

COMMENTS & RESPONSES on the May 18, 2023 Draft of the Village of Mamaroneck 2023 Comprehensive Plan

Date: 8/10/2023

This table organizes the comments received via email and at the June 12th and June 26th Public Hearings that specifically request changes to the May 18, 2023 Public Hearing Draft of the 2023 Comprehensive Plan. The “Response and/or Outcome” column includes the consultant’s (H&H’s) and Village Planner’s response to those comments and identifies any changes that may be made to the document and reflected in the subsequent version, pending BOT review and approval.

#	NAME	COMMENT	RESPONSE AND/OR OUTCOME
1	Oran Ben-Simon, KOSL Building Group (via e-mail)	We own the property at 875 Mamaroneck Ave and the adjacent property is utilized as a parking lot on Nostrand Ave. I have been trying to speak with someone in the Village these past few months while the comprehensive plan is still being updated. We believe that during this time of assessment, it is important to analyze obsolete spot-zoned parcels such as ours. While our office building is situated in the TOD C-1 Zone, our parking lot property is zoned for Parking. It together with another small adjacent parcel are the only properties in the Village zoned for Parking, and they are private properties (not municipal public parking lots). We believe that it is improperly zoned and should be encompassed within the abutting TOD C-1 zoning district. We would appreciate the Village looking into the rationale behind incorporating the “Parking” zone into the TOD C-1. We have intentions to develop the property within the bounds of the TOD C-1 zoning which would not only be appropriate, but also provide the Village directly with some enticing benefits. Rather than initiating the unnecessary process of a zoning change, we felt the timing of Village wide review was the proper channel to assess this feasible zoning modification.	<i>See response to #2</i>
2	HKP for KOSL Building Group (via e-mailed letter)	<p>In connection with the Comprehensive Plan Update the Board should consider revising the zoning of the Parking district for our client’s property on Nostrand Avenue (S/B/L: 8-21-54.2) along with the two other adjacent parcels (S/B/L: 8-21-54.1 & 8-21-44). These properties are the only lots in the P: Parking District within the entire Village of Mamaroneck. The only permitted principal use in the P: Parking District is off-street parking for private motor vehicles as an accessory use to permitted principal uses on an adjoining property.</p> <p>The zoning of this area being limited to Parking is both archaic and in conflict with the recommendations of the Comprehensive Plan Update. By limiting the permitted uses in the area to only parking current zoning essentially endorses having the properties in the Parking district entirely paved and dormant. In</p>	<p><i>As a general planning principle, no zoning district should have parking as its only permitted use. The consultant and Village Planner request the BOT to provide a response on whether or not the Comprehensive Plan should include a recommendation to reexamine the Parking (P) zoning district as part of recommendation 4a-13: Update, Modernize, and Improve the Zoning Code.</i></p>

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		<p>addition, these properties are not municipal public parking lots; rather, they are private parking lots for adjoining properties where there is no demand for parking and the current zoning essentially limits the use to provide an excessive and unnecessary amount of parking. In fact, the lot adjacent to our client’s property currently serves as a truck yard for a contracting business.</p> <p>These properties are located on the edge of the C-1: General Commercial and TOD: Transit-Oriented Development Districts. As part of the Comprehensive Plan Update, we strongly urge the Board to consider the re-zoning of these parcels to be within the C-1 and TOD Districts. This would allow these parcels to potentially be developed with new multi-family housing in proximity to the Mamaroneck train station and Central Business District while also providing an opportunity for additional affordable housing units within the Village. Any new development in the area would necessarily comply with the Village ordinances concerning Flood Damage Prevention and Stormwater Management and Erosion and Sediment Control.</p> <p>The re-zoning of this area would be in keeping with and further the Goals & Objectives of the draft of the Comprehensive Plan Update. Specifically, the re-zoning of this area would support business development by providing additional housing opportunities within walking distance of the Central Business District while also creating additional affordable housing opportunities that are safe from flooding and utilize modern environmental sustainability building methods. There is very little utility in having private property zoned solely for parking and this is a prime opportunity to consider revising the permitted uses of this area. The potential redevelopment of these properties would not only provide an aesthetic benefit to the area but would also greatly improve the assessed value of the properties to the benefit of all the residents of the Village.</p>	<p><i>At the 7/26 Public Hearing, the BOT supported including the aforementioned recommendation in the Comprehensive Plan.</i></p>
3	<p>Jennifer Jacobs Gúzman, Mamaroneck Coalition for</p>	<p>The Comprehensive Plan should: 1) Identify examples of policies or incentives for preserving existing affordable housing stock and commitments to them, such as the County’s landlord tenant assistance program, 2) Define “affordable” as at or below 60% of AMI for 30 years, 3) Identify more public sites for affordable</p>	<p><i>1) Policies and incentives will be reviewed for inclusion in the Comprehensive Plan under</i></p>

