	drawing number
	PROPOSED 1 FAMILY FOR AVC PROPERTIES LLC LOT 1017 GROVE ST BLOCK LOT 147.82-2-8.3 MAMARONECK, NY	A7
Stephen Marchesani 5 Scott Circle Purchase, New York	drawing SECTION	date 1/22/16 scale 1/4" = 1'-0" drawn by SMT

Village of Mamaroneck, NY

Item Title: 5i-2017 Donat RE 1019 Grove

Item Summary: Application # **5I-2017, Jocelyn Donat, regarding 1019 Grove Street** (Section 4, Block 15, Lot 32.1) for an appeal of Certificate of Occupancy #16-0307 issued on 7/28/17, Building Permit #17-0831 issued on 7/27/17, and Building Permit #17-0840 issued on 7/28/17. (R-5 District)

Fiscal Impact:

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
08 17 20175i 2017 Donal Appeal 1019Grove APP	8/31/2017	Backup Material
1017 Grove Subdivision As Built Approved SWPPP Comparision	10/4/2017	Backup Material
1017 Grove Subdivision As Built Comparision	10/4/2017	Backup Material
plan posted with 2 2016 BAR Agenda lot 2	10/4/2017	Backup Material
plan posted with 2 2016 BAR Agenda lot3	10/4/2017	Backup Material

ZBA Appeal

1019 Grove St

CHECKLIST FOR INITIAL ZONING BOARD OF APPEALS SUBMISSION

"Lot 2"



Applicable Fee

\$ 146 as per BAS

RECEIVED

AUG 17 2017

Applicant must submit Sixteen (16) Copies of the following:

BUILDING DEPT.



Completed Application



All Certificates of Occupancy or Temporary Certificate of Occupancy for the property, or letter from the Building Department in lieu thereof



Violations on the property, and proof that they have been corrected



Photographs of the property (3" x 5" or larger) that depict the location and potential impacts of your application



Accurate survey of the current status of the property, which has been prepared and certified by a licensed surveyor within the past 12 months of the application date, shall be submitted with each application.

Please note: where a survey certified within the past twelve months is unavailable and the application does not involve any change to the exterior of the property, the ZBA will accept a certification by the owner that to his/her knowledge the existing survey accurately depicts the current status of the property.



Certified Drawings, prepared by a registered architect or professional engineer, and other supporting documents



Written consent of the owner, if you are not the owner of the property



Certification, as required by New York State General Municipal Law.



State Environmental Quality Review (SEQR) Short or Long Environmental Assessment Form.



Copy of the Determination being appealed.



Note: See Instructions regarding submittal of Supplemental Materials or New Plans (Item VII in the Rules of the Zoning Board of Appeals of the Village of Mamaroneck and Instructions for Bringing and Appeal

John B. Ort
Applicant's Signature

8/14/17
Date

RECEIVED

AUG 17 2017

BUILDING DEPT.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

- [] 16 Copies
[] Completed Application
[] COs or Letter
[] Violations, if any
[] Photographs
[] Survey
[] Certified Drawings
[] Consent
[] Certification/Affidavit
[] EAF
[] Copy of Determination being appealed
[] Riders if Application is Corp./Business Entity
- For Office Use Only

Application No.: 51-2017
Agenda No.: Sept 7, 2017
SP _____
AV _____
UV _____
F _____
S _____
Interpretation XX

VILLAGE OF MAMARONECK
ZONING BOARD OF APPEALS
APPLICATION

Date August 14, 2017

TO: ZONING BOARD OF APPEALS - VILLAGE OF MAMARONECK
123 Mamaroneck Avenue
Mamaroneck, New York 10543

I (We) Jocelyn Donat
(Name of Applicant)

of 670 Hampshire Rd Mamaroneck, NY Zip 10543
(Insert Complete Mailing Address)

Daytime Phone No. 917832125 Daytime Fax No. _____

Apply to the Board of Appeals regarding property located at 1019 Grove Street
Mamaroneck
(Insert Location of Premises)

Bearing Village of Mamaroneck Tax Map Number: 4, 15, 32 LOT 2
(Section) (Block) (Lot)
1019 Grove Street

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective 2007)

1. This is an Application for the following: (check one [1] or more as applicable)

[] Area Variance - This is to use land in a manner not allowed because of dimensional or topographical requirements in the Zoning Code.

[] Use Variance - This is to allow land to be used in a manner or for a purpose which is prohibited or not allowed by the Zoning code.

[] Special permit

[] Sign Variance

[] Fence Variance

[✓] Appeal or Interpretation (Specify Code Section 342-3 and 342-21 and 342-14)

[✓] Other: Specify Violates "Landscape Plan" in Final Resolutions for Subdivision Approval. Violates

2. The Date and Description of the determination that is being appealed (a copy of the determination must be attached)
7/28/17 - Certificate of Occupancy (#16-0307) approved BAR
7/27/17 - Building Permit/Basement (#17-0831) Building Plans
7/28/17 - Moving/Changing/Adding windows (#17-0840) Plans

3. What is the present zoning of the property? R5 2.18.17

4. This Application must be made in the name of the person or entity that has a possessory interest in the property such as a tenant, purchaser or owner. If you are the owner, on what date did you acquire title? _____; If you are not the owner, list the name and address of the owner and describe your relationship to the property and the date said relationship commenced: AVC Properties LLC 90

Marc Construction 32 High Street Rye, NY 10580

IF you have acquired title to the property within the past two years, provide the name of the prior owner: _____

Relationship - Neighboring Property owners

NOTE:

If the Applicant or Property Owner is a:

Corporation: attach a separate Rider listing all the corporation's officers, shareholders, and their percentage of share ownership.

Partnership: attach a separate Rider listing the type of partnership and identify the partners and their partnership interests.

LLC: attach a separate Rider listing the LLCs members.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

5. If someone else is authorized to act as your representative or to appeal with you on your behalf before the Board, his or her name, address and telephone number must be provided:

Name: _____

Address: _____

Telephone: _____

6. Has a prior variance, special permit, or interpretation Application ever been submitted for this property?

☒ Yes

☐ No

If YES, you must attach copies of the prior variance or resolution and describe them: _____

Appeal made on subdivision
approval as Resolutions in place
by Building Planning Board
were notated - 7/2015 (2I-2015)
Appeal made on issuance of building
permits - 3/2016

7. List all permits you must obtain in order to complete the subject project of this Application (include all permits or approvals necessary from any federal, state, county, or local agency or department): _____

N/A

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

8. Is the property subject to any covenants, easement, or other restrictions or encumbrances? If so, list and describe these. (You may be required to provide copies of these documents establishing same to the Board.) Please be advised that nothing herein or within board purview will alter or modify any existing contractual rights with respect to the subject property. _____

Yes - Landscape Plan is a requisite set
by Planning Board in The recorded Resolutions.

9. Check here if there has been any illegal use or violations issued with respect to the property, regardless of whether it has been removed or adjudicated. []

If so, describe and provide the date(s) and details, including if the violation continues: _____

N/A

10. The following are the provisions of the Village Code from which either a variance is sought or a permit is requested (you must itemize each variance you seek, since a variance cannot be obtained unless it is expressly requested and is the subject of public notice):

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

NOTE:

IF THIS IS AN APPLICATION FOR A USE VARIANCE, COMPLETE QUESTION 11, ON PAGE 5.

IF THIS IS AN APPLICATION FOR AN AREA VARIANCE, COMPLETE QUESTION 12, ON PAGE 6.

IF THIS IS AN APPLICATION FOR ALL OTHER APPLICATIONS, INCLUDING A SPECIAL PERMIT, COMPLETE QUESTION 13, ON PAGE 7.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

11. A use variance may only be granted if it is determined that zoning regulations and restrictions cause the property owner unnecessary hardship. New York law provides that: "In order to prove such unnecessary hardship, the property owner shall demonstrate to the Board of Appeals that (1) under the applicable zoning regulations, the owner is deprived of a reasonable return for each and every permitted use under the zoning regulations for the particular district where the property is located. This deprivation must be established by competent financial evidence; (2) the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood; (3) the requested use variance, if granted, will not alter the essential character of the neighborhood; and (4) the alleged hardship has not been self-created."

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider):

N/A

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

12. Under State law, the Board of Appeals must consider the following factors in making a decision on your request for an area variance: "(1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self created..."

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider):

N/A

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

13. If this Application is not for an area or use variance, provide information that supports your Application. You must refer to the appropriate sections of the Village Code and to other legal requirements necessary for the board to consider your Application.

(Note: If you are requesting an appeal or interpretation, be specific as to both the remedy sought and the Code section(s) relevant to your request and provide to the Board all legal authorities that support your position, by attaching to this Application.)

See Attached for detail

Page
8

LOT 2 / 1019 Grove Street)

- Appealing CO 16-0307 (7.28.17)
- Appealing Building Permit 17-0831 (7.27.17)
- Appealing Building Permit 17-0840 (7.28.17)

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

It is the my responsibility as the Applicant to complete this Application completely and carefully, and to provide sixteen (16) copies of this Application, together with all necessary papers, plans, surveys, documents or other required information.

Failure to submit the required documents and information will delay my Application or result in its denial, since the ZBA cannot review or grant relief to incomplete Applications.

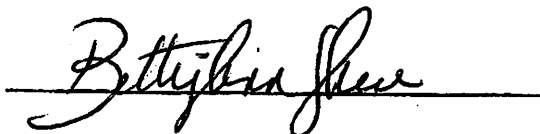
It is my responsibility to comply with all related requirements in presenting this Application, and the ZBA reserves the right to request additional documentation and/or drawings, and to condition any requested relief upon the filing of covenants and restrictions.

Although employees of the Village may provide me with assistance, I understand it is my responsibility to be familiar and comply with all applicable laws and to submit all necessary papers, plans, surveys, documents or other required information. I understand that copies of the Village Code are available for my review at the Village Clerks office, and that I may be represented at the ZBA hearing.

I HEREBY CERTIFY THAT ALL STATEMENTS MADE ON THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE.


(Applicant's Signature)

Sworn to before me this 17th
day of August, 2007



BETTY-ANN SHERER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SH6302179
Qualified in Dutchess County
My Commission Expires April 28, 2010

[REDACTED] nbers

[REDACTED] DONAT

13.

[REDACTED]

[REDACTED] appears
[REDACTED]:

LOT 2 (1019 GROVE STREET)

- Appealing the Certificate of Occupancy 16-0307 issued on July 28, 2017.
 - As built home did not comply with BAR Approved Building Plans from February 2016.
 - Planning Board Approved Landscape Plan was not adhered to – 20 trees were to be planted at the rear of Lot 2 (3 rhododendronss, 11 leyland cypress and 6 arborvitae)
 - Patios, window wells and Egresses are built outside of the Planning Board defined building envelope
 - Regrading of Property
- Appealing the Building Permit 17-0831 issued on July 27, 2017 allowing for finishing of basement
 - Building Permit was issued prior to Certificate of Occupancy being issued
 - As built home does not comply with BAR Approved Building Plans from February 2016
- Appealing the Building Permit 17-0840 issued on July 28, 2017 allowing for two garage windows to be lowered and for the installation of one window to match existing 2nd floor windows.
 - Certificate of Occupancy was improperly issued on the same day.
 - Circumvented BAR Approval process – same changes were presented at August 18, 2016 BAR meeting and builder withdrew his application. No approval was ever received.
 - Public argued that the homes had twice as many windows as any other in the surrounding neighborhood (data provided) and allowing an additional window without BAR approval should not have been allowed.
 - As built includes 4 additional windows not approved in the BAR Approved Building plans OR in the Building Permits issued on July 27th and July 28th

Issues organized in 4 categories:

1. **"Not on Plan"** - Not done as per the **February 18, 2016** Approved Construction Plans.
 - Deviations noted during construction
 - August 2016 Builder submitted revisions for Lots 1 & 2 but not 3
 - Building permit revisions for Lots 1 & 2 were presented but NOT approved by the Board of Architectural Review on August 18, 2016.
 - **Assistant Building Inspector Jeff Farrell as well as Building Inspector Dan Gray both had confirmed that the Plans approved in February 2016 are the Plans that are required to be adhered to in order for C of O to be granted.**
2. **"Building Envelope"** - Violates the Building Envelope defined by the Planning Board for allowable construction of dwellings and accessory structures
3. **"Landscape Plan"** - Violates the Planning Board's Approved Landscape Plan approved as a Condition of the Subdivision Approval
4. **"Regrading of Lot"** - Lot Grade is higher than preconstruction

Lot 2

Not on Plan

- ☐ A total of 5 windows were added on both sides of the home on Lot (3 of which were visible when C of O was issued)
- ☐ A total of 4 windows have changed locations and/or size (2 of which were visible when the C of O was issued)
- ☐ Page A0 – Building Height Calculation 2 feet higher than Plan
- ☐ Page A0 – No Patio – built blue stone impervious patio
- ☐ Page A0 – No Back Steps – built steps to Patio
- ☐ Page A0 – *To be measured* – Rear Yard, Front Yard, Side yards
- ☐ Page A1 - Page A1 – 1st Floor to 2nd Floor approved plan indicates 8 feet – built at 9 feet.
- ☐ Page A1 – 2nd Floor to Top Floor approved plan indicates 8 feet – built at 9 feet.
- ☐ Page A1 – Front door design differs from plan
- ☐ Page A1 – Front roof line design differs from plan
- ☐ Page A2 – 4 basement windows on plan – built 6 basement windows
- ☐ Page A2 – No Window wells – built 6
- ☐ Page A2 – All Basement Window(s) are different sizes versus the approved plan, which specified they be 3x2'6. At least 1 window is larger.
- ☐ Page A2 – No egress(es) indicated on the plan. Built egress with a window well protruding 3' from the home – a violation of Code § 342-14.
- ☐ Page A2 – One window well – rear on the Hampshire Road side was modified in January 2017. An above ground wall was built several feet high. Then the grade was raised to make the wall just slightly above ground level.
- ☐ Page A5 – Window location on Hampshire Road side of home (1st floor right nearest garage) has been changed

- ☐ A6 – Window location on the Wood Street side of home has been changed

Building Envelope

- ☐ Impervious Patio
- ☐ Egress(es)
- ☐ Window wells

Landscape Plan

- ☐ 20 trees were to be planted at the back of Lot 2 along the Top of the Ridge wall –
3 rhododendrum, 6 arbor vitae and 11 Leyland Cypress were to be planted at the back of Lot 2 along the Top of the Ridge wall.
There are not 20 trees planted at the rear of Lot 2.
- ☐ Developer removed Hemlock and 1 -2 additional trees in December 2015 that were marked as “to remain”

Regrading of Lot

- ☐ Rear by wall shared with Top of the Ridge
- ☐ Back yard
- ☐ Front yard
- ☐ Side yards

Note – this is only what can be viewed on the exterior of the home. Interior compliance to be done by the Building Department

1019 GROVE LOT 2 -

WINDOW CHANGES/
ADDs



From: Jocelyn jocelyn.donat@gmail.com
Subject: Fwd: Lot 2 Windows
Date: August 1, 2017 at 3:07 PM
To: Betty-Ann Sherer bsherer@vomny.org, Barbara Ritter britter@vomny.org
Cc: Robert Yamuder ryamuder@vomny.org, Dan Gray dgray@vomny.org

Betty-Ann and Barbara,

Please forward this to the BAR, Planning Board and the Zoning Board as an addendum to my email sent to them yesterday.

All -

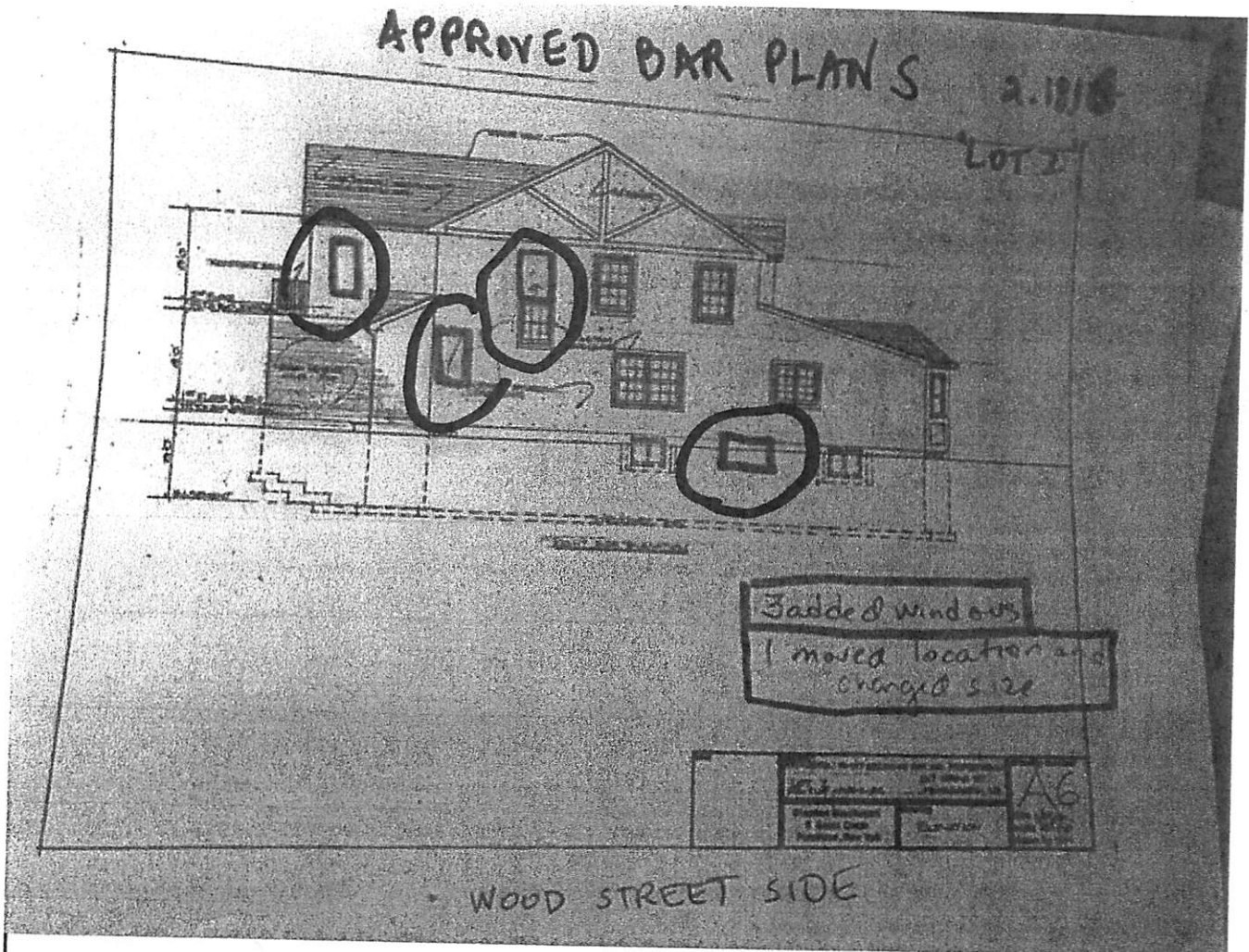
This is the visual of the 9 windows that do not comply with the approved building plans from February 2016.

- Jocelyn

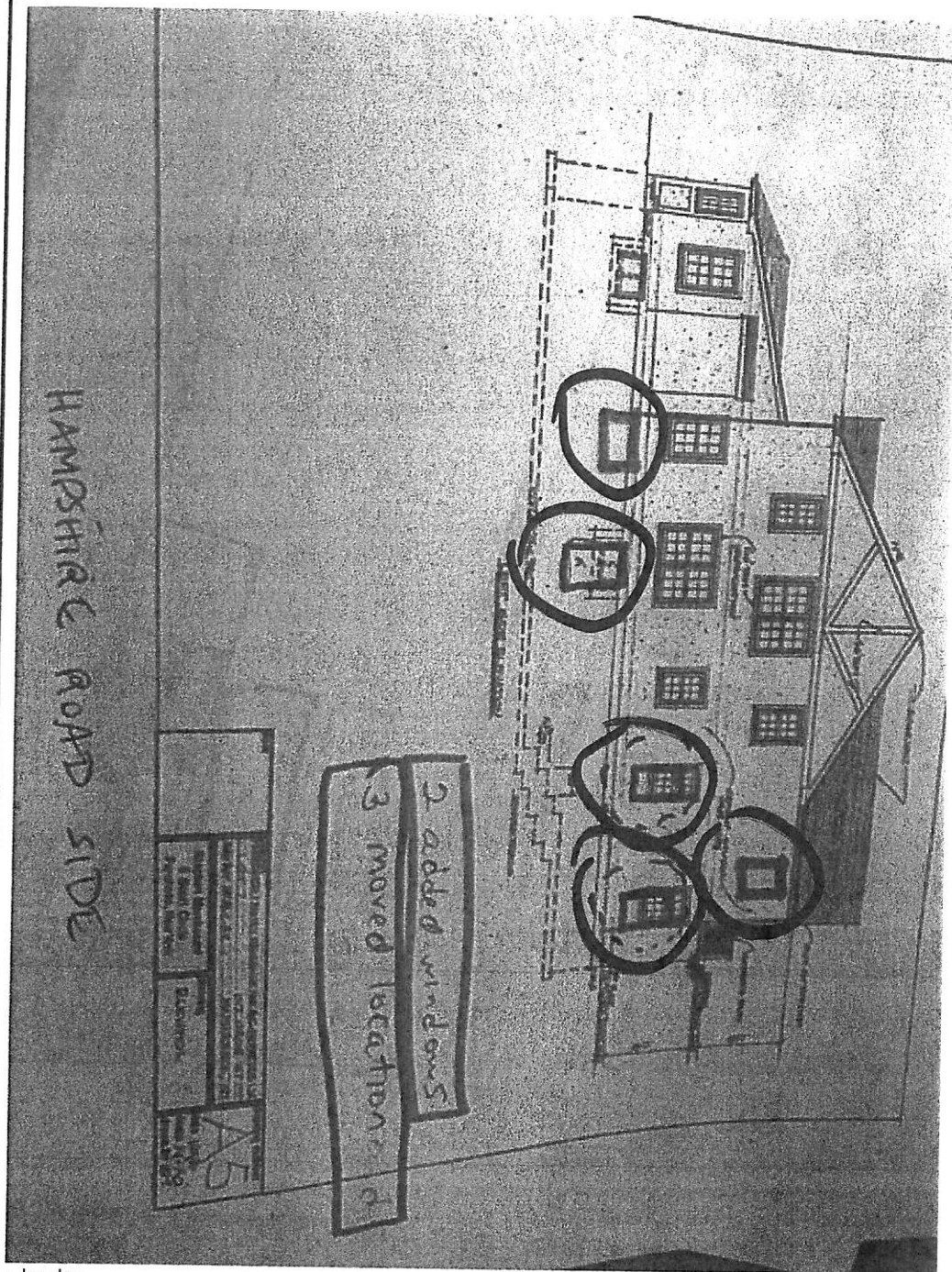
Begin forwarded message:

From: Jocelyn <jocelyn.donat@gmail.com>
Date: July 31, 2017 at 12:50:04 PM EDT
To: Robert Yamuder <ryamuder@vomny.org>
Subject: Fwd: Lot 2 Windows

Wood Street side:



Hampshire Road side:

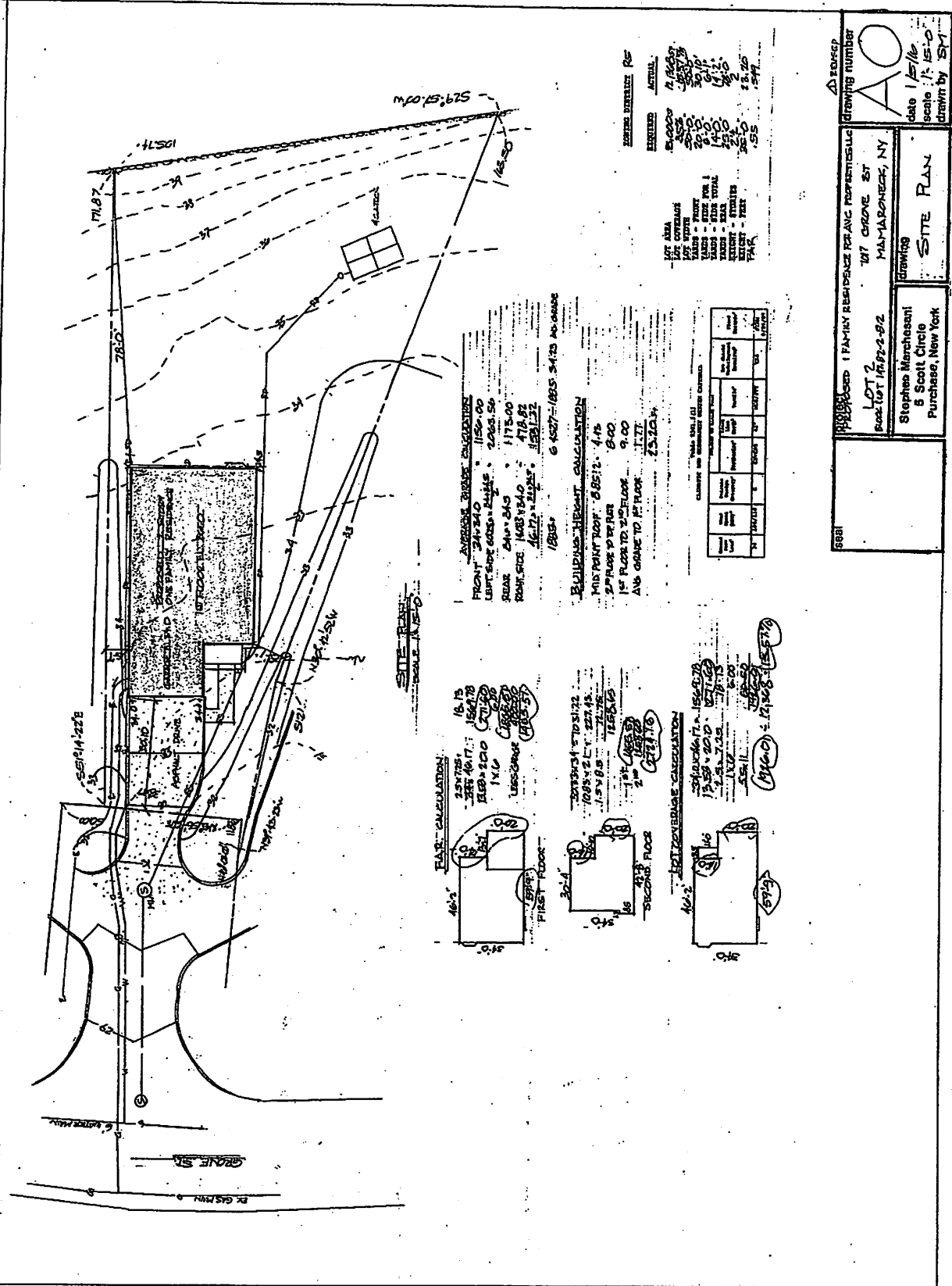


- Jocelyn

Begin forwarded message:

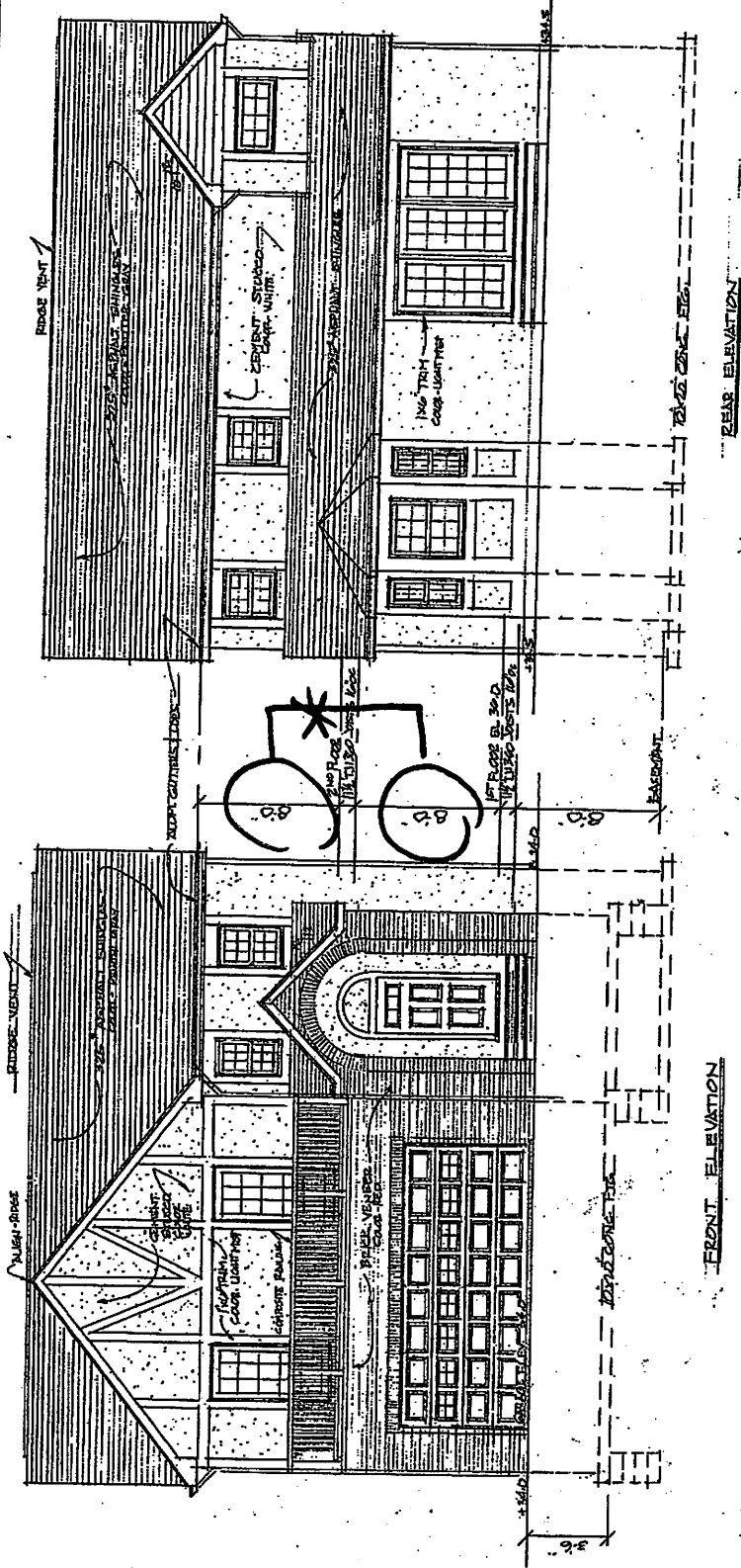
From: Jocelyn <jocelyn.donat@gmail.com>
Date: July 31, 2017 at 12:28:47 PM EDT
To: Robert Yamuder <ryamuder@vomny.org>
Subject: Lot 2 Windows

1019 - LOT 2 APPROVED PLANS

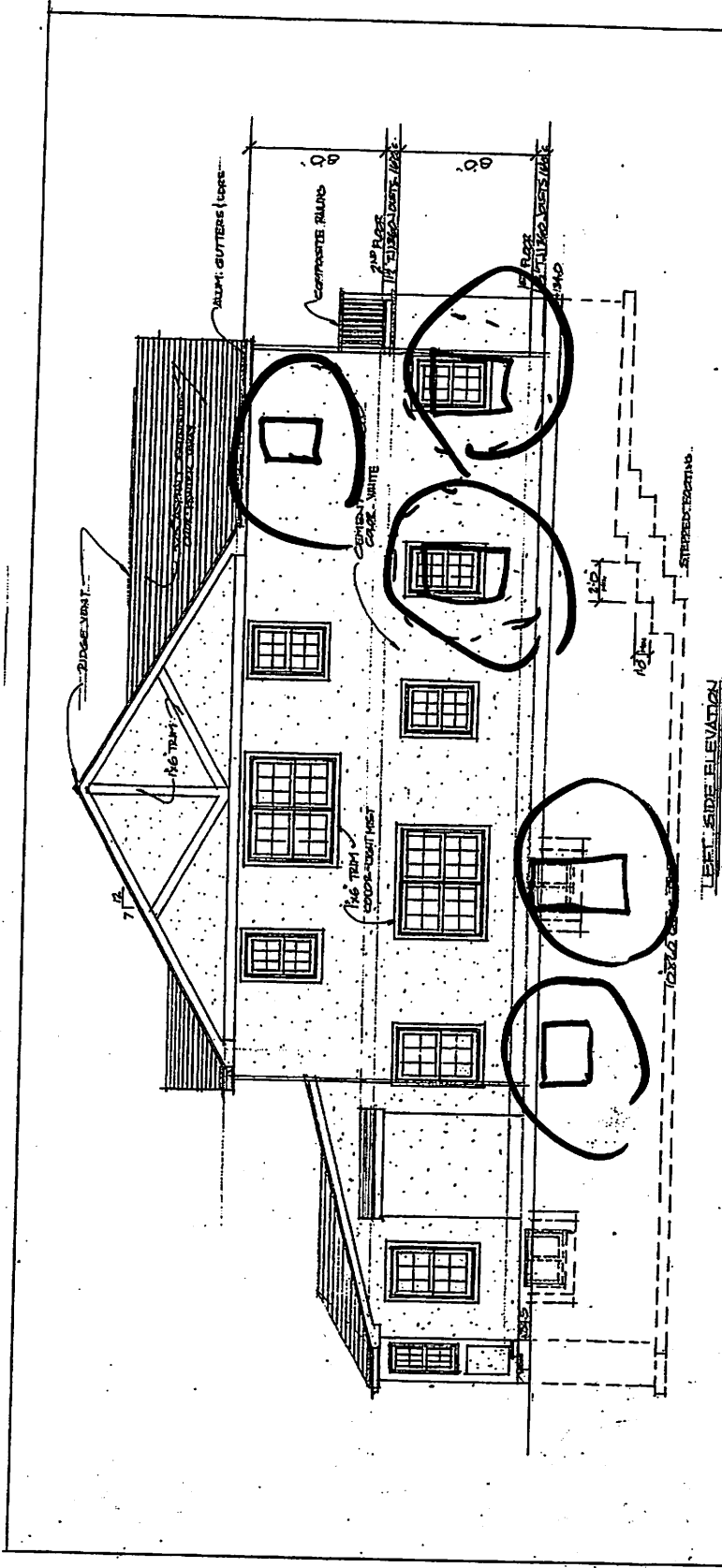


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LOT 2 APPROVED PLANS

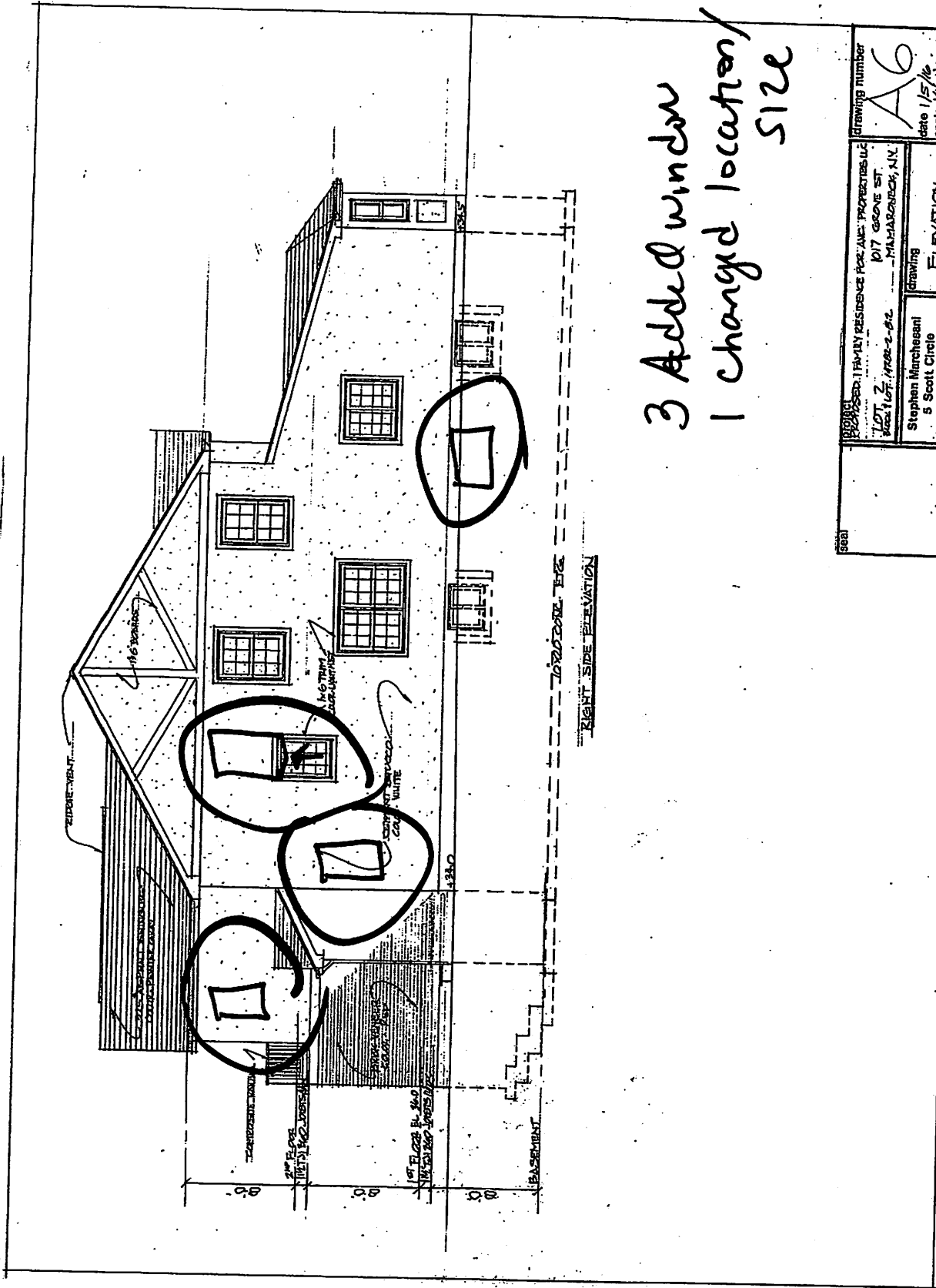


Seal	Project	REAR ELEVATION	Drawing number	A
	Client	STEPHEN MARCHESANI	date	1/5/10
Seal	Architect	STEPHEN MARCHESANI	scale	1/4" = 1'-0"
	Address	5 Scott Circle	drawn by	S.T.
Seal	City	Purchase, New York	ELEVATIONS	
	State			



2 Added windows
 3 Changed
 location/size

PROJECT 1000000 J. FAMILY RESIDENCE FOR AND PROPERTIES LLC 1000000 J. FAMILY RESIDENCE FOR AND PROPERTIES LLC 1000000 J. FAMILY RESIDENCE FOR AND PROPERTIES LLC 1000000 J. FAMILY RESIDENCE FOR AND PROPERTIES LLC	DRAWING NUMBER A5	
	DATE 1/5/16	
DRAWING ELEVATION	SCALE 1/4" = 1'-0"	
	DRAWN BY SP-1	



3 Added window
1 changed location/
size

see	PROJECT: 1 FAMILY RESIDENCE FOR AUC. PROPERTIES LLC LOT 2, 1000 100th St. - MARIETTA, GA DATE: 1/15/10 SCALE: 1/4" = 1'-0" DRAWN BY: SM	drawing number A6
		date 1/15/10 scale 1/4" = 1'-0" drawn by SM
Stephen Marchese 5 Scott Circle Purchase, New York		drawing ELEVATION

1019 (Lot 2) - Certificate of OCL

C of O - Dan_07282017 (3)

Page 1 of 1 PDF

8.5 in x 11 in

Zoom Tool

View Plain Text

CERTIFICATE OF OCCUPANCY



Village of Mamaroneck
169 Mt Pleasant Ave
Mamaroneck, New York 10543

7/28/2017

Map. No: 4-15-32.1

Permit No: 16-0307

Cert. No: 16-0307

Location: 1019 GROVE ST

This Certifies that the building(s) located at the premises listed above conforms substantially to all of the requirements of the applicable provisions of the law. The occupancy for which this certificate is issued is

* New One Family Dwelling (lot 2)

BAR Approval 2/18/16

Revised Plans Approved 08/20/17 for the Addition of a Patio & Beam Call Out

This CERTIFICATE is issued to the owner -

AVC PROPERTIES LLC

of the aforesaid building(s).

Building Inspector

Go to top Page 1 of 1

19

1019 (LOT 2) - FINISH BASEMENT

From: Jocelyn Donat jocelyn.donat@gmail.com
Subject: Building Permit - Dan_07272017 - Laserfiche WebLink
Date: August 8, 2017 at 8:35 PM
To:



<http://66.56.82.66/WebLink/DocView.aspx?id=304718&searchid=05dc13fd-8271-44c0-8005-91e32490fa36&docid=0>



View Print Mail 8/8/2017

RESIDENTIAL - ALTERATIONS/RENOVATIONS PERMIT



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543
914-777-7731

Parcel ID: 4-15-32.1

Permit #: 17-0831

Permit Date: 7/27/2017

Expiration Date: 7/27/2018

Owner: AVC PROPERTIES LLC

Location: 1019 GROVE ST

Applicant: AVC PROPERTIES LLC

Work Description: RESIDENTIAL - ALTERATIONS/RENOVATIONS
Frame & Sheetrock Exterior Basement Walls Install Vinyl Floor.

Contractor:

Marc Construction
32 High Street

Work: 804-1180

Lic. Number: WC18695-H07

20
15

1019 (LOT 2) - GARAGE & WINDOWS

From: Jocelyn Donat jocelyn.donat@gmail.com
Subject: Building Permit - Dan_07282017 - Laserfiche WebLink
Date: August 8, 2017 at 8:39 PM
To:



<http://96.56.82.68/WebLink/DocView.aspx?id=384778&searchid=d6dc136d-8271-44c0-8085-91e3549f0fa3&tabid=9>



View Print Print

RESIDENTIAL - ALTERATIONS/RENOVATIONS PERMIT



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543
914-777-7731
Parcel ID: 4-15-32.1

Permit #: 17-0840

Permit Date: 7/28/2017

Expiration Date: 7/28/2018

Owner: AVC PROPERTIES LLC

Location: 1019 GROVE ST

Applicant: AVC PROPERTIES LLC

Work Description: RESIDENTIAL - ALTERATIONS/RENOVATIONS

Relocate Existing Garage Windows to a Usable Height off Garage Floor. Install Fixed Window in Stairwell to Match Existing 2nd Floor Window Sizes on Plans Page #'s A5 & A6

Contractor:

Marc Construction

Work: 804-1180

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LETTER OF COMPLAINT

Mr. Gray,

By this letter, I am informing you that Marc Castaldi has not complied with the plans approved by the BAR on February 18, 2016 for the residence on Lot 2 of the Grove Street subdivision (1019 Grove Street).

This letter highlights that he has not complied on his window construction. I ask that that you **revoke the permit and certificate of occupancy issued** on Friday, July 28, 2017 because neither could have been lawfully issued in light of this discrepancy. The number and location of windows was of particular concern to the BAR when it reviewed the proposed residences for the Grove street subdivision in February 2016 and again in August 2016.

As you may recall, Mr. Castaldi applied for a permit for the addition of 5 windows plus 4 alterations of other windows (change in size and/or location) about a year ago when I alerted you that he had built 5 additional windows as well as having changed the window configuration and locations without permission. In 2016, you did not grant a permit for these 9 modifications/changes but sent that application to the BAR because it was a change of plans that body had previously approved. You mandated that either "the windows be removed and adjusted to be in compliance with the approved building plans or the builder would be required to obtain new BAR approvals" for the additions and changed configuration.

Mr. Castaldi did neither and on this past Friday you issued a certificate of occupancy and a building permit anyway. I attended the August 18, 2016 BAR hearing on this matter and Mr. Castaldi departed in a huff after questioning by members of the BAR. He never obtained BAR approval for the additional 5 windows or for his revised window configuration.

It is arbitrary and capricious for your office to unilaterally issue the same building permit in 2017 that you previously said in 2016 required BAR approval. **Both the building permit and the certificate of occupancy for this residence granted on Friday, July 28, 2017 are unlawful and I ask you to revoke them both immediately.**

The following is an excerpt from Section 6-8 of the Code of the Village of Mamaroneck with respect to your obligations on matters such as this:

- "A. The Building Inspector shall refuse any permit application disapproved as provided in § 6-7. If the Board of Architectural Review shall approve or fail to act on any permit application referred to it under § 6-6 within 30 days of the date of such application, the Building Inspector shall forthwith issue the permit as applied for.
- B. The Building Inspector shall forthwith issue an order to stop all work of construction or reconstruction if an applicant proceeds with his work after his application has been disapproved by the Board or if the applicant proceeds with his work in a manner not consistent

LETTER OF COMPLAINT

with the conditions or specifications under which the Board approved the plans for the structure or building.”

You should be aware that work done at 1019 Grove Street on Saturday, July 29, 2017 included the unveiling/uncovering of previously installed windows on the home that led to my original 2016 complaint that the installed windows did not match the approved Building plans. Four of five additional windows were NOT on your building permit issued on Friday July 28, 2018 (Permit Number 17-0840). You (erroneously) approved the installation of one window as well as the relocation of 2 garage windows.

The facts are that nine windows do NOT comply with the approved building plans of February 2016. Work was undertaken and apparently near completed very quickly on Saturday afternoon as Mr. Castaldi never removed the unapproved windows built in 2016 but simply cosmetically hid the discrepancies from the BAR approved plans. **Please investigate exactly what has happened.** I sincerely hope that your office was not complicit in these activities.

Also, as you review the approved Building plans please see that the built home is 2 feet higher than the approved plans. A foot higher for the 1st floor to 2nd floor as well as a foot higher for the 2nd floor to 3rd floor.

In addition, while investigating, please count the trees planted at the back of lot 2. The approved landscape plan required 20 trees (3 rhodedendron, 6 arborvitae and 11 leyland cypress) be planted on the back of Lot 2. This did not occur. The plantings span the rear of Lot 2 and Lot 3. Lot 2 was required, as per the plan to have 20 trees planted on Lot 2 only.

Lastly, as previously communicated, Mr. Castaldi has built window wells and a patio outside of the defined building envelope. The window wells and egresses violate the side setback codes of the Village.

Mr. Castaldi has two routes to legalize his non-conformity with his approvals. One, he can seek a Board of Appeals variance from the BAR determination – a variance that should have been granted before your office granted any new building permit related to windows. Alternatively, he could return to the BAR for the approval he sought but never obtained. But, he needs to go back to the Planning Board for a revised plat to allow changes to other aspects of the Planning Board approval.

I would appreciate prompt action on this request.

Sincerely,

Jocelyn Donat

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COMMENTS AND RECOMMENDATIONS. AS PER THE APPROVED APPROVALS.

1. THE PROPOSED 3 NEW HOME SITES (3 LOTS) ARE LOCATED TO THE EAST OF THE EXISTING 100' WIDE ROAD (HAMPSHIRE ROAD) AND ARE SEPARATED FROM THE EXISTING 100' WIDE ROAD (HAMPSHIRE ROAD) BY A 10' WIDE BUFFER ZONE. THE PROPOSED 3 NEW HOME SITES (3 LOTS) ARE LOCATED TO THE EAST OF THE EXISTING 100' WIDE ROAD (HAMPSHIRE ROAD) AND ARE SEPARATED FROM THE EXISTING 100' WIDE ROAD (HAMPSHIRE ROAD) BY A 10' WIDE BUFFER ZONE.
2. THE PROPOSED 3 NEW HOME SITES (3 LOTS) ARE LOCATED TO THE EAST OF THE EXISTING 100' WIDE ROAD (HAMPSHIRE ROAD) AND ARE SEPARATED FROM THE EXISTING 100' WIDE ROAD (HAMPSHIRE ROAD) BY A 10' WIDE BUFFER ZONE.
3. THE PROPOSED 3 NEW HOME SITES (3 LOTS) ARE LOCATED TO THE EAST OF THE EXISTING 100' WIDE ROAD (HAMPSHIRE ROAD) AND ARE SEPARATED FROM THE EXISTING 100' WIDE ROAD (HAMPSHIRE ROAD) BY A 10' WIDE BUFFER ZONE.
4. THE PROPOSED 3 NEW HOME SITES (3 LOTS) ARE LOCATED TO THE EAST OF THE EXISTING 100' WIDE ROAD (HAMPSHIRE ROAD) AND ARE SEPARATED FROM THE EXISTING 100' WIDE ROAD (HAMPSHIRE ROAD) BY A 10' WIDE BUFFER ZONE.

VILLAGE OF MAMANECK ZONING REQUIREMENTS	
R-10 One-Family Residential	
FOR ONE FAMILY	FOR TWO FAMILY
MINIMUM LOT AREA	MINIMUM LOT AREA
10,000 sq. ft.	10,000 sq. ft.
MINIMUM LOT WIDTH	MINIMUM LOT WIDTH
30 ft.	30 ft.
MINIMUM LOT DEPTH	MINIMUM LOT DEPTH
100 ft.	100 ft.
MINIMUM LOT AREA PER LOT	MINIMUM LOT AREA PER LOT
10,000 sq. ft.	10,000 sq. ft.
MINIMUM LOT WIDTH PER LOT	MINIMUM LOT WIDTH PER LOT
30 ft.	30 ft.
MINIMUM LOT DEPTH PER LOT	MINIMUM LOT DEPTH PER LOT
100 ft.	100 ft.

FINAL PLAT DETAIL

Taken from the Final Plat Filed with the County of
Westchester May, 2015:

COVENANTS AND RESTRICTIONS AS PER PLANNING BOARD APPROVAL

4. All improvements, including without limitation any Residential Dwellings and Accessory Structures, to be constructed on the property shall be located wholly within the Building Envelope Areas for allowable construction shown on the final Subdivision Plat.

VILLAGE CODE

Mamaroneck Code

Terms defined.

Chapter 342: Zoning Article II: Definitions and Word Usage

§ 342-3 Terms defined.

B.

As used in this chapter, the following terms shall have the meanings indicated:

STRUCTURE

Anything constructed, erected or installed the use of which requires location on or under the ground level, in whole or in part, or attachment to something having location on or under the ground. Depending upon its applicability, the use herein of "structure" shall include the term "building."

[Amended 9-11-1972, effective 9-27-1972]

One-Family Residence Districts.

Chapter 342: Zoning Article V: Residential District Regulations

§ 342-21 One-Family Residence Districts.

B.

Permitted accessory uses. The following accessory uses are permitted in R-20, R-15, R-10, R-7.5, R-6 and R-5 One-Family Residence Districts only in conjunction with a permitted principal use:

(9)

Fences, walls or retaining walls pursuant to § 342-14.

[Amended 5-31-1979 by L.L. No. 10-1979, effective 6-8-1979; 5-10-2010 by L.L. No. 12-2010, effective 5-26-2010]

Building projections.

Chapter 342: Zoning Article IV: General Regulations

§ 342-14 Building projections.

C.

Fences, walls or retaining walls shall be constructed with the finished side facing outward from the property, and shall not exceed six feet in height, except:

[Amended 5-10-2010 by L.L. No. 12-2010, effective 5-26-2010]

(1)

On a corner parcel, placed beyond the front or side building lines, they shall not exceed four feet in height.

(2)

VILLAGE CODE P. 2

An additional six inches in height may be allowed, at the discretion of the Building Inspector, to provide for necessary distance between the grade and the bottom of the fence, for greater flexibility in mounting.

(3)

Where required pursuant to Article XI.

(4)

Where approved in conjunction with a special permit granted under Article X.

