

**TOWN OF MAMARONECK
TOWN BOARD AGENDA
WEDNESDAY, MARCH 2, 2016**

THE TOWN BOARD WILL CONVENE – at 5:00 PM, In Conference Room A to discuss:

1. Review – Proposed Residential Site Plan Ordinance
2. LMC-TV
3. Review of Proposed Fee Adjustment – Alarm Permits
4. Update – Sewer System Evaluation Study
5. Update – Community Choice Aggregation
6. New Business

8:00PM CALL TO ORDER – COURTROOM

SUPERVISOR'S SUMMARY REPORT

CITIZEN COMMENTS

- PUBLIC HEARING** - 1. "Restriction of Truck Traffic from East Hickory Grove Drive, Rockland Avenue and a section of Myrtle Boulevard"
2. "Restriction on Parking on Hillside Avenue and on a Section of Echo Lane"

BOARD OF FIRE COMMISSIONERS

1. Fire Claims
2. Authorization – Transfer of Funds – Capital Project #2015-29
3. Authorization – Weaver Street Fire Headquarters Roof Repair
4. Other Fire Department Business

AFFAIRS OF THE TOWN OF MAMARONECK

1. Set Public Hearing – Residential Site Plan Legislation
2. Authorization – Transfer of Funds – Capital Project 2016-20
3. Authorization – Correction of 2014/2015 Property Tax Rolls
4. Salary Authorization – Police Department
5. Authorization – Adjustment of Fee Schedule
6. Authorization – Cell Phone Reimbursement Program

APPROVAL OF MINUTES – February 3, 2016 & February 17, 2016

REPORTS OF THE COUNCIL

TOWN CLERK'S REPORT

NEXT REGULARLY SCHEDULED MEETINGS – March 16, 2016 & April 6, 2016

Any physically handicapped person needing special assistance in order to attend the meeting should call the Town Administrator's office at 381-7810.

WORKSESSION

ITEM 1



Town of Mamaroneck

County of Westchester

740 West Boston Post Road, Mamaroneck, NY 10543-3353

COUNSEL

TEL: 914/381-7815

FAX: 914/381-7809

wmaker@townofmamaroneck.org

MEMORANDUM

To: Mamaroneck Town Board

cc: Stephen V. Altieri, Town Administrator

From: William Maker, Jr., Attorney for the Town

Subject: Revised residential site plan law

Date: February 26, 2016

After last night's special Town Board meeting, I revised the February 19, 2016 draft of the proposed law. Both a redlined and a revised copy are attached.

I took the liberty of making one addition not discussed at the meeting. In the fines section (178-18), I made \$250 a minimum fine and \$500 a maximum fine instead of leaving the fine as a 'not to exceed' amount. As a 'not to exceed' amount, the Court could decide to impose a \$-0- fine. Establishing a minimum is meant to avoid that possibility.

I also added 'commencing construction' to this section to avoid the argument that the fine can be levied only when an **completed**, illegal structure is placed on a parcel.

If the draft is sufficient for public review, the Board may decide to set a public hearing to consider whether this law should be adopted.



§ 178-1 Title.

This chapter shall be known as the "Site Plan Approval for Residential Development Law of the Town of Mamaroneck" Law.

§ 178-2 Purpose.

This chapter is enacted to ensure that proposed development and use of land will preserve and protect environmental features, have a harmonious relationship with existing or permitted uses of contiguous land and of adjacent neighborhoods, enhance the appearance of the community and make sure that the health, safety, comfort, convenience and general welfare of the public is fully considered.

§ 178-3 Definitions.

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

FOOTPRINT, BUILDING

The outline of the imaginary line formed by the vertical downward extension of the ends of the roof of a building or structure that is intended to shelter, house or enclose people, animals or property. This definition applies both to one-family and two-family dwellings and to accessory buildings or structures that have a roof.

FOOTPRINT, OTHER IMPROVED SURFACES

The outline of any improved surface that is not a building or a structure that is intended to shelter, house or enclose people, animals or property, such as, but not limited to driveways, patios, walkways, tennis courts and swimming pools.

FOOTPRINT, AREA

The square footage of the area lying within a footprint of a building or structure or the area lying within the footprint of an improved surface that is not a building or a structure.

MAP

A map of (a) the parcel, (b) the properties that abut the parcel, (c) the properties immediately across the street and (d) the streets that the parcel abuts. To determine whether a property is "immediately across the street from the parcel", the lot lines of the parcel shall be projected across the streets on which the parcel abuts. Any property that such extension touches shall be considered a property "immediately across the street from the parcel". If the parcel is a corner lot, the lot that is cater-cornered from the parcel also shall be considered a property that is "immediately across the street from the parcel".

PARCEL

The single lot that is the subject of a site plan application.

PRINCIPAL USE

A one-family or a two-family dwelling.

RESIDENTIAL SITE PLAN

A map prepared to the specifications, and containing the necessary elements required by the Town Code for either the development of a parcel with a one-family or a two-family dwelling and/or an accessory use for a one-family or a two-family dwelling or (b) the regrading a parcel only. The map shall show the arrangement, layout, grading, landscaping and design of the proposal and the other elements required to be shown by this chapter. In this chapter the words "site plan" is synonymous with "residential site plan".

SITE DISTURBANCE, AREA

The square footage of the area of a parcel where construction and/or regrading is proposed.

§ 178-4 Proposed Improvements Subject to this Chapter; Proposed Improvements Exempt from this Chapter.

A. The following improvements shall be subject to this chapter:

- (1) Any construction on a vacant parcel unless exempted by § 178-4 C. (1). A vacant parcel includes an improved parcel whose principal use has been removed.
- (2) Construction on an improved parcel where seventy (70%) percent or more of the square footage of the existing principal use has been or is proposed to be removed.
- (3) Where the area of site disturbance of the parcel when divided by the area of the parcel equals or exceeds for parcels in the:

R-6 zoning district	45%
R-7.5 and R-10 zoning districts	40%
R-20, R-30 and R-50 zoning districts	35%.

B. Notwithstanding § 178-4 A, if within ~~five~~^{three} (5~~3~~) years ~~????~~ after a certificate of occupancy or a certificate of compliance is issued with respect to a parcel for work that did not require site plan approval, an application is made by or on behalf of the same person for a permit to do more work on that parcel, and if the work proposed by that application, when combined with the work for which such certificate had been issued, would have required site plan approval if both projects had been proposed at the same time, the work proposed shall require site plan approval.

C. The following activities shall be exempt to this chapter:

(1) Construction on a parcel created by a subdivision plat that was approved by the Planning Board on or after November 1, 2013.

(2) Repairs to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer.

(3) Routine landscaping maintenance activity in area that already have been cultivated.

~~(4)~~ Repair or repaving of existing walls, driveways, patios, walkways, tennis courts and swimming pools, provided the parcel is not regraded in the process.

~~(5)~~ Emergency activity need to be done immediately in order to protect life, property or natural resources.

~~(6)~~ Reconstruction of a principal use that has been destroyed by fire or other casualty provided the reconstructed principal use is located within the same footprint of the destroyed principal use.

~~§ 178-5 Designation of the Planning Board.~~

The Town Board grants the Planning Board the authority to review and approve, approve with modifications and/or specific conditions or disapprove site plans and the other powers set forth in § 274-a, Subdivision 1a, of the Town Law of the State of New York.

§ 178-6 Application procedure.

The procedure for site plan approval shall involve a three-stage process: a conference prior to the submission of a site plan application, attendance at meetings of the Planning Board to allow it to consider the site plan application and to advise the applicant of any other information that the applicant must supply in order for the Planning Board to have all of the information it needs in order to make a decision and a public hearing before the Planning Board. The Planning Board may adopt such rules and regulations as it deems necessary to implement this procedure.

§ 178-7 Pre-submission conference.

Prior to the submitting a site plan application:

(1) the applicant shall meet in person with the Building Inspector or the Director of Building Code Enforcement and Land Use Administration, the Town Engineer and such other members of the Town staff or outside consultants as the Town staff considers appropriate based upon the nature of the application to discuss the applicant's proposal in order that subsequent steps be undertaken with a clear understanding of the Planning Board's requirements for reviewing the site plan application, and

(2) the applicant must show that any variance or special permit required in order to develop the parcel in accordance with the proposed site plan has been granted or, in the case of a special permit that an application therefor has been submitted. If an application for a required special permit has not been submitted, the applicant must represent that an application therefor will be submitted to the Planning Board when the site plan application is submitted.

§ 178-8 Contents of application; filing.

A. Within six months of the pre-submission conference, 19 copies of the application for site plan approval shall be filed with the Building Inspector or the Director of Building Code Enforcement and Land Use Administration, accompanied by a detailed development plan prepared by a licensed architect or professional engineer, under professional seal, drawn upon a certified survey of the parcel, prepared by a licensed surveyor. The plan shall contain:

(1) A deed recorded in the office of the Westchester County Clerk showing that the applicant is the owner of the parcel. If the applicant is not the owner, the owner shall submit a letter authorizing a representative or a contract vendee to proceed with the application and consenting to the application for site plan approval.

