

COMMENTS & RESPONSES on the May 18, 2023 & August 14, 2023 Drafts of the Village of Mamaroneck 2023 Comprehensive Plan

Date: 9/11/2023

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 and August 14, 2023 Public Hearing Drafts 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.	See response to #2
2	HKP for KOSL Building Group (via e-mailed letter)	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. 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	<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>

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		<p>having the properties in the Parking district entirely paved and dormant. In 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</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)	below 60% of AMI for 30 years, 3) Identify more public sites for affordable 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>3) The train station used to have two ZipCars available, but not any longer. Contact ZipCar to discuss resuming ZipCar availability in the appropriate location(s).</p>	<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> <p><i>3) Update recommendation 6-9 to include requesting ZipCar resume service in VoM.</i></p>
<p>7</p>	<p>Stuart Tiekert (at Public Hearing #2)</p>	<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>
<p>8</p>	<p>Robert Stark, Traffic Commission (at Public Hearing #2)</p>	<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>Biking Project n/a</p> <p>Pedestrian Safety <i>Recommendation 6-8: Create a Vision Zero Action Plan will be updated to include implementing an informational campaign for pedestrian and traffic safety.</i></p> <p>Parking Issues <i>Enforcement recommendations should be discussed with the Village Manager.</i></p> <p>Wayfinding</p>

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		<p>Pedestrian Safety</p> <ul style="list-style-type: none"> • Per Neil, VOM is walkable, but not pedestrian friendly. • 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>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 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</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;</i></p>

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		<p>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 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>fishing activities; recreational boating; the 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>

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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, 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>The Village passed a moratorium in 2018 on development of multi-family dwellings resulting in three or more residences and residential 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>
11	Westchester County (Planning Board Referral Review)	<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>	<p>Chapter 5: Flood Mitigation</p> <p><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>

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		<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. 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 	<ul style="list-style-type: none"> <i>Recommendation 7-32 on p 149 (Chapter 7) includes consideration of requiring bicycle parking/sharing, among other strategies. There should be a reference to this recommendation in Chapter 6.</i> <p>Chapter 4: Land Use & Development - Corridors & Districts</p> <p><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</p> <p><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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		<p>the established character of the neighborhood while contributing to the healthy growth of the Village.</p> <p>Other Recommendations</p> <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</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>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>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>	

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		<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 • 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</p>	

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		<p>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>	
13	Doreen Roney	<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. 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>
14	HCZMC	<p>We write to provide the Trustees guidance in making consistency determinations as to the proposed Comprehensive Plan. The Plan implicates most of the LWRP policies at least in some respects. However, certain sections have the broadest and clearest impacts. Those are the land use and affordable housing recommendations, and the floodplain recommendations. Accordingly, we focus here on Chapters 4 and 5, and on those recommendations whose impacts can be clearly identified because the recommendations are sufficiently specific.</p>	<p><i>The description of Recommendation 5-7: Review, Update & Strengthen Existing Stormwater Regulations will be updated to include consideration of requiring modeling, for certain types and scales of uses, that factors in more severe storm events.</i></p>

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		<p>Chapter 4</p> <p>The Comprehensive Plan reckons with the need, not for more rental housing in the Village, but specifically for more affordable housing. We address here primarily Recommendation 4a-15, but also recommendation 4b-9 to consider two- and three family options in currently single- family residential areas. The simple reality is affordability, effectively, is density. More density has impacts to aspects of Village life, many of which are outside the scope of the Harbor & Coastal Zone Management Commission’s purview. However, increased density impacts the LWRP environmental policies (particularly 7, 7a, 8 and 44), historical and viewshed (particularly 23 and 25), and floodplain and stormwater (most notably Policy 11).</p> <p>Each of these policies can be examined in the aggregate for impact on the Village as a whole, or to a district or neighborhood, but also must be examined project by project. In many instances, these are separate analyses and may lead to different conclusions. However, particularly where the impact of any one project may not be large but the effect of overall policy changes may be cumulative across projects, the Trustees should consider the policy implications carefully.</p> <p><i>Environmental Impact</i></p> <p>From an environmental standpoint, the best development is often no development; though, of course, refusal to develop or modernize is typically unrealistic. The impacts on building close to wetlands or environmentally sensitive critical habitats are felt in damage to those ecosystems and loss of the environmental services they provide. All new buildings bring some disruption, changes to light patterns, water management, loss of vegetated areas, etc. HCZMC considers carefully each of these impacts on a project basis, but increasing density will have overall impacts that granular analysis cannot adequately address.</p> <p>If the Village is to add dense, affordable housing, then, from an environmental perspective, the approach consistent with LWRP policies is to keep that</p>	<p><i>Recommendation 4b-9 will be clarified/ revised to focus on legally non-conforming two- and three- family houses.</i></p>