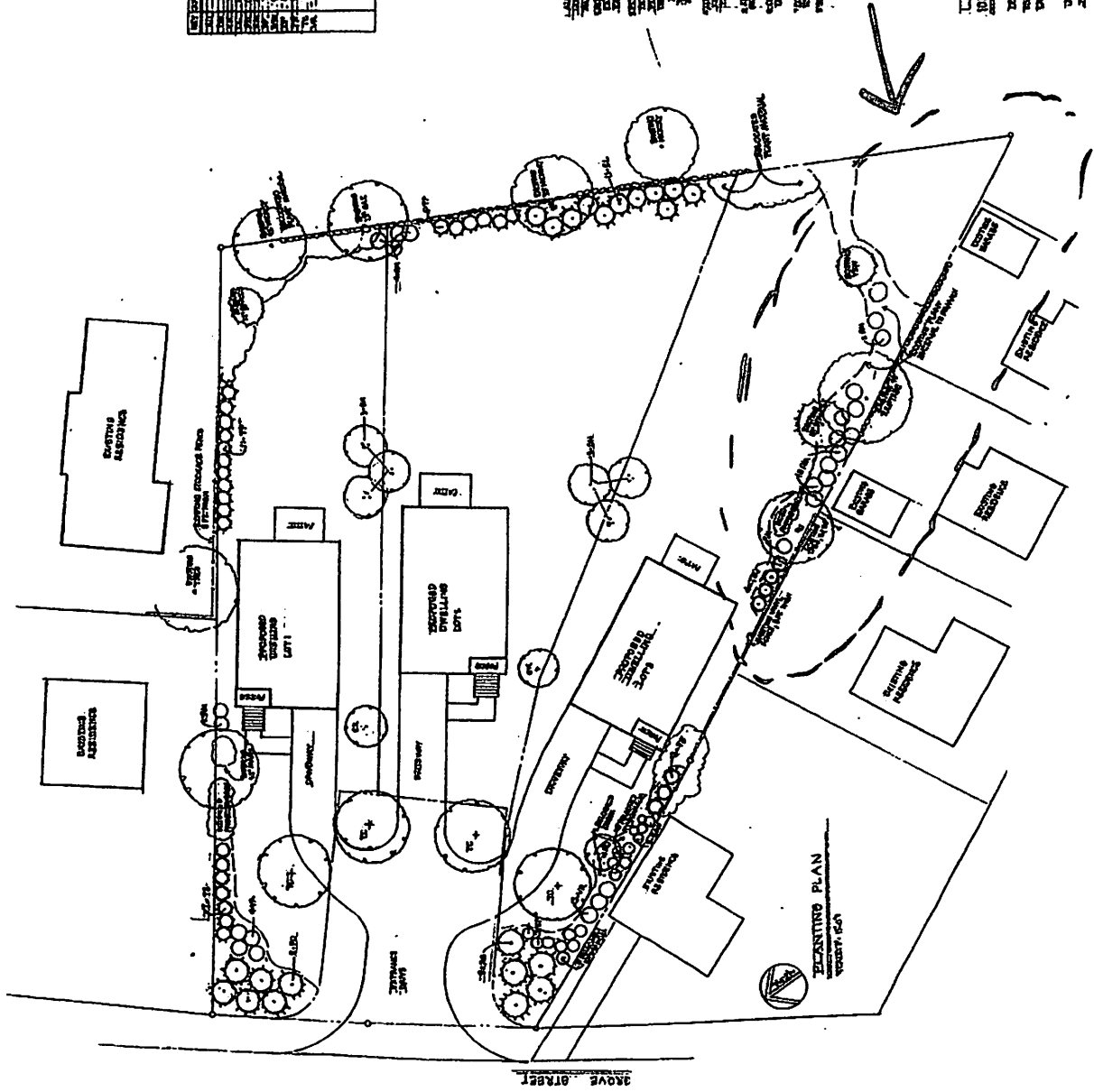
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GENERAL: Notes

ALL PLANT MATERIALS TO BE OFFERED, INCLUDING, BUT NOT LIMITED TO, FRUIT, SEED, BARK, LEAVES, TWIG, ROOT, AND OTHER PARTS, OF ANY PLANT, WILD OR CULTIVATED, AND WHICH ARE, OR MAY BE, USED FOR MEDICINAL PURPOSES.

[illegible]

LANDSCAPE INC. PROPOSED 3 LOT SUBDIVISION at
1017 BROOK STREET, VILLAGE OF MANASSA, NEW YORK

[illegible]

RESOLUTIONS

VILLAGE OF MAMARONECK PLANNING BOARD (Adopted May 27, 2015)

RE:1017 Grove Street – 3 Lot Subdivision Resolution of Conditional Final Subdivision Approval

After due discussion and deliberation, on motion by Mr. Sjunnemark, seconded by Mr. Mendes and carried, the following resolution was adopted:

WHEREAS, on January 10, 2014, AVC Properties LLC, the Applicant, (all references to which shall include and be binding upon the Applicant's successors and/or assigns) submitted to the Village of Mamaroneck Planning Board ("Planning Board") an Application with accompanying documentation seeking to subdivide an existing lot containing an existing two family residence ("Premises") into three lots, to demolish the existing two family residence and to construct three new single family residences on the newly created lots ("Application"); and

WHEREAS, the Applicant's property is located at 1017 Grove Street ("Property"), situated within the R-5 Residential District; and

WHEREAS, the Planning Board conducted a site visit on the Property on March 29, 2014 and is familiar with the Property and all aspects of the proposed action and has been satisfied that the subdivision plat will conform to the requirements of the Village Code; and

WHEREAS, the Planning Board has carefully reviewed the application and considered comments from the Village Planner in memoranda dated June 19, 2014 and September 19, 2014 as well as in memoranda from the Village Landscape Consultant dated February 12, 2014, July 8, 2014, September 5, 2014, September 12, 2014, September 15, 2014 and October 22, 2014, Westchester County Planning Department's referral review dated October 20, 2014 and from the Village Engineer dated July 6, 2014. The Village Engineer has evaluated and approved the Applicant's SWPPP revised December 10, 2014 and verbally provided information to the Planning Board at its public meetings on the Application; and

WHEREAS, the Planning Board has requested and reviewed alternate subdivision plats from the Applicant regarding impervious surfaces, layout design, street design, positioning of the footprints of the proposed residential units vis-à-vis neighboring properties, landscaping, watershed analysis, location of culverts and other stormwater management improvements on the Property, fire truck turning analysis, driveway configurations, proposed rendering of residential units and location of garages. The Board reviewed the Applicant's Engineer's memo dated June 4, 2014 outlining the impacts of alternative layouts. The Board also reviewed the following set of plans dated January 17, 2014 with final revision dated October 13, 2014 (except for WJWW 5/15/15 revisions as noted), a Short-Form Environmental Assessment Form ("EAF") and a Coastal Assessment Form ("CAF") dated December 17, 2013 and a Stormwater Pollution Prevention Plan ("SWPPP") (dated April 11, 2014 and revised October 13, 2014) prepared by Hudson Engineering & Consulting, P.C. (HEC) as submitted by the Applicant which forms a part of the Application:

1. Drawing C-1- "Proposed 3 Lot Subdivision, 1017 Grove Street, Mamaroneck, "Existing Conditions Map."
2. Drawing C- 2 - "Layout Plan. "
3. Drawing C-3 – "Stormwater Management Plan."
4. Drawing C-4 – "Utilities Plan Revised." (Revised 5/15/15 per WJWW)

5. Drawings C-5 – "Roadway and Utility Profiles." (Revised 5/15/15 per WJWW)
6. Drawing C-6 – "Erosion & Sediment Control plan." (Revised 5/15/15 per WJWW)
7. Drawing C-7 – "Site Details." (Revised 5/15/15 per WJWW)
8. Drawings C-8 – C-13 – "Site Details."
9. Drawing C-14 – "Site Details." (Revised 5/15/15 per WJWW)
10. Drawing C-15 – "Notes." (Revised 5/15/15 per WJWW)
12. "Pre-Conditions Watershed Map, Proposed 3 Lot Subdivision."
13. "Landscape Plan" prepared by Anthony Acocella, Landscape Architect, P.C., dated June 21, 2014 and revised July 16, 2014.
15. Coastal Assessment Form ("CAF") dated December 17, 2013 and submitted pursuant to Local Law No. 30-1984;
16. Short-Form Environmental Assessment Form ("EAF") dated December 17, 2013.

WHEREAS, the house locations shown on the "Layout Plan" were established through extensive study and mutual agreement between the Applicant and the Planning Board; and

WHEREAS, a duly advertised public hearing on the application was opened on March 26, 2014 and continued on April 23, 2014, June 11, 2014, July 9, 2014, September 10, 2014, and October 22, 2014 and closed on October 22, 2014 at which the opportunity for public comment was offered to all interested parties. The Planning Board received and reviewed written communications from neighbors and other interested parties as well as Applicant's response and his Engineer's response to certain of those communications in separate letters both dated October 22, 2014; and

WHEREAS, on February 12, the Planning Board tentatively determined that the Project was an unlisted action under SEQRA and directed issuance of a Notice of Intent to be Lead Agency and on March 26, 2014, assumed Lead Agency status; and

WHEREAS, on November 12, 2014, after reviewing Part 1 of the SEAF and completing Parts 2 and 3 of the EAF and based upon the application as revised by the Applicant, the Planning Board determined that the proposed unlisted action would not result in any significant adverse environmental impacts and adopted a Negative Declaration for the proposed unlisted action; and

WHEREAS, pursuant to the authority granted to it under Section A348-19 of the Village's Subdivision Regulation the Planning Board has determined to grant the Applicant a waiver from strict compliance with the provisions of Section 348-14(E) of the Subdivision Regulations; and

WHEREAS, the Applicant appeared before the Harbor and Coastal Zone Commission (HCZMC) on September 17, 2014 and November 19, 2014, and, on that later date, the HCZMC determined that the Project is consistent with the Village's Local Waterfront Revitalization Program ("LWRP") pursuant to Chapter 240 of the Village Code; and

WHEREAS, on December 10, 2014, the Planning Board adopted a Resolution of Preliminary Plat Approval on the Application; and

WHEREAS, on May 13, 2015 application was made for approval of a final subdivision plat entitled "Subdivision Map of Property Belonging to AVC Properties LLC Village of Mamaroneck Westchester County, NY" prepared by George J. Mottarella PE, LS. PC dated May 20, 2015 ("Final Plat"); and

WHEREAS, the Final Plat is in substantial conformity with the previously approved Preliminary Subdivision Plat so as to obviate the need for a public hearing on the Final Plat; and

WHEREAS, the Planning Board has received and considered comments on the Final Plat from staff, counsel and the Acting Village Engineer and has received and considered comments from the public on the Final Plat; and

WHEREAS, the Planning Board has completed its review and evaluation of the application and the final plat and has fully considered the factors set forth in Village Code and determined that such standards and criteria have been satisfied:

NOW, THEREFORE, BE IT

RESOLVED, that the application for approval of a final subdivision plat composed of C-2, Proposed 3 Lot Subdivision, 1017 Grove Street, Layout Plan, C-2 Grading and Drainage Plan, C-3 Stormwater Management Plan, C-4 Utilities Plan, C-5 Roadway and Utility Profiles, C-6 Erosion and Sediment Control Plan, C-7 through C-14 Site Details and C-15 Notes prepared by Hudson Engineering & Consulting, P.C. revised October 13, 2014 for the subdivision of property located at 1017 Grove Street into three lots ("Premises") and the construction of new single-family residences on each lot, and approval of a Stormwater Pollution Prevention Plan ("SWPPP") dated ~~December 1, 2014~~, approved subject to compliance with the following conditions and modifications

1. The Applicant shall pay all outstanding consultant review fees in connection with the Planning Board review of this Application.
2. All conditions of this resolution shall be satisfied prior to the Planning Board Chairman's signing of the Final Plat, unless otherwise provided herein.
3. The preparation and submission to the Planning Board of a plat in final form within 180 days of the date of the filing of this resolution granting conditional final subdivision plat approval, which shall be accompanied by the items of information enumerated in Section A348-10 of the Village of Mamaroneck Subdivision Regulations. One or more extensions may be granted by the Planning Board provided that the Applicant makes application to the Planning Board not less than thirty (30) days prior to the expiration of the original or subsequent approvals. A request for an extension of time to submit a final plat must include information regarding the date that the Planning Board granted final subdivision approval and a statement as to whether any prior application for an extension of time has been made by the Applicant and the action taken by the Planning Board on such application.
4. The Applicant, in form satisfactory to Counsel to the Village shall submit to the Village (1) a written offer of dedication of all streets shown to be improved; and (2) a written offer of easements as required across lots or parcels of land not covered by the above offer of dedication, giving the Village the right to install, construct, reconstruct and maintain therein all storm and sanitary sewers, water services and other Village services.
5. The Planning Board having determined that the need for recreational facilities created by this subdivision cannot be met on the property, payment of a recreation fee of \$8,125.00 for each of the three newly created lots or a total of \$24,375.00 pursuant to Section A 348-13 of the Village Code in accordance with the subdivision recreation fee schedule established under Chapter A347, Fees in the Village Code.

6. The proposed three new single family residences shall be limited to 2,750 square feet of floor area for the residence and an additional 400 square feet for a garage for a total of 3,150 square feet. This restriction shall be incorporated into a Declaration, in form acceptable to counsel to the Village to be recorded against the property in the Westchester County Clerk's office.

7. Any change in the house locations shown on the "Layout Plan" shall require prior approval of the Planning Board.

8. The submission by the Applicant of a Declaration, in recordable form subject to the approval of the Village Engineer and counsel to the Village, concerning the construction, maintenance and inspection of the features of the stormwater managementsystem for each of the three lots and the posting of a bond or bonds required for maintenance of the stormwater management system on each of the three lots.

9. As offered by the Applicant, the Applicant will undertake the construction and improvement of Village Infrastructure on Grove Street as shown on the "Grading and Utilities Plan" as part of final plat approval by the Planning Board, including, but not limited to, the following: (1) installation of a proposed Village standard precast concrete catch basin (NYSDOT Type 'F') and casting, (2) installation of proposed 15 inch minimum diameter storm sewer and extension of the existing 30" RCP storm sewer, and any other modifications, as required, to complete the Work, (3) removal and replacement of the existing double grate catch basin on Grove Street with a Village standard precast concrete catch basin (NYSDOT Type 'O') and casting, (4) installation of a stormwater bypass system capable of temporarily diverting surface, groundwater or other flows during installation of the proposed Village standard catch basins, (5) due to an existing Village utility conflict, modification (i.e. re-routing) of approximately forty (40) linear feet of existing 15 inch vitrified clay sanitary sewer main adjacent and parallel to the existing double grate catch basin, (6) removal of an existing sanitary sewer manhole located immediately north of the existing double grate catch basin and replacement with a proposed Village standard precast concrete sanitary sewer manhole, (7) installation of a proposed (new) sanitary sewer manhole required for the re-alignment of the existing sanitary sewer main away from the existing double grate catch basin, (8) installation of a sanitary sewer bypass system capable of temporarily diverting sanitary sewer flow during modification to the existing 15 inch sanitary sewer main and (9) replacement of a portion of the existing sidewalk located to the south of the property with a Village standard concrete sidewalk, including the installation of a Village standard curb ramp and detectable warning unit.

10. The Applicant will install a fire hydrant on the Property in a location approved by the Fire Chief and Village Engineer. The type of fire hydrant shall be specified by Westchester Joint Water Works (W/JWW).

11. All proposed curbing within the Village Right-of-Way and site shall be granite, with finishes (e.g. split face, sawn top) as specified by the Village Engineer.

12. If the Applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, he shall report such conditions immediately to the Village Engineer. The developer may submit, if he so desires, his recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. The Village Engineer, without unnecessary delay, shall investigate the condition or conditions, and shall either approve the Applicant's recommendations to correct the conditions, order a modification thereof, or issue his own specifications for the correction of the conditions. In the event of the

Applicant's disagreement with the decision of the Village Engineer, or in the event of a significant change resulting to the site plan or any change that involves the wetlands regulated areas, the matter shall be decided by the Planning Board. Any such conditions observed by the Planning Board or its agents shall be similarly treated.

13. All work performed within the Village Right-of-Way shall be in accordance with Village standard construction details and specifications to the satisfaction of the Village Engineer.
14. Submission of Westchester County Department of Environmental Facilities (WCDEF) and Westchester Joint Water Works (WJWW) "Will Serve" letters stating that each utility has the ability to accommodate the additional sanitary sewer flow and water supply demand generated from the proposed development.
15. The Applicant shall obtain all necessary approvals from the Westchester Joint Water Works (WJWW) and Westchester County Department of Health (WCDOH) for the proposed modifications to the existing water and sanitary sewer mains located within Grove Street. The installation of a proposed fire hydrant and modifications to the existing sanitary sewer are considered "public water and sewer main extensions". Therefore, the Applicant shall coordinate the applications for the "public water and sewer main extensions" with the WJWW and WCDOH. The Applicant shall coordinate all regulatory agency submissions with the Village Engineer. Prior to receiving final plat approval, the Applicant shall provide the Village Engineer with the approvals issued by the WJWW and WCDOH.
16. The Applicant shall include approximate locations for proposed gas, electric and telephone service lines on the plans.
17. The Applicant shall provide a "Maintenance and Protection of Traffic Plan" for all work performed within the Village Right-of-Way to the satisfaction of the Village Engineer.
18. Submission of a completed MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form for Construction Activities Seeking Authorization under SPDES General Permit GP-D-10-001 (or as amended or revised), in form acceptable to the Village Engineer.
19. Submission of an "Existing Conditions Map" to the satisfaction of the Village Engineer. Two (2) signed and sealed copies of the original survey shall also be submitted to the Village Engineer and Building Department.
20. Submission of a final "Erosion and Sediment Control Plan" to the satisfaction of the Village Engineer.
21. Submission of a final "Roadway and Utility Profiles" to the satisfaction of the Village Engineer.
22. Submission of final "Site Details" to the satisfaction of the Village Engineer.
23. Inclusion of additional plan notes related to the proposed development, as deemed appropriate by the Village Engineer.
24. Addition of the following notes to the final construction and soil and sedimentation control plans:
 - (a) Throughout the construction period, a qualified professional retained by the Applicant shall, on at least a weekly basis, prior to any predicted rain event and after any runoff-producing rain

event, inspect the soil erosion and sedimentation control measures to ensure their proper functioning. Soil shall be removed from the silt fence when bulges develop in the fence, in accordance with Village and New York State Department of Environmental Conservation (NYSDEC) recommendations.

(b) Prior to the commencement of any site work, the Applicant shall stake the location of the proposed residences and the proposed roadway, and shall flag the trees to be removed and/or relocated for inspection and approval by the Village Engineer and Building Inspector.

(c) All soil erosion and sedimentation control measures shown on this plan shall be in place prior to the start of any site work. The Village Engineer shall have inspected the installation of all required soil erosion and sedimentation control measures prior to the authorization to proceed with any phase of the site work.

(d) Grading and clearing and other construction-related activities shall take place only within the delineated area of disturbance lines. These area of disturbance lines represent the maximum limits of construction activities. Every attempt shall be made to further reduce grading and clearing activities within the area of disturbance lines by maintaining natural vegetation and topography wherever practicable.

(e) Area of disturbance lines shall be clearly delineated in the field by installing snow fence around the entire proposed construction area. No encroachment beyond these limits by workers or machinery shall be permitted.

25. The Applicant will develop an area for snow removal and note such on the plans.

26. The Applicant shall provide a performance bond, letter of credit or other security acceptable to the Village Board, as required, for utilities, streets, landscaping, curbing, lighting, stormwater improvements, off-site stormwater/catch basin improvements and construction in form acceptable to counsel to the Village in an amount or amounts to be established by the Village Engineer.

27. The Applicant shall provide a maintenance bond or other suitable guarantee sufficient to cover the full cost, as estimated by the Village Engineer of maintaining all such improvements and of making such repairs and improvements as may be necessary in that at the end of the five (5) years completion, said improvements shall conform to the requirements imposed by the Planning Board.

28. Prior to the Planning Board Chairman's signing of the final subdivision plat, the Applicant shall provide liability insurance as required by Section A348-18 of the Village Subdivision Regulations.

29. Prior to the Planning Board Chairman's signing of the final subdivision plat, the Applicant shall secure approval of the water supply and wastewater disposal system and the endorsement of the plat by the Westchester County Department of Health.

30. Approval by the Planning Board, acting upon the advice of the Village Engineer, of the Stormwater Pollution Prevention Plan ("SWPPP") for a land development activity pursuant to Chapter 294 of the Village Code.

31. Prior to and during the course of construction, the care and treatment of tree roots in close proximity to construction shall be supervised by a Certified Arborist. Prior to the issuance of a building permit, the Applicant shall submit to the Village Engineer and Building Department a protocol from the

arborist that follows industry standards/procedures, including, but not limited to, the use of hand tool excavation of soil to locate roots, clean cuts using hand saws, and wounds covered with wet burlap until back filled, and the submission of a final report after project excavation is completed confirming that the protocol was adhered to and observed at all stages by the arborist. As agreed to by the Applicant, the name and credentials of the Arborist selected to perform the above tasks shall be submitted to the Village for review and approval prior to commencement of those tasks.

32. Prior to the issuance of a building permit, the Applicant shall furnish to counsel to the Village, and file with the Village Clerk, a copy of all documents required to be recorded as a condition of this approval and written evidence of the submission of such documents to the County Clerk's Office for recording.

33. Prior to the issuance of a certificate of occupancy for any of the lots, the Applicant shall submit to counsel to the Village and to the Building Department written evidence of the actual recording in the County Clerk's Office of all documents required to be recorded as a condition of this approval.

ANDBE IT FURTHER

RESOLVED, that the physical work as set forth in the above conditions shall be completed on or before the date this Final Plat is submitted for signature by the Planning Board Chairman, provided, however, in lieu of performing said physical work prior to the Planning Board Chairman's signature on the Final Plat, a performance bond or other security acceptable to counsel to the Village sufficient to cover the full cost of said work, including the required set of "As Built" drawings, as now estimated by the Planning Board acting on the advice of the Acting Village Engineer, to be \$162,010, may be filed with the Village Board of Trustees prior to the submission of the Final Plat for signature by the Planning Board chairman, such bond or other security to be issued by a surety company or other institution approved by the Village Board of Trustees and further approved by Counsel to the Village as to form, sufficiency and manner of execution, and said bond or other security shall expire no later than three years from the date this Resolution is adopted.

AND BE IT FURTHER

RESOLVED, that in the event that prior to the completion of the designated improvements to the Village's satisfaction, the issuer of the bond or other security furnished to the Village hereunder becomes insolvent or, for any reason, disaffirms the validity of such security, the Applicant shall notify the Village Board immediately and replace the invalid or disaffirmed security with a new bond or other security acceptable to the Village Board within thirty (30) days thereafter. The existence of a valid bond, letter of credit or other security shall be a condition precedent to the validity of any permits issued or to be issued in connection with this final subdivision plat.

AND BE IT FURTHER

RESOLVED, that if said conditions be not fully complied with within the above time limit, the said subdivision plat shall be disapproved.

VOTE: Ayes: Sterk, Sjunneemark, Mendes, Verni
Nays: Wexler

PLANNING BOARD
Village of Mahanoeck

Stewart Sterk, Chairman

Date: May 27, 2015

NS REFERENCE NAVD 1988

ORK STATE CORS SPACIAL NETWORK NY EASI 106603 (2011/01/20)

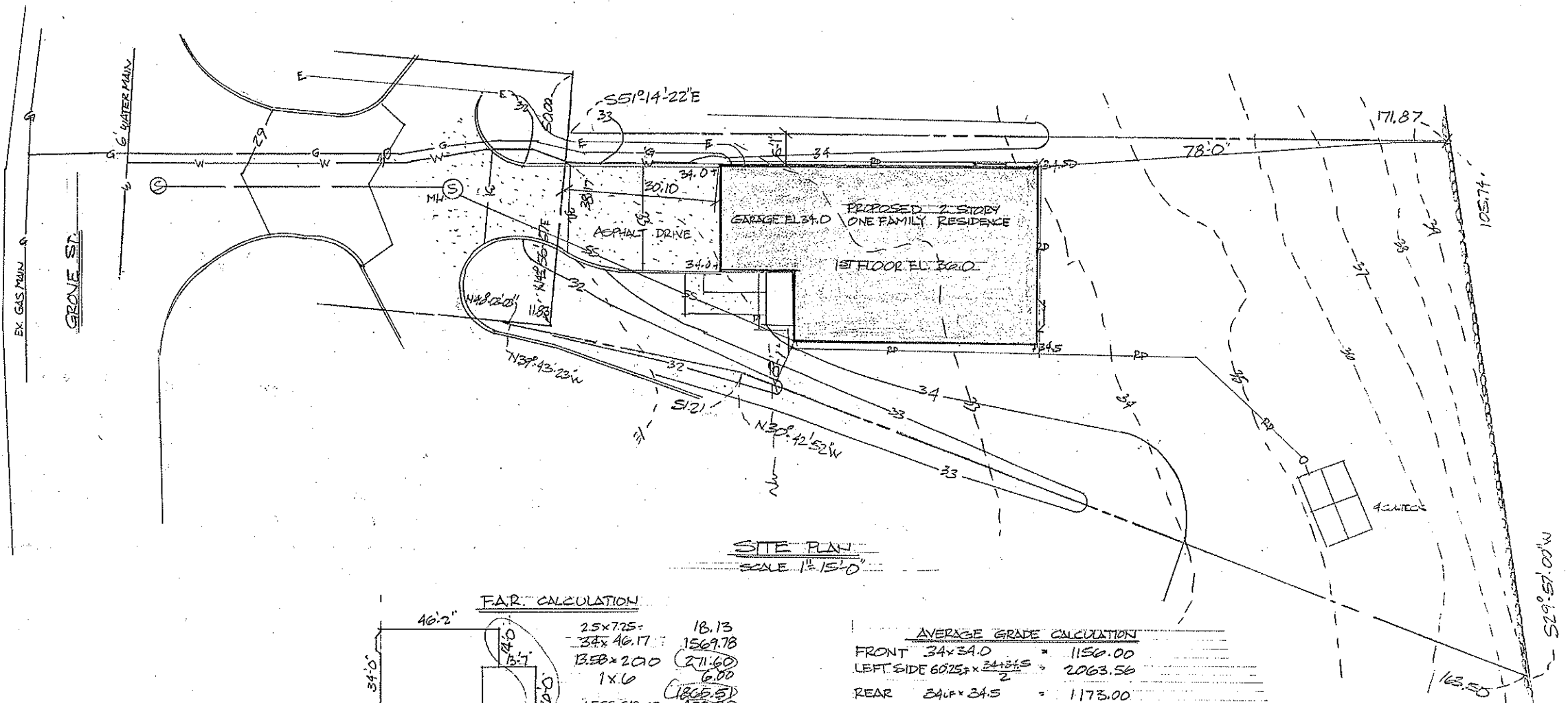
IN ACCORDANCE WITH THE CURRENT "CODE OF PRACTICES" FOR LAND SURVEYS ADOPTED BY THE NEW YORK GOVERNMENT, THIS MAP WAS PREPARED BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND THE NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE. THE LOCATION OF UNDEVELOPED LANDS AND UNIMPROVED LOTS IS NOT SHOWN OR CERTIFIED.

As-Built Comparison

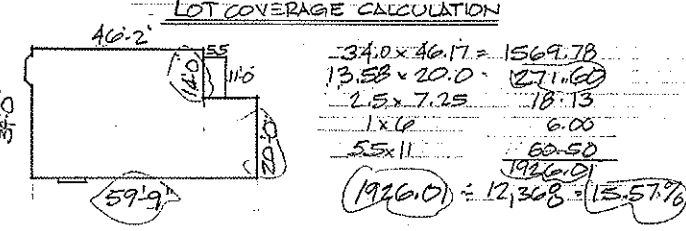
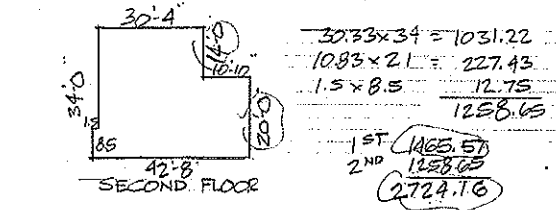
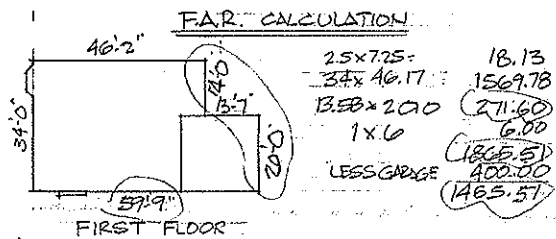


Black is As-Built
Red is Pre-Construction Topography

DNS REFERENCE NAD83 1988
NEW YORK STATE SPATIAL NETWORK NY EAST NAD83 (2011) EPOCCH20100
NEW YORK STATE ASSOCIATION OF PROFESSIONAL SURVEYORS
TO THE TITLE COMPANY, NEW YORK, NY
DATE WITH THE CURRENT CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL SURVEYORS
AND ON HIS OR HER BEHALF TO THE TITLE COMPANY, NEW YORK, NY



SITE PLAN
SCALE 1/8" = 1'-0"



AVERAGE GRADE CALCULATION

FRONT	34' x 34.0'	1150.00
LEFT SIDE	60.25' x 34.0'	2063.50
REAR	34' x 34.5'	1173.00
RIGHT SIDE	140.83' x 34.0'	478.82
	46.17' x 24.5'	1131.32
1885'		64527' = 1885' 34.23' AVE GRADE

BUILDING HEIGHT CALCULATION

MID POINT ROOF	8.85' x 2	4.43
2 ND FLOOR TO TOP PLATE		8.00
1 ST FLOOR TO 2 ND FLOOR		9.00
AVE GRADE TO 1 ST FLOOR		1.77
		23.20'

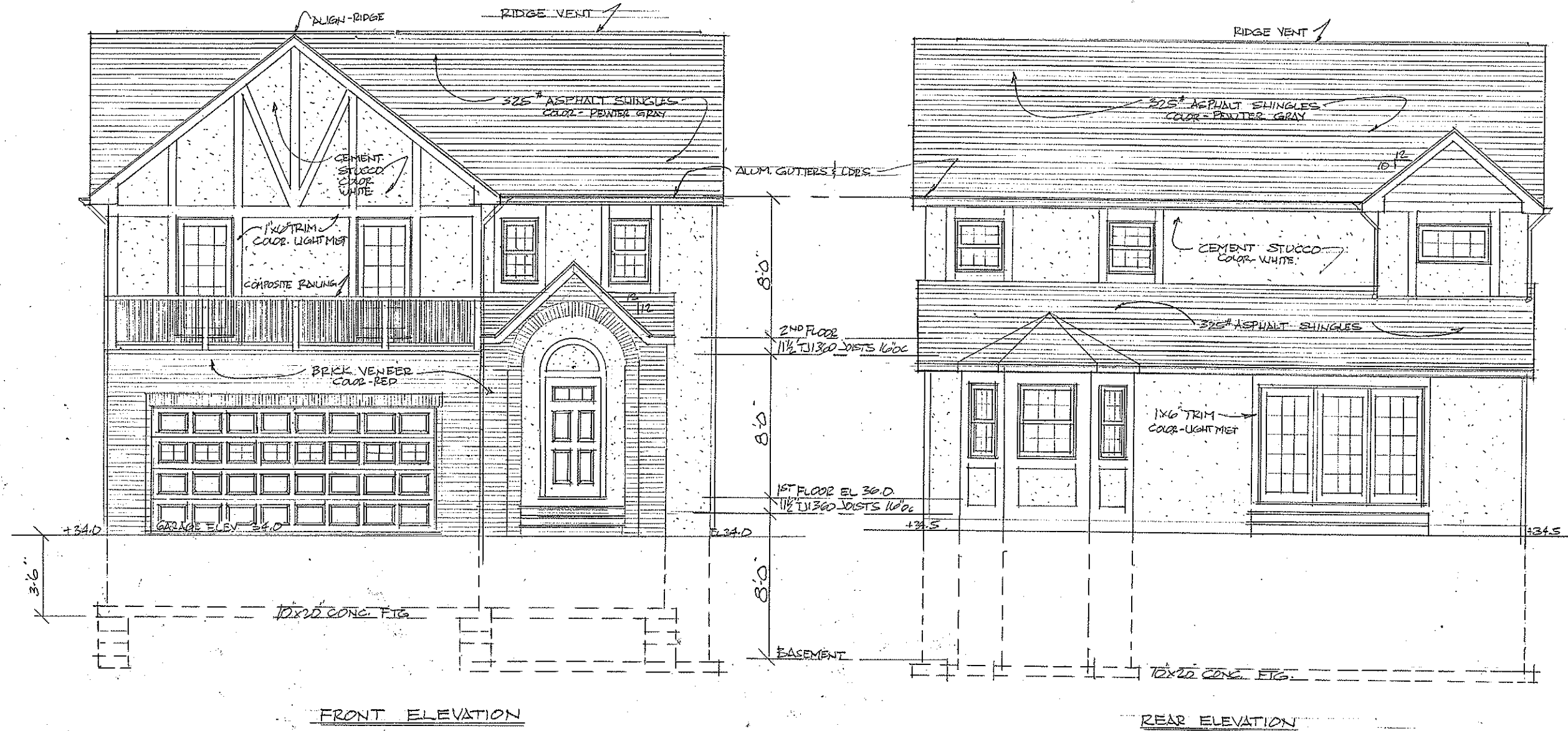
Table B301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

Ground Snow Load ¹	Wind Speed (mph) ²	Seismic Design Category ³	SUSCEPTIBLE TO DAMAGE FROM			Ice Shield Overlayment ⁵	Flood Hazard ⁶
			Freezing ⁴	Front Line Depth ⁴	Termites ⁴		
30	100/110	C	SEVERE	42"	MID/HVY	YES	FEH 9/24/07

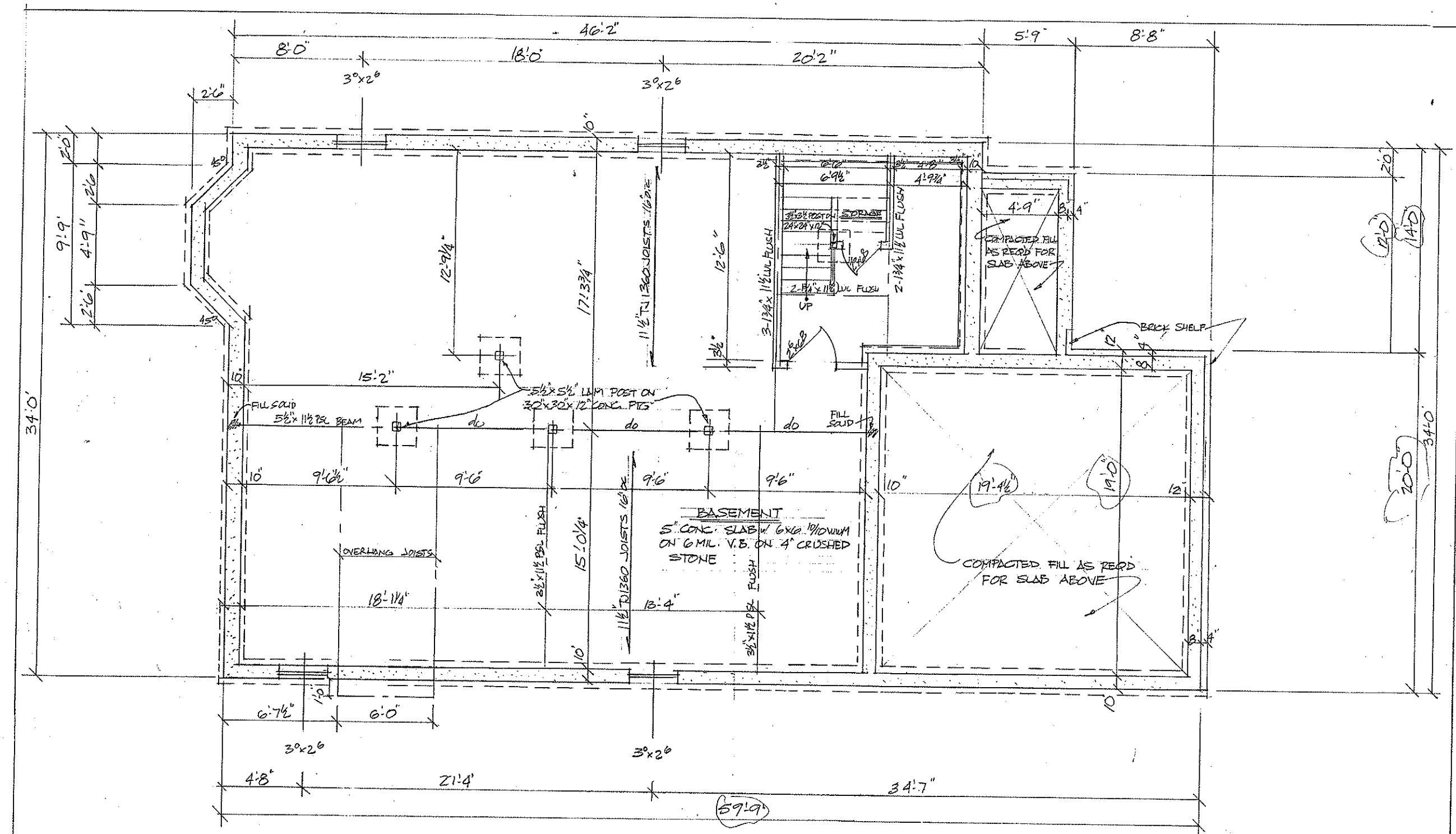
ZONING DISTRICT RS

	REQUIRED	ACTUAL
LOT AREA	5,000 ^{ss}	12,368 ^{ss}
LOT COVERAGE	35%	13.57%
LOT WIDTH	50'-0"	50'-0"
YARDS - FRONT	20'-0"	30'-10"
YARDS - SIDE FOR 1	6'-0"	6'-1"
YARDS - SIDE TOTAL	14'-0"	14'-2"
YARDS - REAR	25'-0"	18'-0"
HEIGHT - STORIES	2.2	2
HEIGHT - FEET	35'-0"	23'-20"
FAR	.55	.549

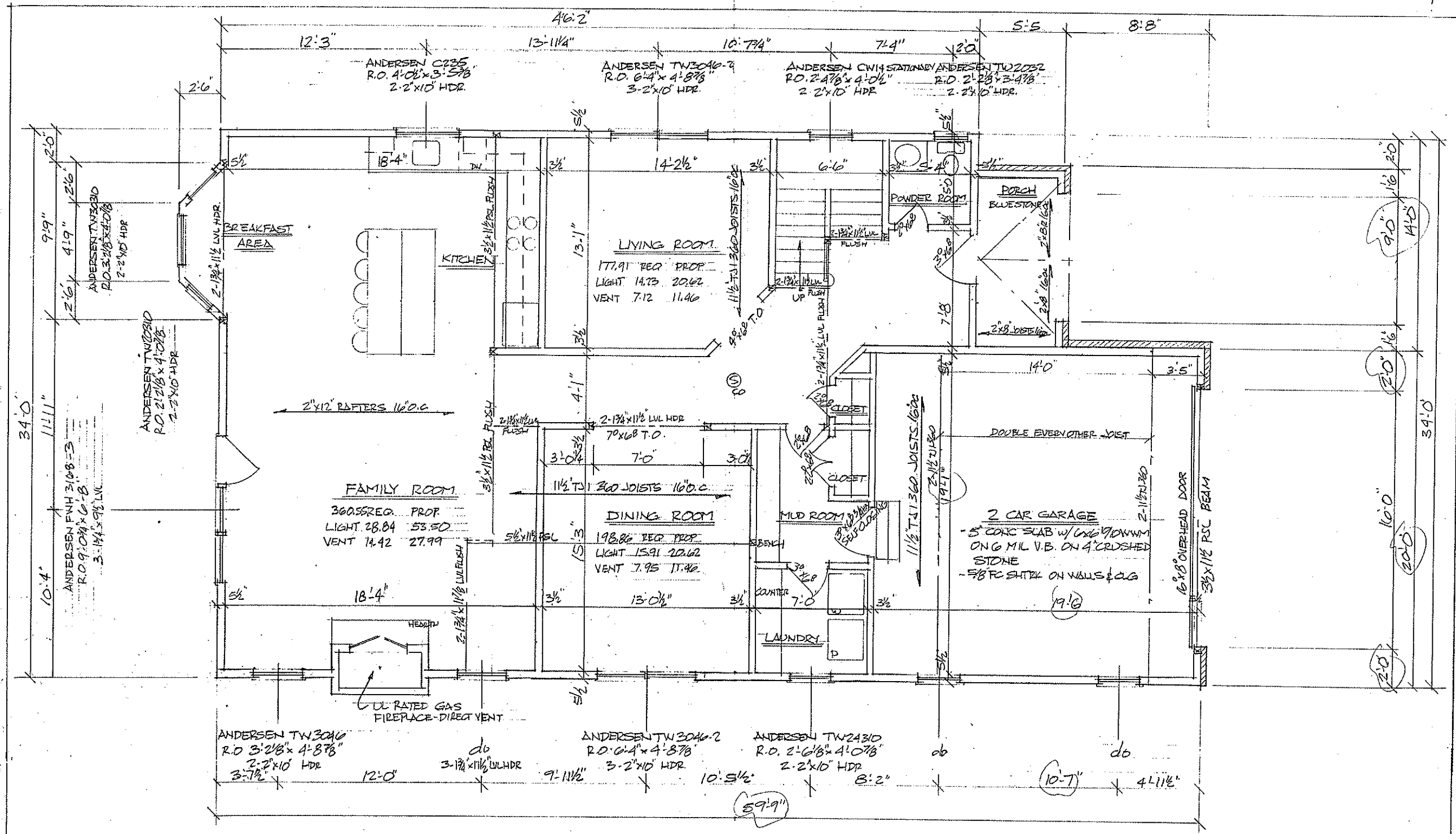
seal	Project	PROPOSED 1 FAMILY RESIDENCE FOR AHC PROPERTIES LLC	drawing number AO
	LOT 2	1017 GROVE ST	
	Block 107 147.82-2-82	MAMARONECK, NY	
Stephen Marchesani	drawing	SITE PLAN	date 1/5/16
5 Scott Circle			scale 1/8" = 1'-0"
Purchase, New York			drawn by SM



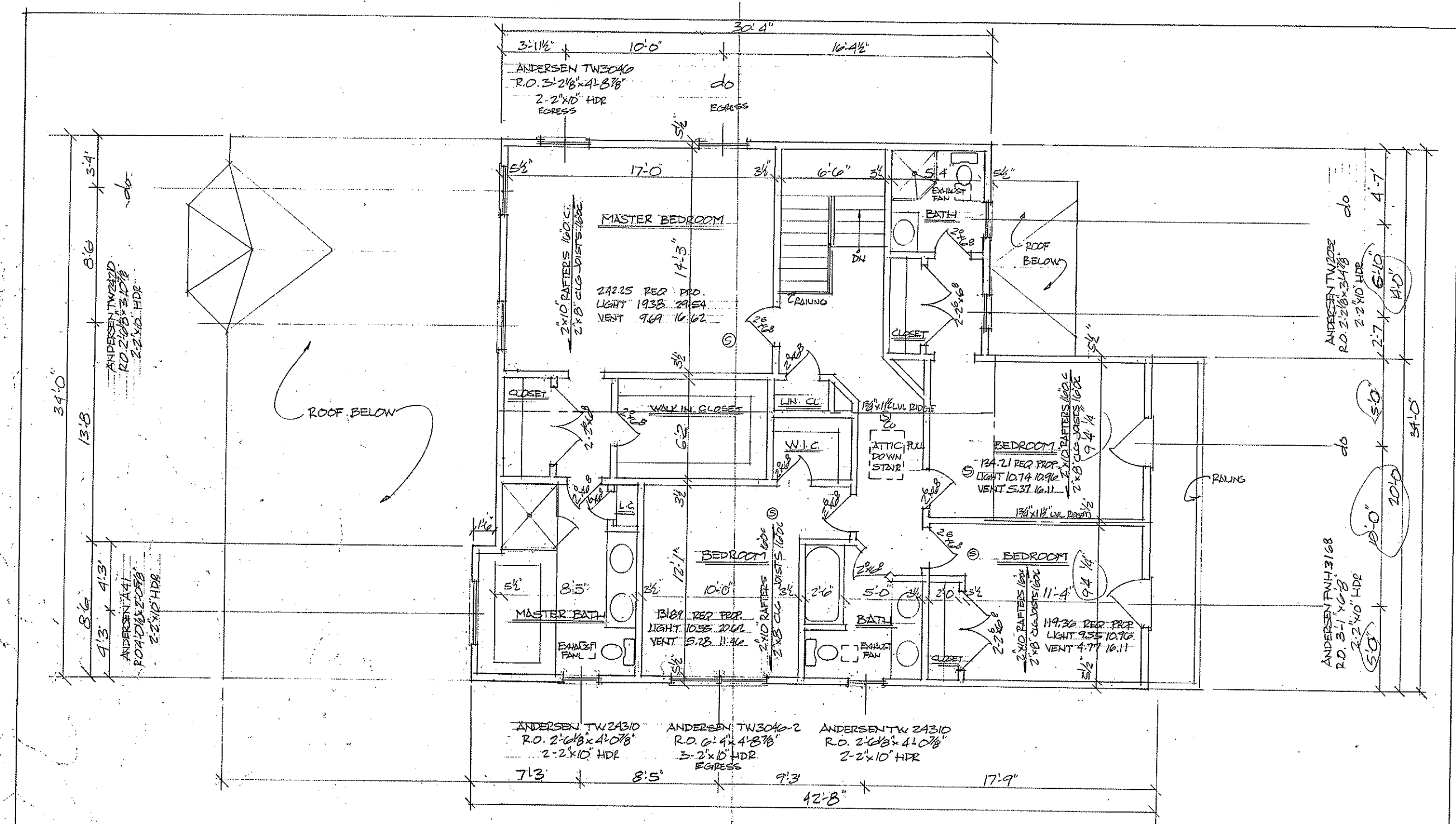
seal	project PROPOSED FAMILY RESIDENCE FOR AVC PROPERTIES LLC LOT 2 1017 GROVE ST. BLOCK/LOT 147.02-2-B.2 MAMARONECK, NY.	drawing number A1
	Stephen Marchesani 5 Scott Circle Purchase, New York	date 1/5/10 scale 1/4" = 1'-0" drawn by S.M.



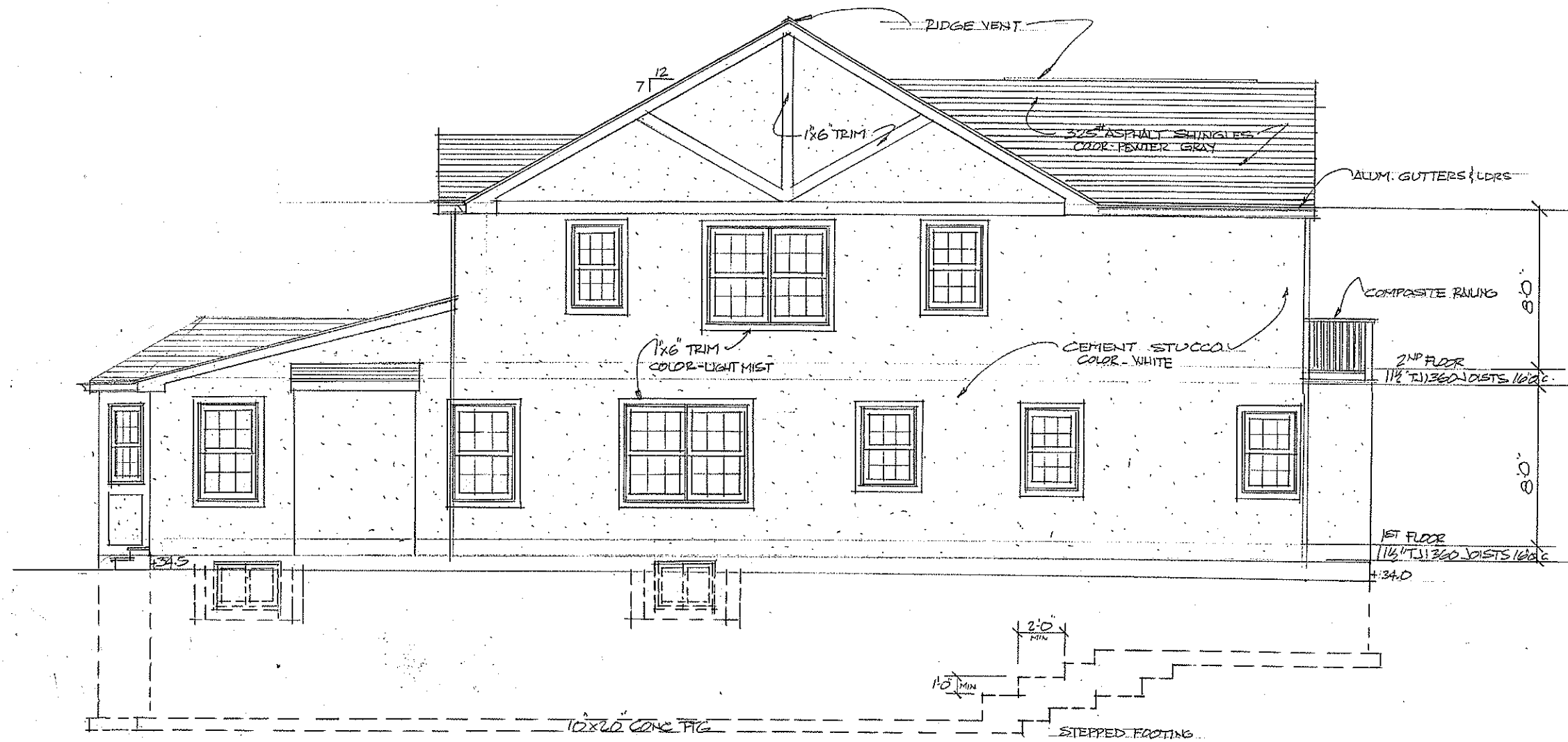
seal 	project PROPOSED 1 FAMILY RESIDENCE FOR ANC PROPERTIES LLC LOT 2 BACKLOT 19782-2-B.2	drawing number A2
	1017 GROVE ST MAMARONECK, NY.	date 1/5/16 scale 1/4" = 1'-0" drawn by SM
	drawing FOUNDATION PLAN	



seal Stephen Marchesani 5 Scott Circle Purchase, New York	Project: PROPOSED 1 FAMILY RESIDENCE FOR AVC PROPERTIES LLC LOT 2 BLOCK 107 147-82-2-8.2	drawing number A3 date 1/5/16 scale 1/4" = 1'-0" drawn by SM
	107 GROVE ST. MAMARONECK, NY	drawing FIRST FLOOR PLAN

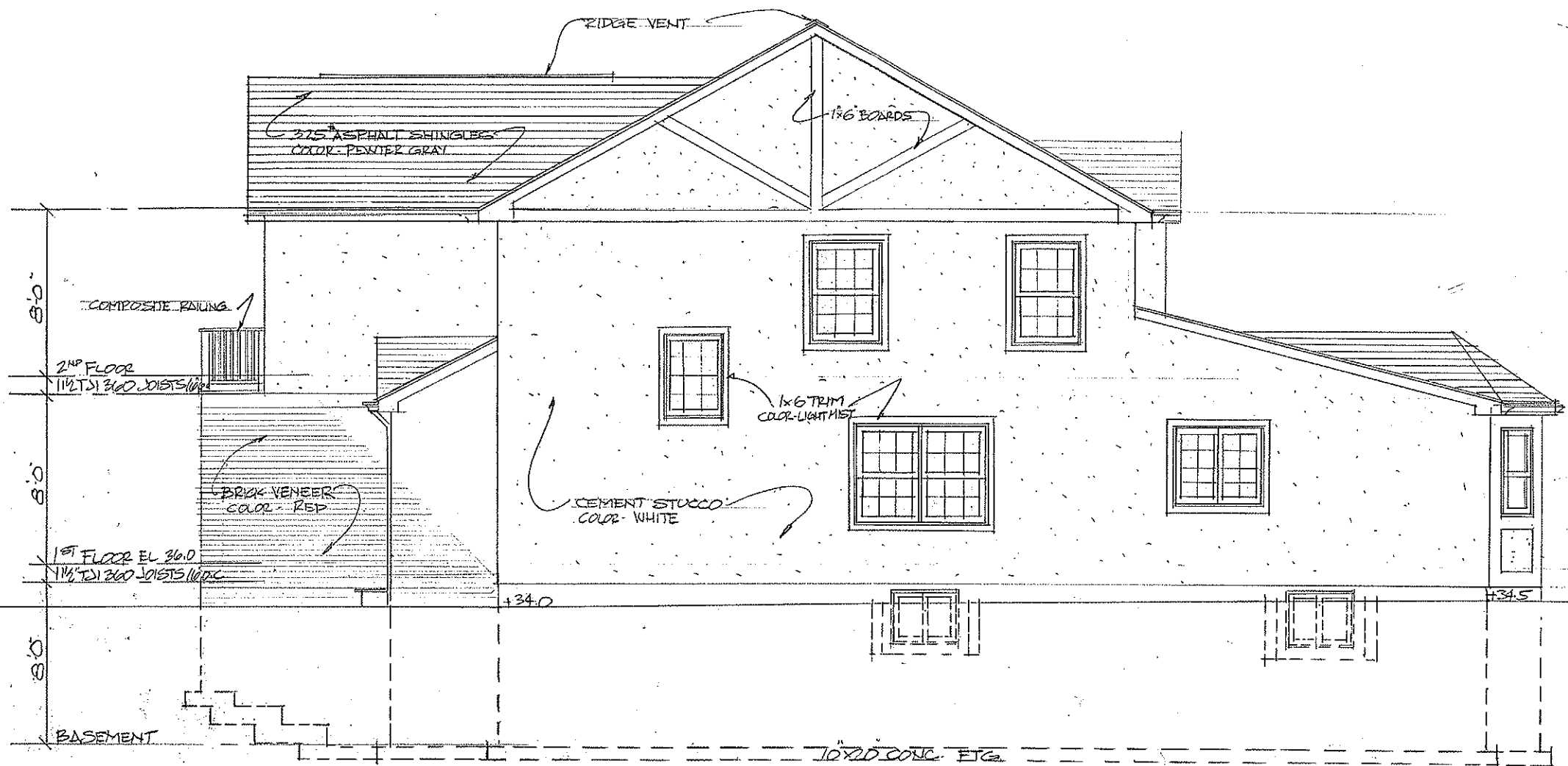


seal	Project PROPOSED 1 FAMILY RESIDENCE FOR ANC PROPERTIES LLC LOT 2 BLOCK 1 LOT 147.82-2-B.2	drawing number A 4
	1017 GROVE ST MAMARONECK, NY	date 1/5/16 scale 1/4" = 1'-0" drawn by SM
Stephen Marchesani 5 Scott Circle Purchase, New York		drawing SECOND FLOOR PLAN



LEFT SIDE ELEVATION

seal	project PROPOSED 1 FAMILY RESIDENCE FOR ALC PROPERTIES LLC LOT 2 1017 GROVE ST MAMARONECK, NY BLDG LOT 147.82.2.8.2	drawing number A5 date 1/5/16 scale 1/4" = 1'-0" drawn by SM
	Stephen Marchesani 5 Scott Circle Purchase, New York drawing ELEVATION	



RIGHT SIDE ELEVATION

seal	project PROPOSED 1 FAMILY RESIDENCE FOR ANIC PROPERTIES LLC LOT 2 BLOCK & LOT 14702-2-B.2	drawing number A6
	Stephen Marchesani 5 Scott Circle Purchase, New York	drawing ELEVATION
		date 1/5/16 scale 1/4"=1'-0" drawn by SM

> Design Loads-Live Loads:

- Living Areas 40 LBSF
- Sleeping Rooms 30 LBSF
- Attic-No Storage 10 LBSF
- Attic-Storage 20 LBSF
- Stairs 40 LBSF
- Decks 40 LBSF
- Exterior Balconies 60 LBSF
- Roof 45 LBSF
- Guards and Handrails 200 LBSF

> Two family dwellings to be separated by a one hour rating except when a fire sprinkler is installed than a one half hour rating is permitted.