(2) The Map which shall show all of the improvements on the parcel and on the other properties shown on the Map.

(3) The location of any zoning district lines lying within the area shown on the Map.

~~(4) The proposed use, location, height, design and elevations (a) of all existing buildings and structures on the parcel that are not designated for demolition or removal, and (b) of all buildings and structures and/or additions thereto proposed for the parcel. The length, width, height, location and design of the existing buildings and structures on the parcel that are not designated for demolition or removal. The length and width of the other improved surfaces on the parcel. The area of the footprint of the existing buildings and structures on the parcel. The area of the footprint of the other improved surfaces on the parcel.~~

(5) The length, width, height location and design of the buildings and structures proposed for the parcel. The length and width of the other improved surfaces proposed for the parcel. The area of the footprint of the buildings and structures proposed for the parcel. The area of the footprint of the other improved surfaces proposed for the parcel.

(6) Any proposed division of any building into units for separate occupancy.

(67) The distances between existing buildings or structures on the parcel and the distances between existing buildings and structures and other improved surfaces on the parcel.

(78) The distances between the buildings or structures that will exist on the parcel after all construction or regrading is completed and the distances between the buildings and structures and other improved surfaces that will exist on the parcel after all construction or regrading is completed.

(89) A topographical map showing (a) both the existing topography and the proposed final grade elevations at intervals of two feet or less and the existing grade on properties that abut the parcel for a distance of ten (10) feet from each of the parcel's lot lines, and (b) detailed information on the methods proposed to be used to retain, stabilize and/or refurbish regraded areas.

(910) The location of all existing watercourses, intermittent streams, wetland areas, rock outcrops, wooded areas and other significant existing features that lie within the perimeter of the Map.

(101) The location of all existing and proposed parking areas and driveways.

(112) The location and description of all existing and proposed site improvements, including but not limited to drainage pipes, drains, culverts, ditches, bridges or other drainage works, retaining walls and medians, dividers, fences, utilities, septic systems, lighting, generators, central air conditioning equipment and mechanical equipment for swimming pools. Drainage information shall be provided under seal, by either a New York State licensed professional engineer or a New York State licensed landscape architect.

(123) The location of all existing and proposed easements.

(134) The location, height, quality and design of all landscaping and buffer areas.

(145) Letters or permits from other agencies having jurisdiction containing comments on the proposed site plan, as well as a certification from the Building Inspector or the Director of Building Code Enforcement and Land Use Administration that the proposed site plan meets all

requirements of Chapter 240, Zoning, of the Town Code or, if it fails to meet all such requirements, those variances or special permits that are necessary in order for the applicant to obtain a building permit if a site plan application is approved.

~~(15) The length, width and height of the existing buildings and structures on the parcel. The length and width of the other improved surfaces on the parcel. The area of the footprint of the existing buildings and structures on the parcel. The area of the footprint of the other improved surfaces on the parcel.~~

~~(16) The length, width and height of the proposed buildings and structures on the parcel. The length and width of the other improved surfaces proposed for the parcel. The area of the footprint of the proposed buildings and structures on the parcel. The area of the footprint of the other improved surfaces proposed for the parcel.~~

B. If the site plan indicates that the total proposed action will not be constructed at the same time, a supplementary plan shall be submitted simultaneously with the site plan, indicating what portions of the proposed action shall be constructed in the future.

C. No building permit can be issued after the first anniversary of the date that the Planning Board approves a site plan application. If there is no substantial change in the condition of the parcel and/or its environs, the Planning Board, after conducting a public hearing, may authorize the issuance of a building permit after the first anniversary of the date that the Planning Board approved a site plan application but before the second anniversary thereof.

§ 178-9 Referral of applications.

The Secretary of the Planning Board shall forward one copy of the site plan application to the Town Engineer, the Building Inspector, the Director of Building Code Enforcement and Land Use Administration, the Westchester Joint Water Works, ~~the Westchester County Planning Board [SHOULD THIS BE DEPT OF PLANNING INSTEAD?], if the parcel has frontage on a County highway and the State Department of Transportation, if the parcel has frontage along a state highway,~~ and other local, state, county, regional and federal agencies having jurisdiction, as well as to any consultants that the Planning Board, in its discretion, deems necessary or appropriate for a thorough review of the application. The Planning Board may, but is not compelled to, consider the failure of the Westchester Joint Water Works, the Westchester County Planning Board or the State Department of Transportation to submit comments upon the site plan application within forty-five (45) days after such application is forwarded to them to be an indication that such non-responding entity has no objection to the site plan application.

§ 178-10 Public hearing and action by Planning Board.

A. Public hearing

(1) The Planning Board shall conduct a public hearing on a site plan application within sixty-two (62) days after the Town Engineer and the Building Inspector or the Director of Building Code Enforcement and Land Use Administration certify to it that a properly completed site plan application has been received.

(2) In its discretion the Planning Board may waive the public hearing but to do so, the Planning Board must make written findings setting forth the reasons why such waiver will not be deleterious to the public health, safety or general welfare, is appropriate for the particular site plan and is not inconsistent with the purpose of this chapter.

(3) Before the public hearing can be opened, the applicant must demonstrate compliance with the notification procedures contained in Chapter 144.

B. Action by Planning Board

(1) Within sixty-two (62) days from the date that the public hearing is closed or waived, the Planning Board shall approve, disapprove or approve with modifications and/or specific conditions the site plan application.

(2) Planning Board disapproval shall include written findings explaining the grounds for disapproving the site plan application.

(3) An application to amend an approved site plan shall follow the same three-stage process as the original application but need only contain documents and information which directly relate to the amendment under consideration. However, the amendment will be considered in the context of the entire site plan previously approved. The fact that a public hearing was waived upon the original application does not automatically mean that a public hearing on the amendment will be waived. Each application will be judged on its own merits and by its potential impacts.

§ 178-11 Integration of other procedures.

The Planning Board shall, where practical, integrate the site plan review process with the requirements of other applicable local laws, ordinances and requirements.

§ 178-12 Standards for Reviewing Site Plans.

The Planning Board shall consider the following standards in reviewing a site plan application and may modify or add those restrictions or conditions to its approval that it determines to be necessary or prudent when applying these standards to the site plan application.

A. Screening and landscaping. All structures, recreational and parking areas shall be reasonably landscaped and/or screened so as to ~~preserve~~ minimize, to the extent practical, the impact on the peace, comfort or repose of reasonable persons of normal sensitivities residing on the lots shown on the Map. The scale and quality of the landscaping and screening on the parcel shall be harmonious with the character of, and serve to enhance the neighborhood.

B. Environmental quality. All bodies of water, wetlands; steep slopes, hilltops, ridge lines, major stands of trees, outstanding natural topography, significant geological features and other areas of scenic, ecological and historic value shall be preserved insofar as possible. Soil erosion shall be prevented insofar as possible. Flood hazard shall be minimized. Air quality shall be within legal limits. The Planning Board shall require that all potentially ecological disruptive elements of site preparation, such as blasting, diversion of watercourses and the like, be conducted according to the highest standards of professional care.

C. Drainage. There shall be a stormwater pollution prevention plan or surface water and erosion control plan that complies with the requirements of Chapter 95 of the Town Code.

D. Location and dimension of buildings. The location, arrangement, size and design of the buildings and structures shall be comparable to each other and with the parcel as a whole.

E. Impact of the proposal on adjacent land uses. The impact of noise, glare or other features that disrupt the peace, comfort or repose of reasonable persons of normal sensitivities residing on Adjacent and neighboring properties shall be ~~protect~~ minimized to the extent practical both during construction and after construction is complete. ~~against noise, glare or other features that disrupt the peace, comfort or repose of reasonable persons of normal sensitivities. Among the matters that the Planning Board shall regulate is the location on the parcel where equipment and materials will be stored.~~

F. Trees. The proposed site plan shall specify the trees exceeding six (6) inches in diameter at a height of four (4) feet above the ground that the applicant proposes to cut down and must demonstrate to the Planning Board's satisfaction why he or she wishes to remove each such tree as it is the Planning Board's duty to minimize the number of trees of the aforementioned caliper that will be removed.

G. Regrading. Regrading shall comply with the conditions set forth in § 95-11 of the Town Code and shall be designed so that the final grade of the parcel does not alter the natural drainage patterns in such a way as to increase or concentrate current runoff from the parcel onto the street or onto the lots that border the parcel.

H. Staging. The Planning Board shall designate the area of the parcel where the materials and the equipment to be used shall be stored during construction and the location of portable

sanitary facilities that may be installed during construction. The area so designated shall be the area that in the judgment of the Planning Board, will ~~have the least~~ minimize, to the extent practical, the impact upon the peace, comfort or repose of persons residing on the adjacent and neighboring properties and will reasonably protect the remainder of the parcel from being disturbed.