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		<p>development away from sensitive wetlands, away from critical habitats and towards already-impacted areas, to become more dense only where we are already developed.</p> <p>However, the preference for developing further the already-impacted parts of the Village leads directly to another impact that the LWRP regulates development in the floodplain.</p> <p><i>Flood Safety</i> Flooding is the Village’s biggest problem, and the one that most concerns residents. Residents come repeatedly before HCZMC and plead with the Commission to prevent the development of new multi-unit buildings in flood prone locations. The Commission has considered these recommendations carefully. We set forth our thinking here to fully explain the current interpretation of Policy 11, so that the Trustees (several of whom are familiar with the LWRP but may not have closely followed the evolution of the policies in recent years, informed by our increasingly overdriven storm cycles) can consider our precedents.</p> <p>Policy 11 requires that buildings be sited so as to keep persons and property out of danger from flooding. Obviously, this should and does apply more rigorously to persons than property; property can be replaced, while each resident is our neighbor.</p> <p>To be consistent at the project level, a newly proposed multifamily residence in the floodplain may not add to the present rescue burden. At present, in severe flood events, the Village is called on to rescue residents with heavy equipment or boats. Our older housing stock will continue to present this need for the foreseeable future. Accordingly, the question is not simply, “could the new residents be rescued in a flood?” Every new resident needing rescue at the peak of the crisis would take away the critical capacity to rescue some other neighbor.</p>	

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		<p>Policy 11 forbids this. The question, therefore, is “can the new residents exit, or shelter in place, with no reliance on Village support until other residents no longer need assistance?” If and only if a residential unit in an area of flood hazard meets this standard is it consistent with Policy 11. Recently, in the Village and elsewhere in the country, developers facing these issues have designed buildings to run without public grid support for days or even indefinitely (sometimes relying on gas infrastructure, which is much more flood resilient), so that residents have power, refrigeration, potable water and climate control for days, and will not have to leave during or in the immediate aftermath of severe flood events.</p> <p>Property in flood hazard areas must grapple with the reality of flood exposure, and in the most flood-prone areas, first floors may be entirely sacrificial, containing no vulnerable utilities or mechanisms and ready to simply be hosed and scrubbed after flooding.</p> <p>We believe the Trustees should internalize these realities of Policy 11 compliance for reasons of floodplain safety and implement them in the Comprehensive Plan, such that development in the Village’s dense, flood prone neighborhoods be done so that the residents of these units are up out of the water during the critical period and can safely remain there. To be sure, these requirements add cost. But we do residents of affordable housing no favors if the units they live in endanger their lives during a storm, nor would such a building survive Policy 11 scrutiny at the project level.</p> <p><i>Stormwater</i> Stormwater management is a flooding issue even for projects outside the flood zone. The Village exists within a bowl-shaped part of the County, where 32 square miles drain into our harbor, most of it into the junction of the Mamaroneck River and Sheldrake Brook at Columbus Park. Citizens appearing before the Commission repeatedly (and correctly) voice the concern that every drop of stormwater that falls makes its way downhill to the harbor, one way or</p>	

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		<p>another. Applicants for projects often note that they are adding capacity and replacing buildings with no stormwater management (though typically with more permeable area and less lot coverage). This is typically true as far as it goes, but merely “better than what is there” is not a complete answer. Particularly as density increases in some areas, the residents of the flood prone neighborhoods have the right to expect that our enforcement of the stormwater policies will in fact lead to less contribution to flooding.</p> <p>We believe aspirationally that the goal should be for every new building to see its entire runoff, even in a severe flood event, handled from the rooftop, into a management system, and into the harbor. At present, this is not the LWRP policy, and policy interpretation follows the state Manual. But we do believe (and may separately seek policy changes to implement) that standard modeling for stormwater systems should measure and design for the most severe events we have experienced, including Hurricane Ida.</p> <p>The Trustees, in considering the Plan, may wish to adopt a recommendation for modeling of more severe events, and should consider that increasing density requires strict compliance with stormwater management policies to ensure that more housing does not lead to more flooding.</p> <p>Recommendation 4a-16 is to revisit the ban on building residences in commercial zones within fifty feet of water bodies. The Mamaroneck River flows through the C-2 and parts of the C-1 zone and forms the Village’s Critical Flood Hazard Area in parts of these zones. Authorizing residential development closer to the river in these areas raises issues with the environmental policies, and with the floodplain safety policy, Policy 11. These policies can and will be enforced at the project level, but it should be anticipated that making the fifty-foot setback waivable will have limited impact because of the challenges of successfully planning a project consistent with those policies. We note, also, that Recommendation 4a-16 is in significant tension with Recommendation 7-13, which proposes stronger wetland buffer regulation.</p>	