> Basements with habitable spaces and every sleeping room to have at least one open able emergency escape and rescue opening of minimum 5.7 percent net clear opening with a minimum opening height of 24 inches and opening with width of 20 inches net clear opening.

> Stairs:

- Maximum Riser Height 8 1/4"
- Minimum Tread Depth 9"
- Minimum Head Room 6'-8" from tread nosing to sloped ceiling
- Minimum Width 36" above rail and 31 1/2" at rail height and below with rail on one side or 27" with hand rails on both sides.

> Stair Handrails:

- 34" minimum and 38" maximum height at tread risers
- Minimum 1 1/2" space from wall to rail
- Minimum one hand rail at each stairway of two risers or more.

> Guards:

- Required at surface more than 30" above floor
- Height minimum of 36"
- At open side of stairs minimum 34"
- Intermediate rails or ornamental closures cannot allow the passage of a sphere 4" or more in diameter.
- Triangular opening formed by risers treads and bottom rail of guard at open side of stair shall not allow a sphere of 6" to pass through.

> Smoke Alarms:

- Each sleeping room to have a smoke alarm
- Outside of each sleeping area in the immediate vicinity of the bedrooms to have a smoke.
- All smoke detectors to be interconnected.
- All smoke detectors shall be listed and installed as per NFPA72.
- All smoke detectors shall be hardwired and have battery backup.

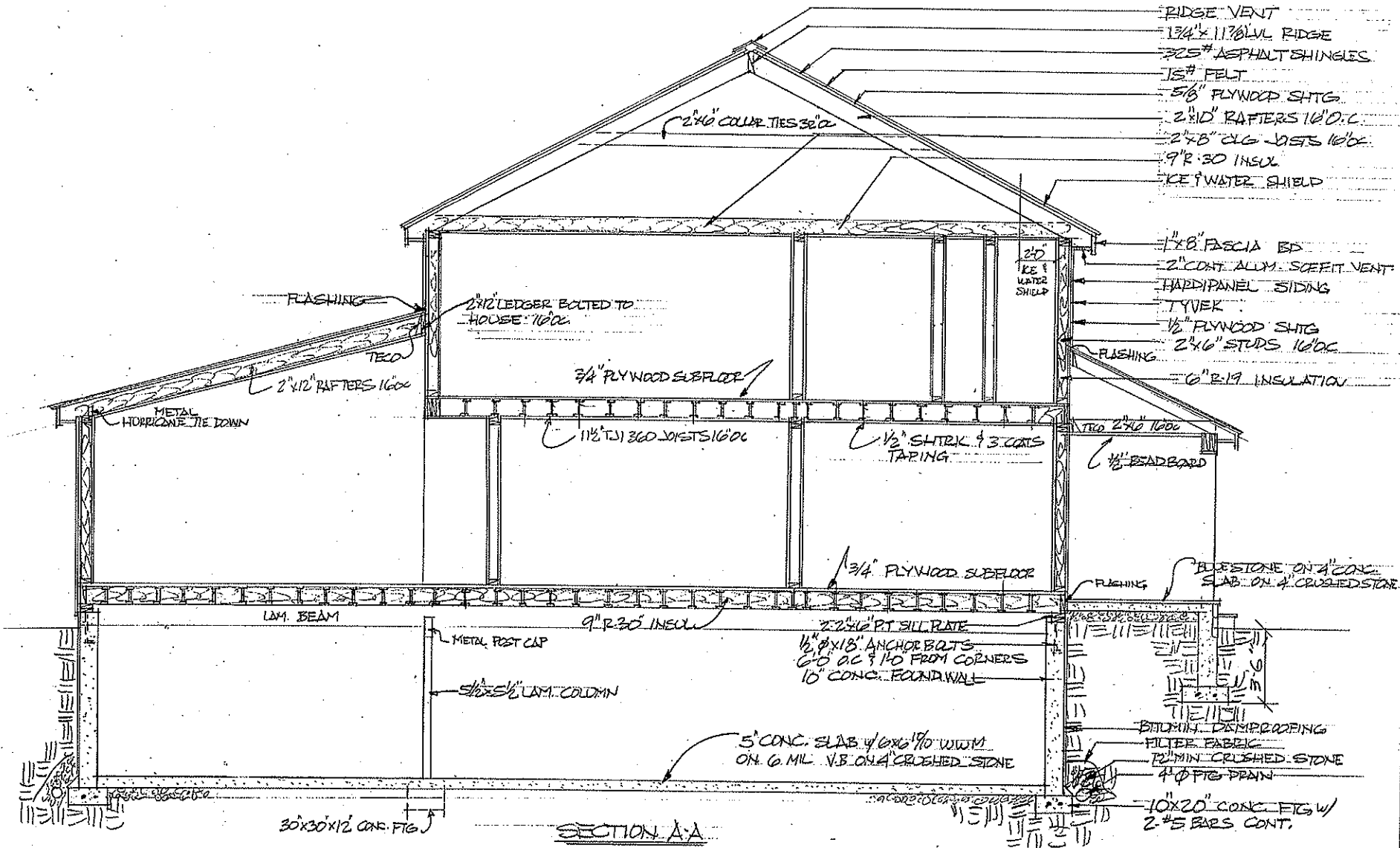
> Combustion air for fuel burning appliances shall have one opening 12" from top of enclosure and 12" from bottom. Each opening to have an area of one square inch per 1000 B.T.U. of the total input rating of all appliances but not less than 100 sq.in.

> All plumbing work to conform to the requirements in the Residential Code of New York State.

> All electric work to conform to the requirements in the Residential Code of New York State.

NOTES

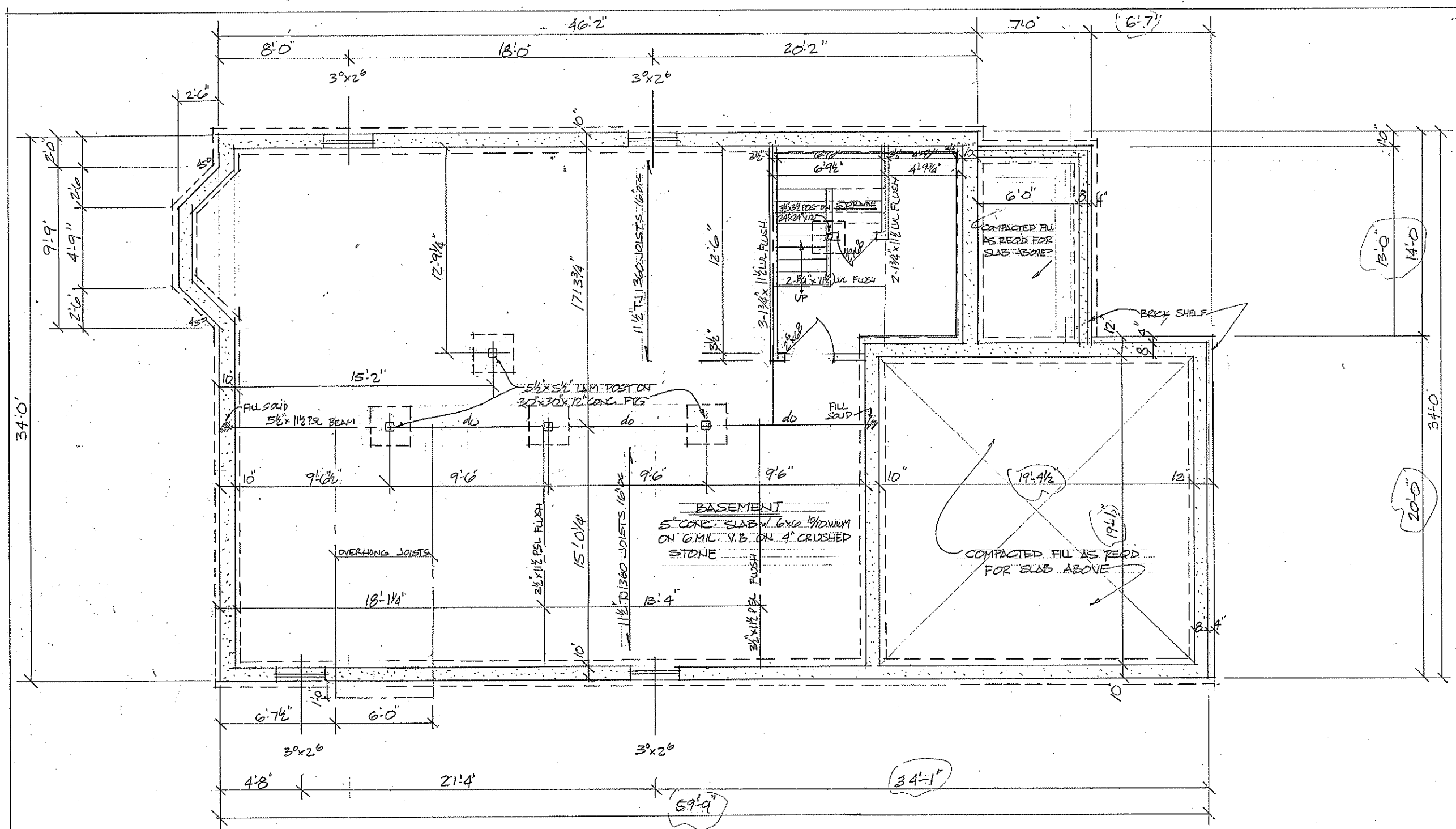
- 1). PROVIDE A CODE 53 CONFIRMATION NUMBER BEFORE STARTING ANY DIGGING OR EXCAVATING
- 2). IF ANY TREES ARE TO BE REMOVED A TREE PERMIT IS REQUIRED
- 3). IF ANY FILL OR REGRADING IS TO BE DONE A PERMIT IS REQUIRED
- 4). FILE FOR A DEMOLITION PERMIT BEFORE STARTING ANY DEMOLITION
- 5). ALL WORK TO BE DONE ACCORDING TO STATE AND LOCAL CODES
- 6). ALL PLUMBING WORK TO BE DONE BY A LICENSED PLUMBER
- 7). ALL ELECTRIC WORK TO BE DONE BY A LICENSED ELECTRICIAN
- 8). ALL SMOKE DETECTORS TO BE HARDWIRED AND INTERCONNECTED AS PER N.Y.S. CODE P313.1
- 9). ALL LUMBER TO BE DOUG/FIR MIN. 1200 P.S.I. FIBER STRENGTH
- 10). ALL DECK LUMBER TO BE PRESSURE TREATED SOIL BEARING CAPACITY MIN. 2 TONS
- 11). ANY POURED CONCRETE TO HAVE MIN. 3000 P.S.I.
- 12). CONCRETE BLOCK WALL TO HAVE HORIZONTAL REINFORCEMENT 16" O.C.
- 13). FINISH GRADES TO SLOPE AWAY FROM THE HOUSE
- 14). FINISH GRADES TO BE MIN. 8" BELOW TOP OF FOUNDATION WALL
- 15). STEEL TO BE MIN. A36 GRADE
- 16). DOUBLE JOISTS UNDER PARALLEL PARTITIONS
- 17). CO DETECTORS TO BE INSTALLED AS PER N.Y.S CODE P313.4



seal	project PROPOSED 1 FAMILY RESIDENCE FOR ANC PROPERTIES LLC LOT 2 BLOCK LOT 147.02-2-B.2 1017 GROVE ST MAMARONECK, NY. Stephen Marchesani 5 Scott Circle Purchase, New York	drawing number A7 date 1/5/10 scale 1/4" = 1'-0" drawn by SM
	drawing SECTION	



seal	project PROPOSED 1 FAMILY RESIDENCE FOR AVC PROPERTIES LLC LOT 3 BLOCK & LOT 147.82-2-B.3	drawing number A1
	1017 GROVE ST. MAMARONECK, NY	date 1/22/16 scale 1/4" = 1'-0" drawn by SM
Stephen Marchesani 5 Scott Circle Purchase, New York		drawing ELEVATIONS



seal

project
 PROPOSED FAMILY RESIDENCE FOR ANC PROPERTIES LLC
 LOT 3 1017 GROVE ST
 BLOCK LOT 14782-2-B.3 MAMARONECK, NY
 Stephen Marchesani
 5 Scott Circle
 Purchase, New York

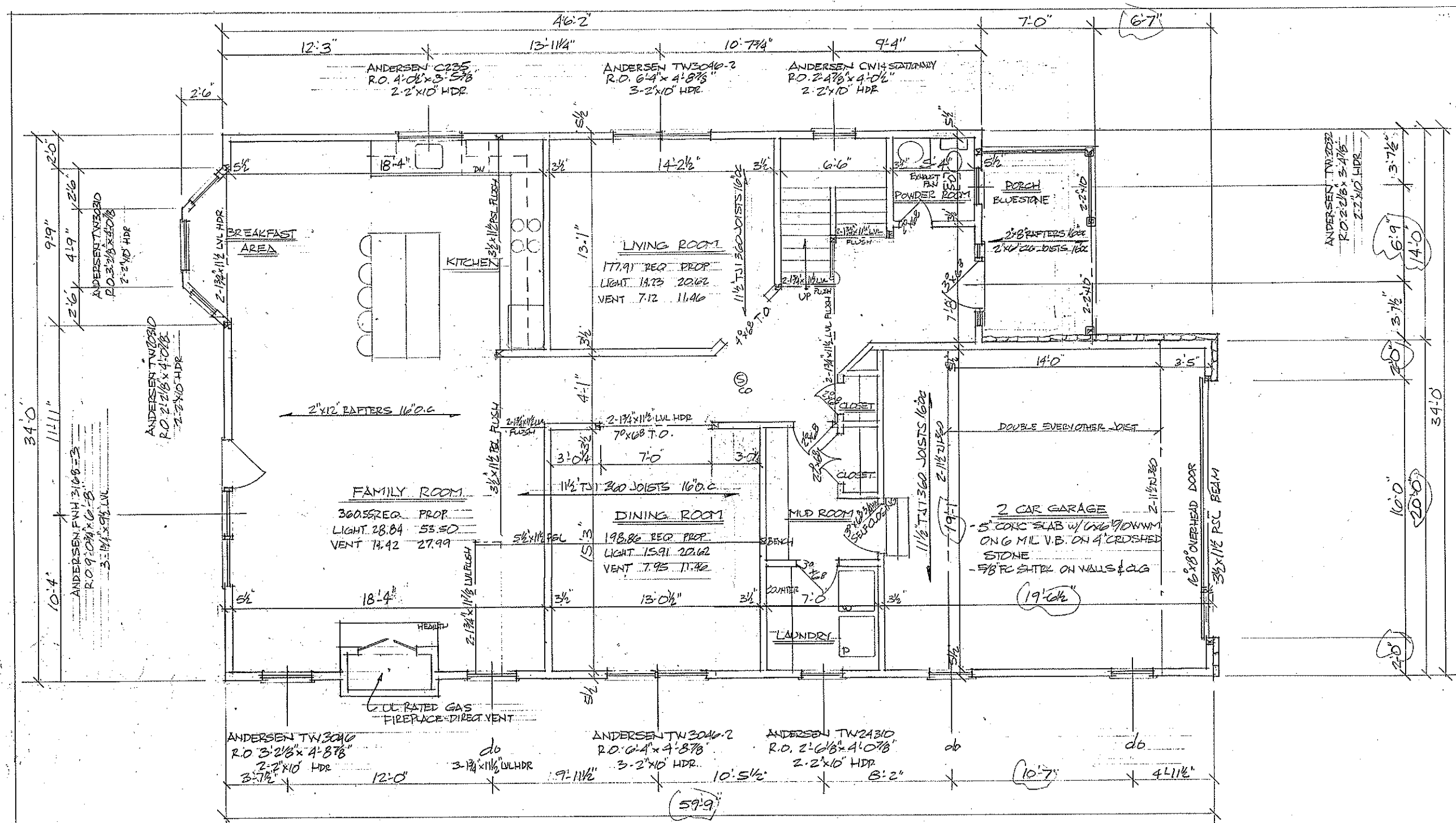
drawing
 FOUNDATION PLAN

REVIS

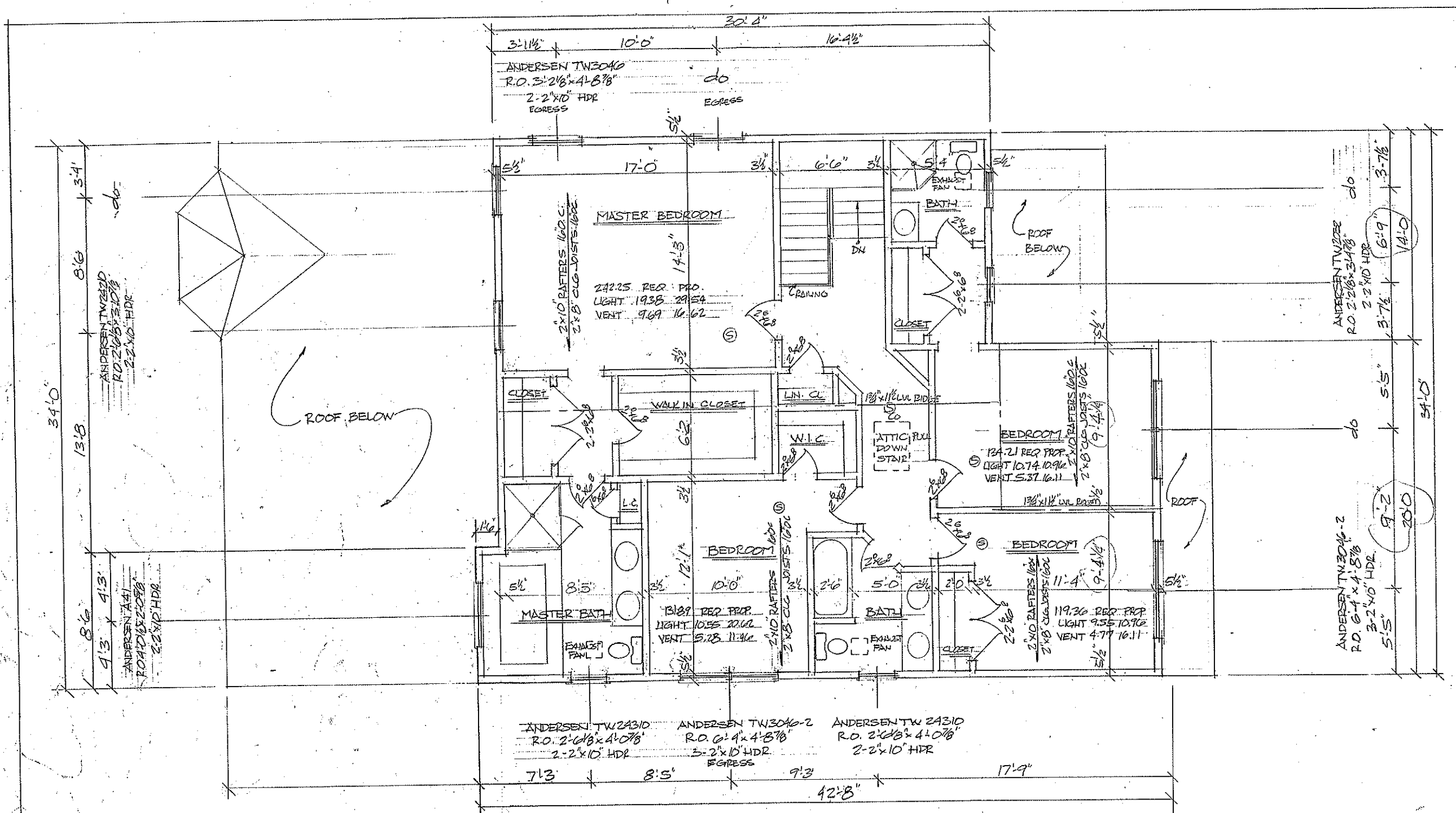
drawing number

A2

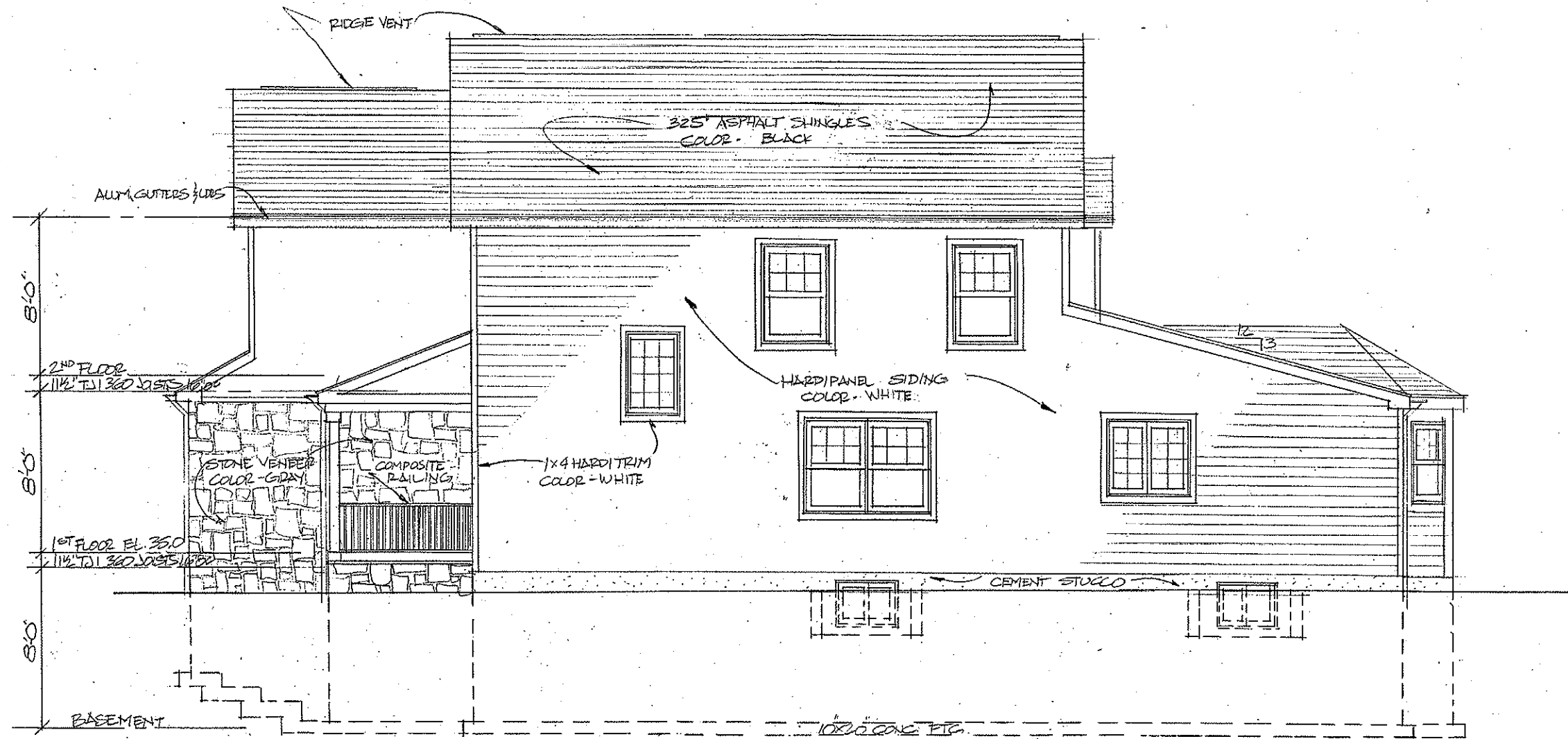
date 1/22/16
 scale 1/4"=1'-0"
 drawn by SM



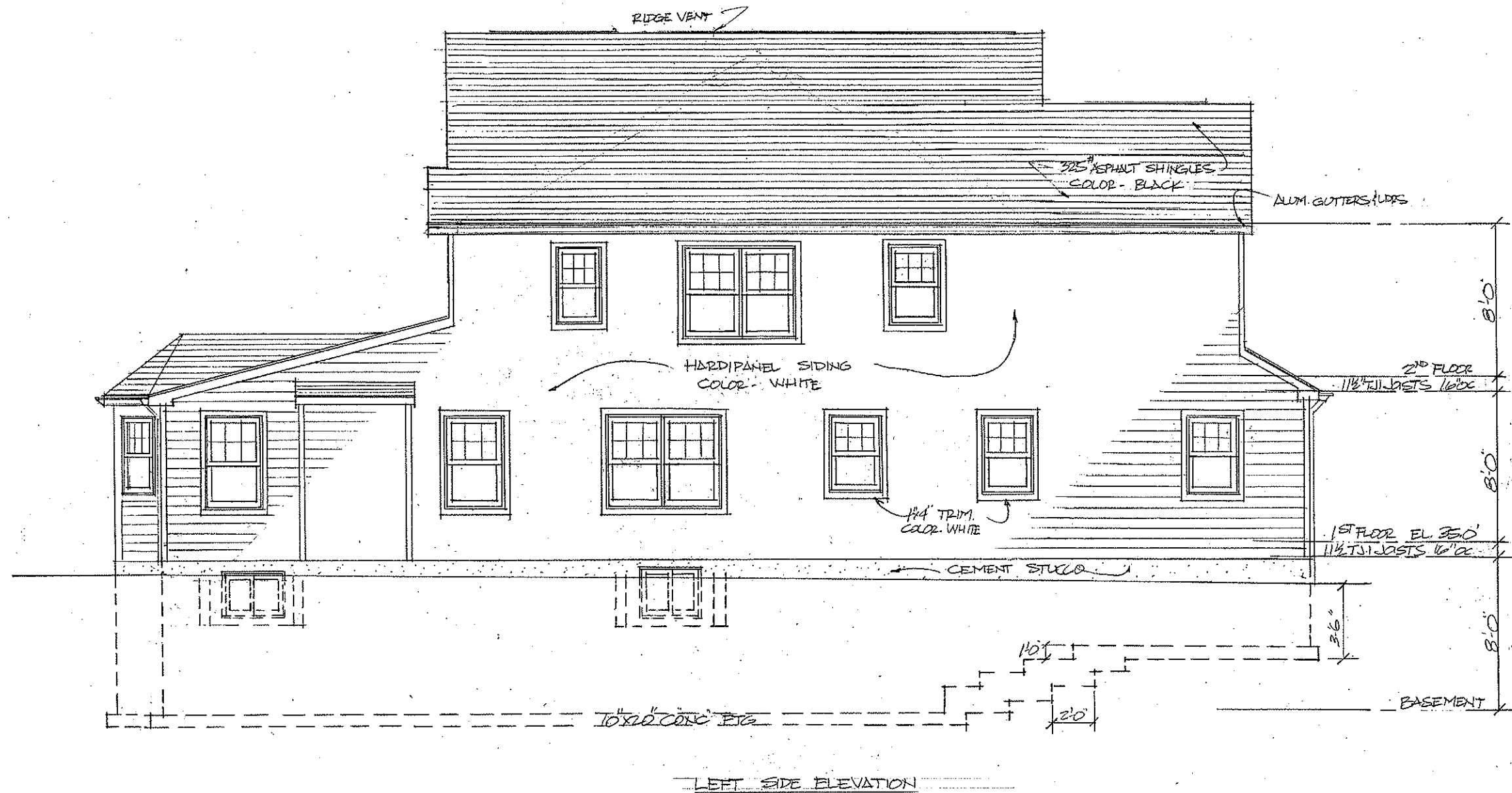
seal _____	project PROPOSED 1 FAMILY RESIDENCE FOR AVC PROPERTIES LLC LOT 3 BLOCK/LOT 147.82-2-B.3	drawing number A3
	date 1/5/10 scale 1/4"=1'-0" drawn by SM	1017 GROVE ST. MAMARONECK, NY
Stephen Marchesani 5 Scott Circle Purchase, New York	drawing FIRST FLOOR PLAN	



seal	project PROPOSED 1 FAMILY RESIDENCE FOR ANC PROPERTIES LLC LOT 3 BLOCK LOT 147.82-2-B.3	drawing number A 4
	Stephen Marchesani 5 Scott Circle Purchase, New York	drawing SECOND FLOOR PLAN date 1/5/16 scale 1/4" = 1'-0" drawn by SM



seal	project PROPOSED FAMILY RESIDENCE FOR AVC PROPERTIES LLC LOT #3 BLOCK LOT 147.82-2-83 1017 GROVE ST. MAMARONECK, NY	drawing number A5 date 1/22/16 scale 1/4"=1'-0" drawn by SM
	Stephen Marchesani 5 Scott Circle Purchase, New York	
	drawing ELEVATION	



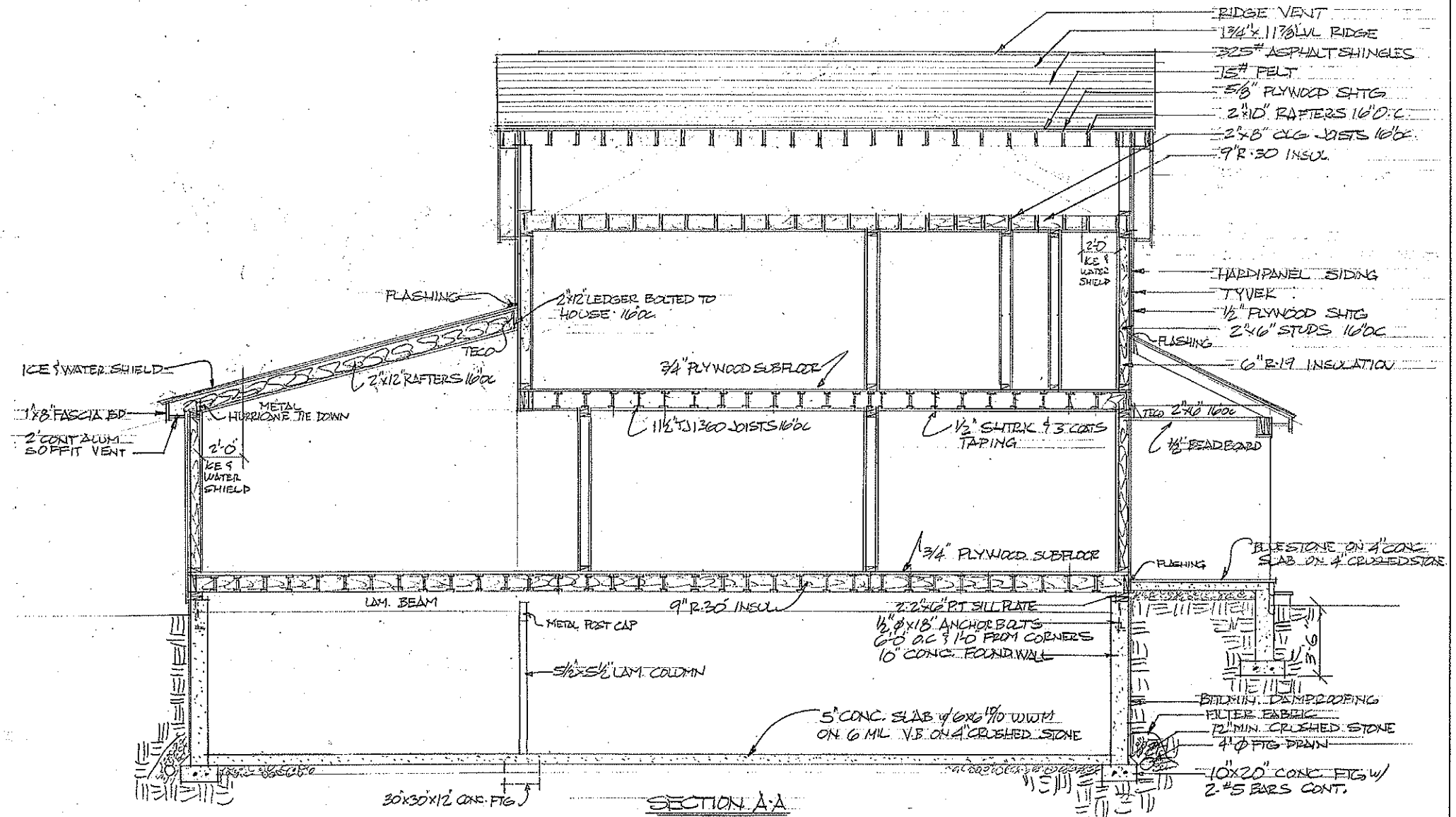
seal	project	drawing number
	PROPOSED 1 FAMILY RESIDENCE FOR AVE PROPERTIES LLC LOT #3 BLDG LOT 147.82-2-83	1017 GROVE ST. MAMARONECK, NY
Stephen Marchesani 5 Scott Circle Purchase, New York	drawing ELEVATION	date 1/22/16 scale 1/4" = 1'0" drawn by SM

Residential Code of New York State

- > Design Loads-Live Loads:
 - Living Areas 40 LBSF
 - Sleeping Rooms 30 LBSF
 - Attic-No Storage 10 LBSF
 - Attic-Storage 20 LBSF
 - Stairs 40 LBSF
 - Decks 40 LBSF
 - Exterior Balconies 60 LBSF
 - Roof 45 LBSF
 - Guards and Handrails 200 LBSF
- > Two family dwellings to be separated by a one hour rating except when a fire sprinkler is installed than a one half hour rating is permitted.
- > Basements with habitable spaces and every sleeping room to have at least one open able emergency escape and rescue opening of minimum 5.7 percent net clear opening with a minimum opening height of 24 inches and opening with width of 20 inches net clear opening.
- > Stairs:
 - Maximum Riser Height 8 1/4"
 - Minimum Tread Depth 9"
 - Minimum Head Room 6'-8" from tread nosing to sloped ceiling
 - Minimum Width 36" above rail and 31 1/2" at rail height and below with rail on one side or 27" with hand rails on both sides.
- > Stair Handrails:
 - 34" minimum and 38" maximum height at tread risers
 - Minimum 1 1/2" space from wall to rail
 - Minimum one hand rail at each stairway of two risers or more.
- > Guards:
 - Required at surface more than 30" above floor
 - Height minimum of 36"
 - At open side of stairs minimum 34"
 - Intermediate rails or ornamental closures cannot allow the passage of a sphere 4" or more in diameter.
 - Triangular opening formed by risers treads and bottom rail of guard at open side of stair shall not allow a sphere of 6" to pass through.
- > Smoke Alarms:
 - Each sleeping room to have a smoke alarm
 - Outside of each sleeping area in the immediate vicinity of the bedrooms to have a smoke.
 - All smoke detectors to be interconnected.
 - All smoke detectors shall be listed and installed as per NFPA 72.
 - All smoke detectors shall be hardwired and have battery backup.
- > Combustion air for fuel burning appliances shall have one opening 12" from top of enclosure and 12" from bottom. Each opening to have an area of one square inch per 1000 B.T.U. of the total input rating of all appliances but not less than 100 sq.in.
- > All plumbing work to conform to the requirements in the Residential Code of New York State.
- > All electric work to conform to the requirements in the Residential Code of New York State

NOTES

- 1). PROVIDE A CODE 53 CONFIRMATION NUMBER BEFORE STARTING ANY DIGGING - ON EXCAVATING
- 2). IF ANY TREES ARE TO BE REMOVED A TREE PERMIT IS REQUIRED
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- 8). ALL SMOKE DETECTORS TO BE HARDWIRED AND INTERCONNECTED AS PER N.Y.S. CODE P 23.7
- 9). ALL LUMBER TO BE DOUGLIFIR MIN. 1200 P.S.I. FIBER STRENGTH
- 10). ALL DECK LUMBER TO BE PRESSURE TREATED SOIL BEARING CAPACITY MIN. 2 TONS
- 11). ANY POURED CONCRETE TO HAVE MIN. 3000 P.S.I.
- 12). CONCRETE BLOCK WALL TO HAVE HORIZONTAL REINFORCEMENT 18" O.C.
- 13). FINISH GRADES TO SLOPE AWAY FROM THE HOUSE
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- 15). STEEL TO BE MIN. A36 GRADE
- 16). DOUBLE JOISTS UNDER PARALLEL PARTITIONS
- 17). CO DETECTORS TO BE INSTALLED AS PER N.Y.S CODE P 23.7



seal	Project	drawing number
	PROPOSED 1 FAMILY FOR AVC PROPERTIES LLC LOT 1017 GROVE ST BLOCK LOT 147.82-2-8.3 MAMARONECK, NY	A7
Stephen Marchesani 5 Scott Circle Purchase, New York	drawing SECTION	date 1/22/16 scale 1/4" = 1'-0" drawn by SMT

Village of Mamaroneck, NY

Item Title: 6i-2017 Tiekert re 440 Beach Ave

Item Summary: **Application # 6I-2017, Stuart Tiekert, regarding 440 Beach Avenue** (Section 4, Block 26, Lot 12) for an appeal of Certificate of Occupancy #15-0471 issued on 7/7/17 (R-5 District).
The Applicant has requested this item be adjourned to the November 2, 2017 agenda

Fiscal Impact:

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
09 05 2017 6i 2017 Tiekert re440 Beach Ave Application	9/13/2017	Backup Material

CHECKLIST FOR INITIAL ZONING BOARD OF APPEALS SUBMISSION

- ☐ Applicable fee
- ☐ 1 Electronic Copy of All documents submitted

RECEIVED
SEP 6 2017
BUILDING DEPT.

Applicant must submit sixteen (16) copies of the following:

- ☒ Completed Application
- ☒ All Certificates of Occupancy or Temporary Certificate of Occupancy for the property, or Letter from the Building Department in lieu thereof
- ☒ Violations on the property and proof that they have been corrected
- ☒ Photographs of the property (3" X 5" or larger) that depict the location and potential impacts of your application
- ☒ Accurate survey of the current status of the property which has been prepared and certified by a licensed surveyor *within the past twelve (12) months* of the application date, shall be submitted with each application

Please Note: Where a survey certified within the past 12 months is not available and the application does not involve any change to the exterior of the property, the ZBA will accept a certification by the owner that to his/her knowledge the existing survey accurately depicts the current status of the property

- ☒ Certified drawings, prepared by a registered architect or professional engineer, and other supporting documents
- ☒ Written consent of the owner, if you are not the owner of the property
- ☒ Certification, as required by NYS General Municipal Law
- ☒ State Environmental Quality Review (SEQRA) *Short or Long Environmental Assessment Form*
- ☒ Copy of the Determination being Appealed
- ☐ NOTE: See Instructions regarding submittal of Supplemental Materials or New Plans (Item VII in the Rules of the Zoning Board of Appeals of the Village of Mamaroneck and Instructions for Bringing an Appeal


Applicant's Signature

9/6/17
Date

RECEIVED
SEP 5 2017
for 10/5/17 2Btndg
BUILDING DEPT.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective _ 2007)

- ☒ 16 Copies
☒ Completed Application
☒ COs or Letter
☐ Violations, if any
☐ Photographs
☒ Survey
☐ Certified Drawings
☐ Consent
☒ Certification/Affidavit
☐ EAF
☐ Copy of Determination being appealed
☒ Riders if Application is Corp./Business Entity

Application # 61-2017
Agenda DATE: 10/5/17
SP: _____
AV: _____
UV: _____
Fence: _____
Sign: _____
Interpretation: X

For Official Use Only

Village of Mamaroneck, New York
Zoning Board of Appeals
APPLICATION

Date 9/7 2017

TO: ZONING BOARD OF APPEALS-VILLAGE OF MAMARONECK
123 Mamaroneck Avenue
Mamaroneck, New York 10543

I (We) STUART TIEKERT

(Name of Applicant)

Of 130 BEACH AVE

Zip: 10543

(Insert Complete Mailing Address)

Daytime Phone # 914-698-7495 Daytime Fax # _____ EMAIL: TIEKERTS@YAHOO.COM

Apply to the Board of Appeals regarding property located at 440 BEACH AVE

(Insert Location of Premises)

Bearing Village of Mamaroneck Tax Map Number. 4 126 12
(Section) (Block) (Lot)

Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)

1. This is an Application for the following: check one (1) or more as applicable
- ☐ Area Variance - This is to use land in a manner not allowed because of dimensional or topographical requirements in the Zoning Code
 - ☐ Use Variance- This is to allow land to be used in a manner or for a purpose which is prohibited or not allowed by the Zoning code.
 - ☐ Special permit
 - ☐ Sign Variance
 - ☐ Fence Variance
 - ☐ Appeal or Interpretation (Specify Code Section) 324-14(A)
 - ☐ Other: Specify: _____
2. The Date and Description of the determination that is being appealed (a copy of the determination must be attached)
7/7/17 CERTIFICATE OF OCCUPANCY
3. What is the present zoning of the property? R-5
4. This Application must be made in the name of the person or entity that has a *possessory interest in the property such as a tenant, purchaser or owner*. If you are the owner, on *what date did you acquire title?* _____ If you are not the owner, list the name and address of the owner and describe your relationship to the property and the date said relationship commenced: _____
N/A

IF you have acquired title to the property within the past two years, provide the name of the prior owner:

NOTE:

If the Applicant or Property Owner is a:

Corporation: Attach a separate Rider listing all the corporation's officers, shareholders and their percentage of share ownership.

Partnership: attach a separate Rider listing the type of partnership and identify the partners and their partnership interests.

LLC: attach a separate Rider listing the LLCs members

**Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)**

5. If someone else is authorized to act as your representative or to appeal with you on your behalf before the Board, his or her name, address and telephone number must be provided:

Name: _____

Address: _____

Telephone: _____

Email: _____

6. Has a prior variance, special permit, or interpretation Application ever been submitted for this property?

[]

Yes



No

If YES, you must attach copies of the prior variance or resolution and describe them:

7. List all permits you must obtain in order to complete the subject project of this Application (include all permits or approvals necessary from any federal, state, county, or local agency or department):

N/A

**Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)**

8. Is the property subject to any covenants, easement, or other restrictions or encumbrances? If so, list and describe these. (You may be required to provide copies of these documents establishing same to the Board.) Please be advised that nothing herein or within board purview will alter or modify any existing contractual rights with respect to the subject property.

N/A

9. Check here if there has been any illegal use or violations issued with respect to the property, regardless of whether it has been removed or adjudicated.

If so, describe and provide the date(s) and details, including if the violation continues:

10. The following are the provisions of the Village Code from which either a variance is sought or a permit is requested (you must itemize each variance you seek, since a variance cannot be obtained unless it is expressly requested and is the subject of public notice:

Article		Section		Subsection	
Article	N/A	Section		Subsection	
Article		Section		Subsection	
Article		Section		Subsection	

NOTE:

IF this is an application for A *USE VARIANCE*,
COMPLETE QUESTION 11 on page 10.

IF this is an application for an *AREA VARIANCE*,
COMPLETE QUESTION 12 on page 11

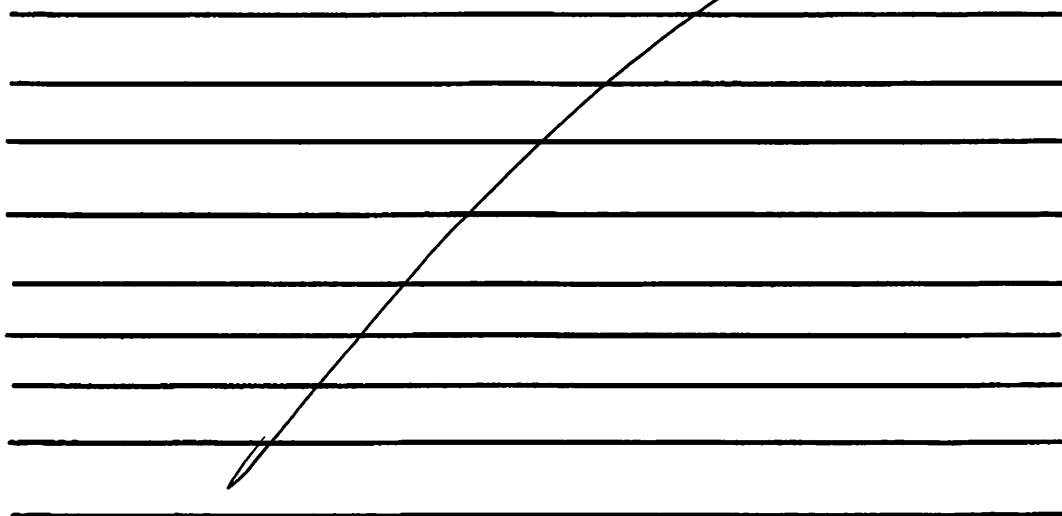
IF this is an application for ALL OTHER APPLICATIONS-
INCLUDING A SPECIAL PERMIT
COMPLETE QUESTION 13 on page 12.

**Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)**

11. A use variance may only be granted if it is determined that zonings regulations and restrictions cause the property owner unnecessary hardship. New York law provides that: "In order to prove such unnecessary hardship, the property owner shall demonstrate to the Board of Appeals that:

- 1) Under the applicable zoning regulations, the owner is deprived of a reasonable return for each and every permitted use under the zoning regulations for the particular district where the property is located This deprivation must be established by competent financial evidence;**
- 2) the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;**
- 3) the requested use variance, if granted ,will not alter the essential character of the neighborhood; and**
- 4) the alleged hardship has not been self-created**

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider):



**Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)**

12. Under State law, the Board of Appeals must consider the following factors in making a decision on your request for an area variance:

- 1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;**
- 2) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance;**
- 3) whether the requested area variance is substantial;**
- 4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and**
- 5) whether the alleged difficulty was self-created...**

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider:

Answer for #13 on Page 12 of 15 of Zoning Board Application

There are two reasons for this application -

Reason #1

The Certificate of Occupancy was issued in violation of the ZBA resolution that required that "all work shall be completed within one (1) year from the date of the building permit."

The Building permit was issued on 5/28/15. The Certificate of Occupancy was issued 7/7/17.

Reason #2

The home as constructed violates 342-27 - Schedule of Minimum Requirements for Residential Districts.

The home is in a R-5 district.

According to the December 4, 2014 Zoning Board Resolution the front of the home faces Orchard St. on this corner lot. That makes the opposite lot line either the rear yard, requiring a twenty five (25) foot setback or a side yard requiring a six (6) foot setback at minimum.

According to December 27, 2016 Final Survey (attached), there is a basement entrance that although not dimensioned is shown as significantly less than six (6) feet from the rear property line. Both the plans and a visual inspection indicates that the distance between the stairs and the property line is less than three (3) feet.

Section 324-14(A) does allow architectural features to project into the setback but only providing "that such features shall not project more than three feet into any required yard, **but not closer than five feet to the property line.**"

Further, 324-14(A) only allows "The sum total of such projections in any one yard shall not exceed 25% of the overall dimension of the wall from which they project." As shown on the survey the stairs occupy approximately 33% of the wall from which they project.

The property owner should be required to return to the ZBA for a variance for the front yard and should be required to remove the basement stairs.

13. If this Application is not for an area or use variance, provide information that supports your Application. You must refer to the appropriate sections of the Village Code and to other legal requirements necessary for the board to consider your application

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page or a sheet of stationery.

**Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)**

It is the my responsibility as the Applicant to complete this Application completely and carefully, and to provide sixteen (16) copies of this Application, together with all necessary papers, plans, surveys, documents or other required information.

Failure to submit the required documents and information will delay my Application or result in its denial, since the ZBA cannot review or grant relief to incomplete Applications.

It is my responsibility to comply with all related requirements in presenting this Application, and the ZBA reserves the right to request additional documentation and/or drawing, and to condition any requested relief upon the filing of covenants and restrictions.

Although employees of the Village may provide me with assistance, I understand it is my responsibility to be familiar and comply with all applicable laws and to submit all necessary papers, plans, surveys, documents or other required information. I understand that copies of the Village Code are available for my review at the Village Clerks office as well as the Village Website and that I may be represented at the ZBA hearing.

I HEREBY CERTIFY THAT ALL STATEMENTS MADE ON THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE.


