

**TOWN OF MAMARONECK
TOWN BOARD AGENDA
WEDNESDAY, MARCH 16, 2016**

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

1. Green Code Discussion
2. Community Choice Aggregation
3. Capital Project Review
4. Baldwin Avenue Parking
5. LMC-TV Headquarters space
6. New Business

8:00PM CALL TO ORDER – COURTROOM

SUPERVISOR'S SUMMARY REPORT

CITIZEN COMMENTS

- PUBLIC HEARING –**
1. Residential Site Plan Law
 2. Town of Mamaroneck Consolidated Sewer District

BOARD OF FIRE COMMISSIONERS

1. Fire Claims
2. Salary Authorization – Fire Department Promotion
3. Other Fire Department Business

AFFAIRS OF THE TOWN OF MAMARONECK

1. 4 Murdock Road – Tree Appeal
2. Authorization to Closeout Various Capital Projects
3. Approval – Community Choice Aggregation
4. Authorization – Agreement: Online Payment of Vehicle and Traffic Violations
5. Set Public Hearing – Amendment to Truck Ban- Hickory Grove Drive East, Rockland Avenue, a Portion of Myrtle Boulevard
6. Consideration of Certiorari

APPROVAL OF MINUTES – March 2, 2016 & Special Meetings of February 8, 2016 & February 2, 2016

REPORTS OF THE COUNCIL

TOWN CLERK'S REPORT

NEXT REGULARLY SCHEDULED MEETINGS – April 6, 2016 & April 20, 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

Town Center

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

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

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townadministrator@townofmamaroneck.org

Memorandum

To: Supervisor and Town Board

Re: Storm Water Management and Green Infrastructure

Date: March 11, 2016

In 2013 the Town agreed to participate in a grant sponsored by Pace University Land Use Law Center and funded by New York State Green Infrastructure Grants Program. The grant was intended to find ways to better manage one environmental issue in each of four municipalities through amending regulations and operations. The Town chose to address improving storm water and integrating Green Infrastructure into the Town's regulations. The Land Use Law Staff has issued a first draft of its report that is under review by Town staff.

As a requirement of the grant and to update the Town Board, we have invited the Land Use Law Center to present their findings and report at the Wednesday March 16 work session. Professor John Nolon from Pace will be present. Attached is an executive summary of the Green Infrastructure Report for your review.

Stephen V. Altieri
Town Administrator



LAND USE LAW CENTER
PACE UNIVERSITY SCHOOL OF LAW
WHITE PLAINS  NEW YORK

STORMWATER MANAGEMENT & GREEN INFRASTRUCTURE

Town of Mamaroneck, New York

In 2013, the Town of Mamaroneck agreed to serve as one of four pilot municipalities that would use the services of the Land Use Law Center at Pace Law School (LULC) to examine how they could incorporate elements of sustainability identified by the Mid-Hudson Regional Sustainability Plan (MHRSP) into their respective land use plans and regulations. As part of this effort, Mamaroneck seeks to advance the use of green infrastructure to address stormwater generated by existing and future development.

The MHRSP identifies the use of green infrastructure as a critical tool to reduce the impacts of stormwater on the region's surface waters and to reduce flooding. Specifically, the MHRSP recommends investing in and promoting green infrastructure and related low-impact development strategies to increase stormwater infiltration and detention, increase groundwater recharge, and reduce loads on treatment plants.¹

This capstone report represents the culmination of two related efforts to define and advance the use of green infrastructure in the Town of Mamaroneck. **Appendix A** to this report is a **Green Infrastructure Guide** prepared by LULC that informs the Town Board, Planning Board, Zoning Board of Appeals and public about the importance of green infrastructure and the potential for its increased use in Mamaroneck, particularly where the Town's land use boards are addressing stormwater impacts from development and redevelopment. The Guide provides narrative text as well as links to important resource documents, and other relevant information. **Appendix B, Stormwater Management Analysis Report**, is an assessment conducted by LULC of the Town's code provisions as they relate to stormwater management. This assessment is based upon the New York State Code and Ordinance Worksheet developed by the Hudson River Estuary Program at the Department of Environmental Conservation for identifying deficiencies in municipal efforts to lessen stormwater generation and its impacts. While not specifically addressing only green infrastructure practices, this worksheet analysis is a useful tool to compare the Town's land development regulations, Local Waterfront Revitalization Program, and other development guidance and policies to the stormwater management worksheet and its recommended practices. The Stormwater Management Analysis Report presents the assessments findings based on this comparison and offers recommendations for amendments to the Town's code to better manage stormwater, particularly through green infrastructure techniques and low impact development practices.

This capstone report begins by defining green infrastructure and highlighting Mamaroneck's efforts to address stormwater impacts and implement green infrastructure. The report then discusses green infrastructure practices as promoted by the New York State Department of Environmental Conservation. It continues with recommended green infrastructure goals for the Town of Mamaroneck to consider incorporating into its Local Waterfront Revitalization Program, which

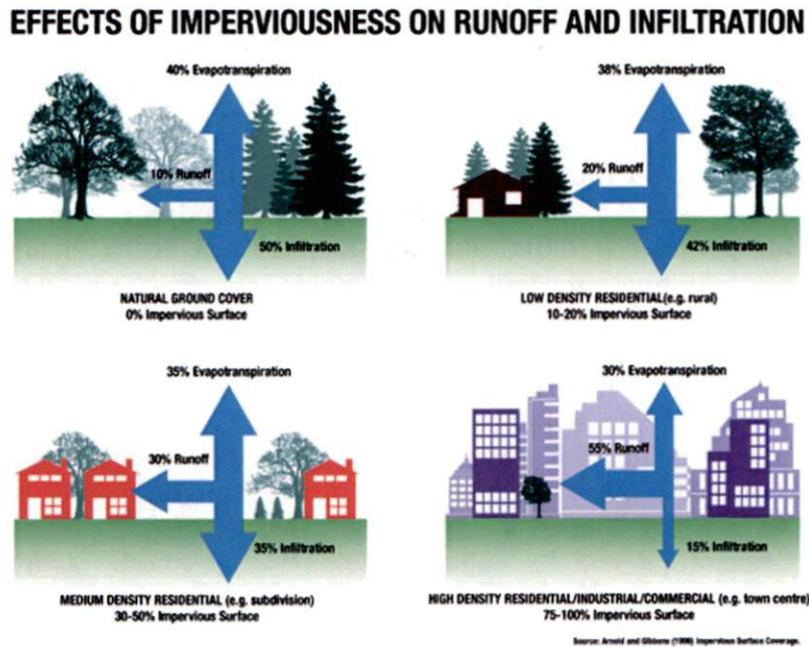
¹ See Mid-Hudson Regional Sustainability Plan (May 2013) at 8-16.

program the Town is currently updating. Next the report identifies several key green infrastructure-related metrics that will help Mamaroneck determine its progress in implementing green infrastructure practices within the community. Finally, the report concludes with several recommendations for amendments to the Town’s zoning and other code provision that will assist the Town with further green infrastructure implementation.

I. What is Green Infrastructure?

A significant portion of the Mamaroneck is hardscape, covered by buildings, parking lots, streets and other impervious surfaces, which prevent rain and snow from soaking into the ground. In a suburban town like Mamaroneck, a typical block generates more than five times the stormwater runoff produced on a woodland area of the same size. Stormwater travels over the land’s surface, picking up contaminants like oil, fertilizer and other chemicals, and then flows either directly into streams, ponds and Long Island Sound, or into storm sewers that then discharge into these same water bodies. In either case, the flow of contaminants into water bodies reduces water quality, negatively impacting both ecological and human health (see Figure 1 below).

Figure 1:



Not only does stormwater carry pollutants into the water bodies like Long Island Sound, the increased flow of this stormwater can cause flooding, deposition of silt, stream bank erosion, obstructions to fish passage, habitat loss, and loss of tree canopy along stream corridors. The damage wrought by this situation is likely to be exacerbated over the coming decades as climate change is predicted to produce storms of greater ferocity, generating larger volumes of rain over shorter periods of time.

Green infrastructure refers to using and enhancing natural systems to absorb and filter pollutants from the air and water, protect communities from flooding and storm surges, reduce erosion, and

create healthier, more sustainable urban environments. Green Infrastructure includes both landscape level strategies, such as the adoption of stream protection overlay zones with associated riparian buffers and flood plain designations; the creation of pocket parks within existing neighborhoods; and site specific practices such as green roofs, bioswales, tree planters and rain gardens, among many others. In the context of this Guide, the Town uses the term green infrastructure to include both landscape level and site-specific strategies and techniques that reduce stormwater flow and mitigate its impacts as well as strategies and techniques that seek to improve urban air quality. In some cases, particular green infrastructure practices, like green roofs, mitigate stormwater impacts and urban air quality simultaneously.

A term related to green infrastructure, but not synonymous with it is “low impact development” (LID). LID focuses on strategies to mitigate the adverse impact of site-specific development on the environment, principally with respect to stormwater. As the U.S. EPA notes, it “is an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible.” LID principles aim to:

- preserve and recreate natural landscape features;
- restrict building on designated sensitive areas, such as wetlands and steep slopes;
- minimize impervious hardscape to create functional and aesthetically appealing site drainage;
- treat stormwater as a resource rather than a waste product; and
- appropriately design projects in harmony with their sites to reduce onsite stormwater generation.

Green infrastructure achieves a number of benefits that are not often found with the use of traditional stormwater infrastructure like concrete vaults and pipes. These benefits include the ability to adapt to climate change, reductions in stormwater flows, improvements in surface water and groundwater quality, the preservation and expansion of natural habitats for animals and plants, and enhancements to the visual aesthetics and livability of neighborhoods. For a more thorough discussion of the varied benefits of green infrastructure, please see Appendix A.

II. Stormwater Management & Green Infrastructure in Mamaroneck

A. Concerns Driving the Need for Green Infrastructure

There are two primary issues that are driving the need for adopting green infrastructure practices in Mamaroneck: stormwater flooding and sewer overflows.