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	Affordable Housing (at Public Hearing)	housing, 4) See previous comments submitted about areas of reduced density and restrictions such as the setbacks from the river.	<p><i>recommendation 4a-18 or another appropriate place.</i></p> <p><i>2) This threshold for affordability is included in recommendation 4a-15(a).</i></p> <p><i>3) Recommendation 4a-15(d) does this, broadly.</i></p> <p><i>4) Prior comments have been addressed and the responses indicated in the document “COMMENTS & RESPONSES on the Fourth Draft of the Village of Mamaroneck 2023 Comprehensive Plan (dated March 1, 2023)”</i></p>
4	Committee for the Environment	Include in an appropriate recommendation the concept for a Mamaroneck River Greenway.	<i>This will be incorporated into recommendation 8-2.</i>
5	Zoning Board of Adjustment & Village Planner	Revise language in recommendation 4a-13 regarding special permits being as-of-right.	<i>Part of the language in recommendation 4a-13 will be changed to read “make certain special permits ministerial, with detailed requirements outlined in code.”</i>
6	Neil Desai, H&H	<p>1) Is there a need to review the zoning code to promote and or reduce any impediments to low impact development techniques (i.e., green stormwater infrastructure)?</p> <p>2) I have identified a handful of minor wording corrections and figure numbering corrections that need to be made in various parts of the document.</p>	<i>1) No. However, §342-50 “Residential Uses in Commercial Districts and Transit-Oriented Development Overlay District” (a.k.a. the “Infill Housing Overlay”) requires incorporating green building elements and/or green infrastructure to the satisfaction of the Planning Board. The</i>

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			<p><i>Village should consider applying this provision to the RM (Multiple Residence) zoning districts also.</i></p> <p><i>2) Proceed with making minor corrections that have been identified.</i></p>
7	Stuart Tiekert (at Public Hearing #2)	<p>Include in the Comprehensive Plan the recommendations from the <i>Draft 2018 Water Quality Assessment & Improvement Program Implementation Plan</i> to undertake a Water Quality Assessment, which consists of a Stream Quality Assessment, Harbor Quality Assessment, and an Aquifer Quality Assessment.</p>	<p><i>Recommendation 7-12 is to “create or update a watershed assessment.” It will be revised to include undertaking a Water Quality Assessment, which includes assessments of stream quality, harbor, and aquifer.</i></p>
8	Robert Stark, Traffic Commission (at Public Hearing #2)	<p>Biking Project</p> <ul style="list-style-type: none"> • Per Neil Desai, the top transportation priority recommended in the Comp Plan is to prepare a village wide plan for bike facilities and amenities to include not just the lanes and markings but also signs and racks. • We can encourage residents to bike by setting up biking facilities and structures. • Understand the existing issues with bike storage/racks. • Temporarily close streets to allow biking/walking. • Build biking facilities and structures before implementing a bike sharing system. • Hire a bike consultant. • Connect the VOM parks and the Harbor with system of bike sharing. • Consider bike lanes or shared lanes on Halstead. • Do a demo bike project on a block and see how it works. • Presentation by Michael Smeets involved nearby communities such as TOM, Larchmont and Rye <p>Pedestrian Safety</p> <ul style="list-style-type: none"> • Per Neil, VOM is walkable, but not pedestrian friendly. 	<p>Biking Project n/a</p> <p>Pedestrian Safety <i>A recommendation will be added to implement an informational campaign, based on Vision Zero, for pedestrian and traffic safety.</i></p> <p>Parking Issues <i>Enforcement recommendations should be discussed with the Village Manager.</i></p> <p>Wayfinding <i>Based on funding available at the time, the Village installed wayfinding signs along Mamaroneck Avenue as the first phase of the project. These includes directional signs that point out destinations and ones that specifically</i></p>