(Applicant's Signature)

Sworn to before me this _____

Day of _____, 20____

Notary Public

B.P.# 17-011-M

NO OCCUPANCY OF ANY
PROPOSED SPACES UNTIL A
CERTIFICATE OF COMPLIANCE ☒ ☐
HAS BEEN ISSUED

NO DEVIATIONS WITHOUT
PRIOR APPROVAL

30/4348 "BEACH"

Survey of Lot 47 as shown on map entitled "Map of Building Lots belonging to the Estate of Noah Tompkins, deceased in the Town of Rye, Westchester County, New York" Filed on July 27, 1892 in Vol. 10 of Maps Page 8

Scale 1" = 15'

March 26, 2014
May 7, 2014 (Add proposed Easement)
June 15, 2014 (Topographical)
Oct. 13, 2014 (Updated)
August 25, 2015 (Foundation)
Sept. 22, 2015 (Add datum)
Dec. 27, 2016 (Final Survey)

Scale 1"=15'

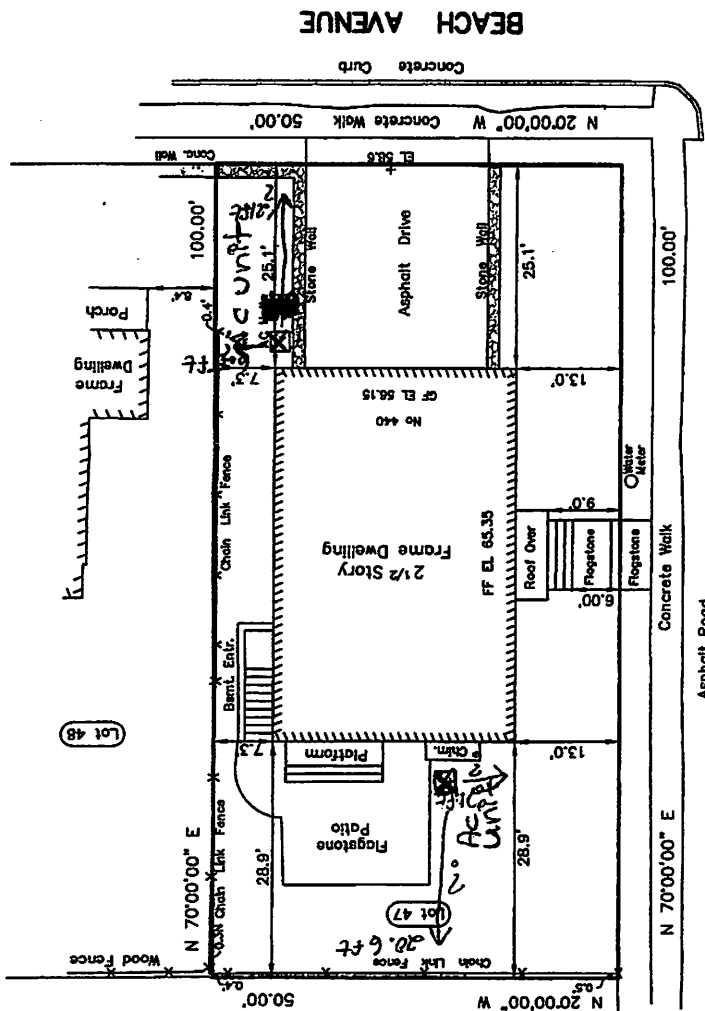
Marmoronek, N. Y. 10543
(914) 381-2357
N.Y.S. Lic. Land Surveyor
No. 49240

ORCHARD STREET



Elevations are in NAVD 1988

needs lot of time distances from units



CERTIFICATION

(Required by New York State General Municipal Law)

STUART TIEKERT states as follows:

(Applicant's name)

1. I am interested in this application for a variance or special use permit now pending before the Village of Mamaroneck Board of Appeals,
2. I reside at 130 BEACH AVENUE
3. The nature of my interest in the aforesaid application is as follows:
CORRECTION OF TWO (2) VIOLATIONS

4. If the Applicant or owner is a corporation, list the corporation's officers:

President: _____ Vice President: _____
Secretary: _____ Treasurer: _____

5. Do any of the following individuals have an interest, as defined below, in the owner or Applicant:

- a. Any New York State officers, or
- b. Any officer or employee of the Village of Mamaroneck, Town of Rye, Town of Mamaroneck, or Westchester County.

☐ Yes ☒ No

For the purpose of this disclosure, an officer or employee shall be deemed to have an interest in the owner or Applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:

- a. is the Applicant or owner, or
- b. is an officer, director, partner or employee of the Applicant or owner, or
- c. legally or beneficially owns or controls stock of corporate Applicant or owner; or
- d. Is a party to an agreement with such an Applicant or owner, express or implied, whereby he may receive any payment or other benefit, whether or not for service rendered dependent or contingent upon the favorable approval of such application.

A PERSON WHO KNOWINGLY AND INTENTIONALLY FAILS TO MAKE SUCH DISCLOSURE SHALL BE GUILTY OF A MISDEMEANOR AS PROVIDED IN GENERAL MUNICIPAL LAW, SECTION 809

If "Yes," state the name and nature and extent of the interest of such individual:

Stuart Tiekert STUART TIEKERT
(Name & Residence)

RESIDENT
(Extent of interest)

Stuart Tiekert
Applicant's Signature

Sworn to before me this _____ day of _____, 20__

NOTARY PUBLIC

CERTIFICATE OF OCCUPANCY



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543

7/7/2017

Map. No.: 4-26-12

Permit No.: 15-0471

Cert. No.: 15-0471

Location: 440 BEACH AV

This Certifies that the building(s) located at the premises listed above conforms substantially to all of the requirements of the applicable provisions of the law. The occupancy for which this certificate is issued is:

Removal of Existing Barn and Construction of a New One Family Residence
ZBA 16A-2014 approved 11/6/14 BAR approved 3/19/15
Revised Plans Approved 03/17/16 to Add (2) Two Steps in The Front Walk

This CERTIFICATE is issued to the owner -

SOUSA, DOMINIC AND NATALIE

of the aforesaid building(s).

A handwritten signature in black ink, appearing to read 'Richard...', written over a horizontal line.

Building Inspector

**Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)**

It is the my responsibility as the Applicant to complete this Application completely and carefully, and to provide sixteen (16) copies of this Application, together with all necessary papers, plans, surveys, documents or other required information.

Failure to submit the required documents and information will delay my Application or result in its denial, since the ZBA cannot review or grant relief to incomplete Applications.

It is my responsibility to comply with all related requirements in presenting this Application, and the ZBA reserves the right to request additional documentation and/or drawing, and to condition any requested relief upon the filing of covenants and restrictions.


Although employees of the Village may provide me with assistance, I understand it is my responsibility to be familiar and comply with all applicable laws and to submit all necessary papers, plans, surveys, documents or other required information. I understand that copies of the Village Code are available for my review at the Village Clerks office as well as the Village Website and that I may be represented at the ZBA hearing.

I HEREBY CERTIFY THAT ALL STATEMENTS MADE ON THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE.


(Applicant's Signature)

Sworn to before me this 5th

Day of September, 2017



Notary Public

DONALD GOLDSMITH
Notary Public, State of New York
No. 01GO5021034
Qualified in Westchester County
Commission Expires Dec. 8, 2017

CERTIFICATION

(Required by New York State General Municipal Law)

STUART TIEKERT states as follows:

(Applicant's name)

1. I am interested in this application for a variance or special use permit now pending before the Village of Mamaroneck Board of Appeals,
2. I reside at 130 BEACH AVENUE
3. The nature of my interest in the aforesaid application is as follows:
CORRECTION OF TWO (2) VIOLATIONS
4. If the Applicant or owner is a corporation, list the corporation's officers:
President: _____ Vice President: _____
Secretary: _____ Treasurer: _____
5. Do any of the following individuals have an interest, as defined below, in the owner or Applicant:
 - a. Any New York State officers, or
 - b. Any officer or employee of the Village of Mamaroneck, Town of Rye, Town of Mamaroneck, or Westchester County.

☐ Yes

☒ No

For the purpose of this disclosure, an officer or employee shall be deemed to have an interest in the owner or Applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:

- a. is the Applicant or owner, or
- b. is an officer, director, partner or employee of the Applicant or owner, or
- c. legally or beneficially owns or controls stock of corporate Applicant or owner; or
- d. is a party to an agreement with such an Applicant or owner, express or implied, whereby he may receive any payment or other benefit, whether or not for service rendered dependent or contingent upon the favorable approval of such application.

A PERSON WHO KNOWINGLY AND INTENTIONALLY FAILS TO MAKE SUCH DISCLOSURE SHALL BE GUILTY OF A MISDEMEANOR AS PROVIDED IN GENERAL MUNICIPAL LAW, SECTION 809

If "Yes," state the name and nature and extent of the interest of such individual:

Stuart Tiekert STUART TIEKERT
(Name & Residence)

RESIDENT
(Extent of interest)

Stuart Tiekert
Applicant's Signature

Sworn to before me this 5th day of September, 2017

Donald Goldsmith
NOTARY PUBLIC

DONALD GOLDSMITH
Notary Public, State of New York
No. 01GO5021034
Qualified in Westchester County
Commission Expires Dec. 6, 2017

Village of Mamaroneck, NY

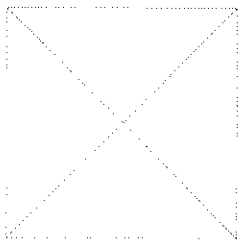
Item Title: 6SP-2013 Shore Acres Point

Item Summary: Application # 6SP-2013, **Shore Acres Point Corp.**, 504 The Parkway, (Section 4, Block 76A, Lot 1) to amend permitted hours for organized events for an existing special permit to operate a club (special permit renewal resolution dated November 5, 2015). (R-10 District)

Fiscal Impact:

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
6SP-2013	10/22/2015	Presentation
6SP 2017 SAPC Site Plan amendment	6/20/2017	Backup Material



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543
914-777-7731

10/8/2015

SPECIAL PERMIT NOTIFICATION

APPLICATION NO.: 6SP-2013

DISTRICT: R-10

TO: Shore Acres Point Corp.
P.O. Box 506
Mamaroneck, NY 10543

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 10/8/2015

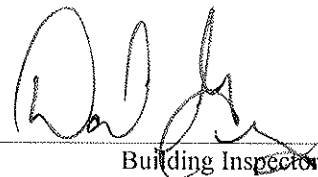
FOR PERMIT TO:

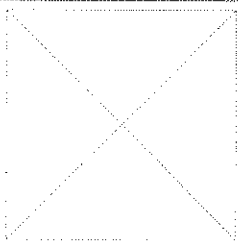
renew a special permit to operate a club with requested amendment to Condition F

ON PREMISES LOCATED AT: 504 The Parkway

SBL: 4-76A-1

HAS BEEN RECEIVED AND A PUBLIC HEARING WILL BE HELD ON November 5, 2015
AT THE VILLAGE OF MAMARONECK MUNICIPAL BUILDING, 169 MT. PLEASANT AVENUE AT
7:30 P.M. PLEASE TAKE FURTHER NOTICE THAT YOU, THE APPLICANT, MUST NOTIFY ALL
PROPERTY OWNERS LOCATED WITHIN A RADIUS OF 400 FEET OF THE SUBJECT PREMISES OF
YOUR APPLICATION AND OF THE PROPOSED HEARING.


Building Inspector



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543
914-777-7731

APPLICATION FOR RENEWAL OF SPECIAL PERMIT

SPECIAL PERMIT NO. 6SP-2013

To: Board of Appeals

From: Building Department

In connection with the application for the renewal of the above-referenced special permit, please be advised as follows:

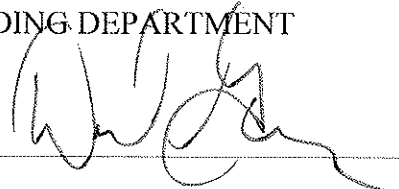
☒ No complaints have been made to the Building Department since the last application pertaining to the subject special permit.

☐ Complaints have been made, as follows:

☒ No violations have been noticed or cited by the Building Department nor have any proceedings been commenced since the last application pertaining to the subject special permit.

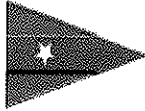
☐ The following violation(s) have been noticed or cited by the Building Department and the following proceedings have been commenced:

VILLAGE OF MAMARONECK
BUILDING DEPARTMENT

By: 

Date: 10/8/2015

(THIS FORM IS TO BE COMPLETED BY THE BUILDING DEPARTMENT AND SUBMITTED TO THE BOARD OF APPEALS WITH THE RENEWAL APPLICATION.)



Shore Acres Point Corporation

October 5, 2015

Village of Mamaroneck Building Department
169 Mt. Pleasant Avenue
Mamaroneck, NY 10543
Attention: Dan Gray, Building Inspector

Dear Mr. Gray,

On behalf of Shore Acres Point Corporation ("SAPC"), enclosed herewith please find the notarized original plus 15 copies of SAPC's Application for Renewal (the "Application") of SAPC's Special Permit No. 6 SP-2013 (the "Special Permit"), together with Check No. 6001 in the amount of \$114.00 for the application fee and Check No. 6002 in the amount of \$250.00 to establish an escrow. Also enclosed are 15 copies of the Special Permit.

Please note that, pursuant to discussions with Mr. Gray, it has been agreed that SAPC will not be required to obtain a survey until completion of construction of the SAPC clubhouse at 504 The Parkway. As a result, an up-to-date survey as of the date hereof is not included.

The undersigned will notify property owners located within a 400-foot radius of the premises and provide copies of post office receipts and a notarized proof of service affidavit to the Building Department not later than 5 business days prior to the date of the public hearing to be scheduled in connection with the enclosed Application. Please advise at your earliest convenience when a hearing on the Application will be held.

Respectfully submitted,

SHORE ACRES POINT CORPORATION

By: 

Name: Jason White

Title: Vice President

**VILLAGE OF MAMARONECK
ZONING BOARD OF APPEALS**

APPLICATION FOR RENEWAL OF SPECIAL PERMIT

SPECIAL PERMIT NO. 6 SP- 2013

Date: _____

Name of Permittee: Shore Acres Point Corporation

Doing Business As: Non-Profit neighborhood pool club

Premises: 504 The Parkway

Section: 4 Block: 76A Lot(s): 1

Shore Acres Point Corporation hereby applies to the Village of Mamaroneck Zoning Board of Appeals for a renewal of the above-referenced special permit, which was originally granted on December 5, 2013, and which will expire on December 4, 2015.

Said special permit was granted for the following use at the above-noted property: _____
Neighborhood pool club for the benefit of its resident members.

1. All conditions of the special permit have been complied with.

Yes ☒ No ☐

If "No", please explain: _____

2. Since the last application for this special permit, I have no knowledge nor have I been advised of any complaints made to the Village of Mamaroneck Building Department, Police Department, or any other department or agency of the Village in connection with the operation of the use allowed by the subject special permit.

Yes ☒ No ☐

APPLICATION FOR RENEWAL OF SPECIAL PERMIT

Page 2

If "No", please explain: _____

3. Since the last application for this special permit, no violations have been noticed, no violations have been cited, nor have any proceedings been commenced in connection with the operation of the use allowed by the subject special permit.

Yes ☒ No ☐

If "No", please explain: _____

4. I have read the attached "Instructions for Renewal Application" and have complied with same.

Yes ☒ No ☐

If "No", please explain: _____

5. Please indicate any facts or changes in circumstances which may require a modification of the conditions previously set forth in connection with the subject special permit: _____

See annex 1 hereto.

6. Please indicate any other information that you want the Board to consider: _____

N/A

APPLICATION FOR RENEWAL OF SPECIAL PERMIT

Page 3

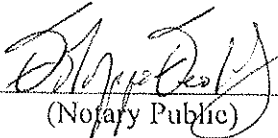
THE UNDERSIGNED HEREBY AFFIRMS, UNDER PENALTIES OF PERJURY, THAT ALL STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE. THE UNDERSIGNED FURTHER ACKNOWLEDGES THAT THE ZONING BOARD OF APPEALS WILL RELY UPON THE TRUTH AND ACCURACY OF THE STATEMENTS CONTAINED IN THIS APPLICATION IN PROCESSING THIS REQUEST FOR RENEWAL.


(Applicant's Signature)

Jason White

(Print Name)

Sworn to before me this 5th day
of OCTOBER, 2015


(Notary Public)

FILIPPO N. FEOLI
Notary Public, State of New York
No. 01FE6290720
Qualified in New York County
Commission Expires Oct. 07, 2017

Applicant's Address: 588 The Parkway
Mamaroneck, NY 10543

Applicant's Daytime Telephone Number: (212) 848-5259

**VILLAGE OF MAMARONECK
ZONING BOARD OF APPEALS**

Annex 1

TO APPLICATION FOR RENEWAL OF SPECIAL PERMIT

SPECIAL PERMIT NO. 6 SP-2013

5. Please indicate any facts or changes in circumstances which may require a modification of the conditions previously set forth in connection with the special permit:

PERMITTEE RESPONSE

- A. Resolution F on page 2 of Special Permit No. 6 SP-2013 currently provides:

“F. That the club shall be open until 8:00 p.m. Sundays through Thursdays and until 9:00 p.m. on Fridays and Saturdays, from May 15th through September 30th.”

- B. Permittee respectfully requests that Resolution F be amended in any renewal of the Special Permit to delete the stricken text below (indicated as follows: ~~stricken-text~~) and to add the double-underlined text below (indicated as follows: double-underlined text) so that Resolution F reads as follows:

“F. That the pool club shall be open until 8:00 p.m. Sundays through Thursdays and until 9:00 p.m. on Fridays and Saturdays, from May 15th through September 30th.”

- C. Permittee respectfully submits the following reasons for the proposed amendments to Resolution F:

1. ***“pool” in place of “club”***: This proposed revision clarifies that the Special Permit does not restrict interior activities within the newly constructed SAPC clubhouse. The clarification was not applicable when the Special Permit was initially granted, because the old clubhouse interior was closed and off-limits to members as a result of storm damage and its generally dilapidated state at the time. Additionally, Permittee acknowledges that any activities at the club, whether interior or exterior, would remain subject to, among other applicable law, the restrictions on noise, light, parking, and other matters as set forth in Chapter 342, Article VIII of the Village Code. The clarification is requested because Permittee anticipates that its members may wish to use the interior of the new clubhouse year-round for various member events, including birthday parties, dinners, card games, and other member social activities, and the

current seasonal use limitation is not intended to restrict such interior activities. Additionally, it was not the purpose of the Special Permit to limit individual or small-group activities of Permittee's members, not involving the pool, that may be approved by Permittee in accordance with its constitutional documents and bylaws. By way of example, it was not the intent of the Special Permit to limit the right of individual members of Permittee from going for a walk on the clubhouse lawn before May 15 or of holding an outdoor picnic on the clubhouse grounds in October. Permittee does not regard this proposed amendment as a substantive change to the Special Permit.

AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF
MAMARONECK, HELD ON DECEMBER 5, 2013. THE FOLLOWING RESOLUTION
WAS ADOPTED

APPLICATION NO. 6SP-2013

Name: Shore Acres Point Corp.
Premises: 504 The Parkway
District: R-10

Section 4, Block 76A, Lot 1

WHEREAS, Shore Acres Point Corp. ("Applicant") has applied to this Board for a special permit for a club and reconstruction of a clubhouse at 504 The Parkway ("Premises") within a R-10 District, pursuant to Article V Chapter 342-21A (7) of the Code of the Village of Mamaroneck; and

WHEREAS, after due notice, this Board held a public hearing on such application on November 7, 2013, at which time it heard all parties and received their evidence and proofs; and the public hearing having been closed; and members of this Board having made personal inspection of the Premises and being familiar therewith; and

WHEREAS, at the public hearing the Applicant noted that the clubhouse at the Premises had sustained significant damage during Hurricane Sandy and rebuilding was planned to commence after Labor Day of 2014; and

WHEREAS, after duly considering all the proofs and evidence before it, this Board finds as follows:

1. The location and size of the use, the nature and intensity of the operations, and the traffic involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to the type, arrangement, and capacity of streets giving access to it and the hours of operation are such that the use, as set forth by the Applicant, will be in harmony with the appropriate and orderly development of the district in which it is located.

2. The location, nature, and height of buildings, walls and fences, and the nature and extent of the landscaping and screening on the site, as existing or proposed, are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.

3. The operation in connection with the use, as set forth by the Applicant, will not be objectionable by reason of noise, fumes, smoke, dust, vibration, glare, intensity, or flashing of lights.

4. The use, as set forth by the Applicant, will not adversely affect the public

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VILLAGE OF MAMARONECK
NEW YORK

health, safety and welfare, and the comfort and convenience of the public in general, and of the residents of the neighborhood in particular.

5. The application is in compliance with special permit standards and requirements as set forth in Sections 342-71 and 342-42 of the Code of the Village of Mamaroneck.

6. The Applicant is entitled to the granting of the special permit under the circumstances of this application.

NOW THEREFORE, on motion of Mr. Sullivan, and seconded by Mr. Weprin:

BE IT RESOLVED, this Board finds that the within application is a Type II action not subject to review under the State Environmental Quality Review Act (SEQRA), and it is further;

RESOLVED, that in accordance with the vote of this Board taken on December 5, 2013 that the application for such special permit is hereby granted, subject to the following conditions:

A. That the special permit granted herein shall be valid for an initial probationary period of two (2) years beginning December 5, 2013 and allowing for one year in operation after completion of construction, with the renewal application having to be made by Applicant no less than four (4) months prior to the expiration date; and, upon the Applicant's failure to make said renewal application, the special permit granted herein shall expire without further notice to the Applicant.

B. That the special permit is granted to the Applicant and shall expire upon a transfer of ownership or a change in the use of the Premises.

C. That any work done hereunder shall be in strict compliance with the plans as filed with this application, except as expressly modified by the conditions herein or as approved by the Building Inspector.

D. That the granting of this application shall not be deemed to relieve the Applicant of the need to obtain approval of any other board or agency or officer prescribed by law or ordinance with regard to the plans or construction or any other phase of the proposed project.

E. That the Applicant shall procure a building permit from the Building Department within one (1) year where necessary to comply with federal, state, or local codes, laws, regulations or requirements and all work shall be completed within one (1) year from the date of the building permit, otherwise this application is denied; and any request for extending the time within which to obtain said building permit shall be filed no less than sixty (60) days prior to the expiration of the one (1) year period.

F. That the club shall be open until 8:00 p.m. Sundays through Thursdays and until 9:00 p.m. on Fridays and Saturdays, from May 15th through September 30th.

G. That screening from neighboring properties shall be provided in accordance with the plans submitted or as may be approved by the Planning Board as part of its site plan review. The adequacy of screening shall be reviewed by this Board upon renewal of the special permit.

H. That the failure to observe and perform any of these conditions shall render this permit invalid.

<u>In favor:</u>	Sullivan, Weprin, Kramer
<u>Opposed:</u>	None
<u>Recused:</u>	Guttermann
<u>Absent:</u>	Neufeld

Dated: December 5, 2013
Mamaroneck, NY

Dated: December 5, 2013
Mamaroneck, N.Y.



Acting Chairman



Secretary

Village of Mamaroneck, NY
Saturday, November 9, 2013

Chapter 342. ZONING

Article V. Residential District Regulations

§ 342-21. One-Family Residence Districts.

A. Permitted principal uses. The following are the only principal uses permitted in R-20, R-15, R-10, R-7.5, R-6 and R-5 One-Family Residence Districts:

- (1) One-family dwellings, not to exceed one such dwelling on each lot.
- (2) Places of worship and religious instruction, including parish houses, subject to § ~~342-40~~.
(This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)
- (3) Any municipal uses of the Village of Mamaroneck.
- (4) Public schools.
- (5) Private schools having a comprehensive curriculum of studies similar to a public school, provided that the lot on which they are located at least meets the site size requirements of the State Department of Education. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)
- (6) Nursery schools. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)
- (7) Annual membership clubs, such as beach, golf, country, yacht and similar clubs, but only if incorporated pursuant to the provisions of the Membership Corporations or Benevolent Order Laws of the State of New York, subject to § ~~342-42~~. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)
- (8) Transformer stations and customary accessory uses, subject to a finding by the Board of Appeals that service cannot be adequately supplied by transformer stations located in a district other than a residence district, that a public necessity exists for a transformer station in a residence area and that the particular site for which application is made is the least objectionable from the public standpoint and is so located as to facilitate adequate electric service to the area. Such use shall be subject to the requirements of § ~~342-43~~. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)
- (9) Planned residential developments, subject to § ~~342-52~~.
[Added 2-26-1979 by L.L. No. 7-1979, effective 3-21-1979]
- (10) Family day-care homes and group family day-care homes, for which a permit has been issued pursuant to § 390, Subdivision 1(a), of the Social Services Law of the State of New York.

[Added 12-14-1987 by L.L. No. 15-1987, effective 1-28-1988]

B. Permitted accessory uses. The following accessory uses are permitted in R-20, R-15, R-10, R-7.5, R-6 and R-5 One-Family Residence Districts only in conjunction with a permitted principal use:

(1) Home professional offices or studios.

[Amended 1-26-1987 by L.L. No. 3-1987, effective 2-18-1987]

(a) This shall include the office of a resident physician, surgeon, dentist or other person licensed by the State of New York to practice a healing art; or the office or studio of a lawyer, accountant, architect, artist, engineer, musician, licensed real estate broker, licensed insurance broker or agent or teacher, as hereinafter restricted, or any reasonably similar profession, provided that:

[1] The resident operator has not more than one employee, associate or assistant who is not a member of the immediate family.

[2] Such office or studio occupies not more than 30% of the floor area of the building in which it is located.

[3] Studios where dancing or music instruction is offered shall have groups of no more than four pupils at one time and shall hold no concerts or recitals at the studio.

[4] There is no external evidence of such use, except for permitted signs.

(b) A home professional office shall not include the practice of veterinary medicine, the office of any person engaged in the purchase or sale of economic goods, tearooms, tourist homes, beauty parlors, barbershops, hairdressing and manicure establishments, stores or trades, businesses or occupations of a similar nature. The home professional office of a physician shall not include a biological or other medical or testing laboratory.

(c) In no event shall a home professional office be permitted which activities may create a hazard or nuisance to the surrounding neighborhood.

(2) Customary home occupations, provided that:

(a) They are incidental to the residential use of the premises and are conducted by the resident thereof with no assistants or associates, except members of the immediate family who reside on the premises.

(b) They are conducted only in the main building and occupy not more than 30% of the area of one floor.

(c) Only customary home appliances and equipment are used.

(d) There is no external evidence of such use.

(3) Garden houses, tool houses, playhouses, greenhouses or other uses customarily incidental to the residential use of the premises and not operated for gain, subject to the provisions set forth in Note 11 of the Schedule of Minimum Requirements for Residential Districts.

[Amended 9-11-1972, effective 9-27-1972]

(4) Tennis or other game courts or other entertainment or diversion structures or equipment permanently installed and not specifically designed for small children. (This use is subject to the approval procedure set forth in Article X and shall conform to any additional requirements made in connection with such approval.)

[Amended 9-11-1972, effective 9-27-1972; 7-10-1978 by L.L. No. 6-1978, effective 7-27-1978]

(5) Off-street parking facilities and private garages for the use of the occupants of the premises and their guests, as required by § 342-54D, provided that not more than one parking space is leased to a person not resident on the lot, and provided that no trucks shall be parked on the lot, except as permitted by § 342-13. In addition, the following requirements shall apply:

[Amended 10-24-2005 by L.L. No. 6-2005, effective 11-4-2005]

- (a) An accessory garage shall not exceed 20 feet in height;
- (b) The doors of an accessory garage may not exceed eight feet in height;
- (c) An accessory detached garage shall not exceed 25% of the total gross floor area of the principal building and shall not exceed 1,200 square feet.
- (6) Not more than two roomers or boarders.
- (7) The keeping of a reasonable number of customary household pets, but excluding any commercial breeding or keeping of the same.
- (8) Only such signs as permitted by the Village Sign Ordinance. *Editor's Note: See Ch. 286, Signs.*
- (9) Fences, walls or retaining walls pursuant to § 342-14.

[Amended 5-31-1979 by L.L. No. 10-1979, effective 6-8-1979; 5-10-2010 by L.L. No. 12-2010, effective 5-26-2010]

- (10) Storage of boats and boat trailers, subject to § 342-12, and, in addition, facilities for residents to dock, moor and/or launch boats, in accordance with all requirements of local law, where the property is located within the Marine Zone.

[Amended 5-13-1985 by L.L. No. 12-1985, effective 5-22-1985]

- (11) Swimming pools, subject to § 342-49.

[Added 7-10-1978 by L.L. No. 6-1978, effective 7-27-1978]

*Village of Mamaroneck, NY
Saturday, November 9, 2013*

Chapter 342. ZONING

Article VII. Standards for Uses Subject to Special Permit Procedure

§ 342-42. Clubs and recreational uses.

Clubs and other recreational structures and uses permitted under Articles V and X shall:

- A. Be on lots of adequate size with sufficient parking and screening as determined by the Board of Appeals.
- B. Have no outdoor entertainment, live or mechanical, except under permission granted by the Village Manager for particular occasions.
- C. Have no exterior lighting other than that essential to the safe and convenient use of the premises, which lighting shall meet the standards of § 342-18.
- D. Have no outdoor public address systems, except for such as may be specifically permitted under the approval of Article X.

*Village of Mamaroneck, NY
Saturday, November 9, 2013*

Chapter 342. ZONING

Article IV. General Regulations

§ 342-18. Exterior lighting.

All exterior lighting in manufacturing, commercial, office and multiple residence districts and in connection with all nonresidential uses in all other residence districts shall be of such type and location and shall have such shielding as will direct the light downward and will prevent the source of the light from being visible from any adjacent residential property or street. "Source of light" shall be deemed to include any transparent or translucent lighting which is an integral part of the lighting fixture or fixtures.

Village of Mamaroneck, NY
Saturday, November 9, 2013

Chapter 342. ZONING

Article X. Special Permit Procedures

§ 342-71. Action on referral.

[Amended 9-11-1972, effective 9-27-1972; 10-27-1986 by L.L. No. 13-1986, effective 11-18-1986]

Within 45 days after any referral, the Board of Appeals or the Planning Board shall hold a public hearing on the application. It shall, in each case, ascertain that the proposed use will not adversely affect the public health, safety and welfare and the comfort and convenience of the public in general and of the residents of the neighborhood in particular and that those of the following conditions which are pertinent are satisfactorily met:

- A. That the location and size of the use, the nature and intensity of the operations and traffic involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to the type, arrangement and capacity of streets giving access to it and the hours of operation are such that the proposed use will be in harmony with the appropriate and orderly development of the district in which it is located.
[Amended 12-9-1985 by L.L. No. 27-1985, effective 12-18-1985]
- B. That the location, nature and height of buildings, walls and fences and the nature and extent of the landscaping and screening on the site, as existing or proposed, are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.
- C. That operations in connection with the proposed use will not be objectionable by reason of noise, fumes, smoke, dust, vibration, glare, intensity or flashing of lights.
- D. That the parking areas to be provided will be of adequate capacity for the particular use, properly located and suitably screened from adjoining residential uses and that the entrance and exit drives shall be laid out so as to achieve maximum safety.
- E. That, where they are applicable, the standards and requirements established or approved by the Village Engineer have been satisfactorily met as evidenced by his certification and that all necessary approvals of any other governmental agency or board have been or will be obtained by the applicant.

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Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective January 2007)

BUILDING DEPT.

- ☒ 16 Copies
- ☒ Completed Application
- ☒ Cos or Letter
- ☐ Violations, if any
- ☐ Photographs
- ☐ Survey
- ☐ Certified Drawings
- ☐ Consent
- ☐ Certification/Affidavit
- ☐ EAF
- ☐ Copy of Determination being appealed
- ☐ Riders if Application is Corp./Business Entity

Application No.: 65P-2013
Agenda No.: July 6 2017
SP Amendment
AV _____
UV _____
F _____
S _____
Interpretation _____

For Office Use Only

**VILLAGE OF MAMARONECK
ZONING BOARD OF APPEALS
APPLICATION**

Date: JUNE 13, 2017

TO: ZONING BOARD OF APPEALS - VILLAGE OF MAMARONECK
123 Mamaroneck Avenue
Mamaroneck, New York 10543

I (We) SHORE ACRES POINT CORP.

(Name of Applicant)

of 504 The Parkway, Mamaroneck, New York Zip 10543

(Insert Complete Mailing Address)

Daytime Phone No. 914-777-0593 Daytime Fax No. _____

Apply to the Board of Appeals regarding property located at _____

504 The Parkway near the corner of Alda Road

(Insert Location of Premises)

Bearing Village of Mamaroneck Tax Map Number: 4 / 76A / 1
(Section) (Block) (Lot)

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective January 2007)

1. This is an Application for the following: (check [1] or more as applicable)

☐ Area Variance - This is to use land in a manner not allowed because of dimensional or topographical requirements in the Zoning Code.

☐ Use Variance - This is to allow land to be used in a manner or for a purpose which is prohibited or not allowed by the Zoning Code.

☒ Special Permit

☐ Sign Variance

☐ Fence Variance

☐ Appeal or Interpretation (Specify Code Section _____)

☒ Other: Specify Amend existings Special Permit

2. The Date and Description of the determination that is being appealed (a copy of the determination must be attached _____)

3. What is the present zoning of the property? R-10

4. This Application must be made in the name of the person or entity that has a possessory interest in the property such as a tenant, purchaser or owner. If you are the owner, on what date did you acquire title? 4/28/1945; If you are not the owner, list the name and address of the owner and describe your relationship to the property and the date said relationship commenced: _____

If you have acquired title to the property within the past two years, provide the name of the prior owner: N/A

NOTE:

If the Applicant or Property Owner is a:

Corporation: Attach a separate Rider listing all the corporation's officers, shareholders, and their percentage of share ownership.

Partnership: attach a separate Rider listing the type of partnership and identify the partners and their partnership interests.

LLC: attach a separate Rider listing the LLC's members.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective January 2007)

5. If someone is authorized to act as your representative or to appeal with you on your behalf before the Board, his or her name, address and telephone number must be provided:

NAME: ANDREW M. SPATZ, ESQ.

ADDRESS : 650 Halstead Avenue, Mamaroneck, New York 10543

TELEPHONE : 914-777-0593

6. Has a prior variance, special permit or interpretation Application ever been submitted for this property?

[X] YES [] No

If YES, you must attach copies of prior variance or resolution and describe them:

December 5, 2013 – Application No. 6SP-2013 – Special Permit for Club and reconfiguration of Club house;

December 5, 2015 – Application for a Renewal of Special Permit to continue operating a Club at the premises pursuant to Article X, Chapter 342-21A(7) of the Code of the Village of Mamaroneck.

7. List all permits you must obtain in order to complete the subject project of this Application (include all permits or approvals necessary from any federal, state, county or local agency or department):

N/A

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective January 2007)

8. Is the property subject to any covenants, easements or other restrictions or encumbrances? If so, list and describe these. (You may be required to provide copies of these document establishing same to the Board.) Please be advised that nothing herein or within Board purview will alter or modify any existing contractual rights with respect to the subject property. NONE

9. Check here is there has been any illegal use or violations issued with respect to the property, regardless of whether it has been removed or adjudicated. []

If so, describe and provide the date(s) and details, including if the violation continues:

10. The following are the provisions of the Village Code from which either a variance is sought or a permit is requested (you must itemize each variance you seek, since a variance cannot be obtained unless it is expressly requested and is the subject of public notice):

Article V, Section 342-21, Subsection A(7)

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

NOTE:

IF THIS IS AN APPLICATION FOR A **USE VARIANCE**, COMPLETE QUESTION 11 ON PAGE 5.

IF THIS IS AN APPLICATION FOR AN **AREA VARIANCE**, COMPLETE QUESTION 12, ON PAGE 6.

IF THIS IS APPLICATION FOR ALL OTHER APPLICATION, INCLUDING A SPECIAL PERMIT, COMPLETE QUESTION 12, ON PAGE 7.

Village of Mamaroneck, New York
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11. A use variance may only be granted if it is determined that zoning regulations and restrictions cause the property owner unnecessary hardship. New York law provides that: "In order to prove such unnecessary hardship, the property owner shall demonstrate to the Board of Appeals that (1) under the applicable zoning regulations, the owner is deprived of a reasonable return for each and every permitted use under the zoning regulations for the particular district where the property is located. This deprivation must be established by competent financial evidence; (2) the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood; (3) the requested use variance, if granted, will not alter the essential character of the neighborhood; and (4) the alleged hardship has not been self-created."

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider):

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective January 2007)

12. Under State law, the Board of Appeals must consider the following factors in making a decision on your request for an area variance: "(1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self created..."

You must set forth the facts which support your Application request. (Attach additional sheets, schedules or other information that you want the Board of consider):

13. If this Application is not for an area or use variance, provide information that supports your Application. You must refer to the appropriate sections of the Village Code and to other legal requirements necessary for the Board to consider your Application.

SEE NARRATIVE ATTACHED HERETO AND MADE A PART HEREOF

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page or a sheet of stationery. There is no handwriting or other markings on the page.

13. If this Application is not for an area or use variance, provide information that supports your Application. You must refer to the appropriate sections of the Village Code and to other legal requirements necessary for the Board to consider your Application.

In 1945, the Shore Acres Point Corporation (SAPC) was formed to purchase the property the current clubhouse sits upon where its use flourished as a place for its members to convene with friends and family as well as providing a venue for other community driven activities bringing neighbors closer and further creating a safe and pleasant use of the waterfront.

The Clubhouse incurred the wrath of superstorm Sandy and it was determined that the extensive damaged caused would require the previously existing structure (“Villa” fondly referred to by members) had to be razed and rebuilt in its entirety. By Special Permit filed on October 7, 2013 and subsequently approved by the ZBA on December 5, 2013, a stunning state-of-the art ecofriendly structure was built to be enjoyed and operated as a Club for the members of SAPC.

Most recently, on December 3, 2015, the ZBA granted SAPC with a renewal of its Special Permit to continue operating as a Club at the premises for an additional three (3) year period. The ZBA modified the hours for organized events held at the premises whereby events and parties held inside the Clubhouse would end no later than 11:00PM on Fridays and Saturdays and events and parties held inside the Clubhouse would end no later than 9:00PM on Sundays through Thursdays.

With the foresight that subsequent modifications may be sought by SAPC, the ZBA provided language in the Resolution that would permit the applicant “to amend permitted hours for organized events held at the Club” after one (1) year period of Clubhouse operation.

Today, there are 202 members of SAPC and 219 houses in the neighborhood. The intended use of the Clubhouse reflects the desire of the founders of SAPC to bring

the community together and celebrate the beauty of the neighborhood in which it is located. Over the past twelve (12) months, nearly 50 events have been held at the Clubhouse, most of which are geared at bringing families together to celebrate milestones, SAPC sponsored events as well as community holiday celebrations.

It is important to note that all events at the Club are held exclusively by a member or a member of a family who currently resides in Shore Acres. Additionally, as the proposed modifications to the Handbook and Rental Agreement (attached hereto as Exhibit "A") reflects, SAPC takes extraordinary measures to assure proper use of the Clubhouse, thereby protecting the integrity of the Special Permit previously granted as well as serving as a good neighbor to the properties located in proximity of the Clubhouse. To further assure the quiet enjoyment and harmony of the surrounding homes, SAPC recently modified the House Rules to prohibit any use of speakers or sound devices on the patio during events as well as requiring all windows of the Clubhouse to be securely shut during the course of events to prevent noise from emanating from the interior.

Based upon the Applicant's compliance with the terms and conditions of the Renewal of the Special Permit originally granted on December 5, 2015, **a request is hereby made to extend the hours of use on Fridays and Saturdays to 12:00AM for member events and to 1:00AM for SAPC sponsored events. For all events (both member events and SAPC sponsored events) on Sundays through Thursdays to 11:00PM.** This time period proposed is still earlier than those enjoyed by the Mamaroneck Beach and Yacht Club also located in Shore Acres as well as other clubs located in an equally residential areas within the Village such as Orienta Point. The Applicant acknowledges that any activities of the Club must remain compliant with other applicable zoning restrictions on noise, lighting, parking and all remaining provisions set forth in Article VII, Chapter 342-42 of the Village Code.

The Applicant respectfully asks the ZBA to review the following as part of the application:

(a) The Applicant Club remains on a lot of adequate size with sufficient parking and screening as previously approved by the ZBA;

(b) Even if granted by the Village Manager, the Applicant shall not use outdoor entertainment, live or mechanical devices due to existing rules and regulations for the use of the Clubhouse;

(c) The Applicant Club shall not have exterior lighting other than those lights essential to the safety and convenience of its Members use of the premises; and

(d) The Applicant Club shall have no outdoor public address systems except for use as may be specifically permitted under the approval of Article X.

Moreover, the operations in connection with the proposed use will not be objectionable by reason of noise, fumes, smoke, dust, vibrations, glare, intensity or flashing of lights (see Article X, Chapter 342-71(C)). As the application is not requesting additional development of the property, the current parking areas shall provide adequate capacity for use.

It is important to note that during the “pool season”, generally Memorial Day Weekend through mid-September, members may rent the Clubhouse only when the pool is officially closed. During the “off season”, as defined when the pool is closed, use of the facilities will be restricted by the curfew as set for by the Special Permit granted on December 5, 2015.

During the pool season (generally Memorial Day through mid-September), the House Rules do not permit use of the Clubhouse for events until the pool closes which is 8:00PM Sunday through Thursday and 9:00PM Friday and Saturday. This unfortunately, curtails the ability for SAPC to utilize the Clubhouse for possible gatherings during the summer months, as the Clubhouse must be vacated by 9:00PM

Sunday through Thursday and by 11:00PM Friday and Saturday. The additional hours requested would provide more flexibility to accommodate the growing demand for a clean, safe and beautiful location to host a special occasion for gatherings.

As part of the due diligence embarked upon by the Applicant in advance of this application, Members of the SAPC Board spoke with many neighbors likely to be concerned with the request made herein. During this transparent and participatory process, the Applicant obtained 104 signatures through a petition in support of the extension of SAPC Clubhouse hours of operation. The Petition, attached hereto as Exhibit "B", reflects the hours sought in the application and the sentiment that the same would not "compromise and/or be detrimental to the tranquility or quality of life in the Shore Acres neighborhood".

The Applicant respectfully submits that the record demonstrates that its proposed amendment satisfies the Special Permit conditions set forth in the Village Code which is a mere change in hours, would not adversely affect the public health, safety and welfare and the comfort of the residents of the neighborhood. As such, it is respectfully submitted that the Board grant the Applicant's request for an amended Special Permit.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective January 2007)

It is my responsibility as the Applicant to complete this Application completely and carefully, and to provide sixteen (16) copies of this Application, together with all necessary papers, plans, surveys, documents or other required information.

Failure to submit the required documents and information will delay my Application or result in its denial, since the ZBA cannot review or grant relief to incomplete Applications.

It is my responsibility to comply with all related requirements in presenting this Application, and the ZBA reserves the right to request additional documentation and/or drawings, and to condition any requested relief upon the filing of covenants and restrictions.

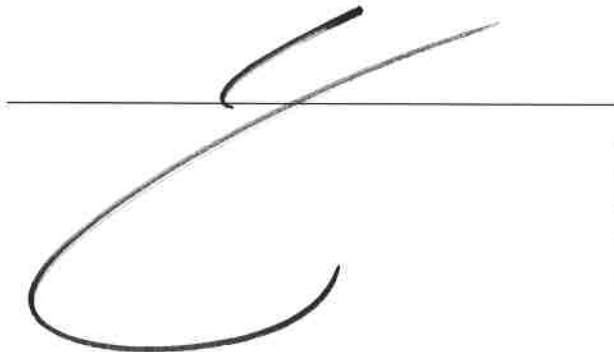
Although employees of the Village may provide me with assistance, I understand it is my responsibility to be familiar and comply with all applicable laws and to submit all necessary papers, plans, surveys, documents or other related information. I understand that copies of the Village Code are available for my review at the Village Clerk's office, and that I may be represented at the ZBA hearing.

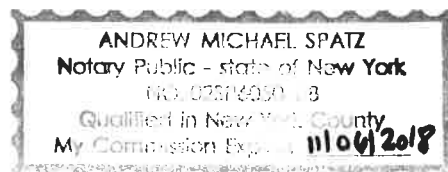
**I HEREBY CERTIFY THAT ALL STATEMENTS MADE ON THIS APPLICATION
ARE TRUE TO THE BEST OF MY KNOWLEDGE.**



(Applicants Signature)
PHILIP LINDENBAUM

Sworn to before me this
13th day of JUNE, 2017





CERTIFICATION
(REQUIRED BY NEW YORK STATE GENERAL MUNICIPAL LAW)

PHILIP LINDENBAUM, states as follows:

1. I am interested in this application for a variance or special use permit now pending before the Village of Mamaroneck Board of Appeals.
2. I reside at 636 Shore Acres Drive, Mamaroneck, New York 10543.
3. The nature of my interest in the aforesaid application is as follows:
President of Shore Acres Point Corp.
4. If the applicant or owner is a corporation, list the corporation's officers:
President : PHILIP LINDENBAUM Vice President : MARC RADULOVIC
Secretary : MEGAN McFARLAND Treasurer : MICHAEL GRAHAM
5. Do any of the following individuals have an interest, as defined below, in the owner of applicant:
 - a. Any New York State officer, or
 - b. Any officer or employee of the Village of Mamaroneck, Town of Rye, Town of Mamaroneck, or Westchester County.

[] YES [X] NO

For the purposes of this disclosure, an officer or employee shall be deemed to have an interest in the owner or applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:


- a. Is the applicant or owner, or
- b. Is an officer, director, partner, or employee of the Applicant or owner, or
- c. Legally or beneficially owns or controls stock of a corporate Applicant or owner, or
- d. Is a party to an agreement with such Applicant or owner, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered dependent or contingent upon the favorable approval of such application.

A PERSON WHO KNOWINGLY AND INTENTIONALLY FAILS TO MAKE SUCH DISCLOSURE SHALL BE GUILTY OF A MISDEMEANOR AS PROVIDED IN GENERAL MUNICIPAL LAW, SECTION 809

If YES, state the name and nature and extent of the interest of such individual:

(Name)	(Residence)
(Extent of Interest)	

Sworn to before me this 13th
day of JUNE, 2017


(Applicant's signature)
PHILIP LINDENBAUM

Notary Public

ANDREW MICHAEL SPATZ
Notary Public - state of New York
NO. 02876050488
Qualified in New York County
My Commission Expires 11/06/2018

617.20
Appendix B
Short Environmental Assessment Form


Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: SHORE ACRES POINT CLUB - CLUBHOUSE							
Project Location (describe, and attach a location map): 504 The Parkway, Mamaroneck, NY 10543							
Brief Description of Proposed Action: To amend current Special Permit 6SP-2013 to permit organized events held within the premises by members to end at 12:00AM and for SAPC sponsored events to end at 1:00 AM on Fridays and Saturdays and for events held by members as well as SAPC sponsored events to end at 11:00PM on Sundays through Thursdays.							
Name of Applicant or Sponsor: SHORE ACRES POINT CORP.		Telephone: E-Mail:					
Address: 504 The Parkway							
City/PO: Mamaroneck		State: NY	Zip Code: 10543				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 2px;">NO</td><td style="width: 50%; padding: 2px;">YES</td></tr><tr><td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td><td style="text-align: center; padding: 2px;"><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 2px;">NO</td><td style="width: 50%; padding: 2px;">YES</td></tr><tr><td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td><td style="text-align: center; padding: 2px;"><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? 1.1676 acres							
b. Total acreage to be physically disturbed? 0.06 acres							
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1.1676 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <div style="display: flex; flex-wrap: wrap; padding: 0;"><div style="margin-right: 10px;"><input type="checkbox"/> Urban</div><div style="margin-right: 10px;"><input type="checkbox"/> Rural (non-agriculture)</div><div style="margin-right: 10px;"><input type="checkbox"/> Industrial</div><div style="margin-right: 10px;"><input type="checkbox"/> Commercial</div><div style="margin-right: 10px;"><input checked="" type="checkbox"/> Residential (suburban)</div><div style="margin-right: 10px;"><input type="checkbox"/> Forest</div><div style="margin-right: 10px;"><input type="checkbox"/> Agriculture</div><div style="margin-right: 10px;"><input type="checkbox"/> Aquatic</div><div style="margin-right: 10px;"><input type="checkbox"/> Other (specify): _____</div><div><input type="checkbox"/> Parkland</div></div>							

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: Photovoltaic Solar Power _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Long Island Sound _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES			
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>PHILIP LINDENBAUM</u> Date: <u>JUNE 13th</u> , 2017 Signature: <u></u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<div> <div>Name of Lead Agency</div> <div>Date</div> </div>	
<div> <div>Print or Type Name of Responsible Officer in Lead Agency</div> <div>Title of Responsible Officer</div> </div>	
<div> <div>Signature of Responsible Officer in Lead Agency</div> <div>Signature of Preparer (if different from Responsible Officer)</div> </div>	

PRINT

AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF MAMARONECK, HELD ON DECEMBER 5, 2013, THE FOLLOWING RESOLUTION WAS ADOPTED

APPLICATION NO. 6SP-2013

Name: Shore Acres Point Corp.
Premises: 504 The Parkway
District: R-10

Section 4, Block 76A, Lot 1

WHEREAS, Shore Acres Point Corp. ("Applicant") has applied to this Board for a special permit for a club and reconstruction of a clubhouse at 504 The Parkway ("Premises") within a R-10 District, pursuant to Article V Chapter 342-21A (7) of the Code of the Village of Mamaroneck; and

WHEREAS, after due notice, this Board held a public hearing on such application on November 7, 2013, at which time it heard all parties and received their evidence and proofs; and the public hearing having been closed; and members of this Board having made personal inspection of the Premises and being familiar therewith; and

WHEREAS, at the public hearing the Applicant noted that the clubhouse at the Premises had sustained significant damage during Hurricane Sandy and rebuilding was planned to commence after Labor Day of 2014; and

WHEREAS, after duly considering all the proofs and evidence before it, this Board finds as follows:

1. The location and size of the use, the nature and intensity of the operations, and the traffic involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to the type, arrangement, and capacity of streets giving access to it and the hours of operation are such that the use, as set forth by the Applicant, will be in harmony with the appropriate and orderly development of the district in which it is located.

2. The location, nature, and height of buildings, walls and fences, and the nature and extent of the landscaping and screening on the site, as existing or proposed, are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.

3. The operation in connection with the use, as set forth by the Applicant, will not be objectionable by reason of noise, fumes, smoke, dust, vibration, glare, intensity, or flashing of lights.

4. The use, as set forth by the Applicant, will not adversely affect the public

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VILLAGE OF MAMARONECK
NEW YORK

health, safety and welfare, and the comfort and convenience of the public in general, and of the residents of the neighborhood in particular.

5. The application is in compliance with special permit standards and requirements as set forth in Sections 342-71 and 342-42 of the Code of the Village of Mamaroneck.

6. The Applicant is entitled to the granting of the special permit under the circumstances of this application.

NOW THEREFORE, on motion of Mr. Sullivan, and seconded by Mr. Weprin:

BE IT RESOLVED, this Board finds that the within application is a Type II action not subject to review under the State Environmental Quality Review Act (SEQRA), and it is further;

RESOLVED, that in accordance with the vote of this Board taken on December 5, 2013 that the application for such special permit is hereby granted, subject to the following conditions:

A. That the special permit granted herein shall be valid for an initial probationary period of two (2) years beginning December 5, 2013 and allowing for one year in operation after completion of construction, with the renewal application having to be made by Applicant no less than four (4) months prior to the expiration date; and, upon the Applicant's failure to make said renewal application, the special permit granted herein shall expire without further notice to the Applicant.

B. That the special permit is granted to the Applicant and shall expire upon a transfer of ownership or a change in the use of the Premises.

C. That any work done hereunder shall be in strict compliance with the plans as filed with this application, except as expressly modified by the conditions herein or as approved by the Building Inspector.

D. That the granting of this application shall not be deemed to relieve the Applicant of the need to obtain approval of any other board or agency or officer prescribed by law or ordinance with regard to the plans or construction or any other phase of the proposed project.

E. That the Applicant shall procure a building permit from the Building Department within one (1) year where necessary to comply with federal, state, or local codes, laws, regulations or requirements and all work shall be completed within one (1) year from the date of the building permit, otherwise this application is denied; and any request for extending the time within which to obtain said building permit shall be filed no less than sixty (60) days prior to the expiration of the one (1) year period.

F. That the club shall be open until 8:00 p.m. Sundays through Thursdays and until 9:00 p.m. on Fridays and Saturdays, from May 15th through September 30th.

G. That screening from neighboring properties shall be provided in accordance with the plans submitted or as may be approved by the Planning Board as part of its site plan review. The adequacy of screening shall be reviewed by this Board upon renewal of the special permit.