In 2012 and 2013, the storms Irene, Lee and Sandy severely impacted the Town causing widespread flooding along its coast and rivers. The Town and Westchester County have recognized that flooding is the most significant land use related issue facing the municipality. As the 2015 draft Hazard Mitigation Plan prepared by the Westchester County and its municipalities notes:



The Town of Mamaroneck is primarily at risk from riverine flooding along the Sheldrake River and coastal flooding along Long Island Sound. However, other areas also experience flooding. The Town's major floodplains are located along the Sheldrake River and its tributaries, stretching from the northernmost part of the East Branch, which flows south from the Town border of Scarsdale; and the West Branch, which flows from the City of New Rochelle down to the Larchmont Gardens Lake and into the Town of Mamaroneck. The two branches combine into one river at West Brookside Drive. Other floodplains are located along the Premium River and Pine Brook in the Southwest of the Town, the East Creek in the Southeast, and the Mamaroneck Reservoir in the northeast.

Frequent local flooding is the major community concern expressed in public meetings, according to the hazard mitigation plan adopted in 2014. Detailed descriptions of areas with flood risk were provided to the County by the Town of Mamaroneck.

The second issue prompting Mamaroneck to pursue green infrastructure practices is the need to reduce stormwater flows into the regional sewer system and ultimately, the Westchester County Department of Environmental Facilities (WCDEF) New Rochelle Wastewater Treatment Plant. While the plant has a design capacity of 13.6 million gallons per day (MGD), it is currently treating 15.5 MGD due to inflow and infiltration problems. This has led to re-occurring treatment plant system overflows that discharge untreated sewage directly into Long Island Sound. Westchester County is under a Consent Order from the New York State Department of Environmental Conservation (NYSDEC) to remedy this problem through correction of inflow and infiltration of stormwater and groundwater within the sewer system. The County is working to enter into stipulations with the Town of Mamaroneck, the City of New Rochelle, and the villages of Larchmont and Pelham Manor to have these communities reduce the inflow and infiltration volumes entering their respective sanitary systems. Using green infrastructure to reduce the volume of stormwater entering the Town's sanitary system will help alleviate some of the Town's contribution to inflow and infiltration volumes experienced by the County system.

B. Planning for and Implementing Green Infrastructure in the Town of Mamaroneck

Recognizing the importance of green infrastructure to the protection of the Town's environment and public health, Mamaroneck seeks to integrate these practices into the community's fabric. In its 2014 draft sustainability plan, *Plan for a Resilient and Sustainable Mamaroneck* (Plan), the Town established several goals and supporting initiatives and actions that, if implemented, will advance the use of green infrastructure within the Town.

Several initiatives in the Plan strive to advance green infrastructure practices to address stormwater concerns. For example, Mamaroneck seeks to reduce stormwater flooding and reuse stormwater as a resource (see page 22). To undertake this initiative, the Town plans to:

- promote green infrastructure such as rain barrels, rain gardens and green roofs as an alternative to expanding storm water sewer lines;

- Revise zoning and building codes regarding lot coverage, impervious surface coverage, tree canopy coverage and detention tank requirements as an alternative to expanding storm water sewers; and
- increase tree cover to increase absorption of storm water.

Another initiative seeks to reduce contamination of ground and surface waters by promoting the use of green infrastructure to retain and clean runoff before it enters the water bodies (see page 24). Similarly, as part of its effort to redevelop key streetscapes to increase beauty and street connectivity (see page 18), the Town plans to implement permeable paving and sidewalks to decrease stormwater flows.

An additional initiative the Town hopes to implement is conserving water to reduce costs and protect water resources. To advance this initiative Mamaroneck proposes finding opportunities to substitute stormwater for fresh water supply for residences, schools and public facilities that will reduce consumption of a precious resource while reducing water supply costs. These opportunities may be realized by promoting use of stormwater for irrigation; promoting landscape design that minimizes water use; authorizing water harvesting (rain barrels) for non-drinkable uses such as irrigation, toilet flushing and HVAC operations; and collaborating with local companies to promote reduced-cost implementation of green infrastructure (see page 21).

The Sustainability Collaborative, the Town advisory board that developed the sustainability plan, has also identified as a priority initiative for 2015 that Mamaroneck maintain and improve infrastructure reliability in the community. As an element of this initiative, the Town is to evaluate applications of green infrastructure for stormwater systems and retention areas on public areas as well as residential property.

Finally, in collaboration with the Village of Larchmont, Mamaroneck has also adopted a Local Waterfront Revitalization Program (LWRP) that establishes policies supportive of green infrastructure. New York municipalities along major coastal and inland waterways may coordinate with the New York Department of State (DOS) to prepare an LWRP, which consists of a comprehensive land and water use plan for a community's waterfront and developed waterfront resources. A municipality's LWRP addresses waterfront redevelopment, expansion of public access to water, resource protection, and water dependent uses. After the New York State Secretary of State and the federal Office of Coastal Resources Management approve an LWRP, state and federal actions must be consistent with it. Additionally, all LWRPs must include a local consistency review law. These laws ensure that municipal actions are consistent with the LWRP's policies, uses and projects, as well.

As part of its LWRP, Mamaroneck has adopted several policies that, while they do not speak directly to green infrastructure and low impact development, should help advance their use. For example, Policy 17 states that:

Whenever possible, use non-structural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (1) the setback of buildings and structures; (2) the planting of vegetation and the installation of sand fencing and drainage systems; (3) the reshaping of bluffs; (4) the flood proofing of buildings or their elevation above base flood level.

The low impact design elements of green infrastructure mentioned above clearly fall within the scope of Policy 17 and should steer project applicants within the coastal zone to use these practices to minimize resource impacts and the generation of stormwater. Another policy, Policy 33, recommends that projects within the coastal zone use best management practices that will ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters. Similarly, Policy 37 requires that best management practices be used to minimize the nonpoint discharge of excess nutrients, organics and eroded soils into coastal waters. Given New York State's identification of green infrastructure as a best management practice (as discussed below), these policies strongly suggests to project applicants and relevant land use boards that projects within the coastal zone should implement such practices to satisfy coastal consistency requirements.

Importantly, Mamaroneck has worked to address stormwater, flooding and water resource protection through a number of measures and actions. Most recently, it retrofitted 73 stormwater catch basins with debris screens and filters to reduce pollutant loading to Long Island Sound. The Town identified and selected basins where there is a direct discharge into open water tributaries leading into Long Island Sound. The Town used a combination of field inspections and infrastructure mapping to streamline the selection process to a few targeted zones within the given watersheds leading to the Sound.

Additionally, the Town adopted section 173-8 of the Town Code, which prohibits any connection from a building, yard or any drain from any catch basin, lake, swamp, pond or any inlet for surface water, stormwater or groundwater to the Town trunk sewer system or any public sewer tributary thereto or to any private sewer connected to any such public sewer. The explicit purpose of this provision is to deter, prevent and eliminate, as far as possible, the introduction of stormwater into the town sanitary sewer system and all public sewers tributary thereto. Consistent with this policy, the Town also requires professional certification that stormwater is not connected to sanitary sewers at time of transfer of title. As of May 2015, 1,258 homes received certificates indicating that they are not illicit discharging stormwater into the Town's sanitary sewer system.

C. Stormwater Permitting

As noted above in Figure 1, developed areas disrupt the land's ability to absorb stormwater. Because land development is approved at the local level, federal and state laws require urbanized communities, like the Town of Mamaroneck, to establish stormwater management programs whose goal is to maintain pre-development runoff conditions.²

In New York State, the regulation of stormwater is administered by the Department of Environmental Conservation (DEC) under delegation by the U.S. EPA pursuant to the federal Clean Water Act. DEC implements the federal program through the issuance of two statewide General Permits under its State Pollutant Discharge Elimination System (SPDES):

² For an excellent overview of stormwater planning and permitting in New York State, please see [Reviewing Stormwater Management in Site Design: A Guide for Planning Board Members](#), developed by the Lower Hudson Coalition of Conservation Districts.

- Under the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01), construction site operators must notify the state of any project disturbing one acre or more of soil, prepare a formal written Stormwater Pollution Prevention Plan (SWPPP) and adhere to the provisions of the plan during and after construction.
- Under the SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems, or MS4s (GP-02-02), regulated MS4s, like the Town of Mamaroneck, must establish stormwater management programs that reduce the discharge of pollutants to the maximum extent practicable, including reviewing and approving Stormwater Pollution Prevention Plans (SWPPPs) and regulating illicit discharges to the stormwater sewer system.

To help construction site operators comply with the requirements for managing stormwater during construction activities that disturb one acre or more of land, DEC developed the [New York Standards and Specifications for Erosion and Sediment Control](#). The standards and specifications listed in the manual have been developed over time to reduce the impact of soil loss from construction sites to receiving water bodies and adjacent properties. The manual follows low impact development principles and provides designers with details on how to plan a site for erosion and sediment control and how to select, size, and design specific practices to meet these resource protection objectives. Stormwater management during construction is often called “erosion and sediment control.”

Similarly, DEC published the [New York State Stormwater Management Design Manual](#) to assist project designers and regulated MS4 municipalities like Mamaroneck to satisfy their obligations under state regulations concerning long-term stormwater management, generally called “post-construction.” These practices control the quality and quantity of stormwater runoff for decades to come after a project has been completed. This manual provides an overview on how to size, design, select, and locate stormwater management practices at a development site to comply with State stormwater performance standards. Because of the many benefits provided by green infrastructure, DEC amended the Design Manual in 2010 and again in 2015 to prioritize the use of green infrastructure techniques. A number of the techniques described in Chapter 5 of the Design Manual are discussed more fully below.

Like other communities in Westchester County, the Town of Mamaroneck has adopted a stormwater management provision in its Town Code to address the generation and mitigation of stormwater. As part of this program, the Town enacted a Surface Water and Erosion Control Law that establishes site and development standards that must be satisfied for subdivisions, site plans and construction projects where 100 square feet or more of soil will be impacted.³

Mamaroneck’s stormwater provision regulates both “minor” and “major” land development activities. A “minor” land development activity includes any construction activity that (1) results in land disturbance of more than 100 square feet but less than one acre, (2) creates impervious cover of more than 100 square feet but less than one acre, or (3) may alter the flow of surface water at the

³ The Town of Mamaroneck has also imposed financial guarantees to ensure that the relevant stormwater mitigation plans are adhered to and implemented. For more information, please see **§ 95-18 and § 95-19**.

property line even if such disturbance or fill covers less than 100 square feet. A "major" land development activity includes any construction activity that (1) results in land disturbance equal to or greater than one acre or (2) disturbs less than one acre, but is part of a larger common plan of development of one or more parcels where the total land disturbance is equal to or is greater than one acre even if occurring at different times or on different schedules. In either case "construction activity" includes but is not limited to clearing, grading, excavating, soil disturbance or placement of fill and both require that a stormwater permit be secured.