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		<p>Other Chapter 4 Recommendations Several of the recommendations in Chapter 4 of the Plan are simply to “develop a strategy.” We do not comment specifically on, for example, Recommendations 4a-6, 7, or 8, not because they do not implicate LWRP policies, but because a plan to develop a plan is too inchoate for specific guidance. We would ask that the Trustees remain mindful of the LWRP’s policies as these recommendations become more specific, either in the Plan drafting or subsequent policy. Recommendation 4a-3, connecting the Avenue to the River, seems broadly consistent with best public use of the Village’s natural resources.</p> <p>Recommendations 4b-3 (maximum lot coverage), 4b-6 and 4b-7 support proper stormwater management and environmental stewardship consistent with the relevant LWRP policies.</p> <p>Chapter 5 The Plan’s recommendation 5-7, to conform local regulation to the new Stormwater Design Manual, is consistent, but does not go far enough. As described above, we believe the Trustees can and should adopt a regulation that applicants test for storm conditions at the Hurricane Ida level. We would be glad to dialogue with the Trustees or Staff concerning details of that modeling. Likewise, the proposed Overlay District, Recommendation 5-8, is an excellent proposal. HCZMC stands ready to provide any useful input on the development of policies for that district, including aligning the safety protocols with the interpretation of Policy 11, effectively codifying the “no added rescue burden” safety standard.</p> <p>Recommendations 5-14 to 5-19 each appear sensible in the context presented, but each is a riverine or coastal construction project with implications for several LWRP policies that cannot be evaluated effectively in concept and must await project-specific review.</p>	

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15	Doreen Roney	<p>Last evening I watched the FMAC’s meeting and I am encouraged to hear a strong message that resonated is that we need a watershed wide approach to control our flooding destiny. While this committee voted on a resolution passed to the BOT which involves working with the county toward a watershed wide approach, a first step to do so locally is reading and understanding that the county has provided many environmental planning studies with recommendations for local municipalities on watershed wide and flooding approaches for at least 3 decades.</p> <p>I’m not sure if everyone is aware (and if so forgive this explanation) that not only has a watershed wide approach been the focus of our LWRP since 1984, but also found among many subsequent county environmental planning studies.</p> <p>Our village’s jurisdictional boundaries are within several watersheds and these county planning studies that pertain to them are the WAC 3,4, and 5. Below is an excerpt from the attached pdf pages 15 and 16 of the county’s watershed advisory committee 3 1998 study re recommendations for comprehensive plan.</p> <p>Please note that many of the comprehensive planning recommendations provided in the cite below have not yet been implemented. And for one- ‘and the provisions of the County’s stormwater runoff control manual’- aka county best management practices manual, our current stormwater code removed these key provisions for our local controls (that NYSDEC Stormwater design manual recommends having) by eliminating (repealing) Article II of chapter 186 Flood Damage Prevention on 9-22-2014. In the past few years the BOT had review of this former repealed law -article II chapter 186 on it’s work session agenda however if my recollection is correct it was dropped without much discussion.</p> <p>In addition, in the mid 2000’s the NYSDEC provided a model local stormwater law for municipalities to consider adopting. If a comparison to what is in our current code to this model law is done it’s apparent that our laws need updating to be</p>	<p><i>The Watershed Advisory Committee 4 Report from 2001 is discussed in Chapter 5 (p. 100). Links to WAC Reports 3,5, and 4 will be included in the “Resources & Examples” section of Chapter 5.</i></p> <p>Recommendation 5-7: Review, Update & Strengthen Existing Stormwater Regulations in Chapter 5 will be updated to also include the Flood Damage Prevention regulations and “Stormwater Regulations” will be spelled out fully as “Stormwater Management and Erosion and Sediment Control Regulations.” A reference will be added to consult the latest County stormwater management guidance.</p> <p>Recommendation 7-13: Preserve natural areas through zoning or other regulations in Chapter 7 will be revised to mention wetlands and updated to include mention of freshwater and tidal wetlands.</p> <p>Recommendation 5-3: Conduct Mitigation Study for Areas Not Improved by U.S. Army Corps of Engineers Project in Chapter 5 includes mention of the Beaver Swamp Brook watershed.</p>