H. That the failure to observe and perform any of these conditions shall render this permit invalid.

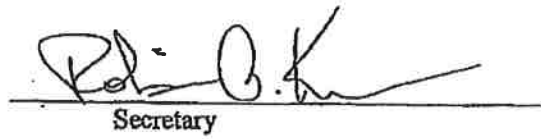
<u>In favor:</u>	Sullivan, Weprin, Kramer
<u>Opposed:</u>	None
<u>Recused:</u>	Guttermann
<u>Absent:</u>	Neufeld

Dated: December 5, 2013
Mamaroneck, NY

Dated: December 5, 2013
Mamaroneck, N.Y.



Acting Chairman



Secretary

AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF
MAMARONECK, HELD ON NOVEMBER 05, 2015, THE FOLLOWING
RESOLUTION WAS ADOPTED:

APPLICATION NO.6SP-2013

APPROVED

RENEWAL

Name: SHORE ACRES POINT CORP.
Premises: 504 THE PARKWAY
District: R-10

Section 4, Block 76A, Lot 1

WHEREAS, on December 5, 2013 this Board granted a special permit to Shore Acres Point Corp. ("Applicant")) for a club and reconstruction of a clubhouse at 504 The Parkway ("Premises") within a R-10 District, pursuant to Article V Chapter 342-21A (7) of the Code of the Village of Mamaroneck for a period of two (2) years; and

WHEREAS, the Applicant has applied to this Board for a renewal of the special permit to continue operating a club at the Premises, pursuant to Article X Chapter 342 - 21A(7) of the Code of the Village of Mamaroneck and has requested to amend said special permit; and

WHEREAS, after due notice, this Board held a public hearing on such application on November 05, 2015 at which time it heard all parties and received their evidence and proofs; and the public hearing having been closed; and members of this Board having made personal inspection of the Premises and being familiar therewith; and

WHEREAS, after duly considering all the proofs and evidence before it, this Board finds as follows:

1. All conditions of the special permit have been complied with.
2. No complaints have been made to the Building Department, Police Department, or any other department or agency of the Village in connection with the operation of the club.
3. No violations have been cited in connection with the operation of the club.
4. The Applicant is entitled to the granting of the renewal of the special permit.

NOW THEREFORE, on motion of Mr. Violi, and seconded by Mr. Sullivan;

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BE IT RESOLVED, this Board finds the within application is a Type II action not subject to review under the State Environmental Quality Review Act (SEQRA), and it is further:

BE IT FURTHER RESOLVED, in accordance with the vote of this Board taken on November 5, 2015 that the application for such special permit is hereby granted, subject to the following conditions:

- A. That the renewal of the special permit is granted for a three year term. After a one year period of clubhouse operations, the Applicant may seek to amend permitted hours for organized events held at the club as set forth herein.
- B. That the special permit is granted to the Applicant and shall expire upon a transfer of ownership or a change in the use of the Premises.
- C. That the hours for organized events held at the Premises shall be no greater than as follows:
 - a. Events and parties held inside the clubhouse shall end no later than at 11:00 p.m. on Fridays and Saturdays.
 - b. Events and parties held inside the clubhouse shall end no later than at 9:00 p.m. on Sundays through Thursdays.
 - c. No outside organized events are permitted after 9:00 p.m.
- D. That the pool shall be open until 8:00 p.m. Sundays through Thursdays and until 9:00 p.m. on Fridays and Saturdays, from May 15th through September 30th.
- E. That the failure to substantially observe and perform any of these conditions shall render this permit invalid.

<u>In Favor:</u>	Sullivan, Ianniello, Neufeld, Violi
<u>Opposed:</u>	None
<u>Absent:</u>	Weprin

Dated: November 5, 2015
Mamaroneck, N.Y.


Chairman


Secretary

EXHIBIT “A”

**APPLICATION FOR LICENSE OF SHORE ACRES POINT CORPORATION
MEETING FACILITY**

504 The Parkway, Mamaroneck, New York 10543

SHAREHOLDER APPLICANT NAME: _____

ADDRESS: _____

TELEPHONE NUMBERS:

HOME: _____

Cell: _____

INTENDED USE OF FACILITY: _____

DATE: _____

DAY OF WEEK: _____

START TIME: _____

END TIME: _____ (to be not later than 12pm Friday and Saturday
evenings and 11pm all other nights) _____

PREPARATION TIME REQUESTED (MUST BE SAME DAY AS EVENT): _____

In consideration of the grant by Shore Acres Point Corporation (the "Corporation") of a license to the above-mentioned shareholder ("Licensee") for the use of the Corporation's meeting room, kitchen, porch, and toilet facilities (collectively, the "Meeting Facility") for the period and for the purpose hereinabove provided, Licensee hereby warrants, represents, covenants to and agrees with the Corporation as follows:

1. Licensee is a shareholder of the Corporation and has paid all annual and special assessments applicable to the shares issued to Licensee for the current fiscal year of the Corporation and is otherwise in good standing with SAPC.
2. The Meeting Facility will only be used by Licensee and/or members of Licensee's immediate family, and by Licensee's guests. Applicant acknowledges that the Meeting Facility is not being used for the benefit of any person, other than the Licensee or a member of the Licensee's immediate family who currently resides in Shore Acres.
3. The license includes the exclusive use of the meeting room and kitchen, and non-exclusive use of the deck, bathrooms and the grounds in a manner that does not materially impede or disturb use by other shareholders. The Corporation's outdoor

speaker system, beach, pools, docks and float facilities are not included in the license and Licensee shall not allow or permit guests to use such facilities.

4. Licensee will at all times ensure full-time adult supervision of all Licensee's guests under the age of twenty-one (21). Such supervision will be by an adult twenty five years or older.

5. Licensee will take all precautions necessary to ensure that no alcoholic beverages are served to or consumed by any person under the age of twenty-one (21) at the Meeting Facility.

6. All activities at the Meeting Facility shall cease on or before the ending time noted above and the Meeting Facility shall be returned to the Corporation at such time in a neat and clean condition.

7. Licensee assumes responsibility for any excess wear and tear, damage, destruction or loss to the Meeting Facility which occurs during licensed period or as a proximate cause of any occurrence during the licensed period.

8. Not more than eighty six (86) persons shall occupy the Meeting Facility at any one time.

9. Licensee agrees to pay the corporation, not less than 14 days prior to the licensed period, the following fees:

- a. The rental fee applicable to the license.
- b. A security deposit of (i) \$500 (Five hundred U.S. dollars) for events with fewer than 50 attendees or (ii) \$1000 for events with 50 attendees or more, in each case, to be refunded within 15 days after the license period upon return of the Meeting Facility keys and provided the terms of this contract have been fully and financially satisfied; provided, however, the Corporation may retain from such deposit any amounts payable, or anticipated to be payable, by the Licensee under Sections 7 or 11.

Fees for Rental of Facilities:

- i. Kids Party (12 years & under) \$100
- ii. Adult party (15 persons or less, of which 90% of such persons are Shareholders) \$25
- iii. Adult party (25 persons or less) \$50 plus a \$10 per guest fee
- iv. Adult party (25 persons – 50 persons) \$100 plus a \$10 per guest fee

- v. Adult party (51 persons – 86 persons) \$175 plus a \$10 per guest fee
- vi. An additional fee of no less \$100 shall be charged for set-up in advance of the scheduled date of rental, which amount shall be subject to increase at the discretion of the Board of Directors based on scope of set-up.

Smoking is not permitted in the clubhouse or on the clubhouse deck. A fine of \$200 will be enforced against for violations of this rule, which may be deducted from any security deposit provided for rental.

10. Licensee is encouraged to set-up on the scheduled date of its event. Additional charges will apply to a Licensee setting up on the day prior to the scheduled event date.

11. Licensee has reviewed the Shore Acres House and Grounds Policies and Rules for Rental of Facilities and agrees to comply by such policies and rules. Licensee acknowledges that SAPC has restrictions on organized events set forth in its Special Permit issued by the Village of Mamaroneck and has had an opportunity to review such Special Permit. Licensee agrees to comply with all Village of Mamaroneck ordinances limiting noise and pollution, including, without limitation, limitations on (i) the using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of involuntary listeners thereto or at any time with louder volume than is necessary for convenient hearing for the person or persons who are located where such machine or device is operated and who are voluntary listeners thereto, (ii) restrictions on the use of outdoor entertainment, live or mechanical, without permission granted by the Village of Mamaroneck for such occasion, and (iii) restrictions on the use of exterior lighting on the grounds.

12. Licensee agrees to indemnify, defend and hold harmless the Corporation and its officers, directors and shareholder and any employee or contractor engaged by the Corporation, harmless from and against any and all costs, losses, damages and expenses (including, but not limited to, all attorneys fees and disbursements) suffered or incurred by the Corporation and or officers, directors and shareholders and/or any employee or contractor engaged by the Corporation, arising directly or indirectly from or out of any (a) breach by Licensee of any of its covenants, representations or agreements herein contained or (b) act or failure to act by Licensee or any family member or guest of Licensee in connection with his/her use of the Meeting Facility pursuant to this License.

ACKNOWLEDGED AND AGREED:

LICENSEE'S SIGNATURE: _____

PLEASE PRINT NAME: _____

DATE: _____

LICENSE APPROVED

SHORE ACRES POINT CORPORATION:

BY: _____

PLEASE PRINT NAME: _____

DATE: _____

Shore Acres Point Corporation

Shareholder Handbook

~~Last Update March 2017~~ Last Update 2017

Shore Acres House and Grounds Policies and Rules for Rental of Facilities

These are the provisions for using the SAPC facilities (house and grounds) for functions. They apply only to Shareholders. Non-Shareholders may not rent the facilities.

1. GROUNDS

- a. The SAPC grounds are open to Shareholders. Use of the grounds by Shareholders may not be objectionable by reason of noise, fumes, smoke, dust, vibration, glare, intensity or flashing of lights. Use of the grounds, including any noise generated during such use, will not adversely affect the public health, safety and welfare, and the comfort and convenience of the public in general and of the residents of the neighborhood in particular. Notwithstanding, during the season when pool is open, Shareholders are encouraged to exit the grounds not later than one hour after sunset.
- b. The grounds, including the deck outside of the clubhouse, are open to Shareholders until (i) 10:00p.m., from June 15 through Labor Day and (ii) at all other times, until 9:00p.m. Notwithstanding the foregoing, organized events outside of the clubhouse shall end no later than 9:00p.m.
- c. During the season when pool is open, groups of 15 or less people consisting of at least one SAPC Shareholder may use the grounds and are restricted only by normal Shareholder limitations, hours of use and consideration for other Shareholders using the facility. Shareholders and guests must sign the Pool Book so that appropriate charges can be made. Groups of Shareholders without guests may use the grounds and are restricted only by normal Shareholder limitations, hours of use and consideration for other Shareholders using the facility. Group use of the grounds shall be non-disruptive to other Shareholders.
- d. During the season, Shareholders shall provide the Board with at least two days advance notice of intended use of the facility by 15 to 30 people, including such Shareholder, its guests and other Shareholders participating in such gathering (a "Shareholder/Guest Gathering"). SAPC reserves the right to impose a gathering fee, in addition to guest fees, if the Board determines that it is advisable to engage additional staffing for safety purposes. In no event shall Shareholder/Guest Gatherings exceed 30 people.
- e. Groups of more than 15 gathering and requiring exclusive use of the premises and facilities can be accommodated during the pool season after pool hours and during the off-season only after specific criteria have been met. Please see CLUBHOUSE section for these criteria. Groups of more than 15 gathering but not requiring exclusive use of the premises and facilities should provide notice to the Board in advance of such gatherings.
- f. Parking - Only vehicles bearing the SAPC decal will be permitted in the parking lot. Exceptions for parties must be given prior clearance.

Shareholders are encouraged to park only one vehicle, especially on busy weekends.

g. Smoking is not permitted on the grounds.

g.h. Grilling is not permitted on grounds.

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2. **CLUBHOUSE** - The SAPC clubhouse is available to Shareholders for private functions (e.g. meetings, family parties, children's birthday parties, etc.) Availability of the clubhouse is intended as an accommodation to Shareholders that need additional space for entertainment or a special event. It is expected that all Shareholders treat the clubhouse as their own. Shareholders are responsibility of maintaining its good condition.

a. **The following points serve as a guideline for rentals:**

- i. The SAPC clubhouse is available for rental for organized events and parties to Shareholders in good standing (e.g., compliance with SAPC rules and guidelines, current with dues, etc.). The Events Director may inquire about such status at time of rental inquiry.
- ii. Use of the facility is limited to organized events and parties that correspond to the guidelines set forth in this outline or those passed by the Board of Directors. Use of the facility shall not violate the SAPC Special Permit nor any other local laws or zoning ordinances.
- iii. The Board of Directors reserves the right to disapprove of organized events and parties (or certain aspects of such events or parties) that are determined not to be in the best interest of the SAPC and its Shareholders (e.g., events that may put too much stress on the facility, ~~or grounds or~~ may otherwise negatively impact the community).
- iv. The sponsoring Shareholder must be present at all times during the event. This includes set-up, cleanup and deliveries.
- v. The clubhouse keys may not be transferred, even temporarily, to non-Shareholders or to Shareholder(s) not designated in the rental agreement.
- vi. A Shareholder may not sponsor the rental of the facility to anyone that is not a Shareholder. The event must be given by the Shareholder for his/her own personal/family use. A Shareholder may not "hold a party" to accommodate a non-Shareholder.
- vii. Shareholders are encouraged to set-up on the scheduled date of their event. Shareholders setting up on the day prior to the scheduled event date will be subject to an additional charge. The SAPC caretaker must be advised in advance of any deliveries and of the set-up schedule. The caretaker is not obliged to meet deliveries, although such arrangements can be made between both parties, if mutually acceptable.
- viii. SAPC is not responsible for personal property left on the premises. Shareholder may arrange for additional insurance to protect specific concerns he/she may have relating to the event.
- ix. Vendors engaged by Shareholders for such parties must be sufficiently insured.

- x. The SAPC facility must be restored to the same condition as it was found prior to the event (including moving chairs and tables back to their original positions.) Any expenses to repair damages that occur as a result of the event will be deducted from the security deposit.
- xi. Maximum capacity inside the clubhouse is [86]¹ people.
- xii. No commercial enterprises to be held at the club or on the grounds – e.g. yoga classes or summer camp.

b. Fees for Rental of Facilities

- i. Kids Party (12 years & under) \$100
 - ii. Adult party (15 persons or less, of which 90% of such persons are Shareholders) \$25
 - iii. Adult party (25 persons or less) \$50 plus a \$10 per guest fee
 - iv. Adult party (25 persons – 50 persons) \$100 plus a \$10 per guest fee
 - v. Adult party (51 persons – 86 persons) \$175 plus a \$10 per guest fee
 - vi. Security Deposit - (required for all rentals – refunded pending post party damage report) For parties up to 50 people using the inside of the clubhouse - \$500; For parties of over 50 using the inside of the clubhouse - \$1000.
 - vii. Payment is made in the form of cash or check made out to: SAPC.
 - viii. Event Coordinator will hold all checks for security deposit.
 - ix. An additional fee of no less \$100 shall be charged for set-up in advance of the scheduled date of rental, which amount shall be subject to increase at the discretion of the Board of Directors based on scope of set-up.
- c. Smoking is not permitted in the clubhouse or on the clubhouse deck. A fine of \$200 will be enforced against for violations of this rule, which may be deducted from any security deposit provided for rental.
- d. All clubhouse rentals include the exclusive use of the meeting room and kitchen, and non-exclusive use of the deck, bathrooms and the grounds in a manner that does not materially impede or disturb use by other Shareholders. Clubhouse rentals do not include use of the clubhouse outdoor audio system.
- e. During the pool season (generally Memorial Day weekend through mid-September), Shareholders may rent the clubhouse only when the pool is officially closed. Set-up inside the house may begin earlier, if agreed upon by the Board of Directors. Set-up should not materially interfere with other Shareholders use of SAPC facilities (e.g., significantly obstruct parking). The clubhouse and grounds must be restored to original state prior to pool opening the next day.
- f. During the off season (the months when the pool is closed), rental of facility is restricted only by the curfew (see below) imposed upon all gatherings.

¹ To be updated based on final fire code capacity.

g. Limitations on Organized Events: Use of the clubhouse for organized events is restricted by the Special Permit issued by the Village of Mamaroneck. Such restrictions include the following:

- i. ~~All Shareholder private~~ organized events and parties held inside the clubhouse shall end no later than ~~11~~12:00p.m. on Fridays and Saturdays.
- ii. ~~All Shareholder private~~ organized events and parties held inside the clubhouse shall end no later than ~~9~~11:00p.m. on Sunday – Thursday.
- ~~iii. All other organized events open to all SAPC Shareholders shall end no later than the time set forth in the SAPC Special Permit.~~

A copy of the Special Permit will be attached to the rental agreement to be entered into by the Shareholder sponsoring such organized event or party.

Failure to comply with the rental agreement and guidelines for Clubhouse rental may result in a loss of Shareholder good standing status.

3. The SAPC facility may be rented after the following conditions are met:

- a. Completion of the Facility Rental Application and submitting such application to the SAPC Director of Events or to the SAPC Board. Please note: We ask you submit your application at least two weeks in advance.
- b. Approval by the SAPC Board and/or Director of Events.
- c. Usage fee payment and deposit submitted to Director of Events and/or SAPC Board. (Deposit is refundable pending post party damage report.)
- d. Satisfaction of any other conditions specified by the Director of Events in connection with the Approval by the SAPC Board of Directors.

All facility rental applications must be made with the SAPC Director of Events/or SAPC Board. The SAPC caretaker does not have the authority to approve or arrange facility rentals.

4. Special Considerations

- a. TENTS can be erected if stakes are not used. Tents cannot be erected during the season if they interfere with the pool schedule. (As it usually takes several hours to erect a tent, they are rarely permitted during the summer season.)
- b. The POOL is not available for rental.
- c. DECORATIONS: Normal precautions should be considered. Wires and extension cords must be taped to the floor. The use of candles is discouraged unless candles are in sturdy glass or metal holders.
- d. TABLE AND CHAIRS: Folding tables and chairs are available for Shareholder use.
- e. KITCHEN: The rental of the facility includes the use of the kitchen. All items must be removed from the kitchen at the end of the function.
- f. CAPACITY: All gatherings are limited in size within the clubhouse according

to fire code. A maximum of [86]² persons are allowed within the building at any one time.






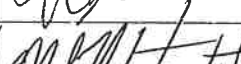
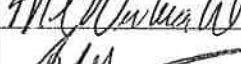



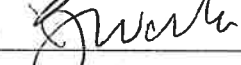




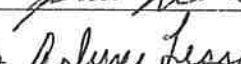
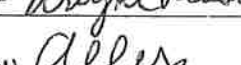



- g. GATHERINGS OUTDOORS DURING POOL HOURS: (See Grounds)
- h. PARKING: Only cars displaying SAPC stickers will be permitted to park on premises during pool hours.
- i. Any other issues may be discussed at time of rental inquiry.

² To be updated based on final fire code capacity.

EXHIBIT “B”


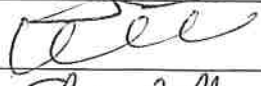
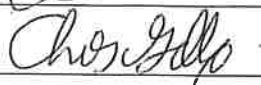
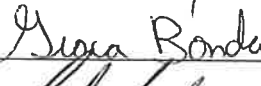

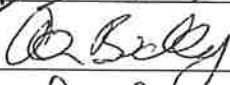
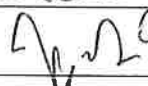
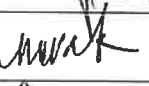
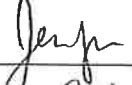
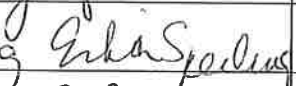
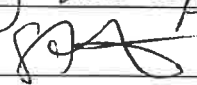
Petition in Support of the Extension of Shore Acres Clubhouse Permitted Hours of Operation

As a resident of the Shore Acres neighborhood and/or member of Shore Acres Point Corporation ("SAPC"), I support the application to amend the Special Permit issued by the Village of Mamaroneck Zoning Board of Appeals, to permit two additional hours of use of the SAPC clubhouse, located at 504 The Parkway, Mamaroneck, New York, by members of SAPC. I feel that the following modification of hours would not compromise and/or be detrimental to the tranquility and quality of life in the Shore Acres neighborhood: Sunday - Thursday, from 9:00PM to 11:00PM and Friday and Saturday, from 11:00PM-1:00AM.

#	NAME	SIGNATURE	ADDRESS	DATE
1	Lauren Tormenta		515 Oakhurst Road	5/8/17
2	Anne Brun		510 Oakhurst Road	5/8/2017
3	Frank Borger		535 Shore Acres Dr	5/8/17
4	J. DeLaney		525 Shore Acres Dr	5/8/17
5	R. Mansur		540 The Parkway	5/8/17
6	Mindy Wintermantel		655 The Parkway	5/10/17
7	Janita Robinson		823 The Parkway	6/4/17
8	Michael Gelbard		803 The Parkway	6/4/17
9	Bary Novick		955 Soundview Drive	6/4/17
10	VASTRA		721 The Parkway	6/4/17
11	V. Glanville		717 The Parkway	6/4/17
12	LOREN Bunch		1032 The Parkway	6/4/17
13	USA Bunch		1032 The Parkway	6/4/17
14	FRANK GESSA		1025 Shore Acres Drive	6/4/17
15	ARLYNE GESSA		1025 Shore Acres Drive	6/4/17
16	Allison D'Amico		1000 The Parkway	6/4/17
17	Michael D'Amico		1000 The Parkway	6/7/17
18	SHARON HANCOCK		945 THE PKWY	6/4/17
19	Farzaneh Keshavarz		935 The Parkway	6/4/17
20	Laura Holbrook		930 The Parkway	6/4/17

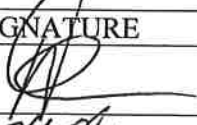
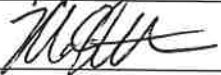





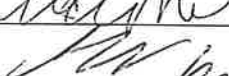
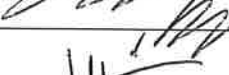


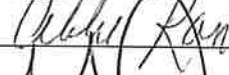
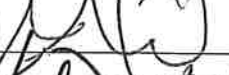

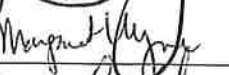

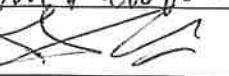

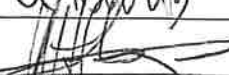

Petition in Support of the Extension of Shore Acres Clubhouse Permitted Hours of Operation

As a resident of the Shore Acres neighborhood and/or member of Shore Acres Point Corporation ("SAPC"), I support the application to amend the Special Permit issued by the Village of Mamaroneck Zoning Board of Appeals, to permit two additional hours of use of the SAPC clubhouse, located at 504 The Parkway, Mamaroneck, New York, by members of SAPC. I feel that the following modification of hours would not compromise and/or be detrimental to the tranquility and quality of life in the Shore Acres neighborhood: Sunday - Thursday, from 9:00PM to 11:00PM and Friday and Saturday, from 11:00PM-1:00AM.

#	NAME	SIGNATURE	ADDRESS	DATE
1	Tim Lanza		935 Shore Acres Dr	5/5/17
2	Wendy Li		1001 Shore Acres Dr.	5/5/17
3	Charles Gallo		935 Shore Acres Dr.	5/5/17
4	Bioia Bonda		935 Shore Acres Dr	5/5/17
5	John Villano		935 Shore Acres Dr	5/5/17
6	Alan Burke		925 SHORE ACRES DR	5/6/17
7	Ilex Alak		811 Shore Acres Drive	5/5/17
8	maggie arak		811 Shore Acres Drive	5/5/17
9	Jeremy Sperling		304 South Barry Avenue	5/6/17
10	Enla Sperling		304 South Barry Ave	5/6/17
11	Steve Leathers		308 S. Barry Ave	5/6/17
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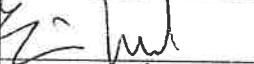
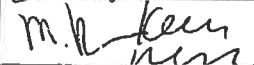


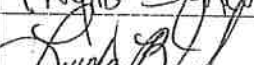
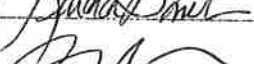
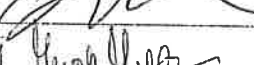

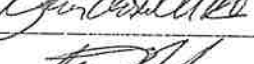


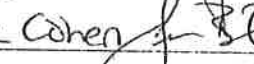

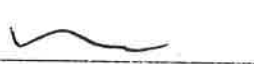


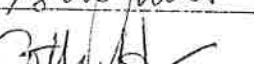

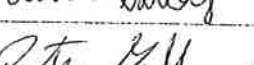
Petition in Support of the Extension of Shore Acres Clubhouse Permitted Hours of Operation

As a resident of the Shore Acres neighborhood and/or member of Shore Acres Point Corporation ("SAPC"), I support the application to amend the Special Permit issued by the Village of Mamaroneck Zoning Board of Appeals, to permit two additional hours of use of the SAPC clubhouse, located at 504 The Parkway, Mamaroneck, New York, by members of SAPC. I feel that the following modification of hours would not compromise and/or be detrimental to the tranquility and quality of life in the Shore Acres neighborhood: Sunday - Thursday, from 9:00PM to 11:00PM and Friday and Saturday, from 11:00PM-1:00AM.

#	NAME	SIGNATURE	ADDRESS	DATE
1	Dana Stetson		565 Alda Rd	5/6/2017
2	MARY STERSON		565 ALDA RD	5/6/17
3	CASEY DE SIMONE		924 The Parkway	06.04.17
4	Thomas De Simone		924 The Parkway	06.04.17
5	Jennifer Bianchini		918 The Parkway	6/4/17
6	Michael Bianchini		918 The Parkway	6/4/17
7	Natalie Modell		925 The Parkway	6/4/17
8	Alex Tyngis		936 Soundview Dr	6/4/17
9	Fred Garnier		946 Soundview Dr	6/4/17
10	T. Hane		911 Soundview Dr	6/4/17
11	Robert Paul		850 Soundview Dr	6/4/17
12	STEVE RAND		11 11	6/4/17
13	Dan Fox		847 Drive Munk, NY	6/4/17
14	Margaret		835 Soundview Dr Man	6/4/17
15	Paula Kaulon		835 Soundview Drive	6/4/17
16	Julien THINAT		829 Soundview Dr	6/4/17
17	CHRISTOPH BUETTNER		771 SOUNDVIEW DR	6/4/17
18	Robert Stetson		857 Soundview Dr	6/4/17
19	Guillaume		491 SRAMY AC	6/4/17
20	Leonard Aubry		727 Shore Acres Drive	6/4/17

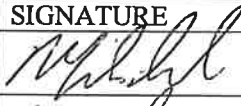
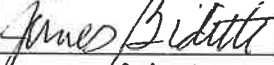
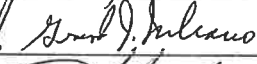







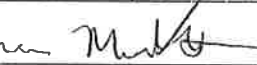
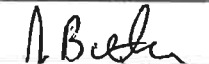

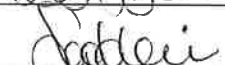
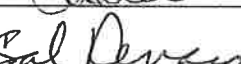

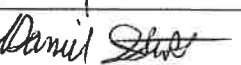


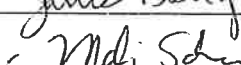
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#	NAME	SIGNATURE	ADDRESS	DATE
1	Megan McFarland		833 The Parkway	5.7.2017
2	Eric Modell		925 The Parkway	5-7-17
3	Mel & Penn Ross		829 The Parkway	5.7.17
4	William Davis		715 SHORE ACRES	5/7/17
5	Phyllis Schen		715 Shore Acres	6/7/17
6	Linda B. Heenan		701 Shore Acres Dr	6/4/17
7	David Schen		715 Shore Acres	6/4/17
8	Gregory Meyer		319 S. BARTCY AV	6/4/17
9	John Kasulke		335 S. Barry Ave	6/4/17
10	Sarah Robertson		732 The Parkway	6/4/17
11	Bruce Robertson		732 The Parkway	6/4/17
12	Jen Binstock		746 The Parkway	6/4/17
13	Rachel Cohen		746 The Parkway	6/4/17
14	Matt Cohen		746 The Parkway	6/4/17
15	Ron Cohen		746 The Parkway	6/4/17
16	Susan Jankov		822 The Parkway	6/4/17
17	Gretta Heenan		824 The Parkway	6/4/17
18	Dana Gallagher		824 The Parkway	6/4/17
19	Peter Gallagher		824 The Parkway	6/4/17
20	Rick McFarland		833 The Parkway	6/4/17

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#	NAME	SIGNATURE	ADDRESS	DATE
1	Michael Graham		407 Creek Rd	5/7
2	James Bidetti		404 Creek Rd	5/7
3	Howard J. Sulino		1012 The Parkway	5/7
4	Stacia Hohen		936 Soundview Dr.	5/12
5	Matthew Pinto		724 Soundview Drive	5/12
6	Melane Pinto		724 Soundview Dr	5/12
7	Jayma		725 The Parkway	5/12
8	Erica Cardini		660 The Parkway	5/12
9	Kristin Kelley		756 Soundview Dr.	5/12
10	Rich Kelly		756 Soundview Drive	5/12
11	Michelle Goodman		622 The Parkway	5/12
12	Jon Betley		581 Shore Acres Dr.	5/12
13	SASHA BARAKES		1005 THE PARKWAY	5/12
14	SANDRA DETEY		414 S. BARRY AV	5/12
15	Sal Devero		941 Shore Acres Dr	6/4
16	Xingqiang Xia		Pr1 Shore Acres	6/4
17	Daniel Staff		305 Creek Rd	6/4
18	Rob Jansen		815 SHORE ACRES	6/4
19	Janice Bottiglieri		805 Shore Acres	6/4
20	Melissa Scher		715 Shore Acres	6/4

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#	NAME	SIGNATURE	ADDRESS	DATE
1	Jennifer DeMicco	Jennifer DeMicco	605 Oakhurst Rd	5/9/17
2	Bethna Murray	Bethna Murray	604 Oakhurst Rd	5/9/17
3	Michelle Abedin	Michelle Abedin	610 Oakhurst Rd	5/9/17
4	Susan Reick	Susan Reick	624 - Oakhurst Rd	5/9/17
5	Linda Smy Herzl	Linda Smy Herzl	640 Oakhurst Rd.	05/9/17
6	Donna LaSala	Donna LaSala	621 OAKHURST RD	5/9/17
7	Beckie Gorin	Beckie Gorin	545 Oakhurst Rd	5/9/17
8	Colleen Michaels	Colleen Michaels	539 Oakhurst Rd	5/10/17
9	Ryan Lynn Carter	Ryan Lynn Carter	544 Oakhurst Rd	5/10/17
10	Alyssa Goldberg	Alyssa Goldberg	618 OAKHURST RD	5/10/17
11	Kathleen Savolt	Kathleen Savolt	727 Shore Acres	5/4/17
12	Michelle Maddari	Michelle Maddari	1009 SHORE ACRES	6/4/17
13	Catherine Maddari	Catherine Maddari	1009 Shore Acres Drive	6/4/17
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Village of Mamaroneck, NY

Item Title: 12A-2017 LAPADULA 410 HEATHCOTE

Item Summary: **Application # 12A-2017, Joe & Danielle LaPadula, 410 Heathcote Avenue** (Section 9, Block 7, Lot 12) Application for an area variance (FAR) to construct a new single family home on a currently undeveloped parcel. The proposed construction is in violation of Section 342-27, Schedule of Minimum Requirements, where the maximum allowed FAR is 0.42 and the Applicants propose 0.5452. (R-5 District)

Fiscal Impact:

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
ZBA Application Completed	8/16/2017	Backup Material
ZBA PHOTOS	8/16/2017	Backup Material
LaPadula Site Plan	8/16/2017	Backup Material
LaPadula foundation plan	8/16/2017	Backup Material
Lapadula existing conditions	8/16/2017	Backup Material
SURVEY	8/16/2017	Backup Material

VILLAGE OF



MAMARONECK

**OFFICE OF THE
BUILDING INSPECTOR**

*Village Hall
Mamaroneck, N.Y. 10543*

**TELEPHONE
777-7731
AREA CODE 914**

*Address Reply to:
Building Department
169 Mt. Pleasant Avenue*

ZONING BOARD APPLICATION

PART I

VILLAGE OF MAMARONECK, NEW YORK

**ZONING BOARD OF APPEALS
APPLICATION PACKET**

(Effective _____ 2007)

**INCLUDED IN THIS ZONING BOARD OF APPEALS APPLICATION
PACKET ARE THE FOLLOWING:**

- Rules of the Zoning Board of Appeals of the Village of Mamaroneck and Instructions for Bringing an Appeal
- Checklist for Initial ZBA Submission, which must be completed and submitted with Applicant's initial submission
- Zoning Board of Appeals Application, including the following additional forms that also need to be submitted by the Applicant:
 - (a) Certification Form
 - (b) Short Form Environmental Assessment Form ("EAF")
- Post Application forms, including:
 - (a) Sample Notice Letter to neighboring property owners
 - (b) Proof of Service Affidavit
 - (c) List of Property Owners Notified sheet
 - (d) Affidavit Verifying Placement of Required Notice Sign

NOTE:

A fillable PDF version of the Zoning Board of Appeals Application is available at:

www.village.mamaroneck.ny.us

A fillable PDF version Short Form EAF is available at:

www.village.mamaroneck.ny.us/images/BLDGShortEnvironAssmtForm.pdf

If a long form EAF is required, a fillable Long Form EAF is available at:

<http://www.dec.state.ny.us/website/dcs/seqr/forms/longeaf.pdf>

**RULES OF THE ZONING BOARD OF APPEALS
OF THE VILLAGE OF MAMARONECK
AND INSTRUCTIONS FOR BRINGING AN APPEAL**

(Effective _____ 2007)

I. Time to Take Appeal

Appeals to the Zoning Board of Appeals ("ZBA") must be taken within sixty (60) days after any order, requirement, decision, interpretation, or determination of the administrative official charged with the enforcement of the local law that is being appealed.

II. Applications

- ✓ 1. The Applicant can pick up a ZBA Application Packet ("Application Packet") at the Building Department. (Note: There are separate instructions and application for a Special Permit renewal only, but if there is a change in ownership, the Applicant cannot submit a Special Permit Renewal Application).
- ✓ 2. All applications to the ZBA shall be made on the forms provided in the Application Packet. Chapter 342 of the Code of the Village of Mamaroneck requires that the original plus sixteen (16) copies each of the Village of Mamaroneck Zoning Board of Appeals Application ("Application"), supporting plans, surveys, and other required documents shall be filed with the Building Inspector, along with all prescribed fees, which shall be paid at the same time.
- ✓ 3. The Application shall be signed and notarized by the person(s) or entity making the application, who must either: (i) have a possessory interest in the property (tenant, lessee, purchaser, or owner); or (ii) be aggrieved by an order, requirement, decision, interpretation or determination of order, requirement, decision, interpretation, or determination of an administrative official. If a corporation or other business entity is the Applicant, certain other disclosures are required as detailed in the Application.
- ✓ 4. It is the Applicant's responsibility to complete all portions of the Application, including the "Checklist for Initial Zoning Board of Appeals Submission", carefully and to provide, together with the Application, all necessary information. Careful attention must be given to answer all questions on the forms and to provide all documentation. Failure to submit the required documents and information will delay the Applicant's application or result in its denial, since the ZBA cannot review or grant relief based upon incomplete applications.
- ✓ 5. Notwithstanding the foregoing, the ZBA, in its discretion, may waive the furnishing of any part of such information in any specific case.
- ✓ 6. Although employees of the Village may provide you with assistance, it is the Applicant's responsibility to be familiar and comply with all applicable laws and to submit all

necessary plans, documents and information. Copies of the Village Code are available for the applicant's review at the Village Clerk's Office. The applicant may be represented at the ZBA hearing.

7. A survey duly certified by a licensed surveyor within the past twelve months of the application date, which accurately depicts the current status of the property shall be submitted with each application.

8. All documents must be submitted 22 days prior to the scheduled meeting. **August 16 but do 10th**

9. Every application shall be accompanied by an escrow fee as follows:
New Variance \$750.00

Special Permit Application \$750.00

Special Permit Renewal Application \$350.00

10. Every application shall be accompanied by a filing fee as follows:

Notice of Appeal, Interpretation or Variance

\$150

1 or 2 family house ~~\$ 146.00~~

3 to 5 family house \$ 146.00

All other residential and commercial \$ 406.00

Fence permit \$ 146.00

Boat and boat trailer storage \$ 146.00

Sign variance and appeal \$ 203.00

Special permit (residential) \$179.00

Special permit (commercial) \$406.00

Special Permit renewal \$114.00

III. Agenda

1. Each application for a new matter will be assigned a number – one (1) through six (6) for each ZBA agenda.
2. Applicants should be aware of the deadline to get on the next Agenda – Applications must be submitted three (3) weeks prior to the meeting.
3. **Note:** There will be no more than six (6) new matters addressed at each meeting. Therefore, even if an Applicant submitted the application in time to meet the 3 week deadline, there is no guarantee the matter will be placed on the agenda for the next meeting.

CHECKLIST FOR INITIAL ZONING BOARD OF APPEALS SUBMISSION

- ☐ **Applicable Fee** **\$150 application**
 \$750 Escrow

Applicant must submit Sixteen (16) Copies of the following:

- ☐ Completed Application
- N/A ☒ All Certificates of Occupancy or Temporary Certificate of Occupancy for the property, or letter from the Building Department in lieu thereof
- N/A ☒ Violations on the property, and proof that they have been corrected

need

- ☐ Photographs of the property (3" x 5" or larger) that depict the location and potential impacts of your application

- ☒ Accurate survey of the current status of the property, which has been prepared and certified by a licensed surveyor within the past 12 months of the application date, shall be submitted with each application.

Please note: where a survey certified within the past twelve months is unavailable and the application does not involve any change to the exterior of the property, the ZBA will accept a certification by the owner that to his/her knowledge the existing survey accurately depicts the current status of the property.

- ☒ Certified Drawings, prepared by a registered architect or professional engineer, and other supporting documents

- ☒ Written consent of the owner, if you are not the owner of the property

- ☒ Certification, as required by New York State General Municipal Law.

- ☒ State Environmental Quality Review (SEQR) Short or Long Environmental Assessment Form.

- ☒ Copy of the Determination being appealed.

- ☒ **Note:** See Instructions regarding submittal of Supplemental Materials or New Plans (Item VII in the Rules of the Zoning Board of Appeals of the Village of Mamaroneck and Instructions for Bringing and Appeal


Applicant's Signature

8/8/17
Date

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

Received
August 11, 2017

- [] 16 Copies
[] Completed Application
[] COs or Letter
[] Violations, if any
[] Photographs
[] Survey
[] Certified Drawings
[] Consent
[] Certification/Affidavit
[] EAF
[] Copy of Determination being appealed
[] Riders if Application is Corp./Business Entity
For Office Use Only

Application No.: 12A-2017
Agenda No.: September 7, 2017
SP _____
AV FAR _____
UV _____
F _____
S _____
Interpretation _____

VILLAGE OF MAMARONECK
ZONING BOARD OF APPEALS
APPLICATION

Date August 12, 2017

TO: ZONING BOARD OF APPEALS - VILLAGE OF MAMARONECK
123 Mamaroneck Avenue
Mamaroneck, New York 10543

I (We) Joe & Danielle La Padula
(Name of Applicant)

of 8 High Point Circle, Rye Brook, NY Zip 10573
(Insert Complete Mailing Address)

Daytime Phone No. (212) 922-8047 Daytime Fax No. _____

Apply to the Board of Appeals regarding property located at 410 Heathcote Ave

(Insert Location of Premises)

Bearing Village of Mamaroneck Tax Map Number: 9, 7, 12
(Section) (Block) (Lot)

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

1. This is an Application for the following: (check one [1] or more as applicable)

☒ Area Variance – This is to use land in a manner not allowed because of dimensional or topographical requirements in the Zoning Code.

☐ Use Variance – This is to allow land to be used in a manner or for a purpose which is prohibited or not allowed by the Zoning code.

☐ Special permit

☐ Sign Variance

☐ Fence Variance

☐ Appeal or Interpretation (Specify Code Section _____)

☐ Other: Specify _____

2. The Date and Description of the determination that is being appealed (a copy of the determination must be attached)

Date: 6/27/2017 application for a FAR variance. The proposed application to construct a new single family residence on a currently undeveloped lot is in violation of 342-attachement2, schedule of min. req. where the max. allowed FAR is 0.42 and the application proposed 0.5452.

3. What is the present zoning of the property? R-5

- ✗ 4. This Application must be made in the name of the person or entity that has a possessory interest in the property such as a tenant, purchaser or owner. If you are the owner, on what date did you acquire title? 11/2016; If you are not the owner, list the name and address of the owner and describe your relationship to the property and the date said relationship commenced: Joe and Danielle Lapadula, 8 High Point Circle Rye Brook, NY

WMHC was been contracted by owner to provide and build there new home

- ✗ IF you have acquired title to the property within the past two years, provide the name of the prior owner: GERARD & PAULA FERRARO

NOTE:

If the Applicant or Property Owner is a:

Corporation: attach a separate Rider listing all the corporation's officers, shareholders, and their percentage of share ownership.

Partnership: attach a separate Rider listing the type of partnership and identify the partners and their partnership interests.

LLC: attach a separate Rider listing the LLCs members.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

5. If someone else is authorized to act as your representative or to appeal with you on your behalf before the Board, his or her name, address and telephone number must be provided:

Name: Westchester Modular Home Construction Corp.

Address: 1995 Route 22 Brewster, NY 10509

Telephone: 845-278-1700

6. Has a prior variance, special permit, or interpretation Application ever been submitted for this property?

☐ Yes

☒ No

If YES, you must attach copies of the prior variance or resolution and describe them: _____

7. List all permits you must obtain in order to complete the subject project of this Application (include all permits or approvals necessary from any federal, state, county, or local agency or department): _____

Architectural Review Board. Meeting took place on 07/20/2017, and was approved.

Building Permit Application.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective ____ 2007)

8. Is the property subject to any covenants, easement, or other restrictions or encumbrances? If so, list and describe these. (You may be required to provide copies of these documents establishing same to the Board.) Please be advised that nothing herein or within board purview will alter or modify any existing contractual rights with respect to the subject property. _____

None

9. Check here if there has been any illegal use or violations issued with respect to the property, regardless of whether it has been removed or adjudicated. []

If so, describe and provide the date(s) and details, including if the violation continues: _____

10. The following are the provisions of the Village Code from which either a variance is sought or a permit is requested (you must itemize each variance you seek, since a variance cannot be obtained unless it is expressly requested and is the subject of public notice):

Article 342, Section 2, Subsection _____

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

Article _____, Section _____, Subsection _____

NOTE:

IF THIS IS AN APPLICATION FOR A USE VARIANCE, COMPLETE QUESTION 11, ON PAGE 5.

✗ IF THIS IS AN APPLICATION FOR AN AREA VARIANCE, COMPLETE QUESTION 12, ON PAGE 6.

IF THIS IS AN APPLICATION FOR ALL OTHER APPLICATIONS, INCLUDING A SPECIAL PERMIT, COMPLETE QUESTION 13, ON PAGE 7.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective 2007)

12. Under State law, the Board of Appeals must consider the following factors in making a decision on your request for an area variance: "(1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self created..."

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider):

1. The proposed New single family home is in keeping with the existing character of the residential neighborhood and no detrimental impact will result from the proposed home.

2. Given the pre-existing grade differentiation from the street and the majority of the buildable lot the basement is being counted in the floor area ratio. No feasible alternative could be found.

3. The proposed variance is minor given the entire basement, had to be counted due to pre-existing grade elevation. The allowable s.f. given the lot size of 7,500 s.f. is 3,150 s.f. (0.42 FAR) which our main living levels are only 2,726 s.f., however, given the entire basement area of +/- 1,376 s.f. had to be counted per the Floor Area, Gross definition this pushed us to 4,102 s.f (0.5452)

4. There will be no adverse effects or impact on the neighborhood.

5. The existing grade conditions from street to usable yard was an existing one, not a self created one.

Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective 2007)

It is the my responsibility as the Applicant to complete this Application completely and carefully, and to provide sixteen (16) copies of this Application, together with all necessary papers, plans, surveys, documents or other required information.

Failure to submit the required documents and information will delay my Application or result in its denial, since the ZBA cannot review or grant relief to incomplete Applications.

It is my responsibility to comply with all related requirements in presenting this Application, and the ZBA reserves the right to request additional documentation and/or drawings, and to condition any requested relief upon the filing of covenants and restrictions.

Although employees of the Village may provide me with assistance, I understand it is my responsibility to be familiar and comply with all applicable laws and to submit all necessary papers, plans, surveys, documents or other required information. I understand that copies of the Village Code are available for my review at the Village Clerks office, and that I may be represented at the ZBA hearing.

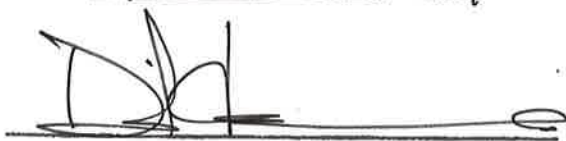
I HEREBY CERTIFY THAT ALL STATEMENTS MADE ON THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE.


(Applicant's Signature)

SIGN HERE

Sworn to before me this 8TH
day of AUGUST, 2008

SIGN HERE



DANIEL FERREIRA
NOTARY PUBLIC, STATE OF NEW YORK
01FE6035612
QUALIFIED IN PUTNAM COUNTY
COMMISSION EXPIRES 01-03-2018

CERTIFICATION
(Required by New York State General Municipal Law)

Joe & Danielle LaPadula states as follows:
(Applicant's name)

1. I am interested in this application for a variance or special use permit now pending before the Village of Mamaroneck Board of Appeals.
2. I reside at 8 High Point Circle, Rye Brook, NY
3. The nature of my interest in the aforesaid application is as follows:
I am the owner of the property in this application: 410 Heathcote Ave.
4. If the Applicant or owner is a corporation, list the corporation's officers:
President: _____ Vice President: _____
Secretary: _____ Treasurer: _____
5. Do any of the following individuals have an interest, as defined below, in the owner or Applicant:
 - a. Any New York State officers, or
 - b. Any officer or employee of the Village of Mamaroneck, Town of Rye, Town of Mamaroneck, or Westchester County.

[] Yes [X] No

For the purpose of this disclosure, an officer or employee shall be deemed to have an interest in the owner or Applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:

- a. is the Applicant or owner, or
- b. is an officer, director, partner, or employee of the Applicant or owner, or
- c. legally or beneficially owns or controls stock of a corporate Applicant or owner, or
- d. is a party to an agreement with such an Applicant or owner, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered dependent or contingent upon the favorable approval of such application.

A PERSON WHO KNOWINGLY AND INTENTIONALLY FAILS TO MAKE SUCH DISCLOSURE SHALL BE GUILTY OF A MISDEMEANOR AS PROVIDED IN GENERAL MUNICIPAL LAW, SECTION 809

If "Yes," state the name and nature and extent of the interest of such individual:

(Name)	(Residence)
(Extent of interest)	

Sworn to before me this 14th
day of August, 200
Beth Lisa Green 2017
Notary Public

Beth Lisa Green
8/14/17

Beth Lisa Green
Notary Public, State of New York
No. - 01GR4983899 Queens
Qualified in Suffolk County
Commission Expires July 8, 2019



Westchester Modular Homes

Construction Corp.

Officers of Westchester Modular Homes Construction Corp.

Charles Hatcher	President	100%
Gerald Hatcher	Vice President	
Marianne Fahey	Treasurer	

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Project Sponsor - Vincent Leto, Westchester Modular Homes Const. Corp, Inc.							
Name of Action or Project: Proposed Site Plan For Joseph and Danielle Lapadula							
Project Location (describe, and attach a location map): 410 Heathcote Avenue, Mamaroneck, New York							
Brief Description of Proposed Action: Construction of a single family modular home on an empty lot in the Village of Mamaroneck.							
Name of Applicant or Sponsor: Vincent Leto		Telephone: (845) 278-1700					
		E-Mail: vletto@westchestermodular.com					
Address: 1995 Route 22							
City/PO: Brewster		State: NY	Zip Code: 10509				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Zoning Board, Building Department			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		0.172 acres					
b. Total acreage to be physically disturbed?		0.103 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.172 acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ installation of subsurface structures to mitigate increase in runoff from site. _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: Vincent Leto _____ Date: 6/6/2017 _____ Signature:  _____		

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]	
Project:	
Date:	

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
<hr/> Name of Lead Agency	<hr/> Date
<hr/> Print or Type Name of Responsible Officer in Lead Agency	<hr/> Title of Responsible Officer
<hr/> Signature of Responsible Officer in Lead Agency	<hr/> Signature of Preparer (if different from Responsible Officer)

PRINT FORM

PART II

MAILING & SIGN PLACEMENT

EXCERPT OF LOCAL LAW NO. 4-2006

Adopted by Village of Mamaroneck Board of Trustees on 3/27/06

Became Effective on 4/10/06

**REQUIRING POSTING OF A NOTIFICATION SIGN FOR
A VARIANCE APPLICATION MADE TO ZONING BOARD OF APPEALS**

Subsection B of Section 342-94 (Procedures; Public Hearings; Notice and Records) of Chapter 342 (Zoning) of the Code of the Village of Mamaroneck is hereby amended by changing the title to "Notice" and by amending the text to read as follows:

B. Notice.

- (1) The Board shall not act upon any application for a variance or a special permit without first holding a public hearing, notice of which hearing and of the substance of the appeal or application shall be given by publication in a paper of general circulation in the Village at least five (5) days before the date of such hearing. Provided that due notice shall have been published, that copies have been mailed to all government agencies required by law to be notified and to all property owners of record within 400 feet of the property which is the subject of the public hearing (except that, in the cases of fences and boat storage, the distance shall be 200 feet) and to the area school district and that there shall have been substantial compliance with the remaining provisions of this section, the failure of one or more property owners to receive such notice in exact conformance herewith shall not invalidate any action taken by the Board in connection with such applications.**

Every applicant that submits an application for a variance to the Board of Appeals must post one notification sign on the property which is the subject of said application at least 10 days prior to the scheduled hearing date and must maintain the posted sign in place until the Board has rendered its final decision approving or denying said application. The sign shall be erected not more than 10 feet from the front yard boundary of the property that abuts a public road and must be conspicuous to the public. The bottom edge of the sign so erected shall be positioned no less than 2.5 feet and no more than three feet above the ground. If the sign's visibility is obscured by vegetation, the applicant must cut the vegetation to a degree sufficient to maintain clear visibility of the sign from the road. If the front yard of the property does not abut a public road, a sign shall be posted in a location that can readily be seen by the public. A sign erected under this provision must be removed within 10 days after the Board has rendered its final decision approving or denying said application.

[Amended 5-10-2010 by L.L. No. 12-2010, effective 5-26-2010]

- (a) In the event that an application shall be withdrawn or become inactive, the applicant shall remove the sign within five (5) business days of withdrawing the application or of receiving notice from the Board that the application has been designated inactive. For the purposes of this section, any application which has not appeared on the Board's agenda for six (6) or more months shall be designated inactive. The Board shall notify the applicant, in writing, that the application has become inactive and instruct the applicant to remove the sign until such time as the application shall be reactivated. Once the application is reactivated, the sign shall be posted within three (3) days.
- (b) Said sign shall be at least thirty by twenty (30 x 20) inches in size, consist of sturdy and serviceable material containing a white background with black letters and shall read as follows, in legible lettering at least two (2) inches high:

"ON THIS SITE A (describe action set forth in the application) IS PROPOSED. THIS MATTER WILL BE DISCUSSED AT A BOARD OF APPEALS MEETING ON (give date) AT (give time) AT (give location)."


The applicant shall update said sign at least two (2) weeks prior to every board meeting in which the applicant's matter will be heard.