The distinction between minor and major land development activity is important because it triggers different plan preparations and approval requirements. In the case of **minor land development** activity, the required Surface Water and Erosion Control Permit is reviewed by the Town's engineer, who, under the law, is designated as the Stormwater Management Officer (SMO). If the application is acceptable to the SMO, then the Town's building department must issue the permit. There is no review of the application by any other entity in Town and the SMO may waive the permit requirement when there is an application for a floodplain development permit, a wetlands and watercourses permit, subdivision approval, site plan approval or a building permit.

Before a Surface Water and Erosion Control Permit may be approved for a minor land development activity, the applicant must prepare a Surface Water and Erosion Control Plan. The emphasis of a Surface Water and Erosion Control Plan is to reduce stormwater generation and soil erosion during the construction phase of a project. This plan requires such elements as:

- Schematic layout of the stormwater management practices proposed to control surface water runoff both during and after construction;
- Schematic layout of the proposed erosion and sediment control devices;
- Surface water control calculations; and
- Location of existing trees, including driplines, grassy areas and unique vegetation and detailed methods of tree protection.

In addition, where a project will disturb an area greater than 5,000 square feet but less than one acre or create impervious surface area of 1,000 or more square feet, but less than one acre, then the Surface Water and Erosion Control Plan must contain additional elements to address post-construction stormwater. Here because of the extent of disturbance or amount of impervious surface to be located onsite, the plan must also include:

- Description of each post-construction stormwater management practice;
- Site map/construction drawing(s) showing the specific location(s) and size(s) of each post-construction stormwater management practice;
- Hydrologic and hydraulic analysis for all structural components of the stormwater management system for the applicable design storms;
- Comparison of post-development stormwater runoff conditions with pre-development conditions; and
- Dimensions, material specifications and installation details for each post-construction stormwater management practice.

It is important to note that, the development of one- and two-families home is excluded from these enhanced plan standards to address post-construction stormwater generation.

Before the Town's Engineer can approve such plans, the Engineer must ensure that a plan satisfies a number of requirements. Most significant of these is the requirement that the rate of stormwater runoff will not increase on site as compared to the site's pre-development condition. There are 24 additional requirements that must be satisfied, which may be found at § 95-11(A) of the Town Code.

Where a project falls into the "**major land development activity**" category, i.e., projects that will disturb an acre or more of land, the applicant is required to secure a Stormwater Pollution Prevention Permit. The permit application is reviewed by the Town Engineer as the Town's stormwater management officer, but must also be reviewed by the appropriate Town land use board reviewing the overall project where their approval is necessary. In addition, the applicant must prepare a **Stormwater Pollution Prevention Plan (SWPPP)** that is more rigorous than the plan required under a Surface Water and Erosion Control Plan. This plan requires that the applicant address stormwater post-construction as well as during construction activities. For a complete list of the elements of a SWPPP, please see § 95-14 of the Town Code.

In addition to the specific requirements for the plans noted above, both Surface Water and Erosion Control Plans and a SWPPP must satisfy the requirements of the technical manuals published by DEC noted above. Given the emphasis on low impact development and green infrastructure in both manuals since 2010, project applicants must be specifically aware of the green infrastructure and LID principles espoused by these documents.

III. Green Infrastructure Best Practices

As discussed above, green infrastructure to address stormwater includes a wide array of practices at multiple scales to manage and treat stormwater, maintain and restore natural hydrology and ecological function by infiltration, evapotranspiration, capture and reuse of stormwater, and establishment of natural vegetative features. While there are examples of green infrastructure best practices from around the country, the New York State has promulgated its own best practices in Chapters 3 and 5 of the New York State Stormwater Management Design Manual. When implemented, these practices will result in stormwater runoff reduction that will protect and enhance the Town's stream corridors and Long Island Sound. These practices will also improve the visual environment of the Town by adding new greenscape to the more developed portions of the municipality.

The green infrastructure techniques promoted by New York State to address stormwater can be grouped into four broad categories:

- *Low Impact Development (LID) techniques*, such as preserving undisturbed site areas and natural features, reducing grading and site clearing, and siting structures in the least sensitive areas of a site – they reduce the amount of impervious surface to be placed on a parcel of land.

- *Infiltration techniques*, such as permeable pavements, disconnected downspouts, and rain gardens—they are engineered structures or landscape features designed to capture and infiltrate stormwater, reduce runoff volume, and treat or clean runoff.
- *Evapotranspiration practices*, such as green roofs, bioswales, trees, and other vegetation—they can reduce stormwater runoff volumes by returning water to the atmosphere through evaporation of surface water or through transpiration from plant leaves. Trees and shrubs can also filter air pollutants and improve air quality.
- *Capture and reuse practices*, such as rain barrels and cisterns—they capture stormwater for non-potable household uses, irrigation, or gradual infiltration.

Table 1, below, is drawn from Chapter 3 of the New York State Stormwater Management Design Manual and lists many of the LID techniques that are to be used in the development of SWPPP where an acre or more of soil will be disturbed during construction activities. These techniques should also be employed in the development of a Surface Water and Erosion Control Plan:

Table 1 - Planning Practices for Preservation of Natural Features & Impervious Surface Reduction

Group	Practice	Description
Preservation of Natural Resources	Preservation of Undisturbed Areas	Delineate and place into permanent conservation easement undisturbed forests, native vegetated areas, riparian corridors, wetlands, and natural terrain.
	Preservation of Buffers	Define, delineate and place in permanent conservation easement naturally vegetated buffers along perennial streams, rivers, shorelines and wetlands.
	Reduction of Clearing and Grading	Limit clearing and grading to the minimum amount needed for roads, driveways, foundations, utilities and stormwater management facilities.
	Locating Development in Less Sensitive Areas	Avoid sensitive resource areas such as floodplains, steep slopes, erodible soils, wetlands, mature forests and critical habitats by locating development to fit the terrain in areas that will create the least impact.
	Open Space Design	Use clustering, conservation design or open space design to reduce impervious cover, preserve more open space and protect water resources.
	Soil Restoration	Restore the original properties and porosity of the soil by deep till and amendment with compost to reduce the generation of runoff and enhance the runoff reduction performance of practices such as downspout disconnections, grass channels, filter strips, and tree clusters.

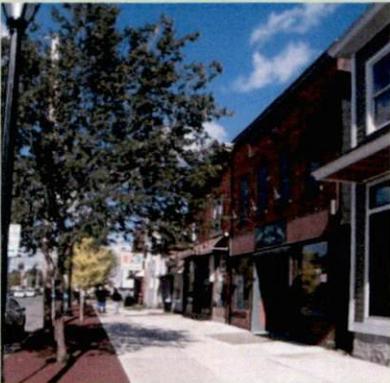
Reduction of Impervious Cover	Roadway Reduction	Minimize roadway widths and lengths to reduce site impervious area
	Sidewalk Reduction	Minimize sidewalk lengths and widths to reduce site impervious area
	Driveway Reduction	Minimize driveway lengths and widths to reduce site impervious area
	Cul-de-sac Reduction	Minimize the number of cul-de-sacs and incorporate landscaped areas to reduce their impervious cover.
	Building Footprint Reduction	Reduce the impervious footprint of residences and commercial buildings by using alternate or taller buildings while maintaining the same floor to area ratio.
	Parking Reduction	Reduce imperviousness on parking lots by eliminating unneeded spaces, providing compact car spaces and efficient parking lanes, minimizing stall dimensions, using porous pavement surfaces in overflow parking areas, and using multi-storied parking decks where appropriate.

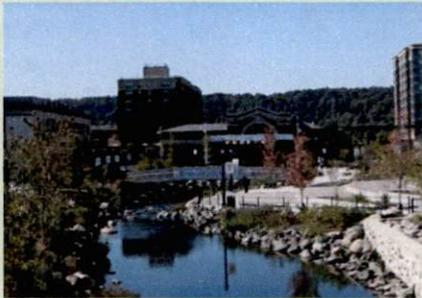
These practices are described more fully in Chapter 5 of the Stormwater Management Design Manual and may be found [here](#).

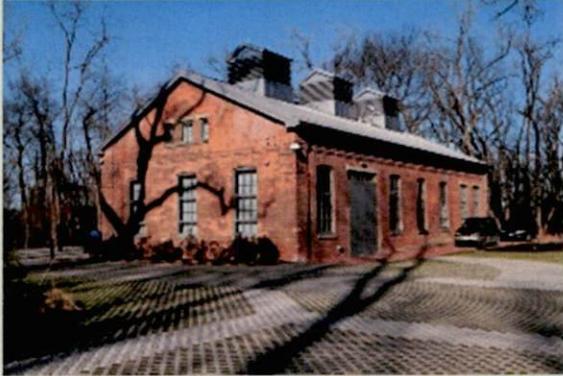
The remaining green infrastructure techniques that infiltrate, evapotranspire, capture and reuse stormwater are engineered practices that can be incorporated into site design to allow for site-level management of runoff. Together, these practices result in less stormwater runoff by promoting groundwater recharge, increasing water losses through evapotranspiration (the evaporation of water from plant leaves (transpiration) and evaporation of water from the land's surface) and emulating a site's preconstruction hydrology.

Table 2, below, adapted from Chapter 5 of the Stormwater Management Design Manual, lists a number of runoff reduction green infrastructure practices that should be considered in post-construction settings, and provides a brief description of the practice and shows an image of the practice in use in New York State.