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		<ul style="list-style-type: none"> • Need to make walking at intersections safer for pedestrians. • Identify problem intersections and set a priority. • Street design must be focused on pedestrian safety – in the past it was focused on vehicle safety. • The County is more responsible for pedestrian safety issues. • Recent traffic incidents at various locations in the VOM. • Increased report by residents of excessive speeding and failure to obey Stop Signs • Need to implement an information campaign for all residents regarding traffic and pedestrian safety, similar to the Vision Zero program. <p>Parking Issues</p> <ul style="list-style-type: none"> • Improve code violation enforcement throughout the Village, especially on Mamaroneck Avenue south of the train station and in Washingtonville. <p>Wayfinding System</p> <ul style="list-style-type: none"> • What remains to be done to complete the Wayfinding System? <p>Microtransit</p> <p>Use of Micro Transit for destinations like Metro North, Emelin Theatre and Mamaroneck Ave.</p> <ul style="list-style-type: none"> • For multi-people rides • Reduces traffic congestion. • App based 	<p><i>point out parking areas. The complete wayfinding system includes gateway pylons signs intended to be placed at prominent entry points into the Village in addition to pedestrian-focused kiosks and community boards. See renderings of these sign types here at this link.</i></p> <p>Microtransit</p> <p><i>Recommendation 6-9: Understand the Utilization Patterns of Ride-Sharing and Taxi Services is intended to lead to the possibility of studying the feasibility of microtransit in the Village (and/or with a neighboring town or two). Microtransit will be mentioned in this recommendation.</i></p>
9	Doreen Roney (via e-mail)	<p>The specific details per each item in the 2004 grant were never achieved therefore the current 1984 LWRP is still in place. Since I was on HCZMC at the time, together with the chair Cindy Goldstein communicated with the then village manager Rich Slingerland and dos rep Jaime Either re the dilemma of not achieving all grant tasks. The agreed recommendation was to seek another EPF grant for updating any inventory (environmental constraints) with the sole purpose of adding watershed plans to our current LWRP being the only goal and provided the guidebook I sent (attached) along with a video (that is no longer</p>	<p><i>The Harbor Management Plan needs to be updated to include the status of underwater lands in Mamaroneck; the size and location of marinas in the harbor; fish and wildlife species; fishing activities; recreational boating; the</i></p>

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		<p>working as previously linked to dos website) for details. The time frame on this was circa 2017. Below is a link to the last correspondence from DOS on LWRP update status- from their COUNSEL that has never been actualized/followed up on either. I haven't looked for but may have saved email correspondence memorializing the conversation among village manager HCZMC chair myself and others on the need to secure grant and move forward as explained above. If you need this let me know and I'll look</p> <p>In updating this village's LWRP the watershed plan guidebook I previously sent corresponded to obtaining another grant and utilization of the guidebook as the rationale for LWRP revision per the below email discussion that the former village manager received. The watershed guidebook deals with water quality and quantity (flooding) both issues plaguing our village with the latter being the #1 stakeholders concern identified per the survey of residents stakeholders of this comp plan. I do not see any comprehensive framework nor legislative planning in the current comprehensive plan that addresses water quantity (flooding) and quality yet an additional project looming in the wings was to obtain an additional funding to update our LWRP with the watershed planning per this 2015 email below from Jaime Eithier NYSDOS coastal management resources. I believe this needs to be captured and considered in the very near future as the LWRP revisions for a watershed plan began with the 2004 grant that was never completed and 20 years later continues to not be addressed, however serious water quality and quantity (flooding) problems have been plaguing our village and is concern #1 per surveyed residents and stakeholders. Should this not be clear and you wish to contact me I can be reached at [redacted].</p> <p>Update the draft LWRP to incorporate points from <u>March 18, 2019 memo from NYS Department of State Office of Counsel</u> and resubmit.</p>	<p><i>location and activities of beach and yacht clubs; and conflicts among users.</i></p> <p><i>The process of revising the draft LWRP on based on the March 18, 2019 memo from NYS DOS was initiated after the memo was received, but needs to be completed. HCZMC has been notified of this. Staff has updated the LWRP plan and began working on additional language to inventory and describe the harbor complex.</i></p>
10	Ms. Longo (via e-mail)	<p>I submitted comments on the VOMNY COMPREHENSIVE PLAN (#6) and I listened online to some Public Hearings. I completely agree with the gentlemen residents,</p>	<p><i>The Village passed a moratorium in 2018 on development of multi-family dwellings resulting in three or more residences and residential</i></p>