- (c) Prior to the commencement of any public hearing, or, if no public hearings are required, prior to the rendering of any decision disposing of any application, the applicant shall submit a sworn certification on a form provided by the Village verifying placement and maintenance of the required notice sign. If the certification is not timely submitted, any scheduled public hearings shall be cancelled, subject to rescheduling, and any dispositive action by the Board shall be deferred until timely certification is submitted. In the event of repeated or continued noncompliance with the sign posting and certification requirements, the application may be dismissed at the discretion of the Board.

IV. Scheduling of Hearing and Hearings

1. Once the Application to the ZBA has been received, and it is deemed complete and complies with all applicable rules and regulations, a hearing will be scheduled.
2. In a notice from the Building Department, the Applicant will next become aware that a public hearing for the application has been scheduled.
3. The Applicant should be prepared to proceed at the meeting, either in person or by an attorney or lawfully designated agent.

V. Notice to Property Owners

- 
- me
1. Notification: Once a public hearing is scheduled, it is the Applicant's responsibility to notify all property owners, located within a radius of 400 feet (200 feet for a Fence Application; 200 feet for a Sign Application) of the perimeter of the subject premises, of the Application and of the proposed hearing. The Applicant must comply with the regulations to insure that notice will be received by these neighboring property owners within the required radius area.
 2. Radius. The Building Inspector will supply the Applicant with the scaled zoning map of the area in which the subject premises is located, with a circled area to define the distance radius of property owners who must be notified by the Applicant.
 3. List of Property Owners. The list of property owners the Applicant must notify can be obtained from the Assessment Maps and Assessment roll records at the Village Assessor's office during regular business hours, located at 123 Mamaroneck Avenue, Mamaroneck, New York. The Maps will provide the Applicant with the section, block and lot numbers of all properties within the radius that must be notified. The Assessment Roll can be used to ascertain the owners of each section, block and lot number.
- wmhc

4. Letter & Notice to Property Owners. Included in the Application Package, the Applicant can find a sample letter to neighboring Property Owners advising them that a public hearing will be held. This letter should be sent to the neighboring property owners, along with a copy of the notice from the Building Department.
 5. Method of Mailing. The required notice must be mailed to the property owners within the prescribed distance of the subject premises by regular First Class Mail with a Certificate of Mailing, or by Certified Mail.
 6. Submit Affidavit to ZBA. Prior to the commencement of any public hearing and prior to the rendering of any decision disposing of any application, the Applicant

shall submit to the ZBA the following documents, after proper notice has been given to neighboring properties within the designated radius:

- a. *Photocopies of Post Office receipt* (on 8^{1/2}" x 11" sheets of paper) of the Post Office Receipts of Registry (white certificates of mailing – U.S. Postal Service Form 3817 or 3877) or other Proof of Mailing
 - b. *Proof of Service Affidavit*, notarized
 - c. *List of property owners* notified
 - d. *Copy of the Circled Map*, showing the area within the prescribed distance of the subject premises provided to Applicant by Building Department
7. **Timing.** This filing of proof of service, proof of service affidavit with list, and the copy of map, shall be no later than give (5) business days prior to the date of the public hearing.

wmhc

APPLICATION NO. _____

LIST OF PROPERTY OWNERS NOTIFIED

Name and Address of Property Owner	Address of Property (if different)	Section Block Lot(s)
---------------------------------------	---------------------------------------	----------------------

Property Address	Owner Name	Co Owner	Owner Address	City	Zip	Square Ft Town ID
437 STANLEY AVE	SMITH-FAVA CATHERINE M	FAVA JOHN S	437 STANLEY AVE	MAMARONECK NY	10543	5293 9-3-454
411 DELANCEY AVE	LAROCCO DAVID	LAROCCO VERONIQUE	411 DELANCEY AVE	MAMARONECK NY	10543	8187 9-3-428
313 DELANCEY AVE	MEIGHAN BRUCE S	MEIGHAN AMY	313 DELANCEY AVE	MAMARONECK NY	10543	5359 9-3-132
433 PALMER AVE	RAMOS MANUELA	RAMOS KENNETH	433 PALMER AVE	MAMARONECK NY	10543	5016 9-3-176
553 PALMER AVE	THE EXCHEQUER LLC		100 MAMARONECK AVE	MAMARONECK NY	10543	15302 9/3/2009
410 HEATHCOTE AVE	FERRARO GERARD	FERRARO PAULA	15 HARRISSON AVE	HARRISON NY	10528	7650 9-3-352
310 HEATHCOTE AVE	SINCOFF-TAMISO AMY		310 HEATHCOTE AVE	MAMARONECK NY	10543	6076 9/3/1960
530 STANLEY AVE	FERRARO GERARD R	FERRARO GISELLE C	530 STANLEY AVE	MAMARONECK NY	10543	6015 9-3-117
520 FENIMORE RD	SALIND REALTY ASSOC LLC		PO BOX 819	HARRISON NY	10528	34624 8-25-725
515 STANLEY AVE	RECA CARLO	THE RECA FAMILY TRUST	515 STANLEY AVE	MAMARONECK NY	10543	12236 9-3-322
526 STANLEY AVE	PETRUCCI ARCHELLE	PETRUCCI MARIE	526 STANLEY AVE	MAMARONECK NY	10543	5990 9-3-112
529 STANLEY AVE	SANTORO WILLIAM	SANTORO SUSAN	529-31 STANLEY AVE	MAMARONECK NY	10543	11573 9-3-302
522 STANLEY AVE	RECA CARLO	COHAN ANGELINA	314 MELBOURNE AVE	MAMARONECK NY	10543	5948 9-3-107
500 FENIMORE RD	MARLANGE REALTY ASSOC LLC		PO BOX 819	HARRISON NY	10528	79456 8-25-513
533 PALMER AVE	PRESTI LOUIS	PRESTI KAREN	533 PALMER AVE	MAMARONECK NY	10543	6818 9/3/1936
438 STANLEY AVE	MARCHISELLI MARY		438 STANLEY AVE	MAMARONECK NY	10543	5976 9-3-246
517 STANLEY AVE	WICKER PATRICK	WICKER LENA	517 STANLEY AVE	MAMARONECK NY	10543	12047 9-3-317
538 STANLEY AVE	GROGAN META		538 STANLEY AVE	MAMARONECK NY	10543	6066 9-3-127
409 DELANCEY AVE	CANGIANNI JOSEPH	CANGIANNI DOLORES	409 DELANCEY AVE	MAMARONECK NY	10543	8049 9-3-434
433 STANLEY AVE	FLYNN WILLIAM	FLYNN KATHRYN	433 STANLEY AVE	MAMARONECK NY	10543	5809 9-3-459
406 HEATHCOTE AVE	SPANO ALDO		406 HEATHCOTE AVE	MAMARONECK NY	10543	7667 9-3-347
441 PALMER AVE	KALKA MIROSLWA W	KALKA TADEUSZ	441 PALMER AVE	MAMARONECK NY	10543	7641 9-3-171
514 STANLEY AVE	TENZER LYNN P		514 STANLEY AVE	MAMARONECK NY	10543	6043 9/3/1997
409 HEATHCOTE AVE	CABANO FLORINA M		409 HEATHCOTE AVE	MAMARONECK NY	10543	15500 9-3-445
402 HEATHCOTE AVE	AZEVEDO ANTONIO		402 HEATHCOTE AVE	MAMARONECK NY	10543	7632 9-3-327
453 PALMER AVE	FERVAL VERONIQUE		453 PALMER AVE	MAMARONECK NY	10543	15206 9-3-161
537 PALMER AVE	PASQUA MARY T	DOERN THERESA	537 PALMER AVE	MAMARONECK NY	10543	6461 9/3/1931
510 STANLEY AVE	MATTHEWS PAUL	MATTHEWS MYRIAM	510 STANLEY AVE	MAMARONECK NY	10543	8925 9/3/1989
417 DELANCEY AVE	AMMERMAN JOHN	AMMERMAN JILLIAN	417 DELANCEY AVE	MAMARONECK NY	10543	9170 9-3-407
304 FENIMORE RD	VILLAGE GARDENS TINTS CORP	/O ATTN: BENCHMARK MGV	PO BOX 400	MAMARONECK NY	10543	50977 9-3-181
525 STANLEY AVE	BRITO MAMEDE	BRITO MARIA	525 STANLEY AVE	MAMARONECK NY	10543	11921 9-3-307
304 HEATHCOTE AVE	DUIGNAN LAWRENCE	SPADARO KATHLEEN	304 HEATHCOTE AVE	MAMARONECK NY	10543	7968 9/3/1946
521 STANLEY AVE	GISONDO PAUL	GISONDO MERRILL	521 STANLEY AVE	MAMARONECK NY	10543	12061 9-3-312

534 STANLEY AVE	PLUNKETT JOHN J JR	PLUNKETT ELLENE	534 STANLEY AVE	MAMARONECK NY	10543	6023 9-3-122
405 DELANCEY AVE	MURRAY KAREN		405 DELANCEY AVE	MAMARONECK NY	10543	8194 9-3-287
0 STANLEY AVE	VILLAGE OF MAMARONECK		169 MT PLEASANT AVE	MAMARONECK NY	10543	63596 9-3-465
414 HEATHCOTE AVE	RIGANO MARIE		414 HEATHCOTE AVE	MAMARONECK NY	10543	14474 9-3-357
523 PALMER AVE	MARQUES LOURENCO	MARQUES ODETTE	523 PALMER AVE	MAMARONECK NY	10543	6765 9/3/1941
518 STANLEY AVE	LOGIUDICE ERIC J	MCGRAIL KRISTEN E	518 STANLEY AVE	MAMARONECK NY	10543	5892 9-3-102
420 RAILROAD WAY	SPATZ INDUSTRIES		PO BOX 819	HARRISON NY	10528	42868 8-25-615
317 HEATHCOTE AVE	TRIPICCO MICHAEL	TRIPICCO REGINA	317 HEATHCOTE AVE	MAMARONECK NY	10543	5581 9-3-251
313 HEATHCOTE AVE	MONTER JUAN LUIS	DE LOURDES MONTER MARIA	313 HEATHCOTE AVE	MAMARONECK NY	10543	6087 9-3-146
551 PALMER AVE	D'ONOFRIO ANTHONY		PO BOX 309	HARRISON NY	10528	12556 9/3/2021
316 HEATHCOTE AVE	SEREWICZ ANNE		316 HEATHCOTE AVE	MAMARONECK NY	10543	9037 9/3/1970

NOTICE OF ZONING BOARD OF APPEALS APPLICATION

APPLICATION TYPE:

(Check one or more as appropriate)

Special Permit ()

Area Varlance (X)

Use Variance ()

Fence ()

Sign ()

Dear Property Owner:

You are receiving this letter because a public hearing will be held on a matter that may affect your property. A copy of the notice from the Building Department of the Village of Mamaroneck is enclosed herewith for your information.

Copies of all plans, applications and related material to be considered by the Zoning Board of Appeals in rendering its decision are available for public inspection prior to the hearing at the Building Department on the third floor of the municipal building located at 169 Mount Pleasant Avenue, Mamaroneck, New York, during regular business hours. Please consult the enclosed Building Department notice for the date, time and location of the scheduled hearing.

Any questions or concerns which you may have can be addressed at the public hearing.

Westchester Modular Homes Construction Corp. Vincenzo Leto

Name of Applicant (please print)

Joseph and Daniella Lapadula

Name of Property owner

**If different from applicant
(please print)**

410 Heathcote Ave., Mamaroneck, NY 10543

**Address of property for which
Application has been made
(please print)**



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543
914-777-7731

6/27/2017

NOTICE OF DISAPPROVAL

APPLICATION NO.: 12A-2017

DISTRICT: R-5

TO: LAPADULA, JOE AND DANIELLE
8 HIGH POINT CIRCLE
RYE, N.Y. 10573

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 6/27/2017

FOR PERMIT TO: CONSTRUCT A NEW SINGLE FAMILY HOME ON A CURRENTLY
UNDEVELOPED PARCEL

ON PREMISES LOCATED AT: 410 HEATHCOTE AV

SBL: 9-7-12

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

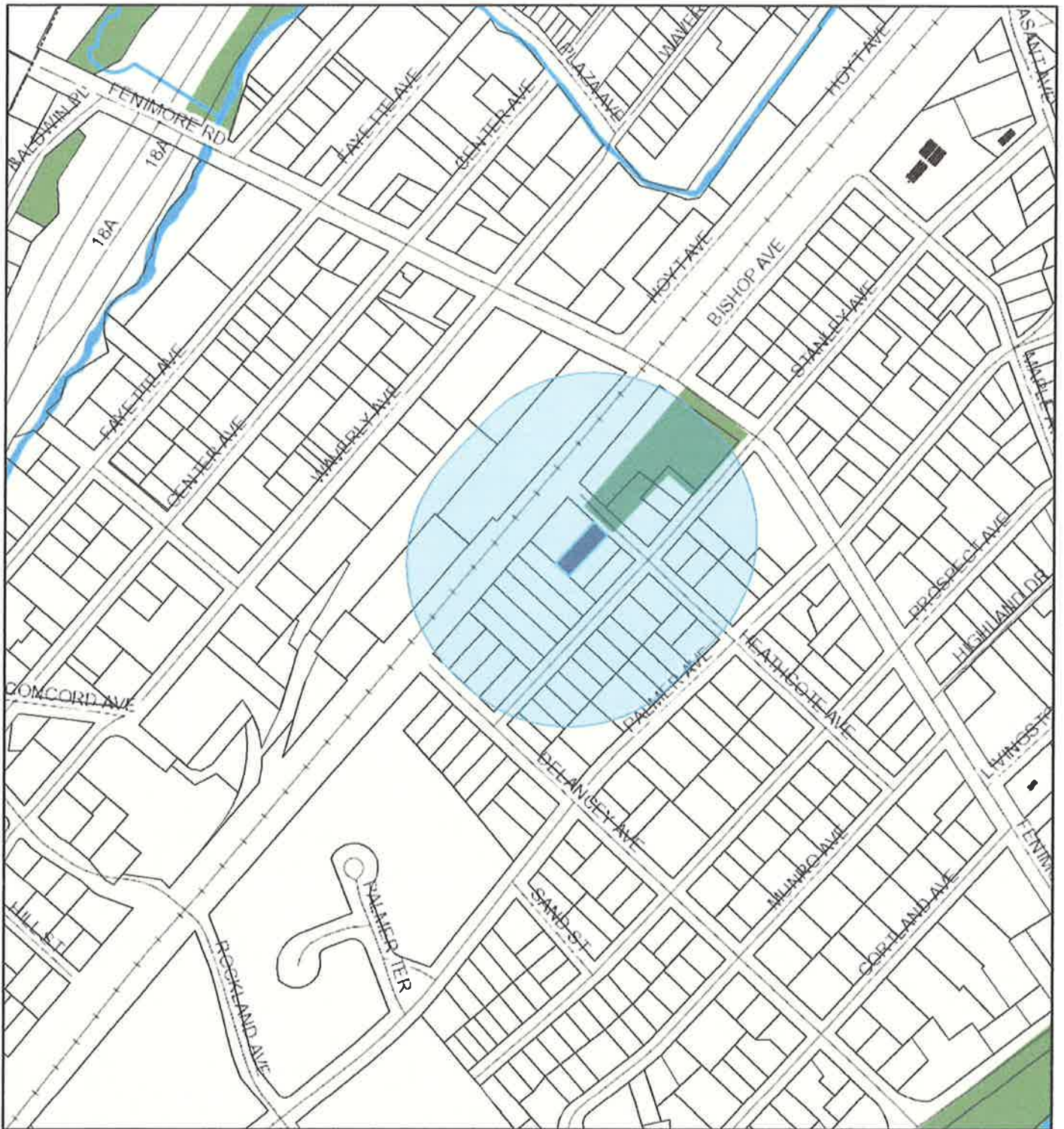
APPLICATION FOR A FAR VARIANCE. THE PROPOSED APPLICATION TO CONSTRUCT A NEW SINGLE FAMILY RESIDENCE ON A CURRENTLY UNDEVELOPED LOT IS IN VIOLATION OF 342-ATTACHMENT 2, SCHEDULE OF MINIMUM REQUIREMENTS WHERE THE MAXIMUM ALLOWED FAR IS 0.42 AND THE APPLICANT PROPOSES 0.5452 FAR. THE VARIANCE REQUIRED IS FOR 0.1252 FAR. (R-5 DISTRICT)

PLEASE TAKE FURTHER NOTICE THAT YOU, THE APPLICANT, MUST NOTIFY ALL PROPERTY OWNERS LOCATED WITHIN A RADIUS OF 400 FEET OF THE SUBJECT PREMISES OF YOUR APPLICATION AND OF THE PROPOSED HEARING.

Building Inspector

HEARING WILL BE HELD ON SEPTEMBER 7, 2017 AT 7:30PM IN THE MUNICIPAL BUILDING FIRST FLOOR BOARD ROOM AT 169 MT. PLEASANT AVENUE, MAMARONECK, NEW YORK. A RECIEPIENT OF A COPY OF THIS NOTIFICATION IS A PROPERTY OWNER OF RECORD WITHIN A RADIUS OF 400 FT. INTERESTED PARTIES MAY REVIEW PLANS ON ANY APPLICATION IN THE BUILDING INSPECTORS OFFICE AT VILLAGE HALL.

410 Heathcote buffer Village of Mamaroneck



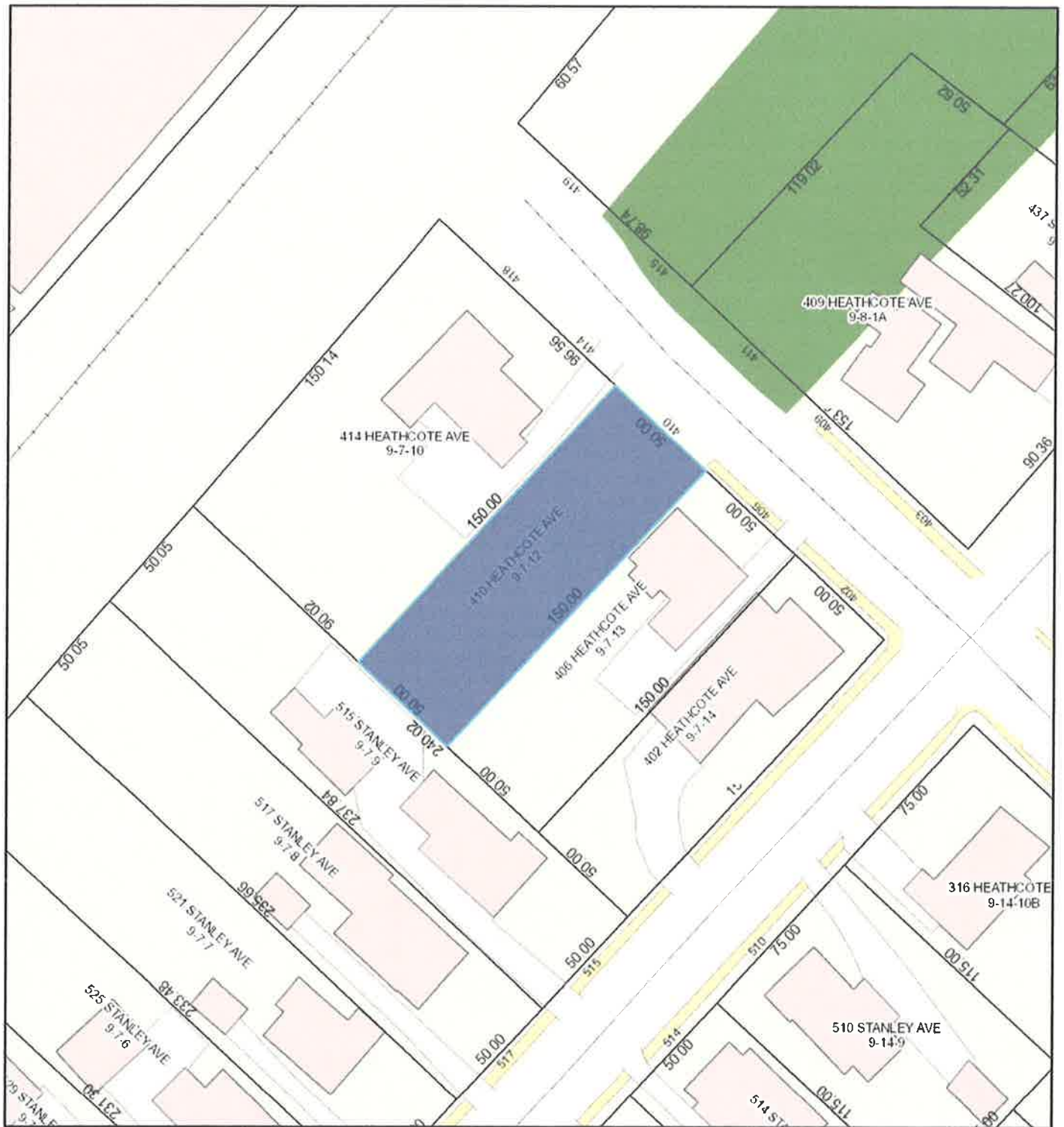
July 26, 2017

 Parcel

1:4,500

0 0.0375 0.075 0.15 mi
0 0.05 0.1 0.2 km

410 Heathcote Parcel Village of Mamaroneck



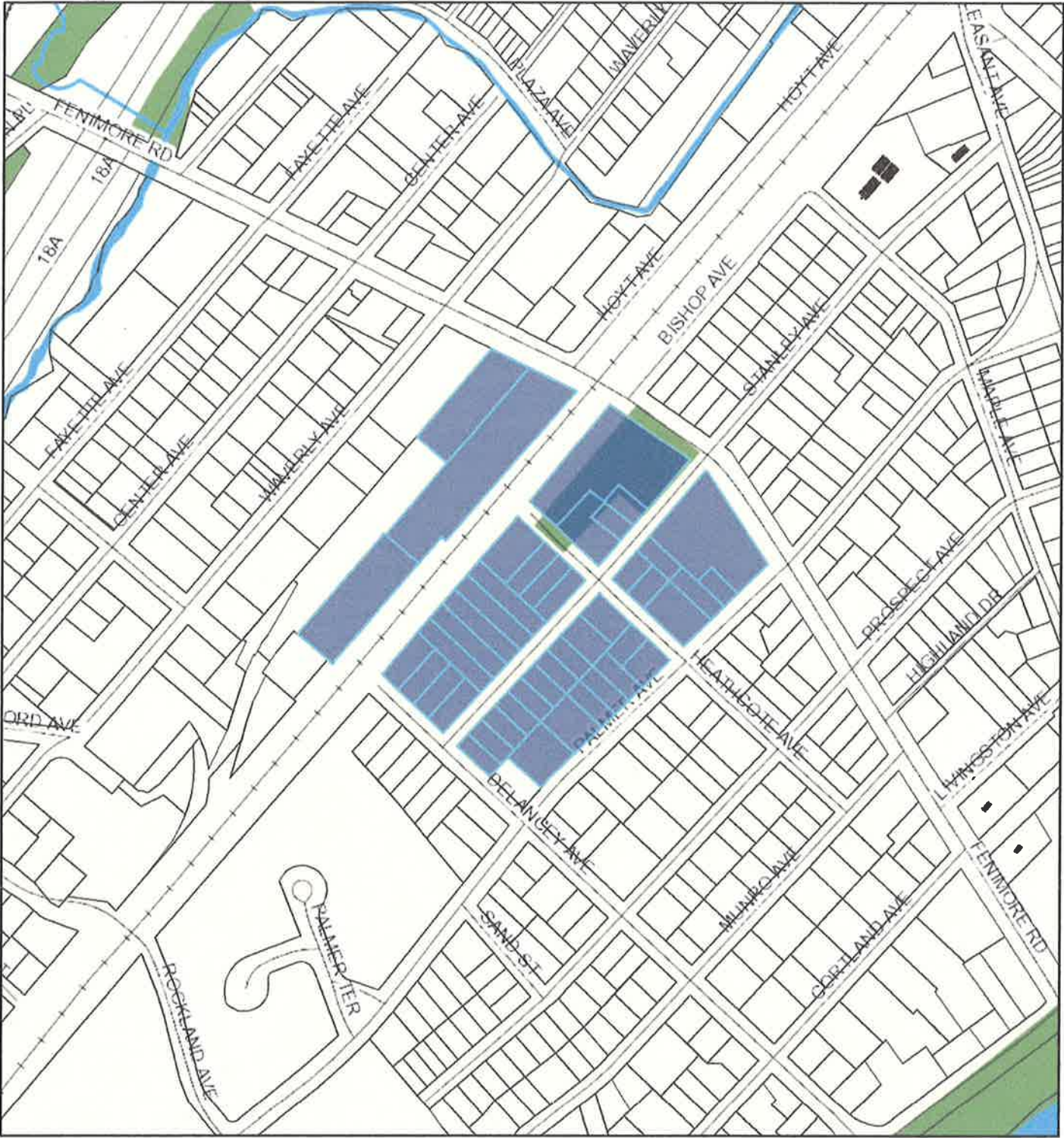
July 26, 2017

Parcel

1:679

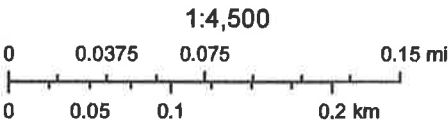
0 0.005 0.01 0.02 mi
0 0.0075 0.015 0.03 km

410 Heathcote parcels Village of Mamaroneck



July 26, 2017

Parcel



APPLICATION NO. _____

PROOF OF SERVICE AFFIDAVIT

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

Vincent Leto, being duly sworn, deposes and says:

That I am the: ☒ applicant ☐ agent ☐ other
 (please specify) applicant of the above-referenced application
 to the Zoning Board of Appeals of the Village of Mamaroneck with respect to
 the property located at: 410 Heathcote Avenue, Mamaroneck, NY
 and designated on the tax assessment roll of the Village of Mamaroneck as
 Section 9, Block 7, and Lot(s) 12; and, that in
 compliance with the rules and instructions of the Zoning Board of Appeals, I
 have mailed notice of said application and of the proposed public hearing
 regarding said application to the property owners listed on the attached
 sheet(s).



Signature

 Sworn to before me this 8TH
 day of AUGUST, 2017

 Notary Public

 DANIEL FERREIRA
 NOTARY PUBLIC, STATE OF NEW YORK
 01FE6035612
 QUALIFIED IN PUTNAM COUNTY
 COMMISSION EXPIRES 01-03-2018

ZONING BOARD OF APPEALS**APPLICATION NO.** _____**AFFIDAVIT VERIFYING PLACEMENT OF REQUIRED NOTICE SIGN**

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

Vincent Leto, being duly sworn, deposes and says:That I am the: ☒ applicant ☐ agent ☐ other (please specify)applicant of the above-referenced application to the Zoning

Board of Appeals of the Village of Mamaroneck with respect to property located at:

410 Heathcote Avenue, Mamaroneck, NY

and, that I have placed, and will maintain, the required notification sign in accordance with the provisions of Subsection B(2) of Section 342-94 of Chapter 342 of the Code of the Village of Mamaroneck.


Sworn to before me this 8THday of AUGUST, 20 17


Notary Public

DANIEL FERREIRA
 NOTARY PUBLIC, STATE OF NEW YORK
 01FE6035612
 QUALIFIED IN PUTNAM COUNTY
 COMMISSION EXPIRES 01-03-2018

To Whom It May Concern:

I, Joseph Lapadula, as the owner of vacant property located at 410 Heathcote Ave.,
Mamaroneck, NY hereby grant Westchester Modular Homes Construction Corporation
my full permission to apply for any and all necessary permits on my property located at
410 Heathcote Ave., Mamaroneck, NY required by the Town/Village of Mamaroneck in
order to obtain a building permit.

Thank you in advance for your assistance in this matter.

Best regards,

Joseph Lapadula



Notary:

Beth Lisa Green

Beth Lisa Green 5/30/17

Date:

5/30/17

Beth Lisa Green
Notary Public, State of New York
No. - 01GR4983899
Qualified in Suffolk County
Commission Expires July 8, 2019

Proposed project for:

Joseph and Danielle Lapadula
410 Heathcote Avenue, Mamaroneck, NY

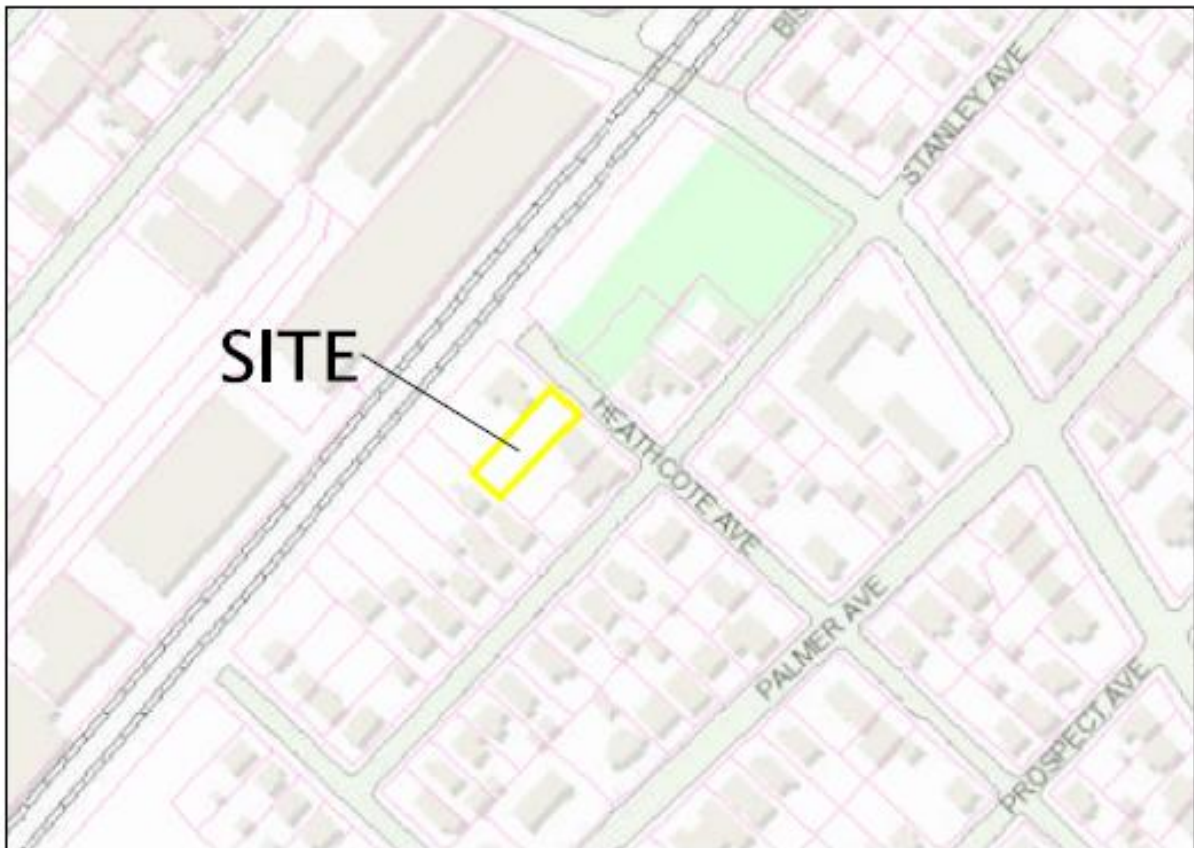


Photo package of property



View from 414 Heathcote Avenue looking Southeast across property
(Looking at 406 Heathcote across property)



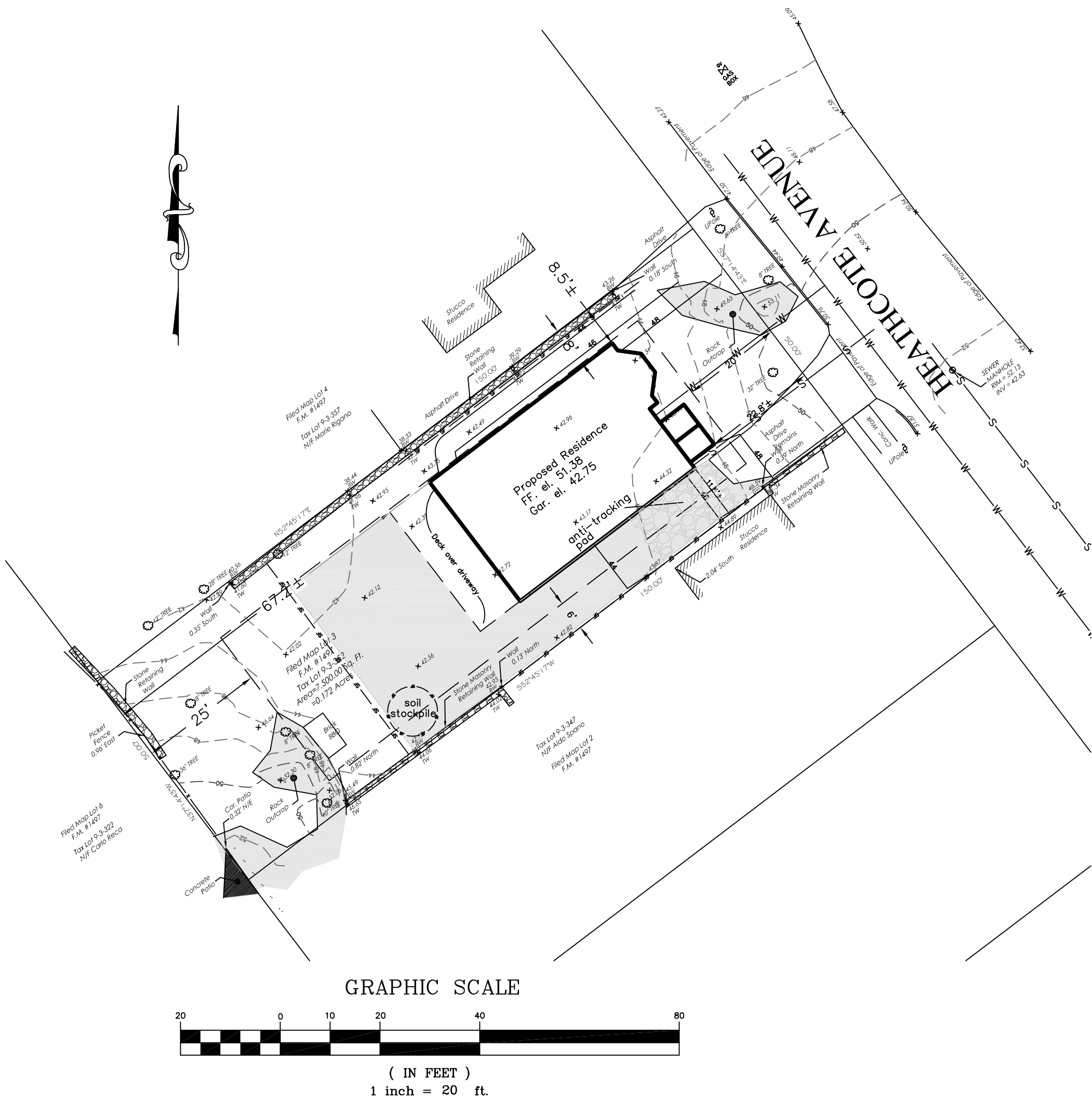
View looking Northeast across 410 Heathcote Avenue
(Property 414 to left and 406 to right)



View looking Northwest across property toward 414 Heathcote Avenue
(Property)



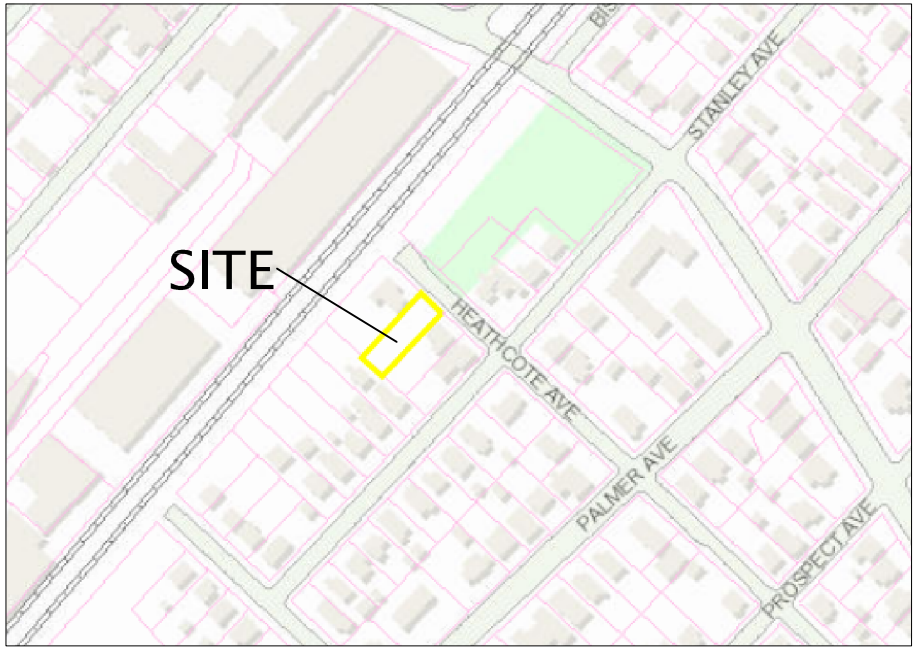
View looking Southwest across 410 Heathcote Avenue from street
(Property 406 to left and 414 to right)



PROPERTY OWNERS:
Joe and Danielle Lapadula
8 High Point Circle
Rye Brook, New York 10573
SBL 9-3-352

Contractor:
Westchester Modular Homes Construction Corp.
1995 Route 22
Brewster, N.Y.
(845) 278-1700

Engineer:
Anthony S. Pisarri, P.E., P.C.
CONSULTING ENGINEER
3 Rosalind Drive
Cortlandt Manor, N.Y. 10567
(914) 739-6580
(914) 734-9121 fax



LOCATION MAP
N.T.S.

Prior to the day of the house set, WMH shall coordinate the delivery of the modules and the crane with the Town and the local police department.

ZONING SCHEDULE - R5		
ITEM	REQUIRED/ALLOWED	SHOWN
LOT AREA	5,000 S.F.	7,500 S.F.
LOT WIDTH	50 FT.	50 FT.
LOT DEPTH	100 FT.	150 FT.
BUILDING HEIGHT	35 FT	28.8± FT
	2 1/4 STORIES	
SETBACKS		
FRONT	20 FT	22.8± FT
REAR	25 FT	67.2± FT
SIDES	6/14 FT	8.5±/20.0± FT
MAX BUILDING COVERAGE	35 %	19.2 %
MAX F.A.R.	0.42	0.5452*

* Requires a variance from the Zoning Board

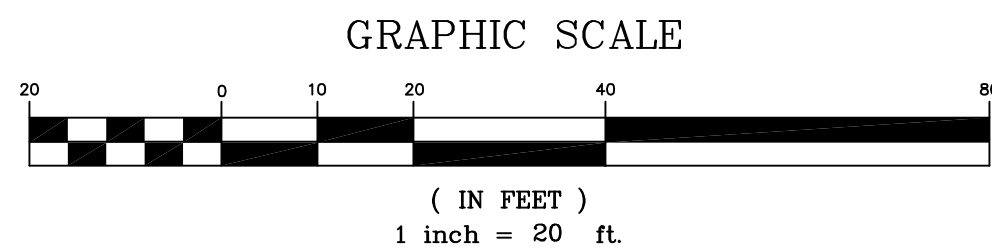
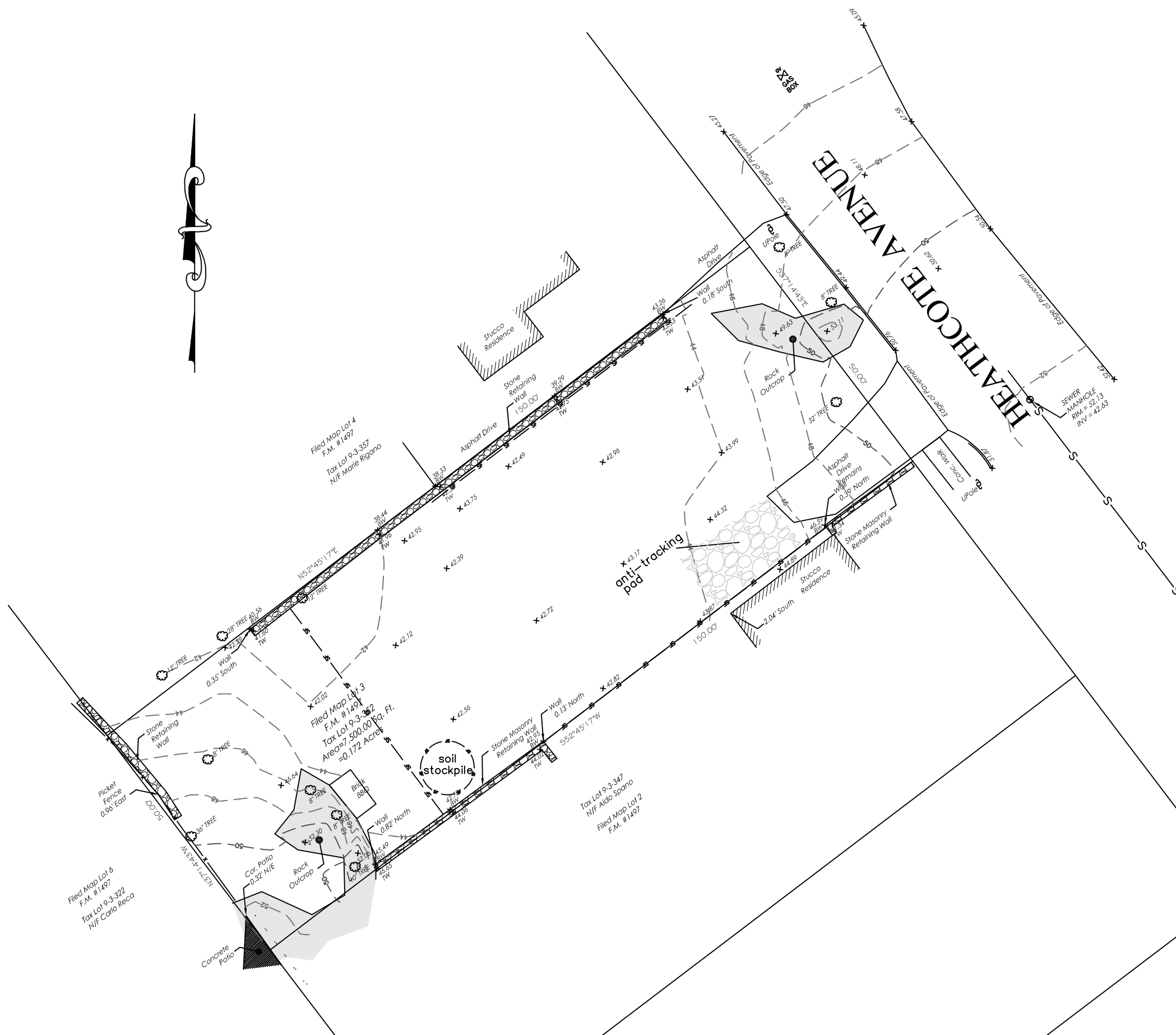


"Unauthorized alteration or addition to this drawing is a violation of §7209(2) of the NYS Education Law."

ANTHONY S. PISARRI, P.E., P.C.
CONSULTING ENGINEER
3 Rosalind Drive, Cortlandt Manor, N.Y. 10567

SHEET 2017-11-02
SCALE AS NOTED
FILE D:\2\K7\WMHCC\LAPADULA
DATE 6/6/2017

PROPOSED SITE PLAN FOR
Joseph and Danielle Lapadula - 410 Heathcote Avenue
Mamaroneck New York



PROPERTY OWNERS:
Joe and Danielle Lapadula
8 High Point Circle
Rye Brook, New York 10573
SBL 9-3-352

Contractor:
Westchester Modular Homes Construction Corp.
1995 Route 22
Brewster, N.Y.
(845) 278-1700

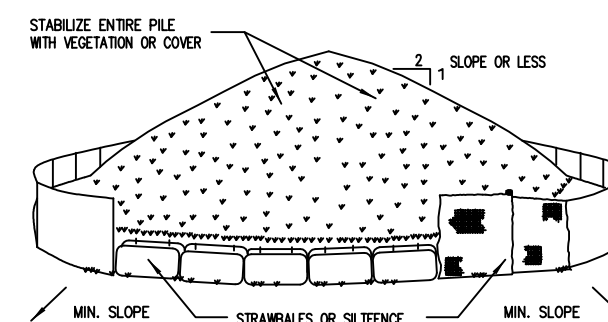
Engineer:
Anthony S. Pisarri, P.E., P.C.
CONSULTING ENGINEER
3 Rosalind Drive
Cortlandt Manor, N.Y. 10567
(914) 739-6580
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LOCATION MAP
N.T.S.

Prior to the day of the house set, WMH shall coordinate the delivery of the modules and the crane with the Town and the local police department.

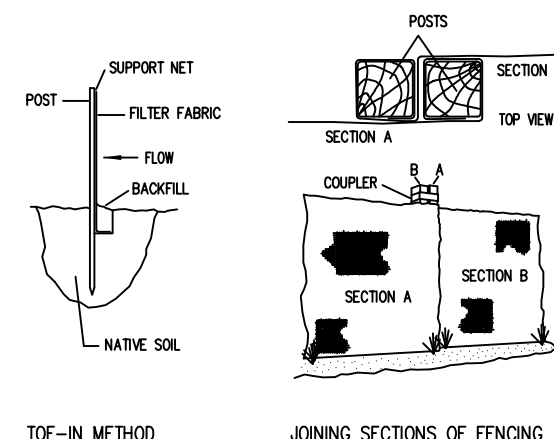
Soil Stockpiling



INSTALLATION NOTES

1. AREA CHOSEN FOR STOCKPILING OPERATIONS SHALL BE DRY AND STABLE.
2. MAXIMUM SLOPE OF STOCKPILE SHALL BE 1:2.
3. UPON COMPLETION OF SOIL STOCKPILING, EACH PILE SHALL BE SURROUNDED WITH EITHER SILT FENCING OR STRAWBALES, THEN STABILIZED WITH VEGETATION OR COVERED.
4. SEE SPECIFICATIONS (THIS MANUAL) FOR INSTALLATION OF SILTFENCE.

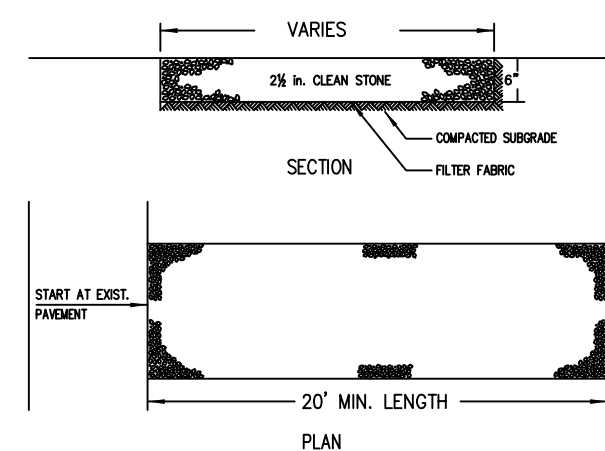
Silt Fence



INSTALLATION NOTES

1. EXCAVATE A 4 INCH * 4 INCH TRENCH ALONG THE LOWER PERIMETER OF THE SITE.
2. UNROLL A SECTION AT A TIME AND POSITION THE POSTS AGAINST THE BACK (DOWNSTREAM) WALL OF THE TRENCH (NET SIDE AWAY FROM DIRECTION OF FLOW).
3. DRIVE THE POST INTO THE GROUND UNTIL THE NETTING IS APPROXIMATELY 2 INCHES FROM THE TRENCH BOTTOM.
4. LAY THE TOE-IN FLAP OF FABRIC ONTO THE UNDISTURBED BOTTOM OF THE TRENCH. BACKFILL THE TRENCH AND TAMP THE SOIL. STEEPER SLOPES REQUIRE AN INTERCEPT TRENCH.
5. JOIN SECTIONS AS SHOWN ABOVE.

Anti-Tracking Pad Detail



INSTALLATION NOTES

1. STONE SIZE - USE 2 1/2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH - AS REQUIRED, BUT NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 20 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS - NOT LESS THAN SIX (6) INCHES.
4. WIDTH - 11 FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCUR.
5. FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE. FILTER CLOTH WILL NOT BE REQUIRED ON A SINGLE FAMILY RESIDENCE LOT.
6. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE SEDIMENT SLOPE WILL BE PERMITTED.
7. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT OF WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHT OF WAY MUST BE REMOVED IMMEDIATELY.
8. WASHING - WHEELS SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHT OF WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

"Unauthorized alteration or addition to this drawing is a violation of §7209(2) of the NYS Education Law."



ANTHONY S. PISARRI, P.E., P.C.
CONSULTING ENGINEER
3 Rosalind Drive, Cortlandt Manor, N.Y. 10567

SHEET 2017-11-01
SCALE AS NOTED
FILE D:\2K7\WMHCC\LAPADULA
DATE 6/6/2017

EXISTING CONDITIONS
Joseph and Danielle Lapadula - 410 Heathcote Avenue
Mamaroneck New York

Village of Mamaroneck, NY

Item Title: Board of Trustee PLL P & Q 2017

Item Summary: BOARD OF TRUSTEE REFERRAL-PLL P & Q 2017

Fiscal Impact:

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
PLL P	9/28/2017	Ordinance
PLL Q	9/28/2017	Ordinance

**EXTRACT OF MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF MAMARONECK HELD ON AUGUST 14, 2017, AT 7:30 P.M. IN THE COURTROOM AT
169 MT. PLEASANT AVENUE, MAMARONECK, NEW YORK**

RESOLUTION RE:

**SCHEDULING A PUBLIC HEARING ON PLL P-2017 TO ALLOW
MICROBREWERIES IN THE C-1 ZONING DISTRICT WITHIN 500 FEET OF THE
M-1 ZONING DISTRICT**

On motion of Mayor Rosenblum, seconded by Trustee Potok.

RESOLVED, that a Public Hearing on Proposed Local Law P-2017 be and is hereby scheduled for September 11, 2017 at 7:30 p.m. at the municipal building located at 169 Mount Pleasant Avenue, Mamaroneck, New York.

BE IT FURTHER RESOLVED, that the Board of Trustees hereby determines this action to amend Chapter 342 to allow microbreweries in the C-1 zoning district within 500 feet of the M-1 Zoning district as a permitted use is an Unlisted Action under SEQRA and there are no other involved agencies.

BE IT FURTHER RESOLVED, that the Board of Trustees refers the Proposed Local Law together with an EAF and CAF to the Harbor and Coastal Zone Management Commission for a recommendation on consistency with the LWRP and to the Village Planning Board and Zoning Board of Appeals for review and recommendation.

BE IT FURTHER RESOLVED, that pursuant to Section 342-99 of the Village Code, notice of the hearing shall be provided by 1. published legal notice in the official newspaper, 2. publication on the Village website, 3. circulation of notice by Village News e-mail notification, and 4. by posting prominently in six (6) conspicuous locations in the Village.

Ayes: Potok, Waitt, Santoro, Rosenblum

Nays: Tafur

Absent: None

I, the undersigned Clerk Treasurer of the Village of Mamaroneck, Westchester County, New York,

DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the Regular Meeting of the Board of Trustees of the Village of Mamaroneck, including the resolution contained therein, held on the 14th day of August, 2017 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Village this 21st day of August, 2017.



Agostino A. Fusco

PROPOSED LOCAL LAW P - 2017

A Proposed Local Law to amend Chapter 342 of the Code of the Village of Mamaroneck (Zoning) to allow microbreweries, microdistilleries, microcideries, microwineries, nanobreweries and brewpubs in the Commercial Districts

BE IT ENACTED by the Board of Trustees of the Village of Mamaroneck as follows:

*(Language in strike-through ~~abedefhijk~~ to be deleted; language in **bold** is to be added)*

Section 1.

Section 342-3 of the Code of the Village of Mamaroneck is amended by adding the following definitions:

BEER

A fermented beverage of any name or description manufactured from malt, wholly or in part, or from any substitute therefor.