Table 2 – NYS Green Infrastructure Practices to Reduce Stormwater Runoff

Practice	Description	Image
<p>Vegetated open swale Harrier Hill Park, Stockport, Columbia County, vegetated swale (Image courtesy NYS DEC)</p>	<p>The natural drainage paths, or properly designed vegetated channels, can be used instead of constructing underground storm sewers or concrete open channels to increase time of concentration, reduce the peak discharge, and provide infiltration.</p>	
<p>Tree planting / tree box Rome, NY street trees (Image courtesy NYS Environmental Facilities Corporation)</p>	<p>Plant or conserve trees to reduce stormwater runoff, increase nutrient uptake, and provide bank stabilization. Trees can be used for applications such as landscaping, stormwater management practice areas, conservation areas and erosion and sediment control.</p>	
<p>Disconnection of rooftop runoff (Image courtesy NYS Environmental Facilities Corporation)</p>	<p>Direct runoff from residential rooftop areas and upland overland runoff flow to designated pervious areas to reduce runoff volumes and rates.</p>	

<p>Stream daylighting for redevelopment projects Sawmill River, Yonkers, NY (Image courtesy http://frogma.blogspot.com)</p>	<p>Stream Daylight previously-culverted/piped streams to restore natural habitats, better attenuate runoff by increasing the storage size, promoting infiltration, and help reduce pollutant loads.</p>	
<p>Rain garden SUNY-Orange rain garden, Middletown, NY (Image courtesy NYS DEC)</p>	<p>Manage and treat small volumes of stormwater runoff using a conditioned planting soil bed and planting materials to filter runoff stored within a shallow depression.</p>	
<p>Green roof Beacon Institute Green Roof Beacon, NY (Image courtesy NYS DEC)</p>	<p>Capture runoff by a layer of vegetation and soil installed on top of a conventional flat or sloped roof. The rooftop vegetation allows evaporation and evapotranspiration processes to reduce volume and discharge rate of runoff entering conveyance system. In summer, depending on the plants and depth of growing medium, green roofs retain 70-90% of the precipitation that falls on them; in winter they retain between 25-40%.</p>	

<p>Stormwater planter Portland, OR (Image courtesy NJ Future)</p>	<p>Small landscaped stormwater treatment devices that can be designed as infiltration or filtering practices. Stormwater planters use soil infiltration and biogeochemical processes to decrease stormwater quantity and improve water quality.</p>	
<p>Rain tank/Cistern Buffalo, NY rain barrel (Image courtesy Buffalo Niagara Riverkeeper)</p>	<p>Capture and store stormwater runoff to be used for irrigation systems or filtered and reused for non-contact activities.</p>	
<p>Porous Pavement Beacon Institute porous pavers Beacon, NY (Image courtesy NYS DEC)</p>	<p>Pervious types of pavements that provide an alternative to conventional paved surfaces, designed to infiltrate rainfall through the surface, thereby reducing stormwater runoff from a site and providing some pollutant uptake in the underlying soils.</p>	

IV. Green Infrastructure Goals

To achieve a greater level of green infrastructure use within Mamaroneck, and to implement any of the best practices highlighted above, the Town's efforts must be guided by comprehensive planning as required by New York law. While the Town does not have a written, town-wide comprehensive plan, it does have its *Plan for a Resilient and Sustainable Mamaroneck*. This plan presents several

initiatives that may serve as goals that will help advance the use of green infrastructure. These initiatives include:

- promoting green infrastructure practices such as rain barrels, rain gardens and green roofs as alternatives to expanding storm water sewer lines;
- Revising zoning and building codes regarding lot coverage, impervious surface coverage, tree canopy coverage and detention tank requirements as alternatives to expanding storm water sewers;
- increasing tree cover to increase absorption of storm water;
- promoting green infrastructure techniques to retain and clean runoff before it enters the Town's water bodies; and
- implementing the use of permeable paving and sidewalks to decrease stormwater flows when the Town is redeveloping streetscapes.

These initiatives can be strengthened by incorporating them into the Town's update of its LWRP as specific development policies. Linking the green infrastructure aspects of the *Plan for a Resilient and Sustainable Mamaroneck* with the LWRP update will ensure that the Town's local land use boards carefully consider the use of green infrastructure for new projects because of the need for the Town to conduct a coastal consistency review as discussed under Section II(B), above.

V. Green Infrastructure Metrics

To determine if the Town of Mamaroneck is advancing towards its long-term goal of increasing green infrastructure use, it is critical to have measures by which the Town can benchmark its progress. Based upon green infrastructure literature and the efforts of a number of communities from around New York State, there are several standard metrics that the Town may employ to assess its level of green infrastructure implementation over the next thirty years. These metrics look at the volume of stormwater generated, the amount of impervious surface located within a given watershed and the number of green infrastructure interventions made within a geographic area.

For each of the metrics below, the Town should establish 2015 as its baseline year. Relevant metrics include:

- The percent of impervious surface reduction within the Town's various watersheds
- Number of acres retrofitted with green infrastructure interventions
- Number, square footage, and capacity of green roofs in place
- Number and capacity of rain gardens and other infiltration practices
- Gallons of stormwater kept out of the sewer system during 2- or 10-year storm events through the use of green infrastructure
- Quantification of flow volume reductions, e.g., flows into or from the sewer system in various size storm events, on an annual basis, or in a typical year.

Once baseline numbers are established for each of the metrics, the City will be able to track its green infrastructure progress at five-year intervals.

VI. Green Infrastructure-Supportive Code Recommendations

Finally, LULC conducted an extensive review of the Town of Mamaroneck's zoning and other code provisions that relate to stormwater management based upon the Code and Ordinance Worksheet developed by the Hudson River Estuary Program at DEC. The analysis reveals that the Town is well on its way to reducing stormwater generation and mitigating its impacts, but that additional measures could be adopted that will strengthen these efforts. These measures include:

- amending the Flood Damage Prevention Law in Chapter 110 to prevent new building and filling in the 100-year floodplain;
- ensuring that the Erosion and Sediment Control Law in Chapter 95 requires avoidance of development on steep slope areas and minimizes grading and flattening of hills and ridges for major land development activities;
- amending the Town's site plan regulations in Chapter 177 to require applicants to delineate and define natural conservation areas for review at the required pre-submission conference between the applicant, Planning Board, and Director of Building Code Enforcement and Land Use Administration;
- requiring protection of conservation areas and native vegetation in an undisturbed state during the design, construction and occupancy stages;
- allowing pervious materials and "two track" design to be used for single-family home driveways (e.g., grass, gravel, porous pavers, etc.);
- amending Chapter 95 to reference the NYS Stormwater Management Design Manual criteria for bioretention and rain gardens as well as infiltration practices and permeable surfaces;
- allowing rooftop runoff to be discharged to yard areas; and
- encouraging the installation of stormwater infiltration practices and permeable surfaces to promote groundwater recharge in appropriate areas.

These and other stormwater recommendations are discussed more fully in Appendix B.

VII. Conclusion

The Town of Mamaroneck is well positioned to make further advancements in the use of green infrastructure to address stormwater flows and reduce flooding and surface water quality impacts. By linking the green infrastructure aspects of the *Plan for a Resilient and Sustainable Mamaroneck* with the LWRP update, Mamaroneck will ensure that green infrastructure practices are vetted by the appropriate land use board in addition to the specific green infrastructure practices that may be required to secure a requisite stormwater permit. Additionally, amending the Town Code to include the recommendations listed in Appendix B will help promote the use of green infrastructure in development and redevelopment projects.

WORKSESSION

ITEM 2

MEMORANDUM

To: Town Council
Fr: Nancy Seligson
Re: Community Choice Aggregation (aka "Westchester Smart Power")
Date: March 8, 2016

Because of the time-sensitive nature of this issue, described more fully below, I am asking you to consider the decision regarding Westchester Smart Power in advance of our TB meeting next week. We will discuss it in work session and a decision will be necessary next week.

Background (Again)

Community Choice Aggregation, now branded locally under the name Westchester Smart Power, pools the electricity demand of roughly twenty participating municipalities to enhance the bargaining power of consumers and deliver cleaner, cheaper energy.

The program will launch shortly under the auspices of Sustainable Westchester, an umbrella organization of which the Town of Mamaroneck is a member (as are nearly all other Westchester municipalities.)

Sustainable Westchester issued an RFP for energy service companies (ESCOs) and, following a period of review of options and then negotiation, recently concluded an agreement with Con Ed Solutions. (Somewhat confusingly, although Con Edison Solutions is a wholly-owned subsidiary of Con Edison, it operates independently and has a distinct mission under New York State utility regulations.)

When Westchester Smart Power is implemented this spring, Con Edison Solutions will become the default energy supplier for all consumers in participating municipalities, except those who have prior agreements with other ESCOs. This will affect 3,793 residential customers and 296 commercial customers in the Town.

However, every customer will retain the right to opt out of this default at any time and choose a different energy provider. Similarly, those currently served by a different ESCO will have an opportunity to opt in at any time.

Sustainable Westchester is presently hiring public information staff to assist with this process, maintain a website, respond to phone calls, etc. The website, which contains much more information, is: www.westchestersmartpower.org. Please note, however, that while the website is live for the purpose of viewing, it is not yet interactive and will not become interactive until the program launch.

The Town Board has already approved participation in Westchester Smart Power and has no further decisions to make with respect to inclusion in the program. The Town does, however, need to make a secondary decision that is both important and highly time-sensitive . . .

The Choice

Sustainable Westchester's agreement with Con Ed Solutions gives each municipality two distinct default options: (1) a standard or "brown" rate that relies on traditional sources of energy, including fossil fuels; and (2) a clean or "green" rate that delivers 100% renewable energy.

Just as individual consumers can opt in to a different ESCO, so, too, can they opt in to their preferred rate. However, the Town must choose one or the other as a default.

The Rates

Fortunately, both the brown and the green rate are lower than current rates. In other words, consumers will save money in either scenario. (As you see below, the savings are significant for residential consumers, but negligible for commercial customers.)

	<u>Residential</u>	<u>Commercial</u>
Current Rate (Based on 12-Month Average)	.0809/kwh	.0968/kwh
Green Rate	.0768/kwh	.0965/kwh
Savings	-5.1%	-0.3%
Brown Rate	.0738/kwh	.0961/kwh
Savings	-8.8%	-0.7%

(Note that this applies to electricity *supply*. Electricity *delivery* would continue to be Con Ed's responsibility, and delivery rates will not be affected one way or another.)

These rates will be fixed for at least 24 months. Sustainable Westchester may choose to negotiate an extension of the fixed term at the end of this year. Setting a longer period right now would have resulted in a higher rate.

Timing

The implementation schedule for Westchester Smart Power requires the Town of Mamaroneck (and all other participating municipalities) to act very quickly.

The changeover to Con Ed Solutions will occur after the April meter read and prior to the May meter read for each customer. This is a hard deadline.

There is a required notification period before the changeover. Notices must be issued to all customers (except those already with ESCO agreements) by approximately March 31. This is also a hard deadline. The notices are planned to be joint letters from the ESCO and the individual municipality.

In order for these notices to accurately describe the default rate, each municipality must designate their default rate by approximately March 22nd. In other words, the Town must make a decision this week or next.

Our decision need not take the form of a formal resolution. A letter from the Town Administrator will be sufficient.

Suggested Action

The prior sections of this memo are intended to lay out the issue in a neutral fashion. Let me conclude with a pitch.

I strongly suggest that we choose the “green” rate as our local default.