§ 178-13 Filing of approved site plan.

A. The applicant shall submit 5 hardcopies, and one digital copy (both in pdf and tiff format) of an approved site plan.

B. If a site plan is approved with modifications and/or specific conditions, the approved site plan shall be revised by the applicant to include all modifications and conditions imposed by the Planning Board.

C. Approved site plans shall be signed and dated by the Town Engineer who shall submit one signed copy of the approved site plan to the Building Inspector or the Director of Building Code Enforcement and Land Use Administration.

§ 178-14 Fees

Every application for site plan approval shall be accompanied by the fee set forth in § A250-1. Should the Planning Board consider it necessary to hire consultants for technical review and/or on-site inspection, the applicant shall be required to reimburse the Town for such services or pay those consultants directly. ~~THE FEE SCHEDULE SHALL BE AMENDED TO PROVIDE FOR A FEE OF \$650.00.~~

§ 178-15 Waiver of requirements.

If due to the particular character or the limited nature of the development for which site plan is sought, or due to special conditions peculiar to the parcel, or if strict compliance with this chapter will cause extraordinary and unnecessary hardship, the Planning Board may waive or vary the submission of a site plan application or of certain information otherwise required as part of the application. The Planning Board also may waive or vary such submission or requirements if, in its opinion, to do so will be consistent with the goal of promoting the public health, safety, comfort, convenience and general welfare of the public. The findings for granting such waiver or a variance shall be entered into the public record.

§ 178-16 Minor Revisions.

The Town Engineer or the Building Inspector or the Director of Building Code Enforcement and Land Use Development may approve minor revisions to an approved site plan, necessitated by

field conditions encountered during the course of construction that could not have been anticipated during the approval process, so long as such revision will not materially change the approved site plan and will not adversely impact the neighboring properties or the environment.

§ 178-17 Approval required for issuance of permits.

A. No building permit shall be issued for the development of a parcel that requires site plan approval until a signed site plan is delivered to the Building Inspector or the Director of Building Code Enforcement and Land Use Administration.

B. No certificate of occupancy or compliance for any structure or use upon or within the parcel shall be issued until all of the required conditions of the site plan approval have been met. The Building Inspector or the Director of Building Code Enforcement and Land Use Development may revoke any such certificate if the parcel ceases to conform to the approved site plan and conditions attached thereto.

§ 178-18 Penalties for offense.

Any violation of this chapter shall constitute a violation and be punishable by a fine not less than to exceed two hundred fifty and no/100ths (\$250.00) dollars and not more than five hundred and no/th\$ (\$500.00) dollars for each such violation, except that the commencing construction of, or placing of any structure on a parcel which requires site plan approval or an amendment to an approved site plan without first obtaining site plan approval shall constitute a violation and be punishable by a fine not to exceed one thousand and no/100ths (\$1,000.00) dollars.

02/1926/16

Upheld in ~~Harlem Yacht Club v NYC ECB, 40 AD3d 331 (1st Dept 2007)~~

~~"any excessive or unusually loud sound that disturbs the peace, comfort or repose of a reasonable person of normal sensitivities, injures or endangers the health or safety of a reasonable person of normal sensitivities or which causes injury to plant or animal life, or damage to property or business"~~
(Administrative Code § 24-203[62])

Local Law No. - 2016

This local law shall be known as the "Site Plan Approval of Residential Development Law of the Town of Mamaroneck" Law.

BE IT ENACTED by the Town Board of the Town of Mamaroneck

Section 1 – Purpose:

This chapter is enacted to ensure that proposed development and use of land will preserve and protect environmental features, have a harmonious relationship with existing or permitted uses of contiguous land and of adjacent neighborhoods, enhance the appearance of the community and make sure that the health, safety, comfort, convenience and general welfare of the public is fully considered.

Section 2 – Adoption of a new chapter of the Code of the Town of Mamaroneck:

The Code of the Town of Mamaroneck hereby is amended by creating a new chapter that provides as follows:

Chapter 178

Site Plan Review of Residential Development

§ 178-1. Title.

This chapter shall be known as the "Site Plan Approval for Residential Development Law of the Town of Mamaroneck" Law.

§ 178-2. Purpose.

This chapter is enacted to ensure that proposed development and use of land will preserve and protect environmental features, have a harmonious relationship with existing or permitted uses of contiguous land and of adjacent neighborhoods, enhance the appearance of the community and make sure that the health, safety, comfort, convenience and general welfare of the public is fully considered.

§ 178-3. Definitions.

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

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The outline of the imaginary line formed by the vertical downward extension of the ends of the roof of a building or structure that is intended to shelter, house or enclose people, animals or property. This definition applies both to one-family and two-family dwellings and to accessory buildings or structures that have a roof.

FOOTPRINT, OTHER IMPROVED SURFACES

The outline of any improved surface that is not a building or a structure that is intended to shelter, house or enclose people, animals or property, such as, but not limited to driveways, patios, walkways, tennis courts and swimming pools.

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MAP

A map of (a) the parcel, (b) the properties that abut the parcel, (c) the properties immediately across the street and (d) the streets that the parcel abuts. To determine whether a property is "immediately across the street from the parcel", the lot lines of the parcel shall be projected across the streets on which the parcel abuts. Any property that such extension touches shall be considered a property "immediately across the street from the parcel". If the parcel is a corner lot, the lot that is cater-cornered from the parcel also shall be considered a property that is "immediately across the street from the parcel".

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The single lot that is the subject of a site plan application.

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SITE DISTURBANCE, AREA

The square footage of the area of a parcel where construction and/or regrading is proposed.

§ 178-4. Proposed Improvements Subject to this Chapter; Proposed Improvements Exempt from this Chapter.

A. The following improvements shall be subject to this chapter:

- (1) Any construction on a vacant parcel unless exempted by § 178-4 C. (1). A vacant parcel includes an improved parcel whose principal use has been removed.
- (2) Construction on an improved parcel where seventy (70%) percent or more of the square footage of the existing principal use has been or is proposed to be removed.
- (3) Where the area of site disturbance of the parcel when divided by the area of the parcel equals or exceeds for parcels in the:

R-6 zoning district	45%
R-7.5 and R-10 zoning districts	40%
R-20, R-30 and R-50 zoning districts	35%.

B. Notwithstanding § 178-4 A, if within three (3) years after a certificate of occupancy or a certificate of compliance is issued with respect to a parcel for work that did not require site plan approval, an application is made by or on behalf of the same person for a permit to do more work on that parcel, and if the work proposed by that application, when combined with the work for which such certificate had been issued, would have required site plan approval if both projects had been proposed at the same time, the work proposed shall require site plan approval.

C. The following activities shall be exempt to this chapter:

- (1) Construction on a parcel created by a subdivision plat that was approved by the Planning Board on or after November 1, 2013.
- (2) Repairs to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer.
- (3) Routine landscaping maintenance activity in area that already have been cultivated.
- (4) Repair or repaving of existing walls, driveways, patios, walkways, tennis courts and swimming pools, provided the parcel is not regraded in the process.
- (5) Emergency activity need to be done immediately in order to protect life, property or natural resources.

(6) Reconstruction of a principal use that has been destroyed by fire or other casualty provided the reconstructed principal use is located within the same footprint of the destroyed principal use.

§ 178-5. Designation of the Planning Board.

The Town Board grants the Planning Board the authority to review and approve, approve with modifications and/or specific conditions or disapprove site plans and the other powers set forth in § 274-a, Subdivision 1a, of the Town Law of the State of New York.

§ 178-6. Application procedure.

The procedure for site plan approval shall involve a three-stage process: a conference prior to the submission of a site plan application, attendance at meetings of the Planning Board to allow it to consider the site plan application and to advise the applicant of any other information that the applicant must supply in order for the Planning Board to have all of the information it needs in order to make a decision and a public hearing before the Planning Board. The Planning Board may adopt such rules and regulations as it deems necessary to implement this procedure.

§ 178-7. Pre-submission conference.

Prior to the submitting a site plan application:

(1) the applicant shall meet in person with the Building Inspector or the Director of Building Code Enforcement and Land Use Administration, the Town Engineer and such other members of the Town staff or outside consultants as the Town staff considers appropriate based upon the nature of the application to discuss the applicant's proposal in order that subsequent steps be undertaken with a clear understanding of the Planning Board's requirements for reviewing the site plan application, and

(2) the applicant must show that any variance or special permit required in order to develop the parcel in accordance with the proposed site plan has been granted or, in the case of a special permit that an application therefor has been submitted. If an application for a required special permit has not been submitted, the applicant must represent that an application therefor will be submitted to the Planning Board when the site plan application is submitted.

§ 178-8. Contents of application; filing.