CIDER

The partially or fully fermented juice of fresh, whole apples or other pome fruits, containing more than three and two-tenths per centum but not more than eight and one-half per centum alcohol by volume: (i) to which nothing has been added to increase the alcoholic content produced by natural fermentation; and (ii) with the usual cellar treatments and necessary additions to correct defects due to climate, saccharine levels and seasonal conditions.

LIQUOR

Any and all distilled or rectified spirits, brandy, whiskey, rum, gin, cordials or similar distilled alcoholic beverages, including all dilutions and mixtures of one or more of the foregoing.

MICROBREWERY

An establishment in which beer is manufactured which has the capacity to produce not more than 3,000 barrels of beer per year and does not produce more than 3,000 barrels of beer per year as determined by the barrelage tax reports it files with the New York State Department of Taxation and Finance and which is permitted to sell beer for on-site consumption or for off-site distribution under the New York State Alcoholic Beverage Control Law and the applicable regulations of the New York State Liquor Authority.

MICROCIDERY

An establishment in which cider is manufactured for sale which has the capacity to produce not more than 2,000 gallons of cider per year and which does not produce more than 2,000 gallons of cider per year, as determined by the barrelage tax reports it files with the New York State Department of Taxation and Finance and which is permitted to

sell cider for on-site consumption or for off-site distribution under the New York State Alcoholic Beverage Control Law and the applicable regulations of the New York State Liquor Authority.

MICRODISTILLERY

An establishment in which liquor is manufactured for sale which has the capacity to produce not more than 2,000 gallons of liquor per year and which does not produce more than 2,000 gallons of liquor per year, as determined by the barrelage tax reports it files with the New York State Department of Taxation and Finance and which is permitted to sell liquor for on-site consumption or for off-site distribution under the New York State Alcoholic Beverage Control Law and the applicable regulations of the New York State Liquor Authority.

MICROWINERY

An establishment in which wine is manufactured for sale which has the capacity to produce not more than 500 cases of wine per year and which does not produce more than 500 cases per year, as determined by the barrelage tax reports it files with the New York State Department of Taxation and Finance and which is permitted to sell wine for on-site consumption or for off-site distribution under the New York State Beverage Control Law and any applicable New York Liquor Authority regulations.

NANOBREWERY

An establishment in which beer is manufactured which has the capacity to produce not more than 1,000 barrels of beer per year and does not produce more than 1,000 barrels of beer per year as determined by the barrelage tax reports it files with the New York State Department of Taxation and Finance and which is permitted to sell beer for on-site consumption or for off-site distribution under the New York State Alcoholic Beverage Control Law and the applicable regulations of the New York State Liquor Authority.

RESTAURANT, BREWPUB

An establishment primarily engaged in the sale and service of food for on-premises consumption which also brews beer for on-site consumption and may lawfully sell beer for off-premises consumption in accordance with the New York State Alcoholic Beverage Control Law and the applicable regulations of the New York State Liquor Authority, not more than 30 percent of the total gross floor area of the commercial space of which is used for brewing, bottling and kegging.

TASTING ROOM

An establishment or portion of a manufacturing establishment that allows customers to taste samples of beer, wine or liquor, must serve food, and may include the sale of such products in addition to related items, marketing events, and special events, in accordance with the New York State Alcoholic Beverage Control Law and the applicable regulations of the New York State Liquor Authority, and other State, County and Village applicable laws and regulations.

WINE

The product of the normal alcoholic fermentation of the juice of fresh, sound, ripe grapes, or other fruits or plants with the usual cellar treatment and necessary additions to correct defects due to climatic, saccharine and seasonal conditions, including champagne, sparkling and fortified wine of an alcoholic content not to exceed twenty-four per centum by volume.

Section 2.

Section 342-56 of the Code of the Village of Mamaroneck is amended by adding the following to the schedule of off-street parking requirements.

Restaurant, brewpub	1 for each 3 seats, plus 1 for each 2 employees
Tasting Room	1 for each 4 seats or 1 per 75 square feet of floor area devoted to patron use, whichever is greater, plus 1 for each 2 employees.

Section 3.

Section 342-30(A)(1) of the Code of the Village of Mamaroneck is amended by adding the following principal uses permitted in the C-1 General Commercial Districts:

- (r) Microbreweries, microdistilleries, microcideries, microwineries, nanobreweries and brewpubs, subject to the approval procedure set forth in Article X and in conformance with any additional requirements imposed in connection with that approval, in conformity with §342-7.1, and further provided that the premises are located along Hoyt Avenue and within 500 feet of the M-1 Manufacturing District.**

Section 4.

Section 342-30(B) of the Code of the Village of Mamaroneck is amended by adding the following permitted accessory use in the C-1 General Commercial Districts:

- (3) A tasting room accessory to a microbrewery, microdistillery, microcidery, microwinery or nanobrewery.**

Section 5.

Section 342-31(A)(1)(a) of the Code of the Village of Mamaroneck is amended as follows:

- (a) Uses permitted in the C-1 Districts, as permitted therein, but not microbreweries, microdistilleries, microcideries or microwineries.**

Section 6.

Section 342-31(A)(1) is amended by adding subsection (l), as follows:

- (l) Nanobreweries and brewpubs.**

Section 7.

Section 342-31(B) of the Code of the Village of Mamaroneck is amended by adding subsection (3), as follows:

(3) A tasting room accessory to a nanobrewery.

Section 8.

The Code of the Village of Mamaroneck is amended by adding the following Section §342-7.1.

§342-7.1. Micro-alcohol production and sale in commercial districts

Microbreweries, microdistilleries, microcideries, microwineries, nanobreweries and brewpubs shall be subject to the approval procedure set forth in Article X and in conformance with any additional requirements imposed in connection with that approval, and further provided that:

- A. Not more than 70 percent of the total gross floor area of the microbrewery, microcidery, microdistillery, microwinery or nanobrewery shall be used for the brewing, distilling, cidery or winemaking function except for a brewpub where not more than 30 percent of the total gross floor area may be used for the brewing, bottling or kegging function.**
- B. The microbrewery, microcidery, microdistillery, microwinery, nanobrewery or brewpub shall obtain the appropriate manufacturing, wholesale, retail, marketing and/or other permits or licenses from the New York State Liquor Authority prior to the issuance of a certificate of occupancy.**
- C. No outdoor storage shall be permitted for such uses.**
- D. The manufacturing, bottling or kegging process shall be carried on in an area fully concealed from any street or neighboring residential zone and shall not produce noxious odors, dust, vibration, noise, effluent or other external impacts that cause a disturbance off-site.**

Section 9.

If any section, subsection, clause, phrase or other portion of this local law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, the portion of the law declared to be invalid will be deemed a separate, distinct and independent portion and the declaration will not affect the validity of the remaining portions hereof, which will continue in full force and effect.

Section 10.

This law is adopted pursuant to the authority granted by Municipal Home Rule Law § 10(1)(e)(3) and will supersede the provisions of the Village Law to the extent that they are inconsistent with this local law.

Section 11.

This local law will take effect immediately upon its filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27 and shall apply to all actions or proceedings pending upon its effective date or thereafter.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Proposed Local Law P Re: Micro-alcohol uses		
Project Location (describe, and attach a general location map): The C-1 district along Hoyt Avenue withing 500 feet of the M-1 District, the C-2 district.		
Brief Description of Proposed Action (include purpose or need): The proposed action is a local law (PLL-P-2017) amending the Code of the Village of Mamaroneck to allow microbreweries, brewpubs and other micro-alcohol production facilities in a small limited section of the C-1 zone along Hoyt Avenue within 500 feet of an M-1 zone and anywhere within the C-2 (downtown) zone. These uses will be subject to site-specific requirements including general special permit requirements provided for in Chapter 342-71, and additional new requirements outlined in a new chapter 342-7.1 "Micro-alcohol production and sale in commercial districts." The law creates definitions for establishments involved in the production of alcohol including distinctions between micro and nano production facilities. Lastly, the law amends the off-street parking schedule by adding requirements for a brewpub that match the existing requirements for restaurants and by adding new requirements for tasting rooms at 1 space for every 4 seats or 1 per 75 sf, whichever is greater, plus 1 for each 2 employees.		
Name of Applicant/Sponsor: Village of Mamaroneck		Telephone: 914-777-7703
		E-Mail: gcutler@vomny.org
Address: 123 Mamaroneck Avenue: Village Hall		
City/PO: Mamaroneck	State: NY	Zip Code: 10543
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State: NY	Zip Code: 10543
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Zoning text amendment	9/11/2017
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City Council, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, identify the plan(s): _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, identify the plan(s): _____ _____ _____	

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<div style="border-bottom: 1px solid black; height: 15px; width: 100%;"></div> <div style="border-bottom: 1px solid black; height: 15px; width: 100%;"></div>	
b. Is the use permitted or allowed by a special or conditional use permit?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. What is the proposed new zoning for the site? _____	
C.4. Existing community services.	
a. In what school district is the project site located? <u>Mamaroneck Union Free School District</u>	
b. What police or other public protection forces serve the project site? <u>Village of Mamaroneck Police Department</u>	
c. Which fire protection and emergency medical services serve the project site? <u>Fire Department and the Mamaroneck Emergency Medical Service</u>	
d. What parks serve the project site? <u>Columbus Park and Harbor Island Park</u>	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? _____	
b. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres	
c. Is the proposed action an expansion of an existing project or use? <input type="checkbox"/> Yes <input type="checkbox"/> No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes,	
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will proposed action be constructed in multiple phases? <input type="checkbox"/> Yes <input type="checkbox"/> No	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
<ul style="list-style-type: none"> • Total number of phases anticipated _____ • Anticipated commencement date of phase I (including demolition) _____ month _____ year • Anticipated completion date of final phase _____ month _____ year • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ <div style="border-bottom: 1px solid black; height: 15px; width: 100%;"></div> <div style="border-bottom: 1px solid black; height: 15px; width: 100%;"></div> 	

f. Does the project include new residential uses? <input type="checkbox"/> Yes <input type="checkbox"/> No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify:	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No	
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____	
• Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
If Yes: <ul style="list-style-type: none"> i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____ iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ 	
• If to surface waters, identify receiving water bodies or wetlands: _____	
• Will stormwater runoff flow to adjacent properties? _____	
iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
If Yes, identify: <ul style="list-style-type: none"> i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____ 	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
If Yes: <ul style="list-style-type: none"> i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p>			
<p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade to, an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>n.. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☐ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☐ No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☐ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☐ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☐ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☐ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ 	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
<ul style="list-style-type: none"> • Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ Approximate Size _____ • Wetland No. (if regulated by DEC) _____ 	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input type="checkbox"/> No	
j. Is the project site in the 100 year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	
k. Is the project site in the 500 year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. Name of aquifer: _____	

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
 Project : PII-P Re: Microbreweries
 Date : 9/13/17

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>				
		Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____		E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____		E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____			<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>				
		Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.		D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.		D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.		D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.		E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.		D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.		D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).		D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.		D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.		E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.		D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.		D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: <u>See Part 3</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>					<input checked="" type="checkbox"/> NO		<input type="checkbox"/> YES	
		Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur				
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.		E3h	<input type="checkbox"/>	<input type="checkbox"/>				
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.		E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>				
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round		E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>				
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities		E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>				
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.		E3h	<input type="checkbox"/>	<input type="checkbox"/>				
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile		D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>				
g. Other impacts: _____			<input type="checkbox"/>	<input type="checkbox"/>				

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>					<input checked="" type="checkbox"/> NO		<input type="checkbox"/> YES	
		Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur				
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.		E3e	<input type="checkbox"/>	<input type="checkbox"/>				
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.		E3f	<input type="checkbox"/>	<input type="checkbox"/>				
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____		E3g	<input type="checkbox"/>	<input type="checkbox"/>				

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part I. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part I. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation The proposed action may result in a change to existing transportation systems. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part I. D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>				
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur	
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>	
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>	
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>	
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>	
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>	
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>	

14. Impact on Energy The proposed action may cause an increase in the use of any form of energy. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part I. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>				
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur	
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>	
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>	
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>	
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>	
e. Other Impacts: _____				

15. Impact on Noise, Odor, and Light The proposed action may result in an increase in noise, odors, or outdoor lighting. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part I. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>				
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur	
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>	
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>	
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>	

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part I.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part I. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>		<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		
		Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a.	The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b.	The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c.	The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d.	The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e.	The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f.	The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g.	The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h.	Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part I. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>		<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		
		Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a.	The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b.	The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c.	The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d.	The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e.	The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f.	Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g.	Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The proposed action is a local law (PLL-P-2017) amending the Code of the Village of Mamaroneck to allow microbreweries, brewpubs and other micro-alcohol production facilities in a limited section of the C-1 zone along Hoyt Avenue within 500 feet of an M-1 zone and anywhere within the downtown C-2 zone. These uses will be subject to site-specific requirements outlined in the proposed law as well as general special permit requirements provided for in Chapter 342-71. The law creates definitions for establishments involved in the production of alcohol including distinctions between micro, nano, and full-scale production facilities. Lastly, the law amends the off-street parking schedule by adding requirements for a brewpub that match the existing requirements for restaurants and by adding new requirements for tasting rooms at 1 space for every 4 seats or 1 per 75 sf, whichever is greater, plus 1 space per each 2 employees.

The Village Planning Department has provided the attached enhanced environmental form part 3 that reviews the potential impacts the proposed legislation may have on traffic, parking and flooding. The enhanced environmental assessment provides an analysis between existing conditions, existing allowable uses, and the proposed micro-alcohol use. The findings demonstrate there will be no significant adverse environmental impact in terms of traffic, parking, and flooding. Furthermore the proposed legislation will require a special permit that will review site-specific issues and impose the additional requirements related to wastewater, noise, odor, as well as the general conditions outlined in the Article X of the Village of Mamaroneck Zoning Code.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☒ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information in the analysis in enhanced EAF part 3, the year-long review by the Planning Department and Planning Board with numerous memos and recommendations, industry reports, trip generation information by ITE and other sources, PAS reports on micro-alcohol uses, public comment, water usage reports on the beverage industry, case studies from nearby municipalities and establishments, and NYS economic development reports

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the Village of Mamaroneck Board of Trustees _____ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Proposed Local Law P 2017

Name of Lead Agency: Village of Mamaroneck Board of Trustees

Name of Responsible Officer in Lead Agency: Norman Rosenblum

Title of Responsible Officer: Mayor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer) Gregory Cutler, Village Planner

Date:

9/13/17

For Further Information:

Contact Person: Gregory Cutler, Village Planner

Address: 169 Mt Pleasant Avenue: Third Floor, Mamaroneck NY, 10543

Telephone Number: 914-777-7731

E-mail: gcutler@vomny.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>



Enhanced Environmental Assessment Form Part 3

Micro-Alcohol Establishments- Proposed Local Law P, 2017 (Version 5)

Introduction

The proposed action is a local law (PLL-P-2017) amending the Code of the Village of Mamaroneck to allow microbreweries, brewpubs and other micro-alcohol production facilities in a small limited section of the C-1 zone along Hoyt Avenue within 500 feet of an M-1 zone and anywhere within the C-2 (downtown) zone. These uses will be subject to site-specific requirements including general special permit requirements provided for in Chapter 342-71, and additional new requirements outlined in a new chapter 342-7.1 "Micro-alcohol production and sale in commercial districts." The law creates definitions for establishments involved in the production of alcohol including distinctions between micro and nano production facilities. Lastly, the law amends the off-street parking schedule by adding requirements for a brewpub that match the existing requirements for restaurants and by adding new requirements for tasting rooms at 1 space for every 4 seats or 1 per 75 sf, whichever is greater, plus 1 for each 2 employees.

Analysis of Use and Dimensional Changes per Zone

C-2: Central Commercial

The C-2 zone presently permits manufacturing uses through a special permit by the Zoning Board of Appeals. The manufacturing must be limited to 20% of the area devoted to retail sales and be concealed from residential areas. The proposed law would create new definitions for alcohol production facilities and permit nano-scale alcohol production facilities in the C-2 district through a special permit by the Planning Board. It would also change the percentage of area devoted to manufacturing from 20% to 70%. This was added to the proposed language after a review of other municipal codes highlighted in a Planning Advisory Service (PAS) report on microbreweries. The PAS report indicates that many codes

nationwide allow between 65%-75% of the interior space be used for manufacturing, while some codes remain entirely silent on the interior space allocations.¹ The Planning Department also met with the Village of Port Chester Planning Department who indicated that they utilized the 70% figure based on their discussions with the industry sources and a review of industry materials. From an environmental impact perspective the larger the allocation of space is for manufacturing within a specific building, the smaller the impact will be on traffic and parking generation as the ratio of trips per square foot is much higher for retail components than for manufacturing components.

Another improvement from the existing code is the requirement that “the manufacturing and bottling process is carried on in an area fully concealed from any street or neighboring residential zone and shall not produce noxious odors, dust, vibration, noise, effluent, excessive wastewater, or other external impacts that cause a disturbance off-site.” This strengthens the requirements and mitigates any potential negative environmental impacts related to micro-alcohol establishments when compared to the present code, which only requires that activities be carried on in an area fully concealed from any street or residential zone.

Lastly, as the downtown area is already built-out, full-scale new construction is not expected, and thus any micro-alcohol related use would likely utilize existing buildings. Currently 30% of all dedicated ground-floor retail space in the downtown is vacant. Experiential uses such as micro-alcohol production facilities may help reduce the vacancy rate in the face of retail decline. The adaptive reuse of buildings is an essential tool in sustainable development as it requires far fewer extractive resources to renovate an existing building than to completely demolish a building and construct a new building.

C-1: General Commercial

The C-1 zone does not presently allow manufacturing. The proposed law would allow micro-alcohol production facilities within 500 feet of the M-1 zone, which presently allows the manufacturing of alcohol. Three properties in the C-1 zone along Hoyt Avenue would be affected by the text change. These properties include 139 Hoyt Ave (Half Time), 135 Hoyt Ave (Hutter Auction House), and 115 Hoyt Ave (Bullseye Glass & Petrescu Automotive Repair). The three properties were zoned M-1 until 2014 when they were rezoned to C-1 to accommodate the existing uses and restrict the potential expansion

¹ Zoning for Micro-Alcohol Production. American Planning Association: Planning Advisory Service, 2014.

of heavy manufacturing uses, such as the abutting plastics facility. The review of impacts as described in the C-2 central commercial district section above remain the same for the C-1 general commercial zone.

C-2 Zoning Comparison Existing Use and Proposed Use

Existing:	Proposed:
<p>1) Manufacturing in Commercial Districts (342-47)</p> <p>Permitted manufacturing activities shall be carried on in an area fully concealed from any street or neighboring residential zone, and such areas shall not exceed 20% of the area devoted to retail sales. Motive power shall be electric and, except in connection with newspaper printing, shall not exceed 10 horsepower. No more than five persons may be engaged at any one time in such manufacturing or processing.</p> <p>2) Restaurants and Bars by Special Permit</p>	<p>Only nanobreweries and brewpubs.</p> <p>By Reference to C-1 Permitted Uses 342-30</p> <p>A. Not more than 70 percent of the total gross floor area of the microbrewery, microcidery, microdistillery, microwinery or nanobrewery shall be used for the brewing, distilling, cidery or winemaking function except for a brewpub where not more than 30 percent of the total gross floor area may be used for the brewing, bottling or kegging function.</p> <p>B. The microbrewery, microcidery, microdistillery, microwinery, nanobrewery or brewpub shall obtain the appropriate manufacturing, wholesale, retail, marketing and/or other permits or licenses from the New York State Liquor Authority prior to the issuance of a certificate of occupancy.</p> <p>C. No outdoor storage shall be permitted for such uses.</p> <p>D. The manufacturing, bottling or kegging process shall be carried on in an area fully concealed from any street or neighboring residential zone and shall not produce noxious odors, dust, vibration, noise, effluent or other external impacts that cause a disturbance off-site.</p>

C-1 Zoning Comparison Existing Use and Proposed Use

Existing:	Proposed:
<p>1) Micro-alcohol production Not Permitted</p> <p>2) Restaurants and Bars by Special Permit</p>	<p>342-30(A)(1) (r) Microbreweries, microdistilleries, microcideries, microwineries, nanobreweries and brewpubs, subject to the approval procedure set forth in Article X and in conformance with any additional requirements imposed in connection with that approval, in conformity with §342-7.1, and further provided that the premises are located along Hoyt Avenue and within 500 feet of the M-1 Manufacturing District.</p> <p>§342-7.1 Micro-alcohol production and sale in commercial districts Microbreweries, microdistilleries, microcideries, microwineries, nanobreweries and brewpubs shall be subject to the approval procedure set forth in Article X and in conformance with any additional requirements imposed in connection with that approval, and further provided that:</p> <p>A. Not more than 70 percent of the total gross floor area of the microbrewery, microcidery, microdistillery, microwinery or nanobrewery shall be used for the brewing, distilling, cidery or winemaking function except for a brewpub where not more than 30 percent of the total gross floor area may be used for the brewing, bottling or kegging function.</p> <p>B. The microbrewery, microcidery, microdistillery, microwinery, nanobrewery or brewpub shall obtain the appropriate manufacturing, wholesale, retail, marketing and/or other permits or licenses from the New York State Liquor Authority prior to the issuance of a certificate of occupancy.</p> <p>C. No outdoor storage shall be permitted for such uses.</p> <p>D. The manufacturing, bottling or kegging process shall be carried on in an area fully concealed from any street or neighboring residential zone and shall not produce noxious odors, dust, vibration, noise, effluent or other external impacts that cause a disturbance off-site.</p>

Analysis of Traffic Generation

The Institute of Traffic Engineers publishes trip generation reports for many different types of land uses. Unfortunately the report does not include micro-alcohol uses. In the absence of specific trip generation data from the ITE, the Planning Department reviewed other resources to better understand the potential trip generation of micro-alcohol uses. By our estimation the closest comparable uses listed in the ITE report are restaurant uses. Furthermore, in our review we were able to find a single study of a microbrewery's trip generation from Sandy Springs, GA in suburban Atlanta. The findings of the aforementioned study and the ITE report are shown in the table below:

PM Peak Trip Generation per 1000 sf by Facility Type

Facility	Total trips/1000 sf PM Peak	Transit-Reduced Rates (20% reduction)
Quality Restaurant	7.49	5.9
High-turnover Restaurant	9.85	7.9
Drinking Place	11.34	9.1
Microbrewery	4.8 ²	3.8

Aside from microbrewery all other trip generations are based on the ITE Trip Generation 9th Edition.

The findings indicate that microbreweries tend to have limited trip generation when compared to restaurants and drinking places. Furthermore the sampling location (suburban Atlanta) of the microbrewery is decidedly low density and transit-deficient indicating that similar facilities in higher density transit-rich locations may yield fewer automobile trips. Alternatively both areas affected by the proposed law are located in the denser mixed-use downtown core within a quarter-mile of the Metro

² Doyle, Julie. "Trip Generation for Entertainment Land Uses." *Street Smarts*, 1998.
<https://www.yumpu.com/en/document/view/27283097/trip-generation-for-entertainment-land-uses-institute-of->

North station. Research suggests that context and built environment attributes such as density, mixed land uses, design, and distance to public transit have a significant impact on mode choice and automobile use. The ITE manual recommends reducing rates by 20% when a facility is located within a quarter-mile of a transit station (reduced rates are shown in the table above.³) It should also be noted that restaurants and bars are currently permitted by special permit in both C-1 and C-2 zones. Therefore even a conservative estimate utilizing the “high-turnover restaurant” or “drinking place” trip generation rates for micro-alcohol facilities would yield no net increase in traffic generation from existing permitted uses.

In addition, the target market of craft microbreweries is primarily millennials, or those who are between 21 and 35 years old. Millennials account for the majority of weekly craft beer drinkers at 57%, compared to Generation X at 24%, and Baby Boomers at 17%.⁴ This statistic is important as millennials have different transportation patterns than their predecessors. In general, millennials prefer a multi-modal lifestyle instead of an auto-centric lifestyle.⁵ Since the primary market for microbreweries is millennials who prefer to use public transit, we may see a lessened impact in terms of traffic generation. It is also expected that a good portion of visitors will be tourists and will travel to Mamaroneck via the Metro North railroad and not by vehicle.

The traffic impacts are minimal when comparing the additional expected traffic generation to the existing traffic counts for the areas affected by the proposed use changes. For example, according to a December 2016 Washingtonville Neighborhood Traffic Study, Hoyt Avenue experiences a total of 787 vehicles per hour during the PM peak. Utilizing the conservative rate for a “high-turnover restaurant” would result in 39 additional vehicle trips if one 5,000 sf micro-alcohol facility were to open on vacant land; equating to a 5% increase in traffic generation during the PM peak. Moreover if the microbrewery were to utilize a space that was formerly a different use that had equivalent traffic generation rates then there would be no net increase in traffic generation. Since the three properties along Hoyt are fully built-out it is expected that the increase in traffic would be less than 5%. The same statistical increases

³ Clifton, Kelly, Kristina Currans, and Christopher Muhs. "Contextual Influences on Trip Generation." August 2012. Accessed July 5, 2017. doi:10.15760/trec.119.

⁴ Herz, Julia. "Today's Craft Beer Lovers: Millennials, Women and Hispanics." Brewers Association. August 15, 2016. Accessed July 05, 2017. <https://www.brewersassociation.org/communicating-craft/understanding-todays-craft-beer-lovers-millennials-women-hispanics/>.

⁵ "Millennials & Mobility: Understanding the Millennial Mindset." 2013. Accessed July 5, 2017. <http://www.apta.com/resources/reportsandpublications/Documents/APTA-Millennials-and-Mobility.pdf>.

of 5% seen for micro-alcohol facilities may occur under the existing permitted uses if one similarly sized high-turnover restaurant were to open on Hoyt Avenue. It should be noted that according to the Washingtonville Traffic Study Hoyt Avenue has additional capacity due its exceptionally large width.

Similarly for Mamaroneck Avenue between the Metro North train station and the Boston Post Road, one to two 5,000 sf micro-alcohol facilities utilizing the same conservative trip generation rates would result in 39-78 additional trips (both AM and PM), assuming new construction on vacant land. This equates to an overall increase of .3%-.6% when compared to the New York State Department of Transportation Average Daily Traffic of 12,376 vehicles for Mamaroneck Avenue in 2015. In the more likely scenario that the microbreweries will be replacing an existing use there may be a smaller increase or no net increase in traffic generation. Since the downtown is fully built-out it is expected that the traffic generation for one microbrewery would be less than .3% and for two microbreweries would be less than .6%. The same statistical increases of .3%-.6% seen for micro-alcohol facilities may occur under the existing permitted uses if one or two high-turnover restaurants were to open in the downtown. For the reasons outlined above the proposed law is not expected to have a significant adverse environmental impact in terms of traffic.

Expected Traffic Generation

Location	Number of Micro-Alcohol Facilities	Traffic Increase*	Percentage Increase*
Hoyt Avenue	1 @ 5,000 sf	39 – “High Turnover Restaurant”**	5%
		19 – “Microbrewery”	2.5%
Mamaroneck Avenue	1-2 @ 5,000 sf each	39-78 – “High Turnover Restaurant”**	.3%-.6%
		19-38 – “Microbrewery”	.15%- .3%

*Traffic increases assume new construction on vacant land, the actually increases are expected to be lower.

**Restaurants are permitted under the existing zoning in both C-1 and C-2 zones, therefore there is no expected net increase, and a likely decrease in traffic generation from existing permitted uses.

Off-street parking requirements

The proposed local law proposes that brewpubs follow the same off-street parking requirement as restaurants, which is 1 space for every 3 seats plus 1 space for every 2 employees. Since brewpubs are essentially restaurants with ancillary beer production, the expected parking generation is comparable. Other micro-alcohol uses would be subject (depending on their components) to the parking requirements for manufacturing, warehousing, and retail; plus the proposed parking requirements for a tasting room. The parking requirements are outlined in the table below:

Off-street Parking Requirements

Use	Requirement
Manufacturing & Warehousing (Existing)	1 space per 750 sf
Retail (Existing)	1 space for per 350 sf up to 3,500 sf; 1 space per 200 sf of the next 3,500 sf 1 space per 100 sf in excess of 7,000 sf
Tasting Room (Proposed)	1 space per 4 permanent seats or 1 per 75 sf, whichever is greater, plus 1 for each 2 employees.
Restaurant, Brewpub (Existing for restaurant, brewpub is proposed)	1 space for each 3 seats, plus 1 space for each 2 employees

Analysis of Distribution-Related Traffic

The Village of Mamaroneck Planning Department established an estimated truck delivery chart based upon industry research related to microbreweries.

Estimated Weekly Truck Deliveries by Level of Production

Annual Barrel Production	Average Weekly Production (in barrels)	# of half kegs produced	# of half kegs for delivery (40%-60%)	Estimated Weekly Truck Deliveries *
1,000	19	38	15-23	<1
2,000	38	76	30-46	1
3,000	57	114	46-68	1-2
4,000	77	154	62-92	1-2
5,000	96	192	77-115	2-3
6,000	115	230	92-138	2-4

10,000	192	384	153-230	4-5
15,000	288	576	230-345	5-8

*26 ft. box truck load capacity is 7,400 lb. = 46 half kegs at 161 lb each

It should be noted that the percentage of product that is distributed off-site is dependent on how established the brewery is. Those breweries that are just starting out tend to do more consumption on-site and slowly ramp-up distribution over time.

Use	Estimated Weekly Truck Deliveries
Restaurant @ 5,000 sf (Existing Use)	33 commercial vehicle trips/week ⁶
Microbrewery brewing @ 15,000 barrels per year	5-8 commercial vehicle trips/week

In comparison to existing uses even a large microbrewery with a production level of 15,000 barrels per year would be expected to produce far less commercial vehicle traffic than the presently permitted restaurant use. The Planning Department did not conduct a review of the equivalent impact in terms of distribution of other non-beer related alcohol facilities however the impacts are expected to be similar. It is not expected that the distribution-related traffic will result in any significant adverse environmental impact, particularly when assessed in conjunction with the anticipated limited traffic generation of other micro-alcohol facility components.

Flooding

As stated earlier the majority of the downtown and all of the properties in the C-1 that fall within 500 feet of an M-1 district are fully built-out. It is unlikely that any full-scale redevelopment will occur with the express intent of hosting a micro-alcohol facility, and therefore there is no expected change from existing conditions in terms of impervious surfaces and storm water. In the case where redevelopment is necessary, the applicant would be required to meet the Village's stormwater management and erosion and sediment control code (Chapter 294), and FEMA standards, which will require the applicant to improve stormwater, water quality, and flood safety conditions in comparison to existing conditions. It

⁶ Truck Trip Generation Data. Report. NATIONAL COOPERATIVE HIGHWAY RESEARCH NCHRP PROGRAM. Accessed September 13, 2017. http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_syn_298.pdf.

should be noted that all commercial redevelopment in these locations that has occurred in the past decade has occurred on developed sites. Therefore the proposed local law is not expected to have a significant adverse environmental impact in terms of flooding.

Water Usage & Waste Water

For the purposes of evaluating the use of water the Planning Department will compare water usage between a restaurant use, which is presently permitted in both zones, and the proposed micro-alcohol uses. To simplify the review the analysis utilizes the same size footprint of 4,000 sf for each facility type, in an effort to create a fair baseline for comparison. The Planning Department identified an existing restaurant in the C-2, which will remain anonymous, that is approximately 4,000 sf and applied water usage estimations based on the number of seats in the restaurants. This is compared to a microbrewery with a tasting room, a microwinery, and a microdistillery all of which will be estimated at 4,000 sf.

Facility Type	Unit of Measure	Units in Facility	Estimated Total Daily Water Usage in Gallons
Restaurant (Existing Use)	24.2 Gallons per Seat per Day (utilizing average rate) ^{7**}	112 seats (in 4,000 sf facility)	2,710 gallons/day
Microbrewery w/ Tasting Room	7 Gallons per 1 Gallon of Beer ⁸	3,000 barrels of beer/ year* or 254.8 gallons of beer/day	1,784 gallons/day
Microwinery	2.78 Gallons per Gallon of Wine ⁹	500 cases of wine/year or 3.25 gallons/day	9 gallons/day
Microdistillery	39.04 Gallons per Gallon of Liquor ¹⁰	2,000 gallons of liquor/ year or 5.5 gallons/day	214 gallons/day

*4,000 sf brewery with a tasting room was estimated to produce a maximum of 3,000 barrels per year based on the proposed legislation's maximum barrel production.

**Restaurant rate is utilizing the average rate and not the peak rate, the actual total daily water usage may be higher.

***Brewery rate is based on United States Average; it should be noted many craft brewers have ratios as low as three to one. ¹¹

⁷ Water Resources Engineering, 1st Edition. Larry W. Mays, John Wiley & Sons, Inc. 2001. (Table 11.1.4 page 346)

⁸ Water and Wastewater: Treatment/Volume Reduction Manual. Industry Report. 2010. Accessed September 13, 2017. https://s3-us-west-2.amazonaws.com/brewersassoc/wp-content/uploads/2017/05/Sustainability_Water_Wastewater.pdf. (introduction to water usage)

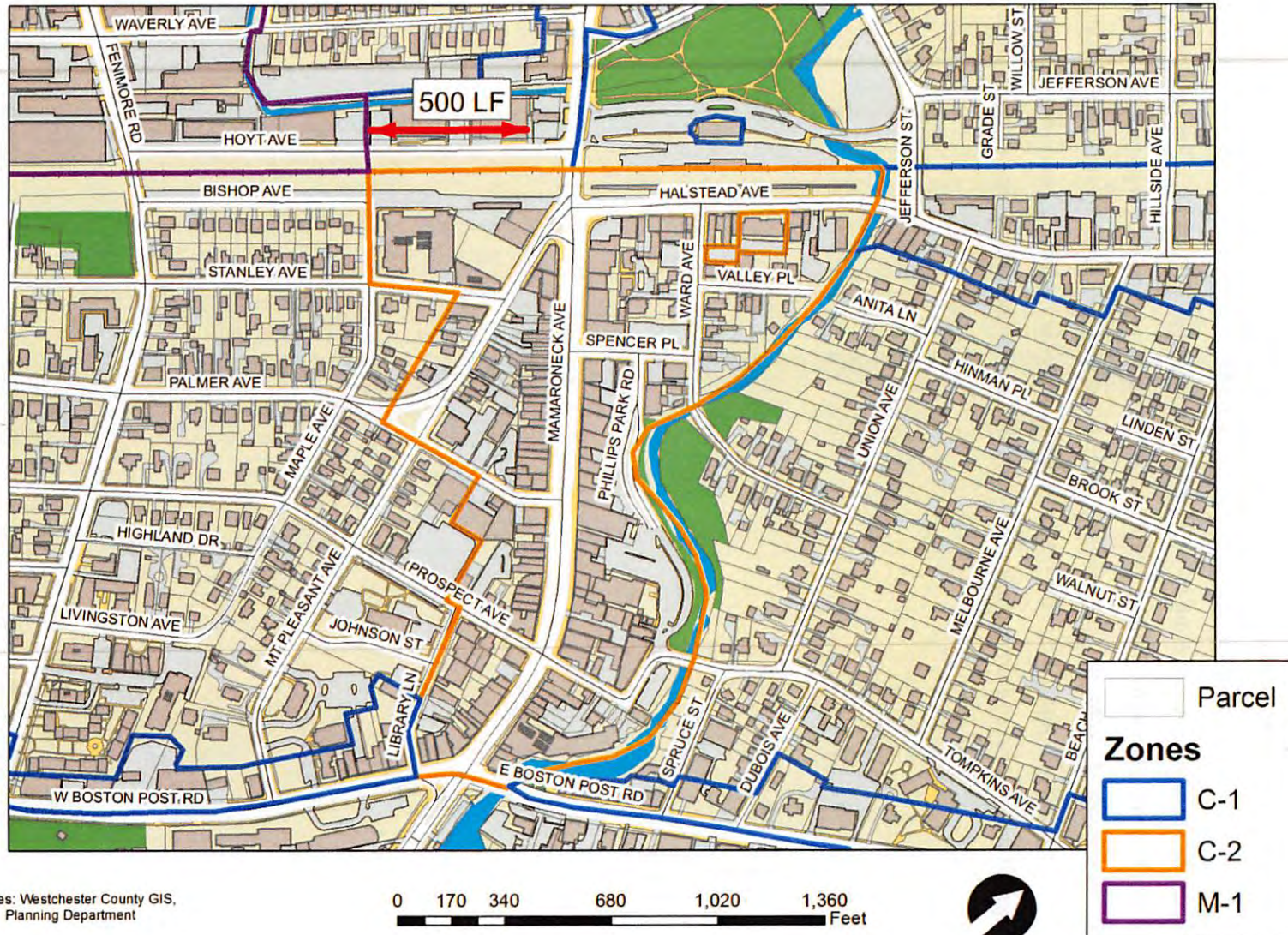
⁹ Beverage Industry Continues to Drive Improvement in Water and Energy Use. Report. 2016. Accessed September 13, 2017. http://media.wix.com/ugd/49d7a0_fb6ab6f0359c45d89b6e0a72a42988d1.pdf.

¹⁰ Ibid

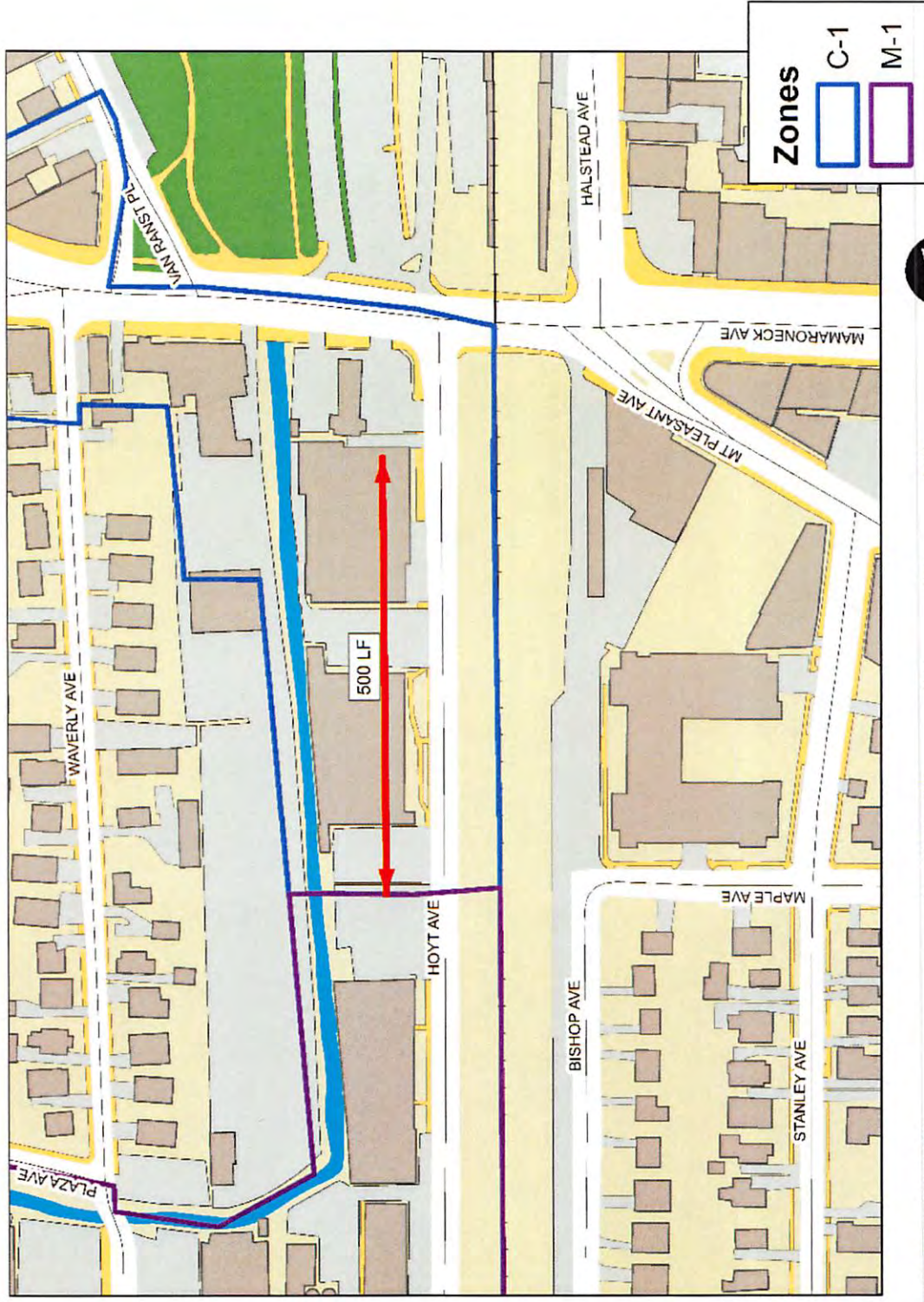
¹¹ Ibid

The above analysis indicates that the expected water usage of all micro-alcohol typologies is likely to be considerably less than that of restaurants, which are presently permitted in both zoning districts affected by the proposed legislation. It should be noted that the amount of water usage has a direct correlation with sewerage production, and therefore it is expected that the proposed uses will have a lessened impact in terms of the creation of additional sewage. While the water usage will depend on the size and type of facility, the Special Permit process and SEQRA will analyze site-specific conditions and mitigate potential impacts. For the reasons outlined above proposed local law is not expected to have a significant adverse environmental impact in terms of waste water usage and sewerage production.

C-2 Zone & C-1 Zone within 500 lf of M-1 Zone



500 Feet from M-1



Sources: Westchester County GIS,
Planning Department

**VILLAGE OF MAMARONECK
HARBOR & COASTAL ZONE MANAGEMENT
COMMISSION APPLICATION**

HCZM meets on the third Wednesday of the month, 7:30PM, Village Hall Courtroom, 169 Mt. Pleasant Ave.

**Local Waterfront Revitalization Program
Coastal Assessment Form**

I. INSTRUCTIONS (please print or type all answers)

For Type I and unlisted actions, the Harbor and Coastal Zone Management Commission shall determine whether the actions are consistent, to the maximum extent practicable, with the policies of the Village of Mamaroneck Local Waterfront Revitalization Program.

For Type II actions, the lead agency shall determine whether the actions are consistent, to the maximum extent practicable, with the policies of the Village of Mamaroneck Local Waterfront Revitalization Program.

For direct agency actions, the agency shall complete, and for approval of an action, the agency shall cause the applicant to complete, a coastal assessment form (CAF). The CAF shall be completed prior to the agency's determination of the environmental significance pursuant to the State Environmental Quality Review Act.

Where any question on the CAF is answered "yes", a brief and precise description of the nature and extent of the action shall be provided on the CAF, and a copy of the CAF shall be forwarded to the Harbor and Coastal Zone Management Commission.

Please classify/determine if your application is Type I, Type II or Unlisted under SEQRA.

- ☐ **Type I:** An action which is likely to have a significant adverse impact on the environment.
- ☐ **Type II:** An action which will not have a significant adverse impact on the environment.
- ☒ **Unlisted:** An action which does not exceed the thresholds for Type I.

For further information, please see <http://www.dec.state.ny.us/website/dcs/seqr>.

II. 15 copies of the application and supporting documents should be submitted to the Building Dept. for review by the Bldg. Inspector to place on the HCZM Agenda and must comply with the Notification Law. Applications will not be reviewed unless all relevant materials are submitted.

- ☐ Short Environmental Assessment Form (for Unlisted actions only)
- ☒ Full Environmental Assessment Form (if Type I action)
- ☐ Construction drawing plans certified and signed by an architect or engineer licensed by the State of New York
- ☐ Topographical survey by a licensed land surveyor dated within one year

- ☐ w/FEMA lines
- ☐ Completed Building Permit Application
- ☐ Elevation Certificate showing compliance with FEMA by a licensed architect or engineer licensed by the State of New York.
- ☐ Soil Erosion Mitigation Plan - See Building Department for details
- ☐ Storm Water Management Plan - See Building Department for details
- ☐ If Perimeter permit is required, proof of compliance with LL 4-2006 Section 1 (F)
- ☒ Coastal Assessment Form

III. Has this property come before this commission or a former Harbor & Coastal Zone Management Commission in the past 3 years? If so, when? No

IV. It is the applicant's obligation to determine whether permitting is required by any state/federal agencies including but not limited to the Department of State Dept. of Environmental Conservation, NY State Army Corp of Engineers or Federal Consistency Review.

II. DESCRIPTION OF PROPOSED ACTION

A. Type of Action – is action a direct agency action (an action planned and proposed for implementation by the Village of Mamaroneck) or does it involve the application for an approval or permit to be granted by a Village agency? Check one:

1. Direct Agency Action ☒
2. Application for an Approval ☐

If this is an Application for an Approval or Permit, identify which board or commission has the permit authority? Click here to enter text.

B. Describe nature and extent of proposed activity:

The proposed action is a local law (PLL-P-2017) amending the Code of the Village of Mamaroneck to allow microbreweries, brewpubs and other micro-alcohol production facilities in a small limited section of the C-1 zone along Hoyt Avenue within 500 feet of an M-1 zone and anywhere within the C-2 (downtown) zone. These uses will be subject to site-specific requirements including general special permit requirements provided for in Chapter 342-71, and additional new requirements outlined in a new chapter 342-7.1 "Micro-alcohol production and sale in commercial districts." The law creates definitions for establishments involved in the production of alcohol including distinctions between micro and nano production facilities. Lastly, the law amends the off-street parking schedule by adding requirements for a brewpub that match the existing requirements for restaurants and by adding new

requirements for tasting rooms at 1 space for every 4 seats or 1 per 75 sf, whichever is greater, plus 1 for each 2 employees.

C. Location of proposed activity (include street or site description): The C-2 Central Commercial Zone & properties in the C-1 General Commercial Zone that are within 500 feet of the Manufacturing District on Hoyt Avenue.

D. If an application for the proposed action has been filed with the agency, the following information shall be provided:

a.) Name of Applicant: Village of Mamaroneck

b.) Mailing Address: Village Hall at the Regatta, 123 Mamaroneck Ave, Mamaroneck NY, 10543

c.) Telephone Number: Area Code 914-777-7703

The foregoing is affirmed by Gregory Cutler Date: 9/13/2017

3. Will the action to be directly undertaken, require funding or approval by either a state or federal agency? No ☒ Yes ☐

If yes, which state or federal agency? Click here to enter text.

III. Coastal Assessment Form (Check either "Yes" or "No" for each of the following questions).
(See Chapter 342 of the Village code for additional information.)

A. Will the proposed action be located in, or contiguous to, or to have a significant effect upon any of the resource areas identified in the Local Waterfront Revitalization Program?

	(Check)	<u>Yes</u>	or	<u>No</u>
1. Significant fish/ wildlife habitats (7, 7a, 44)		<input type="checkbox"/>		<input checked="" type="checkbox"/>
2. Flood Hazard Areas (11, 12, 17)		<input checked="" type="checkbox"/>		<input type="checkbox"/>
3. Tidal or Freshwater Wetland (44)		<input type="checkbox"/>		<input checked="" type="checkbox"/>
4. Scenic Resource (25)		<input type="checkbox"/>		<input checked="" type="checkbox"/>
5. Critical Environmental Areas (7, 7a, 8, 44)		<input type="checkbox"/>		<input checked="" type="checkbox"/>
6. Structures, sites or sites districts of historic, Archeological or cultural significance (23)		<input type="checkbox"/>		<input checked="" type="checkbox"/>

B. Will the proposed action have a significant effect on any of the following?

1. Commercial or recreational use of the fish and wildlife resource (9, 10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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2. Development of the future or existing water-dependent uses (2)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Land and water uses (2, 4)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Existing or potential public recreation opportunities (2, 3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement (11, 13, 17, 19, 22, 25, 37, 38)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Physical alteration of one or more areas of land along the shoreline, land under water or coastal waters (2, 4, 11, 12, 17, 20, 28, 35, 44)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Physical alteration of three or more acres of land located elsewhere in the coastal area (11, 12, 17, 33, 37, 38)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Sale or change in use of state-owned lands, located under water (2, 4, 19, 20, 21)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Revitalization/redevelopment of deteriorated or underutilized waterfront site (1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Reduction of existing or potential public access to or along coastal waters (19, 20)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Excavation or dredging activities or the placement of fill materials in coastal waters of Mamaroneck (35)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. Discharge of toxic, hazardous substances, or other pollutants into coastal waters of Mamaroneck (34, 35, 36)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. Draining of storm water runoff either directly into coastal waters of Mamaroneck or into any river or tributary which empties into them (33, 37)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. Transport, storage, treatment or disposal of solid waste or hazardous materials (36, 39)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. Development affecting a natural feature which provides protection against flooding or erosion (12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. Will the proposed activity require any of the following:		
1. Waterfront site (2, 4, 6, 19, 20, 21, 22)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Construction or reconstruction of a flood or erosion control structure (13, 14)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. Remarks or Additional Information:

The law is a result of the efforts of the Planning Board in reviewing the viability of microbrewery uses in the Village of Mamaroneck. The Planning Department's review indicates that the proposed legislation is consistent with the Village's Comprehensive Plan, which seeks to strengthen and expand economic opportunity by attracting new businesses in the downtown area. The introduction of these new businesses will encourage retail and tourism activities similar to what is being seen in New York State.

The special conditions outlined in the law are aimed at mitigating potential quality of life and environmental impacts. These include the prohibition of outdoor storage and the requirement that the manufacturing and bottling process is carried on in an area fully concealed from any street or neighboring residential zone, and shall not produce adverse odors, dust, vibration, noise, effluent, excessive wastewater, or other external impacts that cause a significant disturbance off-site.

In addition the micro-alcohol uses will be subject to a special permit from the Planning Board that have specific criteria that are aimed at ameliorating potential environmental impacts as outlined in Chapter 342-71. As part of the special permit, any site specific issues would be reviewed by the Planning Board in relation to both the special permit and the required SEQRA review. These include hours of operations, adequate parking, traffic, orderly and appropriate development, and impacts on historic buildings. Furthermore the special permit and site-specific SEQRA review will allow the Planning Board authority to mitigate impacts on noise, odor, and light impacts.

Preparer's Signature: Gregory Cutler Date: 9/13/2017

Preparer's Name/Title: Gregory Cutler - Village Planner

Coastal Assessment Form – Narrative

Compliance with LWRP Policies

INSTRUCTIONS-Please indicate how your project complies with each LWRP policy. If a policy does not pertain to your project, please indicate “N/A.” A response must be provided for each policy. If additional space for responses is needed, please add an addendum. The Village of Mamaroneck LWRP can be viewed at:

http://www.village.mamaroneck.ny.us/pages/mamaroneckny_webdocs/LWRP.pdf

Development Policies

Policy 1. Restore, revitalize, and redevelop deteriorated and under-utilized waterfront areas for commercial and industrial, cultural and other compatible uses.

Not applicable. The proposed zoning text amendment will not affect deteriorated and under-utilized waterfront areas.

Policy 2. Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.

Not applicable. The proposed zoning text amendment will not affect the siting of water-dependent uses and facilities on or adjacent to coastal waters.

Policy 3. Not applicable.

Policy 4. Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their unique maritime identity.

Not applicable. The proposed zoning text amendment will not affect smaller harbor areas.

Policy 5. Encourage the location of development in areas where public services and facilities essential to such development are adequate.

The proposed zoning text amendments pertain to developed areas (C-1 within 500 ft of the M-1 and the C-2) that have adequate public services and facilities.

Policy 6. Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.

The proposed zoning text amendment allows the Planning Board to grant a special permit to micro-alcohol establishments while simultaneously performing the site plan review. This is expedited in comparison to the the existing permit procedures for the C-2 and in comparison to most special permits which reside at the Zoning Board of Appeals even in cases when site plan approval is done by the Planning Board.

Fish and Wildlife Policies

Policy 7. Significant coastal fish and wildlife habitats, as identified on the N.Y. Coastal Area Map (when finalized), shall be protected, preserved, and where practical, restored so as to maintain their viability as habitats.

Not applicable.

The proposed zoning text amendment will not affect any identified significant coastal fish and wildlife habitats.

Policy 7a. Significant coastal fish and wildlife habitats, as identified in this document, shall be protected, preserved, and where practical, restored so as to maintain their viability as habitats.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 7a.

Policy 8. Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bioaccumulate in the food chain or which cause significant sublethal or lethal effect on those resources.