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		<p>consistent with NYSDEC requirements in https://www.dec.ny.gov/docs/water_pdf/localaw06.pdf</p> <p>The 'latest' county environmental study is a 2013 stormwater reconnaissance for LIS watersheds- https://planning.westchestergov.com/images/stories/reports/ReconPlanCLIS.pdf</p> <p>While reading these studies one thing is apparent- there are many references made to previous study recommendations have not been implemented which controls our destiny with regard to watershed planning -water quality and quantity-flooding.</p> <p>Since we are updating our comprehensive plan it's my opinion that the village would be remiss to not include and improve upon this aforementioned data; especially since not only are we at a crucial point with flooding and it's impacts, is the # 1 identified concern of stakeholders surveyed for this comp plan.</p> <p>Cite from WAC 3 pdf pages 15 and 16 https://planning.westchestergov.com/images/stories/reports/wac3report.pdf</p> <p>Mamaroneck Village Municipal Comprehensive Plans and Ordinances:</p> <ul style="list-style-type: none"> • Update the Master Plan and Local Waterfront Revitalization Program to include specific recommendations and policies for protecting and improving the quality of tributaries and embayments of Long Island Sound. • Amend the Freshwater Wetlands Ordinance to include a specific description of how wetlands are to be identified, mitigation sequencing requirements and more specific criteria for issuing a permit. • Adopt a Tidal Wetlands Ordinance to protect the significant amount of tidal wetlands along the Long Island Sound shore. • Adopt a Stormwater Management Ordinance which incorporates NYSDEC guidelines and the provisions of the County's stormwater runoff control manual. 	

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		<ul style="list-style-type: none"> • Amend the Flood Damage Prevention; Erosion and Sediment Control Ordinance to include a few additional standards to make the ordinance complete. • Amend Zoning Ordinance to include lot coverage limits and provide for exclusion of sensitive areas (e.g., wetlands, steep slopes) from allowable coverage calculations. • See watershed-wide strategies noted above. <p>Stream Restoration</p> <ul style="list-style-type: none"> • Approximately 1.8 stream miles of Beaver Swamp Brook, Guion Creek and Otter Creek flow through Mamaroneck Village. The Streamwalk identified two impaired sites in the village. No Priority Water Bodies List sites have been identified by NYSDEC, although Beaver Swamp Brook has a PWL site in Rye City (of course, Long Island Sound also is on the PWL). • Beaver Swamp Brook, Guion Creek and Otter Creek - Improve water quality in these streams by modifying urban housekeeping practices, enhancing the stream buffers and banks, managing nutrients, controlling erosion and sediment, restoring the natural channels, stabilizing stream banks, maintaining septic systems, retrofitting storm drains, improving streamside mowing practices, and removing sediment from the stream channels 	
16	Doreen Roney	<p>On page 163 of the draft comprehensive plan the section 2012 Parks, Open Space & Recreation Objectives contains this seriously flawed statement which needs to be removed:</p> <p>c. Encourage an appropriately-sized destination restaurant on the waterfront in accordance with the goals of the Harbor Island Master Plan (2004).</p> <p>As the BOT is responsible for implementing our LWRP and should be patently aware, ONLY water dependent uses can be sited ON THE WATER (front) and a restaurant (no matter how appropriately sized it is) is NOT considered a water dependent use NOR is it documented anywhere it has any place or is part of the 2004 Harbor Island Master Plan.</p>	<p><i>That passage is quoted from the 2012 Comprehensive Plan (p. 143). However, you are correct that the 2012 Plan’s attribution of the goal of a destination restaurant on the waterfront to the Harbor Island Master Plan (2004) is erroneous. Goal “c.” will be removed from page 163.</i></p>

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		I certainly hope this will be removed to not create future confusion that is diametrically opposed to code and the harbor island master plan.	
17	Doreen Roney	[Recommendation] 4a-16 provides an inaccurate statement that PLL-C instituted a new requirement prohibiting developments, etc. within 50 ft of waterbodies. The statement is inaccurate because this longstanding requirement has been part of village code since 1984 when our LWRP was adopted and implements many plans and policies namely to only allow for water dependent uses by only siting water dependent uses on the waterfront. Here is the specific code cite that cannot be altered as it is not consistent with the policies and purposes of the village of Mamaroneck’s LWRP, therefore section 4a-16 should be removed from the document and consideration.	<i>Recommendation 4a-16: Reexamine the Setback Requirement from Water Bodies in the Infill Housing Provision on page 70 is to consider the removal of §342-50 B(5) which is a new requirement adopted in 2019 with PLL-C.</i> <i>§240-30 allows for a permit. The language in §240-30 also states “or cannot reasonably be located elsewhere on the property” to allow for use of properties if there is no other option.</i>

Comments #15, #16, and #17 were submitted after the August 12 draft was posted to www.planvom.org