A. Within six months of the pre-submission conference, 19 copies of the application for site plan approval shall be filed with the Building Inspector or the Director of Building Code Enforcement and Land Use Administration, accompanied by a detailed development plan prepared by a licensed architect or professional engineer, under professional seal, drawn upon a certified survey of the parcel, prepared by a licensed surveyor. The plan shall contain:

- (1) A deed recorded in the office of the Westchester County Clerk showing that the applicant is the owner of the parcel. If the applicant is not the owner, the owner shall submit a letter authorizing a representative or a contract vendee to proceed with the application and consenting to the application for site plan approval.
- (2) The Map which shall show all of the improvements on the parcel and on the other properties shown on the Map.
- (3) The location of any zoning district lines lying within the area shown on the Map.
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- (6) Any proposed division of any building into units for separate occupancy.
- (7) The distances between existing buildings or structures on the parcel and the distances between existing buildings and structures and other improved surfaces on the parcel.
- (8) The distances between the buildings or structures that will exist on the parcel after all construction or regrading is completed and the distances between the buildings and structures and other improved surfaces that will exist on the parcel after all construction or regrading is completed.
- (9) A topographical map showing (a) both the existing topography and the proposed final grade elevations at intervals of two feet or less and the existing grade on properties that abut the parcel for a distance of ten (10) feet from each of the parcel's lot lines, and (b) detailed information on the methods proposed to be used to retain, stabilize and/or refurbish regraded areas.
- (10) The location of all existing watercourses, intermittent streams, wetland areas, rock outcrops, wooded areas and other significant existing features that lie within the perimeter of the Map.
- (11) The location of all existing and proposed parking areas and driveways.
- (12) The location and description of all existing and proposed site improvements, including but not limited to drainage pipes, drains, culverts, ditches, bridges or other drainage works, retaining walls and medians, dividers, fences, utilities, septic systems, lighting, generators, central air conditioning equipment and mechanical equipment for swimming pools. Drainage information

shall be provided under seal, by either a New York State licensed professional engineer or a New York State licensed landscape architect.

(13) The location of all existing and proposed easements.

(14) The location, height, quality and design of all landscaping and buffer areas.

(15) Letters or permits from other agencies having jurisdiction containing comments on the proposed site plan, as well as a certification from the Building Inspector or the Director of Building Code Enforcement and Land Use Administration that the proposed site plan meets all requirements of Chapter 240, Zoning, of the Town Code or, if it fails to meet all such requirements, those variances or special permits that are necessary in order for the applicant to obtain a building permit if a site plan application is approved.

B. If the site plan indicates that the total proposed action will not be constructed at the same time, a supplementary plan shall be submitted simultaneously with the site plan, indicating what portions of the proposed action shall be constructed in the future.

C. No building permit can be issued after the first anniversary of the date that the Planning Board approves a site plan application. If there is no substantial change in the condition of the parcel and/or its environs, the Planning Board, after conducting a public hearing, may authorize the issuance of a building permit after the first anniversary of the date that the Planning Board approved a site plan application but before the second anniversary thereof.

§ 178-9. Referral of applications.

The Secretary of the Planning Board shall forward one copy of the site plan application to the Town Engineer, the Building Inspector, the Director of Building Code Enforcement and Land Use Administration, the Westchester Joint Water Works, and other local, state, county, regional and federal agencies having jurisdiction, as well as to any consultants that the Planning Board, in its discretion, deems necessary or appropriate for a thorough review of the application. The Planning Board may, but is not compelled to, consider the failure of the Westchester Joint Water Works, the Westchester County Planning Board or the State Department of Transportation to submit comments upon the site plan application within forty-five (45) days after such application is forwarded to them to be an indication that such non-responding entity has no objection to the site plan application.

§ 178-10. Public hearing and action by Planning Board.

A. Public hearing

(1) The Planning Board shall conduct a public hearing on a site plan application within sixty-two (62) days after a properly completed site plan application has been received.

(2) In its discretion the Planning Board may waive the public hearing but to do so, the Planning Board must make written findings setting forth the reasons why such waiver will not be deleterious to the public health, safety or general welfare, is appropriate for the particular site plan and is not inconsistent with the purpose of this chapter.

(3) Before the public hearing can be opened, the applicant must demonstrate compliance with the notification procedures contained in Chapter 144.

B. Action by Planning Board

(1) Within sixty-two (62) days from the date that the public hearing is closed or waived, the Planning Board shall approve, disapprove or approve with modifications and/or specific conditions the site plan application.

(2) Planning Board disapproval shall include written findings explaining the grounds for disapproving the site plan application.

(3) An application to amend an approved site plan shall follow the same three-stage process as the original application but need only contain documents and information which directly relate to the amendment under consideration. However, the amendment will be considered in the context of the entire site plan previously approved. The fact that a public hearing was waived upon the original application does not automatically mean that a public hearing on the amendment will be waived. Each application will be judged on its own merits and by its potential impacts.

§ 178-11. Integration of other procedures.

The Planning Board shall, where practical, integrate the site plan review process with the requirements of other applicable local laws, ordinances and requirements.

§ 178-12. Standards for Reviewing Site Plans.

The Planning Board shall consider the following standards in reviewing a site plan application and may modify or add those restrictions or conditions to its approval that it determines to be necessary or prudent when applying these standards to the site plan application.

A. Screening and landscaping. All structures, recreational and parking areas shall be reasonably landscaped and/or screened so as to minimize, to the extent practical, the impact on the peace, comfort or repose of reasonable persons of normal sensitivities residing on the lots shown on the Map. The scale and quality of the landscaping and screening on the parcel shall be harmonious with the character of, and serve to enhance the neighborhood.

B. Environmental quality. All bodies of water, wetlands, steep slopes, hilltops, ridge lines, major stands of trees, outstanding natural topography, significant geological features and other areas of scenic, ecological and historic value shall be preserved insofar as possible. Soil erosion shall be prevented insofar as possible. Flood hazard shall be minimized. Air quality shall be within legal

limits. The Planning Board shall require that all potentially ecological disruptive elements of site preparation, such as blasting, diversion of watercourses and the like, be conducted according to the highest standards of professional care.

C. Drainage. There shall be a stormwater pollution prevention plan or surface water and erosion control plan that complies with the requirements of Chapter 95 of the Town Code.

D. Location and dimension of buildings. The location, arrangement, size and design of the buildings and structures shall be comparable to each other and with the parcel as a whole.

E. Impact of the proposal on adjacent land uses. The impact of noise, glare or other features that disrupt the peace, comfort or repose of reasonable persons of normal sensitivities residing on adjacent and neighboring properties shall be minimized to the extent practical both during construction and after construction is complete.

F. Trees. The proposed site plan shall specify the trees exceeding six (6) inches in diameter at a height of four (4) feet above the ground that the applicant proposes to cut down and must demonstrate to the Planning Board's satisfaction why he or she wishes to remove each such tree as it is the Planning Board's duty to minimize the number of trees of the aforementioned caliper that will be removed.

G. Regrading. Regrading shall comply with the conditions set forth in § 95-11 of the Town Code and shall be designed so that the final grade of the parcel does not alter the natural drainage patterns in such a way as to increase or concentrate current runoff from the parcel onto the street or onto the lots that border the parcel.

H. Staging. The Planning Board shall designate the area of the parcel where the materials and the equipment to be used shall be stored during construction and the location of portable sanitary facilities that may be installed during construction. The area so designated shall be the area that in the judgment of the Planning Board, will minimize, to the extent practical, the impact on the peace, comfort or repose of persons residing on adjacent and neighboring properties and will reasonably protect the remainder of the parcel from being disturbed.

§ 178-13. Filing of approved site plan.

A. The applicant shall submit 5 hardcopies, and one digital copy (both in pdf and tiff format) of an approved site plan.

B. If a site plan is approved with modifications and/or specific conditions, the approved site plan shall be revised by the applicant to include all modifications and conditions imposed by the Planning Board.

C. Approved site plans shall be signed and dated by the Town Engineer who shall submit one signed copy of the approved site plan to the Building Inspector or the Director of Building Code Enforcement and Land Use Administration.

§ 178-14. Fees.

Every application for site plan approval shall be accompanied by the fee set forth in § A250-1. Should the Planning Board consider it necessary to hire consultants for technical review and/or on-site inspection, the applicant shall be required to reimburse the Town for such services or pay those consultants directly.

§ 178-15. Waiver of requirements.

If due to the particular character or the limited nature of the development for which site plan is sought, or due to special conditions peculiar to the parcel, or if strict compliance with this chapter will cause extraordinary and unnecessary hardship, the Planning Board may waive or vary the submission of a site plan application or of certain information otherwise required as part of the application. The Planning Board also may waive or vary such submission or requirements if, in its opinion, to do so will be consistent with the goal of promoting the public health, safety, comfort, convenience and general welfare of the public. The findings for granting such waiver or a variance shall be entered into the public record.

§ 178-16. Minor Revisions.