While it is tempting and in some ways easier to choose the “brown” rate, the benefits of the green rate far exceed the relatively small price differential between the two. Here are a few reasons:

- Consumers will still enjoy a meaningful savings over the status quo with the green rate. We can save money and be green simultaneously.
- Consumer can still opt in to the brown rate, if that is what they prefer.
- Transitioning to clean, renewable energy is one of the Town’s core sustainability objectives. We will never have an easier, better, simpler, or more impactful way of accomplishing that objective. If we can’t take an entirely painless step like this, it would raise questions about the seriousness of our commitment.
- For homes that are simply not suitable for solar power, because of their structure, orientation, etc. – which could be a healthy percentage of our housing stock, – this may be one of the few realistic means of tapping in to a renewable energy source.
- Longer-term, opting for the green rate will help drive down costs further. Here is why: ramping up demand for renewable energy helps stimulate growth in renewable energy capacity and infrastructure. That, in turn, helps reduce prices. Bringing in big chunks of customers through community choice aggregation contributes to that goal more effectively than scattered individual sign-ups.
- From a marketing perspective, 100% green power could be an attractive selling point for the Town of Mamaroneck.

That’s my opinion (probably not a surprise), but this is, of course, a group decision.

WORKSESSION
ITEM 3



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 Close Out

Date: March 10, 2016

Annually the Town Comptroller and I review all open capital projects to determine their status. Those projects that have been completed are scheduled for close out conditioned upon review and approval of the Town Board.

Attached is a schedule prepared by the Comptroller listing the capital projects recommended for close out. Nineteen projects are recommended for closure with a total project budget value of \$10,656,786. Final actual expenditures for this list of projects were \$10,616,508 producing an overall unexpended balance of \$40,277 based upon the projected budget for the projects versus the actual expenditures. The largest of the projects listed for closeout are three of the four components of the energy service contract totaling \$7,090,000.

The Energy Service Contract included four components; Hommocks Ice Rink, Town Center, Fire Headquarters Building and Street Lighting. At this time the recommendation is to closeout all but the Fire Headquarters component of the project. There is a budget balance remaining in that portion of the project and the Fire Department is evaluating additional energy improvements for the building.

For each listed capital project the schedule provides the original project budget, actual expenditures and source of funding. In addition the schedule shows a fund balance or deficit for each project based upon actual expenditures. The largest deficit (over expenditure) \$83,616 is for the Hommocks Ice Rink Renovation. The Ice Rink component of the Energy Service Contract was budgeted at \$3,950,000. Actual expenditures totaled \$4,033,616 producing a deficit of \$83,616. The additional expenditure was based upon a finding in the field during construction that additional pilings and a different slab on grade was required for the ice rink equipment room.

For those projects having a fund balance (under expended) the remaining funds must be directed to the debt service fund if bonds were used to fund the project. Funds transferred to the debt service fund are used to pay off outstanding bonded indebtedness. If budget appropriations or budget transfers were used to fund the project then the remaining funds are transferred back to the appropriate budget fund's



unexpended balance. This is detailed in the last two columns on the right side of the spreadsheet.

For those projects that have a fund deficit (over expended) the recommendation is that budget transfers from the unexpended balance of the applicable budget fund be used to eliminate the deficit and balance the project budget.

On the third page of the attachment, is a summary schedule of the net transfers for each budget fund. For all budget funds the net total deficit is \$1,988 when measuring total project deficits versus total project surpluses. A total of \$55,444 will be transferred to the debt service fund and used to offset future principal and interest payments for outstanding capital project debt.

In the Highway Fund, there will be a transfer of \$33,933 into the unexpended balance of the fund. A net transfer of \$81,273 must be drawn from the unexpended balance of the Townwide Fund to account for deficits in the projects charged to that fund. In the Part Town Fund and Street Lighting District transfers of \$2,530 and \$7,456 respectively are required to fund project deficits. Finally a transfer of \$104 is needed from the Sewer District unreserved balance.

ACTION REQUESTED: THAT THE TOWN BOARD APPROVE THE CLOSE OUT OF THE CAPITAL PROJECTS LISTED IN THE ATTACHED SCHEDULE AND FURTHER THAT THE TOWN BOARD AUTHORIZE THE FUND TRANSFERS AS OUTLINED IN THE ATTACHED SCHEDULE



Stephen V. Altieri
Town Administrator

cc: Anthony Siligato-Town Comptroller

TOWN OF MAMARONECK
 CAPITAL PROJECTS FUND - PROJECT LENGTH SCHEDULE
 PROJECT INCEPTION THRU DECEMBER 31, 2015

CAPITAL PROJECTS CLOSED OUT PER R.O.B. DATED 3/16/2016 / EFFECTIVE CLOSE DATE OF 12/31/2015

PROJ. #	PROJECT DESCRIPTION	PROJECT BUDGET	EXPENDITURES & TRANSFERS	UNEXPENDED BUDGET BAL.	SOURCE OF FUNDING					FUNDING TOTAL	FUND BALANCE (DEFICIT) AT DEC. 31, 2013	PROJECT CLOSED (FUND)
					INTERFUND TRANSFERS	PROCEEDS OF OBLIGATIONS	FEDERAL & STATE AID	OTHER				
2011-15	TWN PROP REVALUATION	\$ 1,325,000.00	\$ 1,325,003.97	\$ (3.97)	\$ 25,000.00	\$ 1,300,000.00	\$ -	\$ -	\$ -	\$ 1,325,000.00	\$ (3.97)	A
2011-17	EPA ILLICIT DISCHARGE	\$ 40,000.00	\$ 9,233.21	\$ 30,766.79	\$ 40,000.00	\$ -	\$ -	\$ -	\$ -	\$ 40,000.00	\$ 30,766.79	DB
2012-16	TWO-WAY RADIO UPGRADE	\$ 125,000.00	\$ 124,982.07	\$ 17.93	\$ -	\$ 125,000.00	\$ -	\$ -	\$ -	\$ 125,000.00	\$ 17.93	DEBT SVC
2013-26	HAZARD MITIGATION PLAN	\$ 84,806.00	\$ 41,050.00	\$ 43,756.00	\$ -	\$ -	\$ 42,540.43	\$ -	\$ -	\$ 42,540.43	\$ 1,490.43	B
2013-30	SANITARY SEWER CAMERA	\$ 70,000.00	\$ 70,104.80	\$ (104.80)	\$ -	\$ 70,000.00	\$ -	\$ -	\$ -	\$ 70,000.00	\$ (104.80)	SS
2013-32	FUEL MANAGEMENT SYS.	\$ 130,000.00	\$ 127,016.82	\$ 2,983.18	\$ 10,000.00	\$ 120,000.00	\$ -	\$ -	\$ -	\$ 130,000.00	\$ 2,983.18	DB
2013-36	LIBRARY IMPROVEMENTS	\$ 125,000.00	\$ 118,926.58	\$ 6,073.42	\$ -	\$ 125,000.00	\$ -	\$ -	\$ -	\$ 125,000.00	\$ 6,073.42	DEBT SVC
2014-02	POLICE VEHICLES	\$ 60,000.00	\$ 62,385.19	\$ (2,385.19)	\$ 60,000.00	\$ -	\$ -	\$ -	\$ -	\$ 60,000.00	\$ (2,385.19)	B
2014-04	ROADS, SIDEWALKS & CURBS	\$ 708,680.00	\$ 711,536.02	\$ (2,856.02)	\$ 98,680.00	\$ 610,000.00	\$ -	\$ -	\$ -	\$ 708,680.00	\$ (2,856.02)	DB
2014-06	HIGHWAY VEHICLES & EQUIP	\$ 503,000.00	\$ 502,200.78	\$ 799.22	\$ 28,000.00	\$ 475,000.00	\$ -	\$ -	\$ -	\$ 503,000.00	\$ 799.22	DB
2014-09	SANITATION VEHICLE	\$ 185,000.00	\$ 135,646.94	\$ 49,353.06	\$ -	\$ 185,000.00	\$ -	\$ -	\$ -	\$ 185,000.00	\$ 49,353.06	DEBT SVC
2014-20	COMPUTER HARDWARE	\$ 45,000.00	\$ 44,364.98	\$ 635.02	\$ 45,000.00	\$ -	\$ -	\$ -	\$ -	\$ 45,000.00	\$ 635.02	A
2014-21	ADMINISTRATIVE VEHICLE	\$ 25,000.00	\$ 26,635.98	\$ (1,635.98)	\$ 25,000.00	\$ -	\$ -	\$ -	\$ -	\$ 25,000.00	\$ (1,635.98)	B
2014-29	FIRE HQ IMPROVEMENTS	\$ 8,300.00	\$ 8,300.00	\$ -	\$ 8,300.00	\$ -	\$ -	\$ -	\$ -	\$ 8,300.00	\$ -	SF

TOWN OF MAMARONECK
 CAPITAL PROJECTS FUND - PROJECT LENGTH SCHEDULE
 PROJECT INCEPTION THRU DECEMBER 31, 2015

CAPITAL PROJECTS CLOSED OUT PER R.O.B. DATED 3/16/2016 / EFFECTIVE CLOSE DATE OF 12/31/2015

PROJ. #	PROJECT DESCRIPTION	PROJECT BUDGET	EXPENDITURES & TRANSFERS	UNEXPENDED BUDGET BAL.	SOURCE OF FUNDING				FUNDING TOTAL	FUND BALANCE (DEFICIT) AT DEC. 31, 2013	PROJECT CLOSED (FUND)
					INTERFUND TRANSFERS	PROCEEDS OF OBLIGATIONS	FEDERAL & STATE AID	OTHER			
2014-39	CONSERVATION TRAILS	\$ 107,000.00	\$ 105,070.58	\$ 1,929.42	\$ -	\$ 97,000.00	\$ -	\$ 10,000.00	\$ 107,000.00	\$ 1,929.42	A
2014-41	ENERGY IMP - TOWN CENTER	\$ 1,300,000.00	\$ 1,300,217.28	\$ (217.28)	\$ -	\$ 1,300,000.00	\$ -	\$ -	\$ 1,300,000.00	\$ (217.28)	A
2014-42	ENERGY IMP - ICE RINK	\$ 3,950,000.00	\$ 4,033,616.92	\$ (83,616.92)	\$ -	\$ 3,950,000.00	\$ -	\$ -	\$ 3,950,000.00	\$ (83,616.92)	A
2014-44	ENERGY IMP - STREET LIGHTS	\$ 1,840,000.00	\$ 1,847,456.80	\$ (7,456.80)	\$ -	\$ 1,840,000.00	\$ -	\$ -	\$ 1,840,000.00	\$ (7,456.80)	SL
2015-38	HWY/GARAGE FACILITY IMP	\$ 25,000.00	\$ 22,760.00	\$ 2,240.00	\$ 25,000.00				\$ 25,000.00	\$ 2,240.00	DB
	TOTALS:	\$ 10,656,786.00	\$ 10,616,508.92	\$ 40,277.08	\$ 364,980.00	\$ 10,197,000.00	\$ 42,540.43	\$ 10,000.00	\$ 10,614,520.43	\$ (1,988.49)	