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		<p>who on June 12 voiced their concerns about "our schools are being overstressed, traffic congestion, unable to find parking". "We are turning into a city." And I reiterate my own comments that "OVERDEVELOPMENT causes flooding, air pollution, noise pollution." One resident explained how less open and green space would mean higher flood insurance rates. And what about the negative fiscal impact on the already overburdened homeowners? I completely agree that there is a "lack of study" on the negative effects of adding more and more housing in our small Village. The reason why Rye and Harrison can attract large companies is because they have more open and green space. KINDLY EMAIL ME THE NAME AND EMAIL ADDRESS OF THE WESTCHESTER COUNTY DEPARTMENT, TO WHOM YOU HAVE SUBMITTED THE COMPREHENSIVE PLAN FOR REVIEW. I would like to appeal to Westchester County to address our valid concerns.</p>	<p><i>subdivisions resulting in two or more new lots. The subsequent Moratorium Study completed in 2019 represents a thorough analysis of the impacts on this type of development on schools, tax revenue, and traffic. As a result of the study, the BOT reduced the development potential in certain parts of the Village. See the section summarizing the Moratorium Study in Chapter 4A.</i></p>
<p>11</p>	<p>Westchester County (Planning Board Referral Review)</p>	<p>The following are excerpts of the County’s letter to the Village that provide specific guidance/recommendations for the Comprehensive Plan:</p> <p>Chapter 5: Flood Mitigation</p> <ul style="list-style-type: none"> • We would recommend that this proposed [floodplain overlay] district be used to defer development away from the floodplains, perhaps by permitting transfer of development rights to areas nearby that are not within the floodplain. We note that special consideration should be provided to the Washingtonville and northern Mamaroneck Avenue neighborhoods, as these locations tend to experience the worst of flooding events while also hosting families with the lowest income in the Village. As these neighborhoods largely permit multifamily land uses, consideration should be made into determining possible zoning changes to ensure new development is guided away from the floodplains. <p>Chapter 6: Transportation Systems</p> <ul style="list-style-type: none"> • We recommend that the comprehensive plan include reference to the County’s new Transportation Demand Management Toolkit, which has recently been completed. 	<p>Chapter 5: Flood Mitigation <i>The issue with TDR in Washingtonville is that it is already a densely-populated/developed floodplain and there is no receiving area. The Village should focus on capital improvements, stormwater mitigation, and bringing existing or new buildings to comply with floodplain regulations.</i></p> <p>Chapter 6: Transportation Systems</p> <ul style="list-style-type: none"> • <i>The County’s Transportation Demand Toolkit will be listed in the “References & Examples” section. However, it does not appear to be posted online yet.</i> • <i>Recommendation 7-32 on p 149 (Chapter 7) includes consideration of requiring bicycle parking/sharing, among other strategies.</i>