The Town Engineer or the Building Inspector or the Director of Building Code Enforcement and Land Use Development may approve minor revisions to an approved site plan, necessitated by field conditions encountered during the course of construction that could not have been anticipated during the approval process, so long as such revision will not materially change the approved site plan and will not adversely impact the neighboring properties or the environment.

§ 178-17. Approval required for issuance of permits.

A. No building permit shall be issued for the development of a parcel that requires site plan approval until a signed site plan is delivered to the Building Inspector or the Director of Building Code Enforcement and Land Use Administration.

B. No certificate of occupancy or compliance for any structure or use upon or within the parcel shall be issued until all of the required conditions of the site plan approval have been met. The Building Inspector or the Director of Building Code Enforcement and Land Use Development may revoke any such certificate if the parcel ceases to conform to the approved site plan and conditions attached thereto.

§ 178-18. Penalties for offense.

Any violation of this chapter shall constitute a violation and be punishable by a fine not less than two hundred fifty and no/100ths (\$250.00) dollars and not more than five hundred and no/th (500.00) dollars for each such violation, except that commencing construction of, or placing any structure on a parcel which requires site plan approval or an amendment to an approved site

plan without first obtaining site plan approval shall constitute a violation and be punishable by a fine not to exceed one thousand and no/100ths (\$1,000.00) dollars.

Section 3 – Severability:

Should any provision of this Local Law be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration of unconstitutionality or invalidity shall not affect any other provisions of this Local Law, which may be implemented without the invalid or unconstitutional provisions.

Section 4 – Effective Date:

This Local Law shall become effective upon the later of April 1, 2016 or its filing with the Secretary of State.

02/26/16

WORKSESSION

ITEM 2

NO ATTACHMENT

NO ATTACHMENT

WORKSESSION

ITEM 3



Town of Mamaroneck
Office of the Town Clerk, Town Center
740 West Boston Post Road, Mamaroneck, NY
10543-3353

Christina Battalia, RMC, CMC
Mamaroneck Town Clerk

TEL: 914/381-7870
FAX: 914/381-7813

cbattalia@townofmamaroneck.org

AGENDA ITEM
AFFAIRS OF THE TOWN, MARCH 2, 2016

DATE: February 26, 2016
MEMO TO: Town Board
MEMO FROM: Christina Battalia
SUBJECT: Alarm Permit Fee

Town Board,

As proposed in the 2016 Budget, was a \$5.00 increase to the annual Alarm Permit Fee. Currently, the annual fee is \$25.00, and the proposed fee would be \$30.00. My Office permits approximately 1,200 residents annually, at a total revenue of \$30,000. This increase will generate approximately \$6,000 in additional revenue. The rationale for the increase was to cover the cost of an upgrade to the Alarm Billing Software. This expenditure was approved in the 2016 Budget. Our current version of the billing system is very antiquated and has been difficult to use for years. Our current billing software has been purchased by a new vendor who has upgraded the system with many of the features we have been hoping for.

Christina

WORKSESSION

ITEM 4



Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

Memorandum

To: Supervisor and Town Board

Re: Update- Sewer System Evaluation Study

Date: February 26, 2016

The following activities have occurred regarding this program. The request for proposals has been issued for consultants interested in submitting a proposal for this project. The schedule for the project at this time is as follows:

Issuance of RFP	February 29, 2016
Receipt of Proposals	April 1, 2016
Selection of Consultant	On or about April 15, 2016
Execution of Contracts	On or about June 1, 2016
Project Initiation Meeting	On or about June 8, 2016
Project Start Date	On or about June 15, 2016
Interim Report	Monthly- 1 st Tuesday starting July, 2016
Submission of Draft Report of Recommendations	On or about January 30, 2017
Submission of Draft Report to Westchester County and NYDEC for review	On or about March 1, 2017
Submission of Final Report of Recommendations and project completion	On or about May 1, 2017

Below is the scope of work to be followed for completion of the SSES:

The Work Plan provides the basis for the work to be completed and the expected work product to be provided by the bidder. The following is further detail of the work to be completed:

1. Manhole Inspections

The identified manholes in the sanitary sewer system for each member of the consortium shall be inspected for general construction, condition and evidence of inflow and infiltration. Manholes are identified by number on



maps to be provided by the consortium. Other manholes encountered must also be inspected. The interior of each manhole shall be video recorded and documented.

The Consortium will provide the successful bidder:

- Sanitary Sewer System Drawings
- A manhole inspection form
- A list of manholes to be inspected
- Assistance with locating manholes (on an as needed basis)

The Consultant will be responsible for performing the following tasks:

- Complete an inspection form for each manhole
- Provide and develop an inspection form
- Measure the depth of each manhole (rim to lowest invert)
- Confirm the size and number of connections
- Provide digital inspection photo of each manhole

The consultant will provide a draft of the manhole inspection report for review and approval by the consortium within 30 days of notice of award of the contract.

The consultant will provide the consortium with the following deliverables in connection with this task:

- Two Bound versions of manhole inspection reports for the manholes in each member of the consortium. One PDF version of manhole inspection reports for each member of the consortium
- Videos in DVE format of manholes for each member of the consortium

2. CCTV Inspection

The consultant shall perform pipeline internal inspections of the sanitary sewer systems for each member of the consortium except for the Village of Pelham Manor. Sewers to be inspected shall be cleaned sufficiently for televising and video recording. Videos shall be in color and have a voice over describing the notable features as well as providing computer generated inspection reports. The consultant's proposal shall include separate unit pricing for the cleaning and televising of sewer lines. Additionally the consultant shall provide separate unit pricing for review and analysis of video data.

The Consortium will provide the consultant with the following:

- The videos and reports of pipeline inspections performed for Pelham Manor
- Assistance with locating manholes (on an as needed basis)
- Identify fire hydrants for the consultant's use upon receiving permission from the Westchester Joint Water Works- for the Town of Mamaroneck, Suez Water New York- for the City of New Rochelle and Village of Pelham Manor and the Village of Larchmont Water Department for the Village of Larchmont.
- Identify manholes for the consultant's use when decanting liquid from vacuum trucks or temporary holding vessels.

The Consultant will be responsible for performing the following tasks:

- Recording pipe conditions in accordance with the National Association of Pipeline Sewer Service Company's Pipeline Assessment and Certification Program
- Documenting the number and location of connections (laterals)
- Documenting of material and spacing of joints.
- Cleaning the pipes sufficient for proper video inspection and removal and disposal of solid waste. If the Consultant determines that a pipeline is unsuitable for video inspection the Consultant shall inform DRE and shall document the attempts made and the conditions encountered causing the unsuitability for pipeline inspection.
- Documenting promptly all observed sources of inflow and infiltration as well as any critical damage or blockages
- Providing corrections to the sanitary sewer system drawings as encountered.

The consultant will provide for each community in the consortium a draft of the CCTV inspection report for review and comment within thirty (30) days of completion of the pipeline inspection prior to submission of the final report of recommendations.

The consultant shall provide to each community in the consortium the following deliverables in connection with the tasks performed in this section.

- Two (2) sets of videos in DVD format with voice over for each community in the consortium
- Two (2) copies of bound and one (1) PDF copy of the computer generated reports for each community in the consortium

- **Summary sheets of observed conditions (One summer sheet for each community in the consortium)**

3. Flow Monitoring

The consultant shall flow monitor all locations as identified by the members of the consortium for a period of four (4) consecutive weeks. Additional weeks of flow monitoring may be necessary at the sole discretion of the consortium. The consultant shall verify the suitability of the metering manhole(s) or may select alternate manhole(s) to provide the required flow monitoring.

The consultant shall evaluate the sewage tributary to the monitoring manhole and determine the amount of inflow and infiltration in that portion of the sanitary sewer system.

The Consortium will provide the consultant with the following:

- **Assistance with locating manholes (on an as needed basis)**
- **Providing a map for each member of the consortium identifying portions of the system to be monitored**

The Consultant will be responsible for performing the following tasks:

- **Verifying that the selected manholes are suitable for flow monitoring or selecting alternative locations.**
- **Providing flow monitoring using dual parameter (velocity, depth) meters for a minimum of four (4) weeks. Flow monitoring should occur if possible through a one inch total daily accumulation rainfall. Extension of the flow monitoring period will be at the Consortium's sole discretion. All locations shall be monitored concurrently.**
- **Installing a rain gauge at a site to be determined for continuous flow monitoring.**
- **Providing raw data (15 minute intervals) tabulated, daily maximum and minimum flow rates, rain fall totals per day and computations of daily flow, average and peak. Flow rates shall be shown graphically.**

For each community in the consortium, the consultant shall provide a draft flow monitoring report for review and comment, within thirty (30) days of completion of flow monitoring and a final draft thirty (30) days prior to submitting the final Report of Recommendations.

The consultant will provide the following deliverables:

- For each member of the consortium - two copies of raw data and summaries bound and one (1) copy in electronic PDF format.