TOWN OF MAMARONECK				
CAPITAL PROJECTS CLOSE OUT				
INTERFUND TRANSFERS TO BE APPROVED BY RESOLUTION OF TOWN BOARD				
March 16, 2016				
SUMMARY OF NET TRANSFERS:				
GENERAL TOWN WIDE	Fund A	\$ (81,273.73)	NET TRANSFER - GENERAL TOWN WIDE FUND TO CAPITAL FUND	
GENERAL PART TOWN	Fund B	\$ (2,530.74)	NET TRANSFER - PART TOWN FUND TO CAPITAL FUND	
HIGHWAY	Fund DB	\$ 33,933.17	NET TRANSFER - CAPITAL FUND TO HIGHWAY FUND	
STREET LIGHTING DISTRICT	Fund SL	\$ (7,456.80)	NET TRANSFER - STREET LIGHTING DISTRICT FUND TO CAPITAL FUND	
SEWER DISTRICT	Fund SS	\$ (104.80)	NET TRANSFER - SEWER DISTRICT FUND TO CAPITAL FUND	
DEBT SERVICE	Fund V	\$ 55,444.41	NET TRANSFER - CAPITAL FUND TO DEBT SERVICE FUND	
		\$ (1,988.49)	NET TOTAL FUND BALANCE USED TO CLOSE CAPITAL PROJECTS (19 PROJECTS)	

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: Baldwin Avenue Parking

Date: March 11, 2016

This matter has been discussed at several prior board meetings. Below is what I believe is the plan discussed for implementation. I would like to review this plan with the Town Board at our upcoming work session.

1. The Town Board will consider for adoption the attached resolution that will be submitted with the Town's Home Rule Message to amend the Town of Mamaroneck Resident Parking System legislation to include Baldwin Avenue
2. Using as a reference the second attachment which is an aerial photo of Baldwin Avenue:
 - a) The 23 spaces highlighted in yellow shall be reserved for patrons of the park. There will be a two hour parking limit enforced Monday-Saturday 8:00am – 7:00pm
 - b) The 8 spaces highlighted in pink shall be reserved for short term commuter parking. Meters will be installed in these spaces and provide for up to six hours of parking at \$.75 per hour and be enforced 8:00am-5:00pm Monday through Friday.

If this plan is acceptable the Town will move forward with drafting the necessary legislation for adoption by the Town Board.

Stephen V. Altieri
Town Administrator



**RESOLUTION
HOME RULE REQUEST
TO AMEND SENATE BILL S5103 AND ASSEMBLY BILL A8060 OF 2007
RESIDENTIAL PARKING SYSTEM
TOWN OF MAMARONECK**

WHEREAS, in 2007 the New York State Legislature adopted Senate Bill S5103 and Assembly Bill A8060 that provided for a residential parking system in the Town of Mamaroneck, and

WHEREAS, the current residential parking system incorporates the following streets: Washington Square, North Chatsworth Avenue between Myrtle Boulevard and Edgewood Avenue, New Jefferson Street, Old Jefferson Street, Murray Avenue between Myrtle Boulevard and Leafy Lane and Lester Place, and

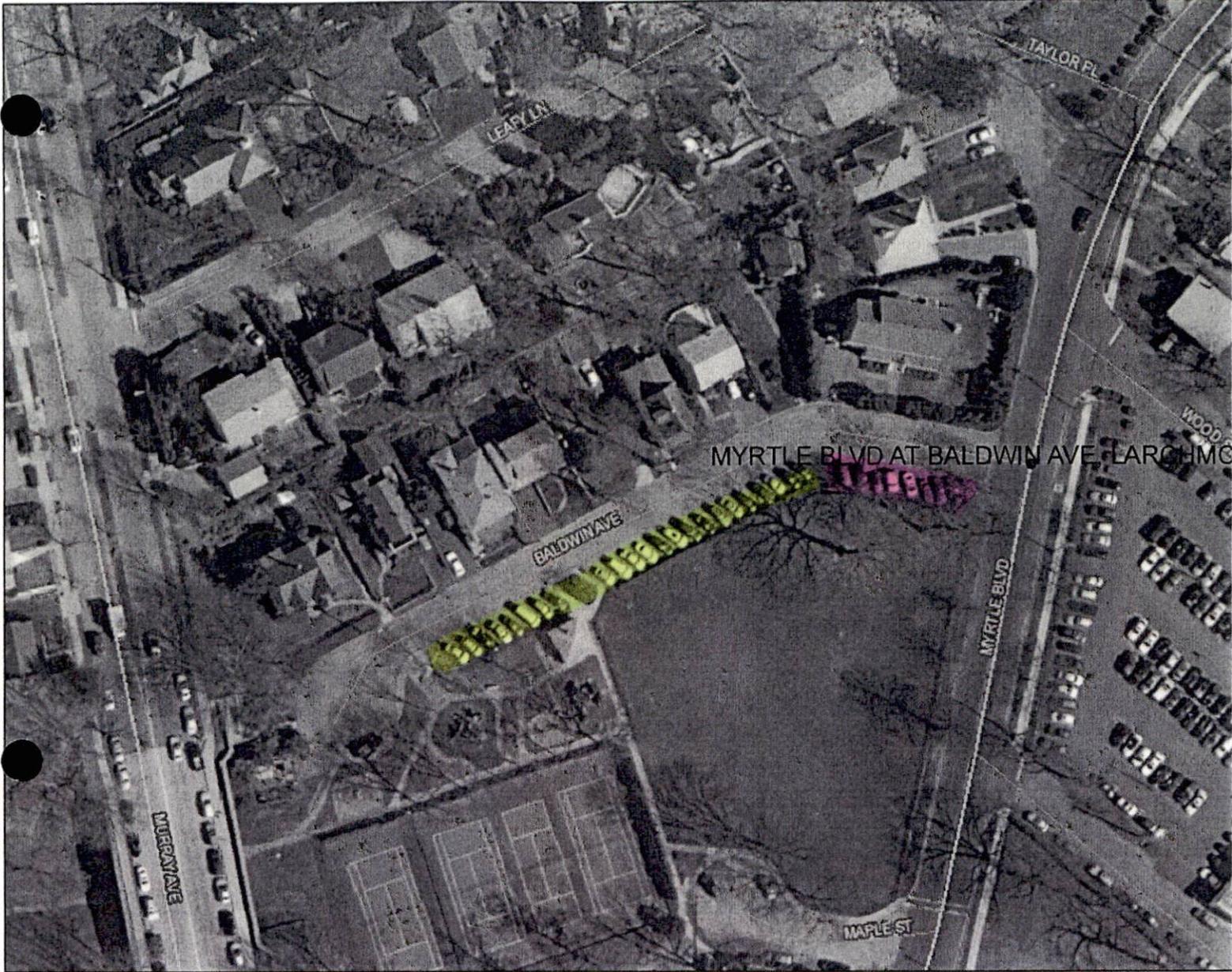
WHEREAS, upon further evaluation the Town has determined that Baldwin Avenue that is adjacent to the original Residential Parking District and Town Commuter Parking Lot #1 is also found to be burdened by the impact of commuters parking for the use of the Larchmont Train Station and should be included in the Town's Residential Parking System, and

WHEREAS, the Town of Mamaroneck desires to undertake for Baldwin Avenue, the same solution as approved for the aforementioned streets

NOW THEREFORE, BE IT

RESOLVED, the Town of Mamaroneck requests introduction of legislation in the Senate and Assembly that would amend Senate Bill 5103 and Assembly Bill 8060 in relation to regulations establishing permit parking in the Town of Mamaroneck that would add Baldwin Avenue to the list of streets to be included the Residential Parking System for the Town of Mamaroneck in accordance with all of the same requirements as set forth in the original Residential Parking System legislation for the Town of Mamaroneck.

Mapping Westchester County



March 11, 2016

1:1,127

 Municipal Boundaries

**WORKSESSION
ITEM 5**

NO ATTACHMENT

**WORKSESSION
ITEM 6**

NO ATTACHMENT

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 March 2, 2016 a Public Hearing will be held on Wednesday, March 16, 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: "Site Plan Approval for Residential Development Law of the Town of Mamaroneck" Law.

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.

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: March 5, 2016



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: March 11, 2016

Last Friday I spoke to a citizen who suggested improvements to the draft law. I attach a version of the law that will be subject of the public hearing redlined to show those suggestions.

Taken in order, these comments are:

Section 178-4 B. (p. 3): The change is designed for the situation where a property is owned by more than one person, one files for a building permit and the other files for a second building permit less than 3 years later. The change avoids the argument that the filer for the second permit is not the "same person" as the one who filed for the first permit.

Section 178-4 C. (p. 3): This is an excellent comment. We were focused on the situation where a proposal undergoes subdivision plat approval and site plan approval contemporaneously. There are situations, however, where a property may be subdivided without the applicant asking for site plan approval at the same time. Later, the then owner wants to build out the approved subdivision. Literally, since the subdivision would have been approved after November 1, 2013, the lots created thereby would be exempt from the site plan review process.

By adding a 'bookend' to the November 1, 2013, the universe of exempt lots is limited to subdivisions approved within the period between the 'bookends'. I suggest January 1, 2016 as the later bookend because (a) not many subdivisions were approved between November 1, 2013 and December 31, 2015 and (b) it will be easier to remember the cutoff since it will end at the beginning of 2016 rather than a date falling within the year.

To: Mamaroneck Town Board
cc: Stephen V. Altieri, Town Administrator
Fr: William Maker, Jr.
Date: March 11, 2016
Page Two

Section 178-9 (p. 6): This section was not correctly edited. Since there will not be a referral to either the Westchester County Planning Board or the State Department of Transportation, reference to them in this section should have been removed.

Section 178-18 (p. 10): This change creates a minimum fine for the second of the two violations mentioned in this section.