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		<ul style="list-style-type: none"> To further accommodate bicycle usage within Mamaroneck, we recommend the Village consider adopting an ordinance that would require the provision of bicycle parking in commercial and multifamily residential developments. Multifamily buildings in particular should provide an indoor bicycle storage room for residents. To be consistent with the comprehensive plan’s policies with respect to electric vehicle charging stations, bicycle parking areas should also provide the ability to charge e-bicycles. New Rochelle, Port Chester, and New Paltz are local communities with bicycle parking provisions in their local ordinances that can act as reference regulations. <p>Chapter 4: Land Use & Development - Corridors & Districts</p> <ul style="list-style-type: none"> We recommend the Village also consider adding a system of credits for parking management practices, instead of using straight parking ratios, when determining parking requirements in the future. One example of this is the “unbundling” of the cost of a parking space from market-rate residential rent, so a tenant only pays for a parking space that they need. Providing parking spaces that are included in market-rate rent incentivizes a tenant to keep additional cars on site, even though they may not need them, because parking is “free”. (Note that under the County’s Model Ordinance, unbundling practices should not apply for affordable AFFH units.) <p>Chapter 4: Land Use & Development – Historic Preservation</p> <ul style="list-style-type: none"> We caution, however, against the use of historic district regulations to entirely prohibit new development within neighborhoods, as infill development and targeted density allowances can be used responsibly to provide needed housing. We suggest that the Village create a design guidelines document in tandem with any historic district designations, in order to provide a means for new development and adaptive reuse to match the established character of the neighborhood while contributing to the healthy growth of the Village. <p>Other Recommendations</p>	<p><i>There should be a reference to this recommendation in Chapter 6.</i></p> <p>Chapter 4: Land Use & Development - Corridors & Districts <i>It is agreed that the Village should move toward “unbundling” parking. A recommendation to this effect and to review/edit Sections of Article VIII: Off-Street Parking and Loading will be included.</i></p> <p>Chapter 4: Land Use & Development – Historic Preservation <i>Recommendation 4c-4 will be updated to include creating design guidelines in conjunction with any historic district designations.</i></p> <p>Other Recommendations</p> <ul style="list-style-type: none"> <i>A reference to the County WCDEF policy will be included in recommendation 4a-13.</i> <i>Universal Design should be encouraged in the Village. This will be mentioned in an appropriate place in the Comprehensive Plan (recommendation 4a-13).</i>

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		<ul style="list-style-type: none"> As new development occurring within the Village will increase sewage flows and add to the volume requiring treatment at a Water Resource Recovery Facility operated by Westchester County, we recommend the comprehensive plan includes a reference to the longstanding policy of the County Department of Environmental Facilities (WCDEF) that municipal governments require development applicants to identify mitigation measures that will offset the projected increase in flow from residential development. The best means to do so is through the reduction of inflow and infiltration (I&I) at a ratio of three for one for market rate units and at a ratio of one for one for affordable AFFH units. We encourage the Village to consider the principles of Universal Design in all future development, and to consider referencing universal design standards within the comprehensive plan. Universal Design standards allow all residents and visitors to fully engage in our public and residential spaces. Universal Design is also an important means of allowing household residents to age in place as well as to provide access for persons with mobility issues. 	
12	Abby Roberts (via e-mail)	<p>First, I want to thank all of you for moving forward with the Comp Plan! This is such an important initiative, and I really appreciate you working through it given all the other challenges our Village is facing.</p> <p>On that note, I wanted to add a few additional comments based on the public comments from the other week and reading the County Planning Board's letter regarding the Draft Comp Plan with great interest.</p> <p><i>Legal mixed residential zoning vs. illegal lack of enforcement issues</i></p> <p>Second, I wanted to clarify a point that came up during public comments a couple of weeks ago. Several of the residents are upset about illegal multi-family housing and lack of enforcement. So where homes are not legally supposed to be multi-family and the Village isn't enforcing the zoning code.</p>	<p><i>It is agreed that the Village should consider reexamining the zoning where legally non-conforming residential types (two- and three-family houses) in single-family zoning districts exist and, where appropriate, to make them conforming/permitted. Recommendation 4b-9 will be revised to be clearer about this approach.</i></p>