4. Project Management

The consultant shall designate a Project Manager who will be the contact person for this assignment. The Project Manager shall conduct monthly job meetings to be held at a location to be determined. The Project Manager and the consultant shall attend any all meetings as directed by the Consortium.

5. Report of Recommendations

The Consultant shall provide for each member of the Consortium with a report with the Consultant's recommendations on mitigating, resolving or improving the sanitary sewer system located in each community. The final report of recommendations shall also include reports produced in connection with each task performed by the consultant.

The Consultant will be responsible for performing the following tasks for each community in the consortium:

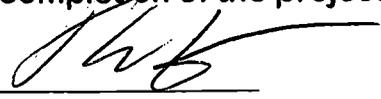
- Providing a summary of video inspection observations
- Providing a summary of manhole observations
- Evaluating inflow and infiltration and identifying the cause of the inflow or infiltration
- Providing a summary of proposed pipe and manhole improvement recommendations
- Providing individual cost estimates for all improvements to the sanitary sewer system.

The consultant will provide a draft of the Report of Recommendations for review by each community in the consortium fifteen (15) days prior to submitting the final report.

The consultant shall provide each community in the consortium the following deliverables:

- For each community two (2) copies of the bound report and one (1) copy of the report in electronic (PDF) Format.

During the RFP process the four communities will be working on drafting an inter-municipal agreement that will specify the method for apportioning costs and other responsibilities for each community for the completion of the project.



Stephen V. Altieri
Town Administrator

PUBLIC HEARING

#1

NOTICE OF PUBLIC HEARING

LEGAL NOTICE IS HEREBY GIVEN that pursuant to Section 130 of the Town Law of the State of New York, and pursuant to a resolution of the Mamaroneck Town Board adopted on February 17, 2016, a Public Hearing will be held on Wednesday, March 2, 2016 at 8:00 PM or as soon thereafter as is possible at the Town Center, 740 W. Boston Post Road, Mamaroneck, New York to consider: "Restriction of Truck Traffic from East Hickory Grove Drive, Rockland Avenue and a section of Myrtle Boulevard"

Section 1 – Purpose.

East Hickory Grove Drive, Rockland Avenue and the section of Myrtle Boulevard described below are in proximity to the Fenimore Road exit from Interstate Route 95 and the industrial district of the Village of Mamaroneck. As a result there is major truck traffic on these streets as truck drivers either seek major thoroughfares such as Weaver Street, or to return to the entrance to Interstate Route 95. To relieve this intrusion upon the peace and tranquility of the residents, the Town Board, acting pursuant to the authority given to it by section 1660 (a) (8) of the New York Vehicle and Traffic Law has decided to ban large trucks from East Hickory Grove Drive, Rockland Avenue and the section of Myrtle Boulevard described below.

The full text of this Amendment is stated below and can also be examined and copies obtained at the Town Clerk's office during regular hours, Mon-Fri, 8:30 AM to 4:30 PM, In June, July and August until 4:00 PM at 740 W. Boston Post Road Mamaroneck, NY

PLEASE TAKE FURTHER NOTICE that at the Public Hearing all persons interested will be given an opportunity to be heard and that all persons are invited to submit written comments at or prior thereto.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF MAMARONECK**

**CHRISTINA BATTALIA
TOWN CLERK**

Published: February 25, 2016

Local Law No. - 2016

This local law shall be known as the "Restriction of Truck Traffic from East Hickory Grove Drive, Rockland Avenue and a section of Myrtle Boulevard" Law.

BE IT ENACTED by the Town Board of the Town of Mamaroneck

Section 1 – Purpose:

East Hickory Grove Drive, Rockland Avenue and the section of Myrtle Boulevard described below are in proximity to the Fenimore Road exit from Interstate Route 95 and the industrial district of the Village of Mamaroneck. As a result there is major truck traffic on these streets as truck drivers either seek major thoroughfares such as Weaver Street, or to return to the entrance to Interstate Route 95. To relieve this intrusion upon the peace and tranquility of the residents, the Town Board, acting pursuant to the authority given to it by section 1660 (a) (8) of the New York Vehicle and Traffic Law has decided to ban large trucks from East Hickory Grove Drive, Rockland Avenue and the section of Myrtle Boulevard described below.

Section 2 – Creation of a Ban on Truck Traffic on Certain Streets:

No trucks, commercial vehicles, tractors, tractor-trailer combinations, tractor-semitrailer combinations, or tractor-trailer-semitrailer combinations weighing in excess of eleven (11) tons shall be permitted to drive upon East Hickory Grove Drive, Rockland Avenue and the section of Myrtle Boulevard lying between its intersections with Weaver Street and Lakeside Drive. This exclusion shall not be construed to prevent the delivery or pickup of merchandise or other property from parcels that abut the streets or section thereof from which such vehicles or combination of vehicles is otherwise excluded pursuant to this law.

Section 3- Violation:

A violation of this local law shall be punishable by a fine of \$250.

Section 4 – Severability:

Should any provision of this Local Law be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration of unconstitutionality or invalidity shall not affect any other provisions of this Local Law, which may be implemented without the invalid or unconstitutional provisions.

Section 5 – Effective Date:

This Local Law shall become effective upon filing with the Secretary of State.

PUBLIC HEARING

#2

NOTICE OF PUBLIC HEARING

LEGAL NOTICE IS HEREBY GIVEN that pursuant to Section 130 of the Town Law of the State of New York, and pursuant to a resolution of the Mamaroneck Town Board adopted on February 17, 2016, a Public Hearing will be held on Wednesday, March 2, 2016 at 8:00 PM or as soon thereafter as is possible at the Town Center, 740 W. Boston Post Road, Mamaroneck, New York to consider: "Restriction on Parking on Hillside Avenue and on a Section of Echo Lane" Law

Section 1 – Purpose.

Commuters continue to park on Hillside Avenue and Echo Lane to the detriment of the neighborhood. To relieve that intrusion upon the peace and tranquility of the residents, the Town Board has decided to prohibit parking for one hour per day on weekdays on Hillside Avenue and on a section of Echo Lane where long term parking currently is allowed.

The full text of this Amendment is stated below and can also be examined and copies obtained at the Town Clerk's office during regular hours, Mon-Fri, 8:30 AM to 4:30 PM, In June, July and August until 4:00 PM at 740 W. Boston Post Road Mamaroneck, NY

PLEASE TAKE FURTHER NOTICE that at the Public Hearing all persons interested will be given an opportunity to be heard and that all persons are invited to submit written comments at or prior thereto.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF MAMARONECK**

**CHRISTINA BATTALIA
TOWN CLERK**

Published: February 25, 2016

Local Law No. - 2016

This local law shall be known as the "Restriction on Parking on Hillside Avenue and on a Section of Echo Lane" Law.

BE IT ENACTED by the Town Board of the Town of Mamaroneck

Section 1 – Purpose:

Commuters continue to park on Hillside Avenue and Echo Lane to the detriment of the neighborhood. To relieve that intrusion upon the peace and tranquility of the residents, the Town Board has decided to prohibit parking for one hour per day on weekdays on Hillside Avenue and on a section of Echo Lane where long term parking currently is allowed.

Section 2 – Regulation of Parking on Hillside Avenue:

No motor vehicle shall be parked on the north side of Hillside Avenue between the hours of 8:00 AM and 9:00 AM (prevailing time) on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays of each week. This law shall not apply on holidays.

No motor vehicle shall be parked on the south side of Hillside Avenue between the hours of 2:00 PM and 3:00 PM (prevailing time) on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays of each week. This law shall not apply on holidays.

Section 3 – Regulation of Parking on a section of Echo Lane:

No motor vehicle shall be parked on that section of the east side of Echo Lane which lies between Echo Lane's intersections with Hillside Avenue and Lookout Circle between the hours of 8:00 AM and 9:00 AM (prevailing time) on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays of each week. This law shall not apply on holidays.

No motor vehicle shall be parked on that section of the west side of Echo Lane which lies between Echo Lane's intersections with Hillside Avenue and Lookout Circle between the hours of 2:00 PM and 3:00 AM (prevailing time) on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays of each week. This law shall not apply on holidays.

Section 4 – Sign(s) to be Erected and Painting to be Done:

An appropriate sign or signs shall be erected on and/or above, and/or striping shall be painted on the surfaces of Howell Avenue and Echo Lane indicating where and when parking is prohibited by this law.

Section 5 – Severability:

Should any provision of this Local Law be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration of unconstitutionality or invalidity shall not affect any

other provisions of this Local Law, which may be implemented without the invalid or unconstitutional provisions.

Section 5 – Effective Date:

This Local Law shall become effective upon filing with the Secretary of State.