A handwritten signature in blue ink, consisting of two large, overlapping loops that resemble the letters 'W' and 'M' intertwined.

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:

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 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 one or all of the same person owners 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 but before January 1, 2016.

(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 needed 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 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 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.
- (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 less than five hundred and no/th (\$500.00) dollars and not to exceed more than 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

03/11/16

PUBLIC HEARING

#2

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Mamaroneck, Westchester County, New York, will meet at the Town Hall, 740 West Boston Post Road, in Mamaroneck, New York, on March 16, 2016, at 8:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report, including an estimate of cost, in relation to the proposed systemwide planning evaluation for an increase and improvement of the facilities of the Town of Mamaroneck Consolidated Sewer District, in said Town, at a maximum estimated cost of \$414,000.

Said capital project has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, said regulations provide will not result in a significant environmental impact.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Mamaroneck, New York,

February 26, 2016.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF
MAMARONECK, WESTCHESTER COUNTY, NEW YORK

Town Clerk

FIRE COMMISSION

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

www.townofmamaroneck.org

TO: Stephen Altieri, Town Administrator
Nancy Seligson, Town Supervisor
Town Board Members

FROM: Connie Green O'Donnell, Assistant Town Administrator

DATE: March 10, 2016

SUBJECT: Authorization to Appoint a Fire Lieutenant

Authorization is being requested by Chief Noah Goldberg and the Fire Council to appoint Michael Cassidy to the position of Fire Lieutenant effective March 17, 2016 at an annual salary of \$104,188. Since this is a competitive position, the appointment is in compliance with Civil Service regulations. As of his appointment date, he will be required to serve a fifty-two (52) week probationary period.

Firefighter Cassidy has been employed by the Town since March 2010 and is a resident of Larchmont. Prior to working at the Town he owned and operated a company that provided environmental testing and consulting services and was an instructor for the Rutgers University/Environmental Occupational Health and Safety Institute. In addition, he served as a volunteer Firefighter and Emergency Medical Technician for the Town of Mamaroneck Fire Department. Firefighter Cassidy graduated from Marist College and received a degree in Business Administration.

ACTION REQUESTED: That the Town Board approve the appointment of Michael Cassidy to the position of Fire Lieutenant effective March 17, 2016 at an annual salary of \$104,188.

FIRE COMMISSION

ITEM 3

NO ATTACHMENT

AFFAIRS OF THE TOWN

ITEM 1



Town of Mamaroneck – Building Department

740 West Boston Post Road
Mamaroneck, NY 10543-3353
TEL: 914-381-7830 FAX: 914-381-8473

TREE

APPLICATION FOR ~~BUILDING~~ PERMIT

(No Hand Written Applications Accepted)

Project Information:

DATE: September 10, 2015

Permit Type: Residential Commercial

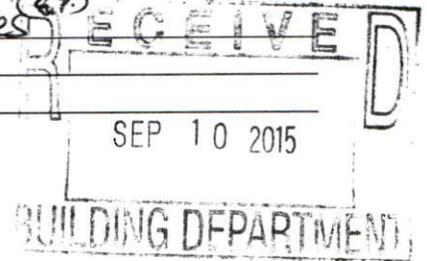
<input type="checkbox"/> Addition/Alteration	<input type="checkbox"/> Generator	<input type="checkbox"/> Sign
<input type="checkbox"/> Air Conditioner	<input type="checkbox"/> New Accessory Structure	<input type="checkbox"/> Swimming Pool
<input type="checkbox"/> Blasting	<input type="checkbox"/> New Construction	<input type="checkbox"/> Tank Abandonment
<input type="checkbox"/> Deck/Porch	<input type="checkbox"/> Patio	<input type="checkbox"/> Tank Install
<input type="checkbox"/> Demolition	<input type="checkbox"/> Rock Removal	<input type="checkbox"/> Tank Removal
<input type="checkbox"/> Exterior Alteration/Renovations	<input type="checkbox"/> Roof	<input type="checkbox"/> Windows/Doors Install
<input type="checkbox"/> Fence	<input type="checkbox"/> Shed	<input checked="" type="checkbox"/> Other: <u>Tree Cutting Permit</u>

SITE ADDRESS: 4 Murdock Rd

BLK: 0305 LOT: 1183

DESCRIPTION OF WORK:

Cutting down ²⁰~~23~~ Maple trees ^{Maple} ~~Maple~~, ^{Oak} ~~Maple~~, Hickory + Birch trees (S.P.)



COST of WORK: \$5,500.00

PLUMBING WORK: YES NO

ELECTRICAL WORK: YES NO

OWNER INFORMATION:

Name(s):	Brite Ave Development Corp		
Address:	4 Murdock rd	City/ST:	Scarsdale
		Zip:	10583
Home Phone:		Work Phone:	
FAX:		Cell:	(917) 797-6775
E-Mail:			

CONTRACTOR INFORMATION:

Company Name:	Osario Tree Service		
Contact Name(s):		Cell:	
Address:		City/St:	
		Zip:	
Phone:	(845) 787-6403	FAX:	
E-Mail:			



Town of Mamaroneck – Building Department

740 West Boston Post Road
Mamaroneck, NY 10543-3353
TEL: 914-381-7830 FAX: 914-381-8473

ARCHITECT/DESIGNER/ENGINEER INFORMATION:

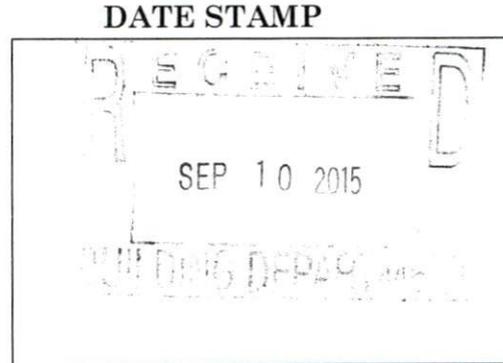
Company Name:	Howard Cohen AIA		
Contact Name(s):		Cell:	(914) 715-1357
Address:		City/St:	Zip:
Phone:		FAX:	
E-Mail:			



Applicant Signature

Filing Fee: _____

Receipt Number: _____



OFFICE USE ONLY

DIG SAFE NUMBER REQUIRED: YES NO

DIG SAFE NUMBER: _____

BOND REQUIRED: YES NO

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF DANIEL SHERMAN LANDSCAPE ARCHITECT. ANY REPRODUCTION OR USE OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF DANIEL SHERMAN LANDSCAPE ARCHITECT IS STRICTLY PROHIBITED.

REVISION DATE
 REV. 1 01-15-16
 REV. 2 02-25-16

4 MURDOCK RD.
 4 MURDOCK ROAD
 SCARSDALE, NY 10583

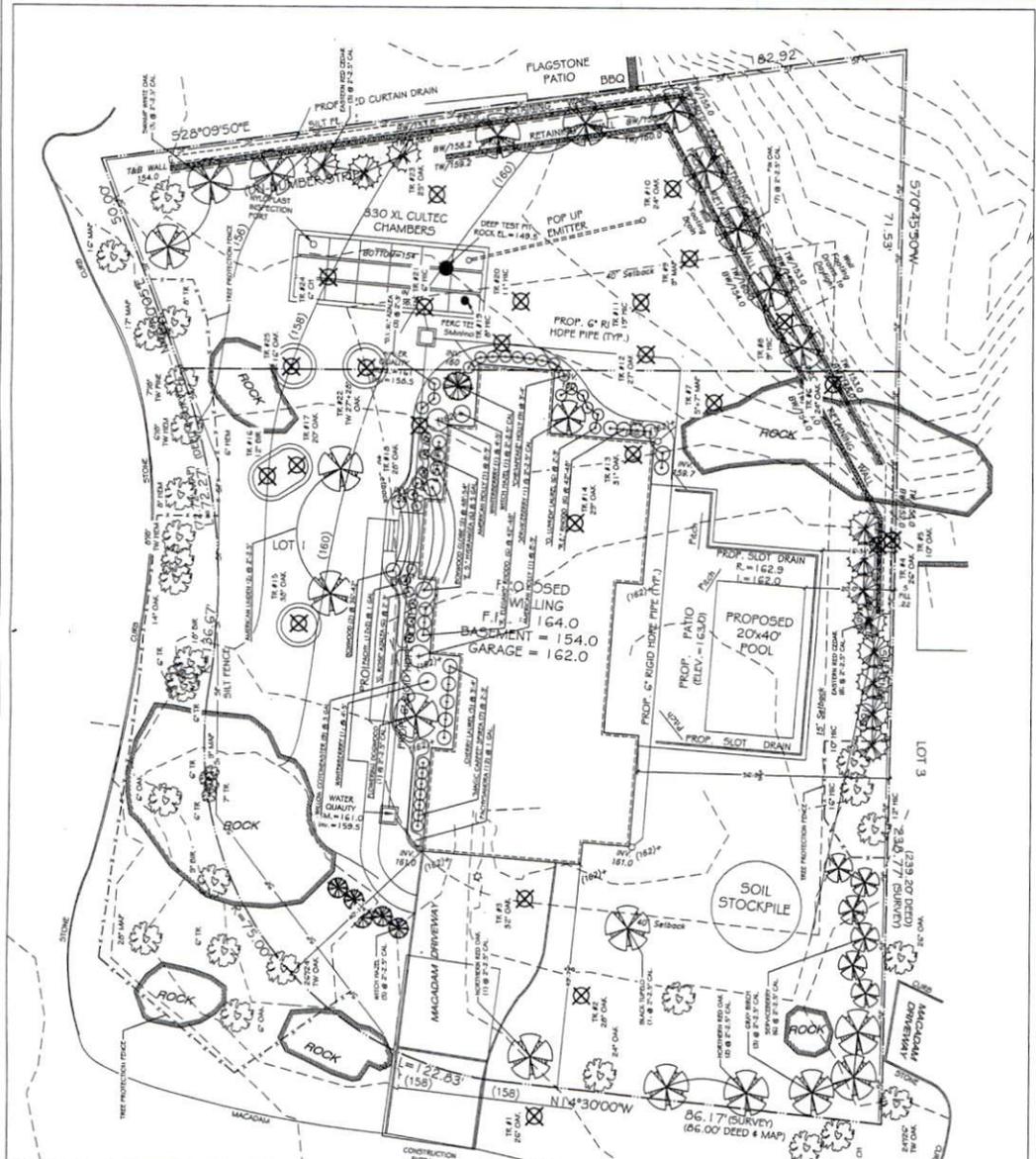
TREE REMOVAL /
 PLANTING PLAN

DANIEL SHERMAN
 LANDSCAPE ARCHITECT
 4 BROADWAY - SUITE 3
 SCARSDALE, NY 10583
 PHONE (914) 264-2255
 FAX (914) 264-2251
 ds@dsma.com
 www.danielshermanlandscape.com