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		<p>My recommendation was to standardize and officially "upzone" zoning in busy feeder corridors where there is already mixed legal non-conforming residential use. So I'm not suggesting that current illegal homes get converted into legal ones. (Though I'm personally not opposed to that either.)</p> <p>To use my street, Old Post Road, as an example again, we have legal but non-conforming apartment buildings, condos, 3-8 family buildings, and a host of 3 and 2-family homes. But we are legally zoned overall as a single-family zone. It makes no sense.</p> <p>It's also harmful to the community. This includes those with legal single-family homes and those with multi-family homes. I own one of each.</p> <p><i>Here is how it hurts us:</i></p> <ul style="list-style-type: none"> • Inability to sell single-family homes because no one wants to buy a single-family home in a multi-zoning zone (you can sell a single-family home much easier if to-be owners know it can be converted if need be) • Inability to easily and legally renovate or update our non-conforming multi-family homes due to the additional zoning / legal burden • As a result of the above, it also creates a perverse incentive to engage in illegal multi-family renovations and renting because doing this legally is so burdensome. • As an aside, upzoning would not force anyone to convert their single-family home into a multi-family home. It would provide them more flexibility, however, and make it easier for them to sell if they needed. <p><i>Here is how upzoning Old Post Road, Hill, and similarly situated streets would help the community and us:</i></p> <ul style="list-style-type: none"> • Provide additional legal middle to affordable income housing opportunities in a non-flood zone that serves Central Elementary, which is not crowded. • Provide it in a way that organically embeds multi-income families into our community, avoiding concentration and stigmatization 	

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		<ul style="list-style-type: none"> • Allow us to exit or convert single-family homes so they are no longer financial albatross' around our necks • Allow us to easily and legally renovate and update legal non-conforming homes, many of which are in bad repair and not optimized for modern living <p>I've highlighted a few paragraphs below that I believe support updating the Zoning Map to more multi-family zoning in feeder streets where LEGAL mixed residential houses already exist. This would increase middle and affordable-income housing in Mamaroneck in areas not in direct danger of flooding, and avoid the affordable housing concentration the letter warns against.</p> <p><i>Excerpts from County Planning Board Referral File MMV 23-001 Village of Mamaroneck Comprehensive Plan Update</i></p> <p>We recommend that the Village moves forward with the implementation strategies presented in the plan, including the restoration of the Infill Housing Provision and the creation of an affordable housing overlay zone. We caution, however, that stipulating specific zones as affordable housing locations may concentrate affordable housing to singular areas, which is not an appropriate practice. We believe that any affordable housing overlay zone should be applicable in a wide variety of locations throughout the Village. We also urge the Village to consider adoption of the remaining portions of the County Model Ordinance that have yet to be included within the Village Code....</p> <p>We would recommend that this proposed district be used to defer development away from the floodplains, perhaps by permitting transfer of development rights to areas nearby that are not within the floodplain. We note that special consideration should be provided to the Washingtonville and northern Mamaroneck Avenue neighborhoods, as these locations tend to experience the worst of flooding events while also hosting families with the lowest income in the Village. As these neighborhoods largely permit multifamily land uses,</p>	

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		<p>consideration should be made into determining possible zoning changes to ensure new development is guided away from the floodplains.</p>	
<p>13</p>	<p>Doreen Roney</p>	<p>Since 2014-15, while serving on the village’s HCZMC obtaining updated LWRP inventory data I’ve been bringing up that this deeded parkland property continuously has been missing from the village’s iterations for parks lists and with each iteration of the comp plan. An important part in any planning initiative is collecting/ providing inventory.</p> <p>For your convenience attached is the deed in case it has not yet been searched for in validating my concern on this missing park listing for almost a decade in village records. The specific village parcel is highlighted in yellow on the attached deed document.</p> <p>Please also note that there is a federally regulated freshwater wetland among National wetlands inventory that occupies this and adjacent parcels. This wetland is the lowest point of a 23-25 acre upstream drainage area. Apparently there is a culvert under I-95 that discharges flow of this wetland to the sheldrake river. Should the village wish to improve the functionality of these wetlands (by obtaining a grant for wetland evaluation and restoration) it might improve the flooding in the local area and would be a wonderful amenity to utilize for education/nature study in the future as many rare threatened and endangered species occupy and frequent this habitat.</p>	<p><i>This land was added to the map in Chapter 7 (Figure 125) and Chapter 8 (Figure 190) in the May 18, 2023 draft. It does also show up on Figure 42: Land Use Map. However, this land does not appear to be listed on the Village’s park and rec inventory. Recommendation 8-2: Create New Open Spaces will be updated to include adding existing and new spaces to the Village’s inventory (Appendix E). With respect to the presence of a culvert under I-95, that should be assessed as part of the work called for in recommendation 5-5: I-95 Stormwater & Drainage Assessment.</i></p>