02/10/16

FIRE COMMISSION

EM 1

ITEM 1

FIRE COMMISSION

ITEM 2



Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

Memorandum

To: Board of Fire Commissioners

Re: Authorization Capital Project Amendment

Capital Project #2015-29 – Fire HQ Building Improvements

Date: February 26, 2016

The Lightpath Telephone System transition project has begun. The new system will accommodate 130 new telephones in both the Town Center and Weaver Street Fire House. As part of the project we must add phone ports and UPS units to provide backup power during the transition to generator power. In addition the fire house requires new cabling for the phone system and computer network upgrades. The total expense for the referenced items is \$23,000 for the Weaver Street Fire House. The cost for the same work in the Town Center is \$36,127 however the funding for the work in the Town Center is already appropriated in the Town Center Capital Improvement Project account.

ACTION REQUESTED: THAT THE BOARD OF FIRE COMMISSIONERS APPROVE THE PURCHASE OF EQUIPMENT AND INSTALLATION OF CABLING AT THE WEAVER STREET FIRE HOUSE FOR THE NEW LIGHTPATH TELEPHONE SYSTEM AND COMPUTER NETWORK AT A TOTAL COST OF \$23,000 AND THAT A TRANSFER OF FUNDS IN THE AMOUNT OF \$23,000 BE TRANSFERRED INTO CAPITAL PROJECT #2015-29 AS PER THE ATTACHED SCHEDULE

Stephen V. Altieri
Town Administrator



AMEND 2015 CAPITAL PROJECT & BUDGET - FIRE H.Q. BUILDING 
IMPROVEMENTS

3/2/2016 TOWN BOARD MEETING

CAPITAL PROJECTS FUND (FUND H):

EXP	AMEND BUDGET: H.3410.0400.2015.29	FIRE BUILDING IMPROVEMENTS	\$ 23,000.00	
REV	H.0000.5034.2015.29	TRANSFERS FROM FIRE DISTRICT	\$ 23,000.00	SF

(CAPITAL PROJECT #2015-29)

(Increase project budget with \$23,000 additional funding to be transferred from Fire District unrestricted fund balance - SEE ATTACHED DETAIL

* Original Capital Project Budget:	\$ 340,000.00	
* Funding source:		
* Interfund Transfers - 4/15/2015	\$ 15,000.00	
* BANS/Bonds - 3/25/2015	\$ 325,000.00	
* TRANSFER FR FIRE DIST FD - R.O.B. 3/2/16	\$ 23,000.00	SF

* Revised Capital Project Budget as amended on 3/2/16:	\$ 363,000.00
--	---------------

FIRE DISTRICT (FUND SF):

EXP	AMEND BUDGET: SF.9900.9950	TRANSFER TO CAPITAL PROJECT	\$ 23,000.00	SF
REV	SF.0000.5995	APPROPRIATED FUND BALANCE	\$ 23,000.00	SF

** Increase budget with \$23,000 of appropriated fund balance to be transferred to Capital Proj. #2015-29*

FIRE COMMISSION

EM 3

ITEM 3

**TOWN OF MAMARONECK
ENGINEERING DEPARTMENT**

**740 W Boston Post Rd
Mamaroneck, N.Y. 10543
(914) 381-7835**

DATE: February 26, 2016
TO: Stephen Altieri
FROM: David Goessl, PE
SUBJECT: Weaver Street Fire Headquarters –*RFP for Roof Repair Work*

The Town of Mamaroneck Fire Department has been experiencing severe ice damming the past few winters atop of two small roof areas located in the front of the Weaver Street Fire Headquarters. The configuration of the roof gutters and leaders is such that these small areas receive a significant amount of runoff from the main roof areas. As a result, the facility has begun to realize water damage to the interior surfaces of the garage bays. The problematic roof areas were replaced with new shingles, ice barrier and underlayment in 2004. However at the time, there was no work performed to address the “confluence” of water atop the smaller roof areas. The failure of the roof system is premature to what was believed to be the life expectancy at the time this work was performed.

This past January, this office prepared an RFP document to solicit pricing to replace the roofing materials for the two small areas for the Weaver Street Fire Headquarters which have been experiencing ice damming and leakage. Also included in the RFP was the redirecting the surface water runoff with new leaders and gutters to the recently installed drainage chambers and piping, installed this past summer. We reached out to the following six contractors:

- *Twin Brothers Roofing*, Port Chester
- *McLeod Brothers*, New Rochelle
- *Werkheiser Roofing*, Mamaroneck
- *Mario Vitti Roofing*, Mamaroneck
- *Franzoso Contracting*, Croton on Hudson
- *BBR Contracting Corp.*, Brooklyn

Of the group, only one contractor expressed an interest in the job; BBR Contracting. As you are aware, this is the same company that recently completed the roof replacement at the Town Center. I did reach out the other companies to inquire why they did not submit. Several of them cited that size of work and schedule were not favorable while the smaller companies stated that complying with regulations for government contracts may be an issue.

Based upon the quality of workmanship and professionalism exhibited during the Town Center project, I recommend awarding the contract to BBR Contracting Corp. Their quote of \$ 29,400 does fall within the Fire Departments budget.

CC: Chief Noah Goldberg

AFFAIRS OF THE TOWN

ITEM 1

AFFAIRS OF THE TOWN OF MAMARONECK

1. Set Public Hearing – Residential
Site Plan Legislation

Is located in the work session
packet

AFFAIRS OF THE TOWN

ITEM 2



Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

Memorandum

To: Supervisor and Town Board

Re: Authorization- Capital Project Amendment

Capital Project #2016-20- Computer Hardware

Authorization is being sought to amend the above referenced capital project budget for the purchase of a replacement computer server for the Police Department. In the course of evaluating and revamping our overall technology function and equipment we discovered that the server for the Police Department was experiencing operational issues including file corruption and malware. This server is critical due to the fact that it is accessed on a 24/7 basis to coincide with the operation of the Police Department.

The server is now eight years old and has exceeded its expected life span. We did however evaluate rehabilitating the server and discovered that the cost is roughly 70% of the cost of replacement. A new sever would cost \$11,650.

ACTION REQUESTED: THAT THE TOWN BOARD APPROVE THE REPLACEMENT OF THE POLICE DEPARTMENT COMPUTER SERVER AT A COST OF \$11,650 AND THAT A TRANSFER OF FUNDS IN THE AMOUNT OF \$11,650 BE TRANSFERRED INTO CAPITAL PROJECT #2016-20 AS PER THE ATTACHED SCHEDULE.



Stephen V. Altieri
Town Administrator

AMEND 2015 CAPITAL PROJECT & BUDGET - FIRE H.Q. BUILDING IMPROVEMENTS



3/2/2016 TOWN BOARD MEETING

CAPITAL PROJECTS FUND (FUND H):

EXP	AMEND BUDGET: H.3410.0400.2015.29	FIRE BUILDING IMPROVEMENTS	\$	23,000.00	
REV	H.0000.5034.2015.29	TRANSFERS FROM FIRE DISTRICT	\$	23,000.00	SF

(CAPITAL PROJECT #2015-29)

(Increase project budget with \$23,000 additional funding to be transferred from Fire District unrestricted fund balance - SEE ATTACHED DETAIL

* Original Capital Project Budget:	\$	340,000.00	
* Funding source:			
* Interfund Transfers - 4/15/2015	\$	15,000.00	
* BANS/Bonds - 3/25/2015	\$	325,000.00	
* TRANSFER FR FIRE DIST FD - R.O.B. 3/2/16	\$	23,000.00	SF

* Revised Capital Project Budget as amended on 3/2/16:	\$	363,000.00
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FIRE DISTRICT (FUND SF):

EXP	AMEND BUDGET: SF.9900.9950	TRANSFER TO CAPITAL PROJECT	\$	23,000.00	SF
REV	SF.0000.5995	APPROPRIATED FUND BALANCE	\$	23,000.00	SF

*** Increase budget with \$23,000 of appropriated fund balance to be transferred to Capital Proj. #2015-29**

AFFAIRS OF THE TOWN

ITEM 3

**TOWN OF MAMARONECK
OFFICE OF TOWN COMPTROLLER**

TO: STEVE ALTIERI – TOWN ADMINISTRATOR
FROM: TONY SILIGATO – COMPTROLLER / RECEIVER OF TAXES 
RE: CORRECTION OF TAX ROLL – 2014/2015 MAMARONECK SCHOOL (STAR)
DATE: 2/26/2016
CC: TOWN SUPERVISOR, TOWN COUNCIL & ASSESSOR

I respectfully request Town Board ratification of the following property tax roll correction and associated general ledger entry required:

2014/15 Mamaroneck School Tax Roll – Co-op properties typically include multiple residential units and unlike condominiums and townhouses each unit owner does not receive a separate tax bill. The owner of the property receives a tax bill and allocates each unit's respective share as a percentage of total property value taking into account any exemptions which may apply to a particular unit.