The proposed zoning text amendment will not result in the introduction of hazardous wastes or other pollutants which bioaccumulate in the food chain or which cause significant sublethal or lethal effects on those resources.

Policy 9. Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks and developing new resources.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 9.

Policy 10. Further develop commercial finfish, shell-fish and crustacean resources in the coastal area.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 10.

Flooding and Erosion Hazards Policies

Policy 11. Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

While the proposed zoning text amendment includes an area that is within the 100 year flood zone those areas are presently fully developed.

The proposed local law is neutral with respect to siting structures in flood areas, as it deals strictly with uses and not physical buildings. There is will be no net increase in the number of buildings in flood zones as a result of this local law.

Policy 12. Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 12.

There are not activities contemplated or proposed that would minimize or damage natural resources and property.

Policy 13. The construction and reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years.

Not applicable. Erosion protection structures are not contemplated as part of the proposed local law.

Policy 14. Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development or at other locations.

Not applicable. Construction is not contemplated as part of the proposed local law.

Policy 15. Not applicable.

Policy 16. Not applicable.

Policy 17. Wherever possible, use nonstructural measures to minimize damage to natural resources and property from flooding and erosion.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 17.

General

Policy 18. To safeguard the vital economic, social and environmental interests of the State and the Village of Mamaroneck, proposed major actions in the coastal area must give full consideration to those interests, and to the safeguards which the State and this Village have established to protect valuable coastal resource areas.

The proposed zoning text amendment is not a major action and will not impair valuable coastal waters and resources.

Public Access Policies

Policy 19. Protect, maintain and increase the levels and types of access to public water related recreation resources and facilities so that these resources and facilities may be fully utilized by all the public in accordance with reasonably anticipated public recreation needs and the protection of historic and natural resources. In providing such access, priority shall be given to public beaches, boating facilities, fishing areas, and waterfront parks.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 19.

Policy 20. Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly owned shall be provided, and it should be provided in a manner compatible with adjoining uses. Such lands shall be retained in public ownership.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 20.

Recreation Policies

Policy 21. Water-dependent and water-enhanced recreation shall be encouraged and facilitated and shall be given priority over non-water-related uses along the coast, provided it is consistent with the preservation and enhancement of other coastal resources and takes into account demand for such facilities.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 20.

The proposed action does not affect areas that are located along the coast.

Policy 22. Development, and redevelopment, when located adjacent to the shore, shall provide for water-related recreation, as a multiple use, whenever such recreational use is appropriate in light of reasonably anticipated demand for such activities and the primary purpose of the of the development.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 22.

The proposed action does not affect areas that are located adjacent to the shore.

Policy 23. Protect, enhance and restore structures, districts, areas, or sites that are of significance in the history, architecture, or archeology or culture of the State, Village or the Nation.

The proposed action will permit an additional use in the C-1 zone, which has no sites are that are of significance in the history, architecture

or archeology or culture of the State, Village, or the Nation. The C-2 presently permits the uses per the special permit provisions in 342-47.

Furthermore, since those areas involved are fully developed it is expected that any new micro-alcohol uses subject to the proposed law will occur within existing buildings.

Scenic Quality Policies

Policy 24. Not applicable.

Policy 25. Prevent impairment of scenic resources of Statewide or local significance. *Note Harbor Island Park is a scenic resource of local significance.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 23.

The action does not affect an area that includes identified scenic resources of statewide or local significance.

Policy 26. (Agricultural Lands Policy) Not applicable.

Energy and Ice Management Policies

Policy 27. Not included.

Policy 28. Not applicable.

Policy 29. Not included.

Water and Air Resources Policies

Policy 30. Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to State and National water quality standards.

The propose action will permit micro-alcohol facilities in the C-1 zone, and will create additional requirements for micro-alcohol in the C-2 zone.

The proposed micro-alcohol uses will not discharge pollutants into coastal waters. One site within area is a state superfund site (139 Hoyt Avenue),

however it is presently capped and no work is being proposed to disrupt or in any way change the present status.

Policy 31. State coastal area policies and purposes of approved Local Waterfront Revitalization Programs will be considered while modifying water quality standards; however, those waters already overburdened with contaminants will be recognized as being a development constraint.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 31.

Policy 32. Not applicable.

Policy 33. Best Management Practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.

The action is not expected to result in full-scale development. In the even that such development is necessary the Village's stormwater

code will be followed and best management practices will be used. Furthermore, it should be noted that the expected additional water and sewage use

is less than that of existing uses (namely restaurants) presently permitted in the C-1 and C-2 zone, as noted in the analysis in the Enhanced EAF Part 3.

Policy 34. Discharge of waste materials from vessels into coastal waters will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 34.

Policy 35. Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 35.

Policy 36. Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 36.

Policy 37. Best Management Practices will be utilized to minimize the nonpoint discharge of excess nutrients, organics and eroded soils into coastal waters.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 37.

Policy 38. The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.

The proposed action will not affect surface or groundwaters. Any applicant under the new legislation will utilize potable water provided

by Westchester Joint Water Works and will not pull from sole source water supplies. Furthermore any applicant will properly dispose of grey and black water

in accordance with county health department permits. Lastly water and sewerage use is projected to be less than that of existing uses as noted in the Enhanced EAF part 3.

Policy 39. The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas, will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural land and scenic resources.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 39.

The proposed action will not involve the transport, storage, treatment and disposal of solid wastes.

Policy 40. Not applicable.

Policy 41. Not included.

Policy 42. Not included.

Policy 43. Not included.

Policy 44. Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.

Not applicable. The proposed zoning text amendment will not advance nor hinder the goals of policy 39.

The areas affected by the zoning text amendment do not host tidal or freshwater wetlands.

**EXTRACT OF MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF MAMARONECK HELD ON JULY 17, 2017, AT 7:30 P.M. IN THE COURTROOM AT 169 MT.
PLEASANT AVENUE, MAMARONECK, NEW YORK**

RESOLUTION RE:

**SCHEDULING A PUBLIC HEARING ON PLL Q-2017 REGARDING MEMBERSHIP CLUBS IN
THE MARINE RECREATION DISTRICT**

On motion of Mayor Rosenblum, seconded by Trustee Waitt.

RESOLVED, that a Public Hearing on Proposed Local Law Q-2017 be and is hereby scheduled for September 11, 2017 at 7:30 p.m. at the municipal building located at 169 Mount Pleasant Avenue, Mamaroneck, New York.

BE IT FURTHER RESOLVED, that the Board of Trustees refers the Proposed Local Law together with an EAF and CAF to the Harbor and Coastal Zone Management Commission for a recommendation on consistency with the LWRP and to the Village Planning Board and Zoning Board of Appeals for review and recommendation.

BE IT FURTHER RESOLVED, that pursuant to Section 342-99 of the Village Code, notice of the hearing shall be provided by 1. published legal notice in the official newspaper, 2. publication on the Village website, 3. circulation of notice by Village News e-mail notification, and 4. by posting prominently in six (6) conspicuous locations in the Village.

Ayes: Potok, Waitt, Tafur, Santoro, Rosenblum

Nays: None

Abstain: None

I, the undersigned Clerk Treasurer of the Village of Mamaroneck, Westchester County, New York,

DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the Regular Meeting of the Board of Trustees of the Village of Mamaroneck, including the resolution contained therein, held on the 18th day of July, 2017 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Village this 18th day of July, 2017.



Agostino A. Fusco

PROPOSED LOCAL LAW Q - 2017

A Proposed Local Law to amend Chapter 342 of the Code of the Village of Mamaroneck (Zoning) regarding membership clubs in the Marine Recreation District

BE IT ENACTED by the Board of Trustees of the Village of Mamaroneck as follows:

(Language in strike-through ~~abedefghijk~~ to be deleted; language in bold is to be added)

Section 1.

The following definitions established by section 342-3 of the Code of the Village of Mamaroneck, are amended as follows:

CLUB, MEMBERSHIP

A not-for-profit corporation or organization with its facilities catering exclusively to members and/or their guests for recreational, athletic or social purposes and where vending stands, merchandising, commercial or business activities are not conducted, except as required generally for the membership and purpose of such club. Clubs shall operate without profit or division of any revenues to its members, except as reasonable compensation for special services actually rendered, devoting all revenues received to supporting the purposes and objectives of the club or to charitable uses. Club facilities and property interests shall be owned or leased by the corporation or organization and shall not be owned, leased, rented, or otherwise encumbered for use by individual members or nonmembers. **Membership clubs in the MR Marine Recreation Districts must adhere to the regulations, laws and guidance governing not-for-profit entities as set forth in Internal Revenue Code §501(c)(7) and the applicable laws, rules and regulations of the State of New York, including but not limited to those laws, rules and regulations which define what constitutes a member, member event and non-member event and concern governance of the entity.**

COVERAGE

That percentage of the lot area covered by the combined area of all buildings or structures, **including non and/or semi-pervious sports courts**, on the lot. A parking garage whose height is at least **50% 80%** below **finished average grade using the lowest elevations at any points within 10 feet of the proposed structure prior to undertaking the project** is exempt from this definition, provided that the roof of the parking garage is landscaped. The height of a parking garage that is located in the one-hundred-year floodplain may exceed 50% below finished grade, provided there is sufficient mitigation including landscaping, screening and setbacks.

RESIDENCE, SEASONAL

Living quarters in the main clubhouse for transient (short term hotel type) use by members and guests of members when accompanied by a member, and may be occupied between April 15 and October 15 and may not be occupied

between October 16 and April 14. A seasonal residence may not be occupied by the same person(s) for more than 30 days in a calendar year. A seasonal residence is limited to a maximum of 600400 square feet. Seasonal residences shall not have kitchen or cooking facilities.

Section 2.

Section 342-35 of the Code of the Village of Mamaroneck is amended as follows:

- A. Intent.** It is the expressed intent that a membership club in the Marine Recreation zoning district be for members, in a club run and governed by members and that the Zoning Board of Appeals, in its sole determination, shall determine compliance, taking into account laws regulations and guidance from the Internal Revenue Service and New York State governing such entities, starting with the review of the club's IRS 990 filing and supplemental information provided by each club.
- B. Permitted principal uses.** The following are the only principal uses permitted in MR Marine Recreation Districts:
- ~~(1) Recreational facilities of membership clubs, such as beach, golf, country, yacht, and similar clubs, whether or not they are wholly contained within buildings, including:~~
 - ~~(a) Tennis courts, paddle tennis courts, swimming pools, beaches, facilities for docking, mooring and launching boats, basketball courts and other similar outdoor recreation uses (in accordance with any applicable local, county, state or federal laws);~~
 - ~~(b) Boathouses, gymnasiums, cabanas, health and fitness facilities, racquetball courts, squash courts and other similar types of recreational facilities. Not-for-profit membership clubs where such clubs are organized and operate in full compliance with the requirements of (a) Internal Revenue Code §501(c)(7) and (b) State of New York laws and regulations governing such not-for-profit corporations.~~
 - ~~(2) A principal clubhouse with activities and spaces customarily included within a membership club's principal clubhouse structure, such as where members can socialize and entertain their guests in meeting rooms, lounges, reception areas, game rooms, libraries, bathroom facilities and including incidental minor storage spaces, coat rooms, kitchen and pantry areas, but not including dining, entertainment and bar facilities, residential uses, with no more than 10 temporary seasonal residence rooms, together with any associated administrative offices or maintenance and storage facilities supporting club operations.~~
- C. Permitted accessory uses.** The following accessory uses are permitted in MR Marine Recreation Districts only in conjunction with a principal permitted use:

- ~~(1) Any accessory buildings or accessory use permitted in a residential district, except excluding professional offices, non club offices, non club business activities, studios and customary home occupations.~~
- ~~(2) Dining, entertainment, and bar facilities, not to exceed 40% of the square footage of the principal clubhouse structure; however, kitchen facilities and outdoor, seasonal, unenclosed facilities shall not be included in calculating the percentage of dining, entertainment, or bar facilities, and this provision shall not apply to any clubhouse or principal structure which does not exceed 2,500 square feet.~~
- ~~(3) Club administrative offices, locker rooms, maintenance facilities, storage buildings and laundry facilities necessary for club operations, boat storage, dock master and guard houses, cart storage, fuel and oil sales to members and guests only, facilities for pumping out of marine holding tanks, facilities for waste oil collection and other similar types of club support facilities. Recreational facilities, including buildings, such as beach, golf, tennis, racquetball, squash courts and other sports courts, swimming pools, cabanas, gymnasiums and in-water and upland boat facilities.~~
- ~~(42) Residencees Accessory residential facilities for full-time, including full-time and seasonal, caretakers and staff during the time of their employment workers employed by the membership club.~~
- ~~(5) Seasonal residencees for club members and their guests. The maximum number of seasonal residencees permitted at any membership club is 12.~~
- ~~(63) Day camps, sports and educational programs (not including schools) for members.~~
- ~~(74) Fences, walls or retaining walls pursuant to § 342-14, except that fences of not less than 3/4 open construction shall be permitted up to not more than 12 feet in height around tennis athletic courts and other similar facilities.~~
- ~~(85) Other accessory buildings and accessory uses customarily incidental to the principal club use of the premises.~~
- ~~(6) Outdoor dining facilities such as grills, bars and dining areas.~~
- ~~(7) Any accessory use permitted in a residential district except for professional offices and customary home occupations.~~
- ~~(9) Nonmember events:~~
 - ~~(a) Any club which intends to conduct events or activities that are not restricted to members only or that are not hosted or financially guaranteed by a member (to be known as "nonmember events") must first obtain a special permit from the Zoning Board of Appeals in accordance with the procedures set forth in Article X. Such special permit shall be for periods of no more than three years, at which time an application for renewal must be made, except that an application for~~

~~a new special permit must be submitted upon a change or addition to the existing accessory uses. In order to obtain or renew a special permit, there must be a showing that, in addition to compliance with all applicable provisions of Article X and all other requirements of the Zoning Code, not more than 20% of the events or activities of any one of the foregoing accessory uses, in any calendar year, have been nonmember events. Upon application for renewal of any special permit, each club must demonstrate that, in addition to all other requirements, it has complied with any other conditions previously established by the Zoning Board of Appeals. A special permit to conduct nonmember events issued pursuant to this subsection shall apply to the entirety of the club property notwithstanding that a portion of such property extends beyond the MR Zoning District into an adjoining residential zoning district.~~

- ~~(b) In addition to all other requirements, any club which holds a special permit shall annually file a copy of Internal Revenue Service Forms 990 and 990T with the Clerk-Treasurer of the Village.~~

D. Conditions.

- (1) To maintain its special permit, each club shall annually concurrently file with the Village Clerk IRS Forms 990 and 990T (Form 990EZ is not acceptable) with the filing with the IRS and NYS. The Board of Appeals shall review IRS Forms 990 annually to confirm the club is operating within the zoning parameters. Failure to file the 990 forms within 30 day of filing with the IRS and NYS shall automatically void the previously issued special permit. A club can reapply for a new special permit to the Board of Appeals but may not be undertaking any activities required for a special permit until such time as a special permit is granted by the Board of appeals.**
- (2) Each membership club shall be required to obtain a 3-year special permit from the Board of Appeals which would include allowing of non-member events. The Board of Appeals shall be authorized to request documentation substantiating the club's on-going status as a not-for-profit membership club.**
 - (a) The period for which such special permit is applicable shall immediately terminate upon the failure by the club holding such special permit to either (i) continue to be a membership club or (ii) comply with the filing requirements set forth in clause (b) of this §342-35.**
 - (b) For non-member events, the club must demonstrate that not more than 20% of the events or activities in conjunction with accessory uses with such determination showing that both (i) total revenue received by the club from nonmember events or activities of such accessory use is less than 20% of the total aggregate revenue received by such club from all the events or activities of such**

accessary use and (ii) the total number of nonmember events or activities of such accessary use is less than 20% of the total number of such events or activities of such accessary use.

(i) A member shall be a "member" for purposes of determining if any event is a member event or a "non-member event" if the member (A) was a member for at least three months prior to entering into any agreement or obligation regarding the event or activity; (B) did not become a member in connection with such event or activity; (C) is present during the event, (D) has fully guaranteed payment and responsibility for such event or activity, and (E) is expected to, and does, avail himself or herself of membership privileges after such event or activity.

(3) No commercial activity of any kind shall be allowed by the club or any other user within the MR Marine Recreation Districts. Non-member income must fall below the IRS thresholds applicable to a membership club or the special permit to operate shall be annulled as a matter of law.

(4) Failure to maintain not-for-profit status with IRS or the State of New York shall result in annulment of the special permit.

(5) No event or activity commenced Sunday through Thursday may continue past 12:00 midnight and no event commenced on a Friday, Saturday or the day before a legal holiday may continue after 2 a.m.

(6) Outside speakers and amplification are prohibited after 10:00pm.

E. Prohibited activities.

(1) No nonmember event may commence prior to 8:00 a.m.

(2) No event or activity commenced Sunday through Thursday may continue after midnight, and no event commenced on a Friday, Saturday or the day before a legal holiday may continue after 2:00 a.m.

Section 3.

If any section, subsection, clause, phrase or other portion of this local law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, the portion of the law declared to be invalid will be deemed a separate, distinct and independent portion and the declaration will not affect the validity of the remaining portions hereof, which will continue in full force and effect.

Section 4.

This law is adopted pursuant to the authority granted by Municipal Home Rule Law § 10(1)(e)(3) and will supersede the provisions of the Village Law to the extent that they are inconsistent with this local law.

Section 5.

This local law will take effect immediately upon its filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Village of Mamaroneck							
Name of Action or Project: Proposed Local Law Q, 2017							
Project Location (describe, and attach a location map): Marine Recreation (MR) Zoning Districts							
Brief Description of Proposed Action: The proposed action amends the zoning code of the Village of Mamaroneck in relation to membership clubs. The action adds additional requirements to the definition of membership including the need adhere to the regulations outlined by the Internal Revenue Code §501(c)(7) and the applicable rules and regulations of the State of New York. The action also creates additional conditions with respect to membership and member events. The new conditions require that members did not become members in connection with a member event, and have established their membership at least three months prior to the event. The action further amends the definition of coverage to be more restrictive in relation to garages and sports courts. The express intent of the action is that a membership club in the Marine Recreation zoning district be for members.							
Name of Applicant or Sponsor: Mayor and Board of Trustees		Telephone: 914-777-7703 E-Mail: gcutler@vomny.org					
Address: 123 Mamaroneck Avenue: Village Hall							
City/PO: Mamaroneck		State: NY	Zip Code: 10543				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Board of Trustees, Village of Mamaroneck</u> Date: <u>9/8/17</u> Signature: <u>Gregory Cutler, Village Planner</u>		

Narrative Description of Proposed Action

The proposed action is a local law (PLL-Q-2017) amending the Code of the Village of Mamaroneck in relation to the definitions and conditions outlined in chapter 342-3 and 342-35 with respect to the Marine Recreation zoning district. The action adds additional requirements to the definition of membership including the need to adhere to regulations outline by the Internal Revenue Code §501(c)(7) and the applicable rules and regulations of the State of New York. The action also creates additional conditions with respect to membership and member events in an effort to ensure member events are expressly for members.

As it relates to environmental impacts there is no apparent connection between the legislation and any significant adverse environmental impacts. The action is intended to strengthen existing definitions and conditions with respect to membership clubs and will have no adverse impacts on the physical, spatial or ecological environments.

Project: PLL-Q

Date: 9/8/17

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed action is a local law (PLL-Q-2017) amending the Code of the Village of Mamaroneck in relation to the definitions and conditions outlined in chapter 342-3 and 342-35 with respect to the Marine Recreation zoning district. The action adds additional requirements to the definition of membership including the need to adhere to regulations outline by the Internal Revenue Code §501(c)(7) and the applicable rules and regulations of the State of New York. The action also creates additional conditions with respect to membership and member events in an effort to ensure member events are expressly for members.

As it relates to environmental impacts there is no apparent connection between the legislation and any significant adverse environmental impacts. The action is intended to strengthen existing definitions and conditions with respect to membership clubs and will have no adverse impacts on the physical, spatial or ecological environments that would rise to the level of significance required for a positive declaration.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Village of Mamaroneck Board of Trustees	
Name of Lead Agency Norman Rosenblum	Date Mayor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer Gregory Cutler, Village Planner
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**VILLAGE OF MAMARONECK
HARBOR & COASTAL ZONE MANAGEMENT
COMMISSION APPLICATION**

HCZM meets on the third Wednesday of the month, 7:30PM, Village Hall Courtroom, 169 Mt. Pleasant Ave.

**Local Waterfront Revitalization Program
Coastal Assessment Form**

I. INSTRUCTIONS (please print or type all answers)

For Type I and unlisted actions, the Harbor and Coastal Zone Management Commission shall determine whether the actions are consistent, to the maximum extent practicable, with the policies of the Village of Mamaroneck Local Waterfront Revitalization Program.

For Type II actions, the lead agency shall determine whether the actions are consistent, to the maximum extent practicable, with the policies of the Village of Mamaroneck Local Waterfront Revitalization Program.

For direct agency actions, the agency shall complete, and for approval of an action, the agency shall cause the applicant to complete, a coastal assessment form (CAF). The CAF shall be completed prior to the agency's determination of the environmental significance pursuant to the State Environmental Quality Review Act.

Where any question on the CAF is answered "yes", a brief and precise description of the nature and extent of the action shall be provided on the CAF, and a copy of the CAF shall be forwarded to the Harbor and Coastal Zone Management Commission.

Please classify/determine if your application is Type I, Type II or Unlisted under SEQRA.

- ☐ **Type I:** An action which is likely to have a significant adverse impact on the environment.
- ☐ **Type II:** An action which will not have a significant adverse impact on the environment.
- ☒ **Unlisted:** An action which does not exceed the thresholds for Type I.

For further information, please see <http://www.dec.state.ny.us/website/dcs/seqr>.

II. 15 copies of the application and supporting documents should be submitted to the Building Dept. for review by the Bldg. Inspector to place on the HCZM Agenda and must comply with the Notification Law. Applications will not be reviewed unless all relevant materials are submitted.

- ☒ Short Environmental Assessment Form (for Unlisted actions only)
- ☐ Full Environmental Assessment Form (if Type I action)
- ☐ Construction drawing plans certified and signed by an architect or engineer licensed by the State of New York
- ☐ Topographical survey by a licensed land surveyor dated within one year

- w/FEMA lines
- ☐ Completed Building Permit Application
 - ☐ Elevation Certificate showing compliance with FEMA by a licensed architect or engineer licensed by the State of New York.
 - ☐ Soil Erosion Mitigation Plan - See Building Department for details
 - ☐ Storm Water Management Plan - See Building Department for details
 - ☐ If Perimeter permit is required, proof of compliance with LL 4-2006 Section 1 (F)
 - ☒ Coastal Assessment Form

III. Has this property come before this commission or a former Harbor & Coastal Zone Management Commission in the past 3 years? If so, when? No

IV. It is the applicant's obligation to determine whether permitting is required by any state/federal agencies including but not limited to the Department of State Dept. of Environmental Conservation, NY State Army Corp of Engineers or Federal Consistency Review.

II. DESCRIPTION OF PROPOSED ACTION

A. Type of Action – is action a direct agency action (an action planned and proposed for implementation by the Village of Mamaroneck) or does it involve the application for an approval or permit to be granted by a Village agency? Check one:

- 1. Direct Agency Action ☒
- 2. Application for an Approval ☐

If this is an Application for an Approval or Permit, identify which board or commission has the permit authority? Click here to enter text.

B. Describe nature and extent of proposed activity:

The proposed action amends the zoning code of the Village of Mamaroneck in relation to membership clubs. The action adds additional requirements to the definition of membership including the need adhere to the regulations outlined by the Internal Revenue Code §501(c)(7) and the applicable rules and regulations of the State of New York. The action also creates additional conditions with respect to membership and member events. The new conditions require that members did not become members in connection with a member event, and have established their membership at least three months prior to the event. The action further amends the definition of coverage to be more restrictive in relation to garages and sports courts. The express intent of the action is that a membership club in the Marine Recreation zoning district be for members.

C. Location of proposed activity (include street or site description): The Marine Recreation Zoning District

D. If an application for the proposed action has been filed with the agency, the following information shall be provided:

a.) Name of Applicant: Village of Mamaroneck

b.) Mailing Address: Village Hall at the Regatta, 123 Mamaroneck Ave, Mamaroneck NY, 10543

c.) Telephone Number: Area Code 914-777-7703

The foregoing is affirmed by Gregory Cutler Date: 6/23/2017

3. Will the action to be directly undertaken, require funding or approval by either a state or federal agency? No ☒ Yes ☐

If yes, which state or federal agency? Click here to enter text.

III. Coastal Assessment Form (Check either "Yes" or "No" for each of the following questions).
(See Chapter 342 of the Village code for additional information.)

A. Will the proposed action be located in, or contiguous to, or to have a significant effect upon any of the resource areas identified in the Local Waterfront Revitalization Program?

	(Check)	<u>Yes</u>	or	<u>No</u>
1. Significant fish/ wildlife habitats (7, 7a, 44)		<input checked="" type="checkbox"/>		<input type="checkbox"/>
2. Flood Hazard Areas (11, 12, 17)		<input checked="" type="checkbox"/>		<input type="checkbox"/>
3. Tidal or Freshwater Wetland (44)		<input checked="" type="checkbox"/>		<input type="checkbox"/>
4. Scenic Resource (25)		<input checked="" type="checkbox"/>		<input type="checkbox"/>
5. Critical Environmental Areas (7, 7a, 8, 44)		<input checked="" type="checkbox"/>		<input type="checkbox"/>
6. Structures, sites or sites districts of historic, Archeological or cultural significance (23)		<input checked="" type="checkbox"/>		<input type="checkbox"/>

B. Will the proposed action have a significant effect on any of the following?

1. Commercial or recreational use of the fish and wildlife resource (9, 10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Development of the future or existing water-dependent uses (2)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Land and water uses (2, 4)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Existing or potential public recreation opportunities (2, 3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | |
|---|--------------------------|-------------------------------------|
| 5. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement (11, 13, 17, 19, 22, 25, 37, 38) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Physical alteration of one or more areas of land along the shoreline, land under water or coastal waters (2, 4, 11, 12, 17, 20, 28, 35,44) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Physical alteration of three or more acres of land located elsewhere in the coastal area (11, 12, 17, 33, 37, 38) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. Sale or change in use of state-owned lands, located under water (2, 4, 19, 20, 21) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9. Revitalization/redevelopment of deteriorated or underutilized waterfront site (1) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10. Reduction of existing or potential public access to or along coastal waters (19, 20) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 11. Excavation or dredging activities or the placement of fill materials in coastal waters of Mamaroneck (35) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12. Discharge of toxic, hazardous substances, or other pollutants into coastal waters of Mamaroneck (34, 35, 36) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13. Draining of storm water runoff either directly into coastal waters of Mamaroneck or into any river or tributary which empties into them (33, 37) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 14. Transport, storage, treatment or disposal of solid waste or hazardous materials (36, 39) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Development affecting a natural feature which provides protection against flooding or erosion (12) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|
C. Will the proposed activity require any of the following: | | |
| 1. Waterfront site (2, 4, 6, 19, 20, 21, 22) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Construction or reconstruction of a flood or erosion control structure (13, 14) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

V. Remarks or Additional Information:

The action is intended to strengthen existing definitions and conditions with respect to membership clubs and will have no adverse impacts on the physical, spatial or ecological environments. While areas within the MR zone are contiguous to or directly within identified coastal resources including floodplains, critical environmental areas, identified areas of historical and cultural importance and significant fish and wildlife habitats, the proposed legislation is not expected to impact these areas.

Preparer's Signature: Gregory Cutler

Date: 9/8/17

Preparer's Name/Title:

Gregory Cutler - Village Planner

Village of Mamaroneck, NY

Item Title: Minutes

Item Summary: MINUTES- 09 07 2017

Fiscal Impact:

ATTACHMENTS:

<u>Description</u>	<u>Upload Date</u>	<u>Type</u>
09 07 2017 ZBA MINUTES DRAFT	10/3/2017	Backup Material

NOT APPROVED
Village of Mamaroneck
Zoning Board of Appeals
September 7, 2017 DRAFT Minutes

MINUTES OF A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF MAMARONECK, NEW YORK, HELD ON THURSDAY SEPTEMBER 7, 2017- AT 7:30 P.M. IN THE COURTROOM AT 169 MT. PLEASANT AVENUE, MAMARONECK, NEW YORK.

These are intended to be Action Minutes, which primarily record the actions voted on by the Zoning Board at the meeting held September 7, 2017. The full public record of this meeting is the audio/video recording made of this meeting and kept in the Zoning Board's records.

PRESENT:

Barry Weprin, Chairman
David Neufeld (Vice Chairman) – Arrived @ 7:46 p.m.
Robin Kramer, Board Member (Secretary)
Kelly Wenstrup, Board Member

Anna Georgiou, Counsel to Board
Lester Steinman, Counsel to Board
Dan Gray, Building Inspector
Jeff Farrell, Assistant Building Inspector

ABSENT: Clark Neuringer, Board Member

CALL TO ORDER Chair Weprin called the meeting to order at 7:30 p.m., noted the fire exits and reviewed meeting procedures for the public.

PUBLIC HEARINGS

1. **Application # 2SP-2017, Mucahit (Mike) Arici, 419 Mamaroneck Avenue, Mamaroneck Coffee Roasters** (Section 9, Block 11, Lot 2) Application for a Special Permit to operate a new boutique Coffee Shop in an existing restaurant space. (C-2 District) – Taken out of order

Mr. Mike Arici appeared and informed the Board of what type of business they will be opening as well as the days and hours of operation. He stated that the kitchen would be open 7 days a week 7a.m. to 7 p.m.

Ms. Wenstrup motioned to close the Public Hearing, seconded by Ms. Kramer.

Ayes: Weprin, Wenstrup, Kramer
Recused: None
Nays: None
Absent: Neufeld, Neuringer

2. **Application # 1S-2017, 1202 WBP Realty Associates for Mattress Firm, 1202 West Boston Post Road (Section 9, Block 21, Lot 2B),** Application for variances to install an accessory sign on the side of the building greater than the façade sign. The proposed accessory sign violates Section 286-12 B (3) where the accessory sign shall be 50% or less than the size of the façade sign. The façade sign is 20" in height where the Applicant proposes the accessory sign will be 5'6" in height and the façade sign is 12' 6" horizontally and the Applicant proposes the accessory sign will be 13' 4 3/4" horizontally. (C-1 District)

Ms. Sherri Hillenberg appeared on behalf of Mattress Firm. She had photographs that were giving to the Board. She gave background of the variance that they are applying for. It is the standard corporate logo for Mattress Firm. Ms. Hillenberg also reviewed the sign code. Ms. Kramer stated that they have not seen a rendering or photo of the sign. Ms. Hillenberg g stated that she thought it was with the original application and did hand out to the Board. When asked, Ms. Hillenberg stated that the sign would be lit when the store is open as it was with the sign that was there previously.

Ms. Wenstrup motioned to close the Public Hearing, seconded by Ms. Kramer.

Ayes: Weprin, Wenstrup, Kramer

Recused: None

Nays: None

Absent: Neufeld, Neuringer

3. **Application # 12A-2017, Joe & Danielle LaPadula, 410 Heathcote Avenue** (Section 9, Block 7, Lot 12) Application for an area variance (FAR) to construct a new single family home on a currently undeveloped parcel. The proposed construction is in violation of Section 342-27, Schedule of Minimum Requirements, where the maximum allowed FAR is 0.42 and the Applicants propose 0.5452. (R-5 District)

Mr. Joe Ferazza of Westchester Modular Homes appeared with Mr. Mauro representing the owners. Mr. Ferazza reviewed the application. He stated that the need for the additional Floor Area Ratio is due to the lay of the land. Ms. Kramer asked why the applicant is asking the Board to ignore space in the basement that is viable and can be turned into a bedroom. Ms. Kramer does not see a valid reason to discount the garage as the Village has determined that garages need to be counted in FAR. Ms. Kramer asked if they considered a smaller garage and eliminating the playroom. (Mr. Neufeld joined the meeting). The applications have been before the Board of Architectural Review and neighbors had no issue with the application.

Mr. Petrucci appeared. He lives around the corner on Stanley Avenue. The applicant is his granddaughter. His two great grandchildren will be living in the home as well. He and his wife have lived in the neighborhood for 60 years.

Ms. Wenstrup motioned to close the Public Hearing, seconded by Ms. Kramer.

Ayes: Weprin, Wenstrup, Kramer, Neufeld

Recused: None
Nays: None
Absent: Neuringer

4. Application # 14A-2017, Angelo & Lilianna Morgante, 801 Jefferson Avenue (Section 4, Block 15A, Lot 5) Application for area variances (rear yard setback and FAR) to construct an addition on the east side of the existing house. The proposed construction is in violation of Section 342-27, Schedule of Minimum Requirements, where the rear yard setback required is 25' and the Applicants propose 16.6' and where the maximum FAR allowed is 0.5272 and the Applicants propose 0.54. (R-5 District)

Mr. Mark Mustacato Architect appeared for the applicant. He reviewed the application and the reason for the addition. They did try to comply with the Floor Area Ratio but this could not be done. Ms. Wenstrup printed a photo of the property from Google Earth that she shared with the Board.

Ms. Wenstrup motioned to close the Public Hearing, seconded by Mr. Neufeld.

Ayes: Weprin, Wenstrup, Kramer, Neufeld
Recused: None
Nays: None
Absent: Neuringer

The Board stated that they would be discussing the next two applications together. Mr. Weprin stated that counsel informed him of an issue with the noticing of the applications but that would not preclude the Board from opening the public hearings. Ms. Georgiou stated that there was an amended appeal on 4I that the notice did not include; therefore the hearing would have to be kept open. Mr. Weprin stated that the Board would keep these hearings open.

5. Application # 4I-2017, Donat, Lividini & Colaneri, regarding 1017 Grove Street (Section 4, Block 15, Lot 32) for an appeal of Building Permit #17-0429 issued on 4/24/17 for installation of a fence. APPEAL AMENDED 08/17/17 to include - Appeal of Building Permit #17-0833 issued on 7/27/17 and Building Permit #17-0838 issued on 7/28/17. (R-5 District)

6. Application # 5I-2017, Donat, regarding 1019 Grove Street (Section 4, Block 15, Lot 32.1) for an appeal of Certificate of Occupancy #16-0307 issued on 7/28/17, Building Permit #17-0831 issued on 7/27/17, and Building Permit #17-0840 issued on 7/28/17. (R-5 District)

Mr. Weprin stated that there may be jurisdictional issues and they will address these with counsel before the next meeting.

Ms. Jocelyn Donat of Hampshire Road appeared. She gave background on the applications and the issues with the Grove Street properties. There are concerns with the

interactions with the Building Department and the process that they understood. The applicants made requests during this process with the Building Department putting all of the pertinent information into the building files so that future residents are aware of what has happened during this process. The applicants would like the Building Department to monitor this building so that she does not have to keep appealing and coming before this Board.

Ms. Donat explained why the building permit for the fence at 1017 Grove Street should not have been approved. There were conditions of the subdivision approval, which have not been followed by putting this fence up. She believes that the Board needs to understand what was approved and agreed to. Calls were made and emails were sent to the Building Department before the fence was constructed. These were never answered and a certificate of compliance for the fence was given. The applicants are frustrated and do not believe that they should have to pay to apply for these appeals. The conditions approved need to be upheld.

The initial appeal application has been expanded, as there are additional concerns. Things have been built that are not on the approved site plan. All of these things have been brought to the Building Department's attention. Other issues are violation of the building envelope, the landscape plan and continued re-grading of the lot. Ms. Donat reviewed what has been built that was not on the approved plan. The developer never got approval for revised plans by the Board of Architectural Review. He was asked to get approval of the revised plans, attended a meeting, but left the meeting and never got approval. There are also setbacks that have been violated. There were no egresses shown on the original plan and these were added as well as additional windows. There are also concerns regarding the FAR.

Ms. Donat stated that on August 14, she was informed that there was no Certificate of Occupancy given to the home at 1017 Grove Street. This home has been occupied since August 9. She was told that a temporary C of O was issued when she called the Building Department on August 19.

Ms. Donat then reviewed the issues with 1019 Grove Street. There was a C of O issued and the home does not comply with the approved plan. The landscape plan was not followed. There needs to be a minimum of 20 plantings in the back of that lot. Window wells, egresses built were not on the plan and violate the setback requirement. There was a permit issued allowing a host of things to take place prior to the Certificate of Occupancy being issued. There were changes to and an increase to the number of windows allowed even though the Board of Architectural Review never approved a new plan. The Certificate of Occupancy was given even though the building did not match the approved plan.

Mr. Weprin asked what could be done to address this. Ms. Donat believes that the building should have been done according to plan and this Board needs to understand that there is a process in the Village for building and that this is not being followed. If there are no consequences for not following the processes, it is a mockery. The developer has told her that the Building Inspector does not care about the following of processes. If she were a developer, she would bring her projects here as well. Ms. Donat believes that board members should not be

serving if they do not care that processes and laws are followed. They believe that the developer should be held accountable.

Mr. Weprin is troubled by the allegations. He does not know what this Board could possibly do now that the homes are built and occupied. Ms. Donat asked that the landscape plan be adhered to. Ms. Donat also asked that if what was built requires a variance, get a variance. Don't allow for things to be built with no consequences. She believes the C of O needs to be revoked and the windows be brought into compliance. She has had to revise plans for a build she did on her home and it does not seem fair.

Ms. Kramer stated that this Board gets applications every month for builds that were not done according to their approved plan. The Village needs to come up with a solution for this as it happens time after time. Perhaps at some point, this Board needs to stop giving variances. Mr. Weprin is frustrated that there are no good remedies for these situations. This Board has limited tools.

Mr. Tony Lividini of Wood Street appeared. He had a copy of the landscape plan that was approved but not followed. There was a fence built that was not on the plan and you now cannot see the landscaping. He made 20 calls and sent five emails to the Building Inspector. None of these were returned or addressed. Mr. Lividini asked if the water retention systems were inspected; if the grading was increased. Neither of these questions was answered. He believes that things are not inspected and not addressed.

Mr. Klausner appeared on behalf of the developer to address a legal issue. The issues of the appeals deal with compliance or lack of compliance with the plans. This Board spent many hours hearing a prior application brought by Ms. Donat on this property and made a determination that they are not authorized to review compliance with plans approved by the Planning Board. He and the developer also disagree with Ms. Donat's representation of the developments. Mr. Weprin asked that if it is not this Board, who would deal with assuring that developments are built according to the approved plan. Mr. Klausner stated it would be the Supreme Court of the State of New York. Ms. Kramer disagrees as this Board is charged with hearing and making a determination on whether or not permits were issued by the Building Department in compliance with the Code. They may not have the power to amend, but they can determine compliance. Mr. Klausner stated that this Board lacks the authority to make a determination on the compliance with the Planning Department plans. Mr. Weprin stated that their previous resolution is being misread and asked Mr. Klausner for case law on this. Mr. Klausner stated that the Court ruled in an Article 78 that an injunction should have been sought before the builds were complete. They are now complete.

Ms. Kramer stated that New York law states that if something was built that is not in compliance with either their approved plan or the Zoning Code it would not be grandfathered as it was built illegally. Mr. Klausner reiterated that Ms. Donat did not go to Court to stop the building so that this cannot be raised at this point. He also believes that there is motivation behind Ms. Donat's appeal and that is to go after Mr. Castaldi as she is only appealing two homes. One

is occupied by Mr. Castaldi. The homes were all built the same and a friend of hers occupies the one home that Ms. Donat is not appealing.

Ms. Kramer asked about jurisdiction and should that be addressed before moving forward. Ms. Georgiou stated that past practice has been to hear the entire application first. Mr. Weprin agreed that as this is their past practice, the Board will continue hearing this tonight and will keep it open for counsel to provide advice on the jurisdiction issue before the next meeting.

Mr. Marc Castaldi, developer, appeared. He reviewed the issues brought forward by Ms. Donat. A fence is not and has never been considered an accessory structure. The fence has been installed in accordance with the Zoning Code. Mr. Weprin asked the purpose of the landscape plan if a fence was going to be put in to obscure this. Mr. Castaldi stated that the Planning Board required the landscape plan and the fence was put up, as it is the right of any property owner. Ms. Kramer asked if the fence was on any plan submitted to the Planning Board. Mr. Castaldi stated that it was not. Ms. Kramer asked why he put up a fence if it was not approved. Mr. Castaldi stated that the Planning Board did not discuss it. Ms. Kramer asked Mr. Castaldi if he believes that he can do whatever he wants in addition to the plan because it was not discussed. He stated that he believes that he can do whatever is allowed under the Zoning Code whether or not the Planning Board discussed it. Mr. Weprin is not sure if this is entirely true.

Mr. Castaldi next addressed the window wells. They are governed by the definition of the area of the building as they are a below grade projection and allowable according to the Zoning Code. Ms. Kramer asked why these are not in violation of the setback requirement. Mr. Gray explained the definition of a yard and when measurement starts. He also stated that this does not count as the window well is below ground. If they were on grade or above, they would have to be counted. Mr. Neufeld asked if window wells are structures. Mr. Farrell stated that he has never seen window wells considered structures, as they do not project on the ground level. Ms. Kramer stated that they have dealt with the issue of structures in the past. Ms. Wenstrup stated that she has a pool and it is considered a structure. Mr. Farrell said that pools are defined in the Code as an accessory structure. Mr. Gray concurred that anything below grade is not considered a structure and not used in determining setbacks. Mr. Castaldi stated that the approved plan had a topography approved. The as-built plans were overlaid onto the approved plan and the grading matched 100%. The Planning and Building Departments affirmed that.

Mr. Castaldi stated that the patios are on the plans approved by Mr. Gray and they are well within the setbacks. Ms. Kramer asked why he did not get approval from the BAR on the change of windows. Mr. Castaldi stated that there was a scene by those opposing his application at the BAR meeting and he withdrew his application. He took his plan to the Building Department and Mr. Gray understood that there was an error made by the architect. The windows were put in according to plan, approved, and a Certificate of Occupancy issued. After that issuance, Mr. Castaldi changed out the windows and as the cost was under \$10,000 it did not have to go back to the Board of Architectural Review. Mr. Castaldi stated that there might be individuals who do not like the way this was done; however, it was done according to the Village Code. Mr. Wenstrup believes this was clever, but not sure it should have been done. Mr. Neufeld asked how long after he was given the Certificate of Occupancy on this home did he apply for a permit to put in new

windows. Ms. Donat stated that this was done on the same day. Mr. Castaldi informed the Board that the error was made on the windows for all three homes and the windows on the homes on lot 1 and 2 have been changed. He also stated that Ms. Donat is not appealing the work done on lot 1 even though the windows are the same as the home on lot 2.

Ms. Georgiou suggested that the Building Department have copies of the complete records for these properties available for the next meeting and have these submitted into the record. Mr. Castaldi again reviewed the window modifications made on lots 1 and 2 as well as the window wells and fence. Mr. Castaldi stated that he has gotten zero violations, zero stop work orders. All permits were reviewed and closed out. He did everything according to plan and Code. All the documents submitted by licensed professionals show that those who are against him and this development are wrong. When asked, Mr. Castaldi stated that he planted more plants than were required by the landscape plan. Mr. Castaldi also stated that the plants were looked at and counted before the Certificate of Occupancy was issued. Mr. Gray stated that before the entire site is closed out, all of the plantings would be counted. Mr. Castaldi believes that this is a waste of everyone's time. He never received a violation, was looked at under a microscope and did everything the Building Inspector asked of him.

Mr. Lividini appeared again and stated that this is about following the rules. The landscaping plan is the plan and now all he sees from his window is a white fence. Mr. Weprin stated that the Board understands. Mr. Lividini submitted photos of the fence as seen from his backyard.

Ms. Sue McCrory of The Crescent appeared and asked that the Board look carefully at the definition of structures. She believes that the bottom of the window well is where the structure begins and the setbacks are there for fire safety reasons. These window wells could prevent fire-fighting. She believes that this is a bad practice.

Mr. Stuart Tiekert of Beach Avenue appeared and stated that Mr. Castaldi must have said five times that there are no violations on this property. Mr. Tiekert stated that is because Mr. Gray let him do whatever he wanted on this site. He brought up the issue of the existing home staying up when it should have been taken down immediately with the construction entrance being there. Mr. Tiekert sent pictures and emails several times regarding standing water and the percolation rates being wrong. None of these issues were addressed by the Building Department. He stated that Mr. Castaldi never addressed the issue of the patio being impervious and taken into account for storm water. Mr. Tiekert has requested under FOIL the TCO's and as-built topography plans. He has never received these documents. These records should be on the website and before this Board. He believes that the Zoning Board is going to be inundated with these types of things. There is a problem in the Village that needs to be figured out.

Ms. Donat appeared again to address some things brought up by Mr. Castaldi. She stated that it is not true that the Building Inspector approved the building as they were on the plan. Also, the permit he received on 1019 Grove Street was to add a window, not five. If there were incremental plans approved after February of 2016, she knows nothing about them. Ms. Donat stated that the window wells were not on the plan. She read the definition of structure, which

states on or under the ground level in whole or in part. She also has not seen a topography plan, but Mr. Castaldi did change the grade. She complained five times to the Building Department that dirt was being brought in and the grade changed. She never received a response. Ms. Donat also stated that the property is 6-8 trees shy and this is an easy fix. She has issue with Mr. Castaldi never receiving a violation or stop work order and has raised this to the Board of Trustees.

Mr. Weprin stated that this hearing would be left open to the next meeting.

B. CLOSED APPLICATIONS

1. Application # 1S-2017, 1202 WBP Realty Associates for Mattress Firm, 1202 West Boston Post Road (Section 9, Block 21, Lot 2B), Application for variances to install an accessory sign on the side of the building greater than the façade sign.

Board members discussed the application and the statutory factors were considered. **Ms. Kramer motioned to approve the sign, as it is the same size and dimensions of the previous signs and that there will be no illumination when the store is closed, seconded by Ms. Wenstrup.**

Ayes: Weprin, Wenstrup, Kramer, Neufeld
Recused: None
Nays: None
Absent: Neuringer

2. Application # 2SP-2017, Mucahit (Mike) Arici, 419 Mamaroneck Avenue, Mamaroneck Coffee Roasters (Section 9, Block 11, Lot 2) Application for a Special Permit to operate a new boutique Coffee Shop in an existing restaurant space. (C-2 District)

Mr. Weprin motioned to approve the Special Permit application with the business hours of 7 a.m. to 7 p.m., seconded by Ms. Kramer.

Ayes: Weprin, Wenstrup, Kramer, Neufeld
Recused: None
Nays: None
Absent: Neuringer

3. Application # 12A-2017, Joe & Danielle LaPadula, 410 Heathcote Avenue (Section 9, Block 7, Lot 12) Application for an area variance (FAR) to construct a new single family home on a currently undeveloped parcel.

The Board discussed the application and the statutory factors. This appears to be a substantial FAR variance. Ms. Kramer has an issue with this application, as she believes that the homeowner can build out the basement space in the future as habitable space. She asked what would prevent them from doing this. Ms. Georgiou suggested that the variance would be tied to

the submitted plans for this application. Ms. Kramer asked if it is possible to approve the variance to facilitate the proposed two-car garage but not for the unfinished space on the basement level. Ms. Georgiou suggested that approval could be conditioned on this additional space remaining unfinished. The Board instructed Ms. Georgiou to draft a resolution stating this for the next meeting for consideration.

4. Application # 14A-2017, Angelo & Lilianna Morgante, 801 Jefferson Avenue (Section 4, Block 15A, Lot 5) Application for area variances (rear yard setback and FAR) to construct an addition on the east side of the existing house.

The Board discussed the application and the statutory factors. **Ms. Wenstrup motioned to approve the application as requested, seconded by Mr. Neufeld.**

Ayes:	Weprin, Wenstrup, Kramer, Neufeld
Recused:	None
Nays:	None
Absent:	Neuringer

5, Application # 6SP-2013, Shore Acres Point Corp., 504 The Parkway, (Section 4, Block 76A, Lot 1) to amend permitted hours for organized events for an existing special permit to operate a club (special permit renewal resolution dated November 5, 2015). (R-10 District)

The Board reviewed the existing hours and the hours requested for SAPC sponsored events and member-sponsored events. Ms. Kramer suggested limiting the number of club-sponsored events. The Board's consensus was to limit the number of club-sponsored events with extended hours to a maximum of five per year and to extend hours for member-sponsored events on Fridays and Saturdays, but not extend those hours on Sunday through Thursday and that the house rules apply. The Board instructed counsel to draft a resolution for their next meeting for review and consideration.

C. APPROVAL OF MINUTES

1. MINUTES:

Approval of Minutes from the March 2, 2017, April 6, 2017, May 4, 2017, June 1, 2017 & July 6, 2017.

Ms. Wenstrup and Ms. Kramer both had minor, non-substantive changes to the minutes that they will forward to Ms. Sherer. The Board agreed to approve the minutes contingent on these minor changes being made.

Ms. Wenstrup made a motion to approve the March 2, 2017, April 6, 2017, May 4, 2017, June 1, 2017 & July 6, 2017 minutes, seconded by Mr. Neufeld

Ayes: Weprin, Wenstrup, Kramer, Neufeld
Recused: None
Nays: None
Absent: Neuringer

At 10:29p.m. Ms. Wenstrup left the meeting as she was recused from review of the Hampshire Club application

OLD BUSINESS (CONTINUED)

6. **Application # 1SP-2014, Hampshire Club, Inc., 1025 Cove Road** (Section 9, Block 72, Lots 1,2,3,11,17B,17C,18D,24,25,28 & 29- Section 9., Block 89B, Lots 15 & 16 - Section 9, Block 89C, Lots 22A & 23 -Section 9, Block 89D, Lots 24,25, 26,27& 28) for renewal of a special permit for Non-Member Events (MR and R-20Districts)

OLD BUSINESS (CONTINUED)

6. **Application # 1SP-2014, Hampshire Club, Inc., 1025 Cove Road** (Section 9, Block 72, Lots 1,2,3,11,17B,17C,18D,24,25,28 & 29- Section 9., Block 89B, Lots 15 & 16 - Section 9, Block 89C, Lots 22A & 23 -Section 9, Block 89D, Lots 24,25, 26,27& 28) for renewal of a special permit for Non-Member Events (MR and R-20Districts)

Mr. Weprin motioned to enter a confidential session at 10:30p.m. for Advice of Counsel, seconded by Ms. Kramer

Ayes: Weprin, Kramer, Neufeld
Recused: Wenstrup (not present)
Nays: None
Absent: Neuringer

The Board convened an Advice of Counsel session to discuss this application. Mr. Weprin stated that there were no votes taken during the Advice of Counsel.

Ms. Kramer motioned to return from Advice of Counsel session at 11:00p.m., seconded by Mr. Neufeld

Ayes: Weprin, Kramer, Neufeld
Recused: Wenstrup (not present)
Nays: None

Absent: Neuringer

The Board reviewed the draft resolution. The Board agreed to delete the word “prospectively” from p. 3 of the resolution. Ms. Kramer believes that the same restricted hours that the Shore Acres Club holds their events should be used for events held in the portion of the Hampshire Club that is in the Residential zone. The Board agreed. The use of live outdoor music in the residential zone was discussed, and it was agreed to limit to not after 7 p.m. on weeknights and 9 p.m. on Friday and Saturday. Mr. Neufeld also requested that the resolution be amended to require that the applicant comply with all requirements and be subject to all restrictions set forth in the applicable provisions of the Village Zoning Code.

Mr. Neufeld made a motion to adopt the resolution with the above noted changes, seconded by Ms. Kramer

Ayes: Weprin, Kramer, Neufeld
Recused: Wenstrup
Nays: None
Absent: Neuringer

ADJOURN MEETING

On motion of Ms. Kramer, seconded by Mr. Neufeld the meeting was adjourned at 11:15p.m.

In favor: Weprin, Neufeld, Kramer
Opposed: None
Absent: Wenstrup, Neuringer
Abstained: None

Respectfully Submitted,

Betty-Ann Sherer

Betty-Ann Sherer

The next Zoning Board meeting has been set for Thursday October 5, 2017 @ 7:30pm