Effective with the 2011/12 school tax levies and moving forward, New York State imposed a 2% cap on year to year STAR savings amounts (not to be confused with the 2% property tax cap). As a result of this cap, the state software assessment system (RPS) calculation for individual units would not be compatible with the tax billing system (KVS). Upon finalizing the tax roll and tax bills for the September 2014 collection, I discovered a miscalculation with the Co-op tax bills and took steps to correct immediately. The 19 Co-op properties were notified and my office sent out revised tax bills. In addition, the tax roll and warrant were corrected and submitted accordingly resulting in no dollar impact to both the Town of Mamaroneck and the Mamaroneck School district. The revised STAR amount of \$1,233,872 has been provided to the Mamaroneck School district directly from the State of New York, thereby reducing the amount of the tax levy my office collected by the same amount.

*The journal entry to record this correction of tax roll/adjustment of warrant as of August 31, 2015 is as follows:

Dr. A.0000.0661 (Due To Mamaroneck School District – School Taxes Collected)

Cr. A.0000.0251 (Taxes Receivable Current – Mamaroneck School District)

Amount - \$1,233,872.00

**TOWN OF MAMARONECK
SCHOOL TAX WARRANT FOR THE YEAR 2014**

STATE OF NEW YORK)
COUNTY OF WESTCHESTER)

**TO: Receiver of Taxes of the
Town of Mamaroneck in said County**

YOU ARE HEREBY COMMANDED, to receive and collect from several persons named in the assessment roll of the Union Free School District in the Town of Mamaroneck, hereunto annexed and herewith delivered to you, the sum of the School Taxes of said School District set opposite their respective names in accordance with provision of Chapter 852 of the Laws of 1948 (Title 16) and the acts amendatory thereof and supplemental thereto including the amendment made by Chapter 386 of the Laws of 1962 and the resolution adopted by the Town Board of the Town of Mamaroneck on August 22, 2014.

AND YOU ARE HEREBY COMMANDED, to deposit all such monies so collected by you in virtue of the warrant, to the credit of the Town of Mamaroneck, into the JPMorgan Chase Bank, N.A., as provided by said Chapter 852 of Laws of 1948 (Title 16) and the acts amendatory thereof and supplemental thereto including the amendment made by Chapter 386 of the Laws of 1962 and resolution adopted by the Town Board of the Town Of Mamaroneck on August 22, 2014, such taxes being levied against the said School District for the year 2014 for the following purposes, viz:

APPROPRIATIONS

Program Component	\$ 95,048,146.00
Administration Component	13,759,352.00
Capital Component	23,056,138.00
<u>TOTAL APPROPRIATIONS</u>	<u>\$ 131,863,636.00</u>

ESTIMATED RECEIPTS

Revenue-Other Districts & Governments	\$ 3,335,000.00
Revenue from Local Sources	525,000.00
Interest on General Fund Investments	115,000.00
State Aid	6,700,218.00
Refund of Prior Expenses	400,000.00
Appropriated Fund Balance	3,000,000.00
County Sales Tax	1,500,000.00
Reserves	1,000,000.00

TOTAL REVENUES \$ **16,575,218.00**

TOTAL WARRANT AMOUNT \$ **115,288,418.00**

⊗ **LESS AMOUNT TO BE PAID
BY STATE (STAR PROGRAM)** \$ **5,849,222.41**

⊗ **NET AMOUNT TO BE
RAISED BY TAXATION** \$ **109,439,195.59**

→ 7,083,094.41 - Revised STAR
→ 108,205,323.59 - Revised Tax to collect

AND YOU ARE FURTHER COMMANDED, to make and file with the undersigned Supervisor of the said Town, as required by Chapter 852 of the Laws of 1948 (Title 16), and the acts amendatory thereof, and supplemental thereto, including the amendment made by Chapter 286 of the Laws of 1962 and the resolution adopted by the Town Board of Mamaroneck, on August 22, 2014, the reports provided for by said Law.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of said Town to be hereunto affixed this 22nd day August, 2014.

Nancy Seligson

NANCY SELIGSON
SUPERVISOR
TOWN OF MAMARONECK

TOWN OF MAMARONECK
 2014/15 CO-OP STAR TAX BILL ADJUSTMENTS

13

<u>SBL #</u>	<u>BILL #</u>	<u>ORIGINAL TAX BILL</u>	<u>CORRECTED TAX BILL</u>	<u>AMOUNT OF REDUCTION</u>
1-27-108	5907	\$ 240,650.79	\$ 143,863.79	\$ 96,787.00
1-33-449	6183	\$ 249,358.35	\$ 137,690.35	\$ 111,668.00
1-33-514	6184	\$ 160,303.37	\$ 88,929.37	\$ 71,374.00
1-33-652	6322	\$ 30,081.78	\$ 9,943.78	\$ 20,138.00
1-33-662	6324	\$ 159,340.30	\$ 103,314.30	\$ 56,026.00
4-1-1	7744	\$ 241,917.25	\$ 158,901.25	\$ 83,016.00
4-8-1	7996	\$ 278,471.25	\$ 238,048.25	\$ 40,423.00
4-9-131	8007	\$ 123,294.52	\$ 82,530.52	\$ 40,764.00
4-9-453	8023	\$ 86,835.01	\$ 53,685.01	\$ 33,150.00
6-2-423	78	\$ 75,770.47	\$ 75,770.47	\$ -
6-3-113	100	\$ 90,292.37	\$ 47,100.37	\$ 43,192.00
6-3-224	103	\$ 128,934.86	\$ 57,340.86	\$ 71,594.00
9-3-181	3224	\$ 59,802.52	\$ 52,169.52	\$ 7,633.00
9-4-1	3253	\$ 413,652.53	\$ 166,903.53	\$ 246,749.00
9-14-1	3741	\$ 119,715.02	\$ 67,147.02	\$ 52,568.00
9-14-199	3748	\$ 54,326.20	\$ 35,441.20	\$ 18,885.00
9-15-282	3815	\$ 64,922.99	\$ 41,919.99	\$ 23,003.00
9-18-1	3913	\$ 229,313.66	\$ 101,134.66	\$ 128,179.00
9-21-24	3988	\$ 235,973.03	\$ 147,250.03	\$ 88,723.00

\$ 1,233,872.00 **

** TOTAL AMOUNT TO REDUCE WARRANT

4/18/84

A

AFFAIRS OF THE TOWN

13

EM 1

ITEM 4



Mamaroneck Town Police

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

Office of the Police Chief

TEL: 914/381-6100

FAX: 914/381-7897

February 18, 2016

From: Chief Richard Rivera

To: Board of Police Commissioners

Subject: SALARY AUTHORIZATION/PROMOTION

Salary authorization is requested for the position of Police Sergeant at an annual rate of \$122,502.

The department wishes to promote Police Officer Michael Downes to the position of Sergeant. This promotion will fill a Sergeant position which has been left vacant since April, 2012. At that time, Lieutenant Matthew Mehrose was promoted to his current position from (Detective) Sergeant. His civil service rank was "Sergeant".

Officer Downes has been a police officer with this department for over ten years. He previously served as a police officer in the New York City Police Department for almost five years.

Besides his patrol duties, Officer Downes serves as a Field Training Officer for our new recruits.

Police Officer Downes is in the number one position on the current civil service list for sergeant.

With your approval, the promotion date for Officer Downes will be Thursday, March 3, 2016.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard Rivera".

Richard Rivera
Chief of Police



WORKSESSION

ITEM 5

AFFAIRS OF THE TOWN OF MAMARONECK

AFFAIRS OF THE TOWN OF MAMARONECK

5. Authorization – Adjustment of Fee Schedule

Is located in the work session packet

WORKSESSION

ITEM 6



Town of Mamaroneck

Town Center

740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

Memorandum

To: Supervisor and Town Board

Re: Authorization – Cell Phone Reimbursement Program

Date: February 26, 2016

Previously the Town Board approved the establishment of a program that provides reimbursement to those Town employees whose job responsibilities require frequent use of their personal cellular telephone. The program was developed for those employees that must conduct Town business while out of the office for a portion of the day. In return for the use of their personal cell phone the Town provides an annual reimbursement of \$360.00

At this time I would like to revise the list of employees to add Mr. Kyle Thornton Recreation Supervisor and Ms. Eileen Puleo, Recreation Leader. Both employees are required to conduct a considerable amount of Town business while out of the office for program administration. Kyle Thornton replaced Joanne Aquilino as Recreation Supervisor in the Recreation Department. Ms. Aquilino did receive the cell phone allowance while employed by the Town. With these changes eleven Town employees are authorized to receive the personal cell phone allowance.

ACTION REQUESTED: THAT THE TOWN BOARD AUTHORIZES THE TOWN ADMINISTRATOR TO ADD KYLE THORNTON RECREATION SUPERVISOR AND EILEEN PULEO RECREATION LEADER TO THE CELL PHONE REMIBURSEMENT PROGRAM AND PROVIDE AN ANNUAL ALLOWANCE OF \$360.00 TO EACH EMPLOYEE.

Stephen V. Altieri
Town Administrator