DATE: NOV. 12, 2015
 SCALE: 1" = 10'-0"

DRAWN BY: DK
 DRAWING #: L-1



Tree #	Tree Name	Size	Notes
TR 101	DOGWOOD	12" DBH	REMOVE
TR 102	DOGWOOD	12" DBH	REMOVE
TR 103	DOGWOOD	12" DBH	REMOVE
TR 104	DOGWOOD	12" DBH	REMOVE
TR 105	DOGWOOD	12" DBH	REMOVE
TR 106	DOGWOOD	12" DBH	REMOVE
TR 107	DOGWOOD	12" DBH	REMOVE
TR 108	DOGWOOD	12" DBH	REMOVE
TR 109	DOGWOOD	12" DBH	REMOVE
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Tree #	Tree Name	Size	Notes
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TR 206	DOGWOOD	12" DBH	REMOVE
TR 207	DOGWOOD	12" DBH	REMOVE
TR 208	DOGWOOD	12" DBH	REMOVE
TR 209	DOGWOOD	12" DBH	REMOVE
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TR 243	DOGWOOD	12" DBH	REMOVE
TR 244	DOGWOOD	12" DBH	REMOVE
TR 245	DOGWOOD	12" DBH	REMOVE
TR 246	DOGWOOD	12" DBH	REMOVE
TR 247	DOGWOOD	12" DBH	REMOVE
TR 248	DOGWOOD	12" DBH	REMOVE
TR 249	DOGWOOD	12" DBH	REMOVE
TR 250	DOGWOOD	12" DBH	REMOVE

NOTES: RECORDED REPLACEMENT TREES - 420 REPLACEMENT TREES
 1. ALL TREES TO BE REMOVED SHALL BE REPLACED WITH TREES OF EQUAL OR GREATER SIZE AND SPECIES.
 2. TOTAL PROPOSED REPLACEMENT TREES = 420 REPLACEMENT TREES

PLAN - TREE REMOVALS
 SCALE: 1" = 10'-0"

4 Murdock Woods
 Scarsdale, NY 10583
 Plant List 11/12/15

Foundation Planting

Scientific Name	Common Name	Size	Quantity
Trees			
<i>Ilex opaca</i>	American Holly	8'-9'	2
Shrubs			
<i>Azalea</i> spp. "Del. Valley White"	"Delaware Valley White" Azalea	2'-3'	3
<i>Azalea</i> spp. "Gerard's Rose"	"Gerard's Rose" Azalea	2'-3'	6
<i>Buxus sempervirens</i>	American Boxwood	30"-36"	5
<i>Buxus sempervirens</i>	American Boxwood	36"-42"	2
<i>Buxus sempervirens</i>	American Boxwood	48"-54"	2
<i>Cotoneaster salicifolius</i> 'Repens'	Willow Cotoneaster	3 gal.	9
<i>Hydrangea marco.</i> 'Endless Summer'	Endless Summer Hydrangea	5 gal.	6
<i>Ilex crenata</i> 'Chesapeake'	Chesapeake Holly	3'-4'	9
<i>Ilex verticillata</i>	Winterberry	4'-5'	2
<i>Prunus laurocerasus</i>	Cherry Laurel	3'-4'	5
<i>Prunus laurocerasus</i> 'Otto Luytens'	Otto Luytens Cherry Laurel	4'	6
<i>Rhododendron</i> 'Roseum Elegans'	Roseum Elegans Rhododendron	42"-48"	12
<i>Spirea japonica</i> 'Little Princess'	Little Princess Spirea	2'-3'	16
<i>Spirea japonica</i> 'Magic Carpet'	Magic Carpet Spirea	2'-3'	7
Perennials			
<i>Pachysandra terminalis</i>	Pachysandra	1 gal.	36

Mitigation Planting

Scientific Name	Common Name	Size	Quantity
Trees			
<i>Acer saccharum</i>	Sugar Maple	2"-2.5" cal	2
<i>Amelanchier arborea</i>	Downy Serviceberry (Tree Form)	2"-2.5" cal	7
<i>Betula populifolia</i>	Gray Birch	2"-2.5" cal	3
<i>Cornus florida</i>	American Dogwood	2"-2.5" cal	1
<i>Juniperus virginiana</i>	Eastern Red Cedar	2"-2.5" cal	11
<i>Quercus bicolor</i>	Swamp White Oak	2"-2.5" cal	3
<i>Quercus palustris</i>	Pin Oak	2"-2.5" cal	3
<i>Quercus rubra</i>	Northern Red Oak	2"-2.5" cal	5
<i>Hamamelis virginiana</i>	Native Witch Hazel	2"-2.5" cal	6
<i>Nyssa sylvatica</i>	Black Tupelo	2"-2.5" cal	1
<i>Tilia americana</i>	American Linden	2"-2.5" cal	2

S. T. 30, 2015

To whom it may concern:

I Janet Arzoumy live

at 3 Split Tree Rd.
Scarsdale NY 10583

I object to all the
trees that may be cut
down seen.

Janet Arzoumy



Town of Mamaroneck

Town Center

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

CONSERVATION DEPARTMENT

TEL: 914/381-7845

FAX: 914/381-8473

conservationdept@townofmamaroneck.org

TREE PRESERVATION COMMISSION

STATEMENT OF FINDINGS

March 3, 2016

RE: *Tree Removal Application*
Block 305 Lot 1183- 4 Murdock Road

The applicant has revised the permit application, reducing the number of trees for removal from 26 trees to 20 trees. Many of the trees are mature – oaks and hickories that are greater than 18” in diameter. The applicant has received approval for the construction of a single-family house on the property, with a stormwater drainage system. A substantial amount of fill will be required to complete this project as the applicant proposes to install retaining walls and fill and regrade most of the property.

Tree #1 on the survey is located in the Town’s right of way and has already been removed by the Town. This should be removed from the application. Tree #2 is no longer within the footprint of the proposed driveway and should be protected, although it is marked for removal. Trees #3 through 14 are within the footprint of the proposed driveway, home, or areas to be filled and graded and would require removal. Trees #15, 16, 17, 22 and 25 are to be welled and protected. Trees #18, 19, 20, 21, 23, 24 are within 10 feet of the proposed house, within the area to be regraded or within the footprint of the proposed drainage system.

The applicant is proposing the planting of 44 replacement trees, two more than requested, including Holly, Serviceberry, Birch, Dogwood, Witch Hazel, Cedar, Tupelo, Oaks and Lindens. A two-for-one replacement ratio is proposed for trees over 12” in diameter and a one-for-one ratio for the trees less than 12” in diameter. A replacement bond must be posted for \$6,250 to guarantee their replacement. The tree species must be selected from the attached list of trees.

The Tree Preservation Commission decides the following:

BOND VALUE	\$ 6,250
REQUIRED REPLACEMENT TREE(S):	(42)

The Tree Commission may be contacted at the above address or through the following telephone numbers: Town of Mamaroneck Conservation Department at 381-7845 or the Building Department at 381-7830.

The following tree species are acceptable as replacement trees by the Town of Mamaroneck Tree Preservation Commission:

Red maple	<i>Acer rubrum</i>
Silver maple	<i>Acer saccharinum</i>
Serviceberry	<i>Amelanchier arborea</i> , Tree Form
Sugar maple	<i>Acer saccharum</i>
Black birch	<i>Betula lenta</i>
River birch	<i>Betula nigra</i>
Gray birch	<i>Betula populifolia</i>
Shagbark hickory	<i>Carya ovata</i>
Common hackberry	<i>Celtis occidentalis</i>
White ash	<i>Fraxinus americana</i>
Green ash	<i>Fraxinus pennsylvanica</i>
Witch hazel	<i>Hamamelis virginiana</i>
Eastern redcedar	<i>Juniperus virginiana</i>
Sweet gum	<i>Liquidambar styraciflua</i>
Tulip tree	<i>Liriodendron tulipifera</i>
Black tupelo	<i>Nyssa sylvatica</i>
American hophornbeam	<i>Ostrya virginiana</i>
American sycamore	<i>Platanus occidentalis</i>
Cottonwood	<i>Populus deltoides</i>
Quaking aspen	<i>Populus tremuloides</i>
Black cherry	<i>Prunus serotina</i>
White oak	<i>Quercus alba</i>
Swamp white oak	<i>Quercus bicolor</i>
Pin oak	<i>Quercus palustris</i>
Chestnut oak	<i>Quercus prinus</i>
Northern red oak	<i>Quercus rubra</i>
Black oak	<i>Quercus velutina</i>
Black willow	<i>Salix nigra</i>
Common sassafras	<i>Sassafras albidum</i>
American linden	<i>Tilia americana</i>

September 25, 2015

Nancy Seligson, Town Supervisor
Steve Altieri, Town Administrator
All Town Board Members,
Ronald Carpaneto-Building Department
740 W. Boston Post Road
Mamaroneck, NY 10543

Subject: Objection to removal of 38 trees at 1 Split Tree Road and 4 Murdoch Road

As long-time residents of Murdoch Woods, we write you to strongly object to the proposed removal of 11 plus trees at 1 Split Tree Road and 27 trees at 4 Murdoch Road, Scarsdale, NY.

With the flattening and leveling of these two lots, the character of our neighborhood is changing dramatically from the natural beauty that has historically been a hallmark of our neighborhood and many others in the community. We are surrounded by indigenous rock – and all the homes constructed here have always respected and built around the rock, creating homes of great stature and beauty.

It is outrageous that the builder's proposal to build these homes destroys so many of these trees, some of which have trunks 2 feet wide and decades of years of history.

Additionally, by eliminating 27 trees at 4 Murdoch Road, something that probably has never been done before, our neighborhood aesthetic will change forever with a McMansion at the entryway to our neighborhood.

We ask you to come drive through our neighborhood and note the nature of our homes and how they are built among the Murdoch Woods so gracefully whether it is on Salem Road, Split Tree Road, Kolbert Drive etc. Then we ask you to meet with our neighbors and us to discuss the unjustified destruction of these trees.

Several of us plan to attend the October 7, 2015 Town Board Meeting and would like to express our objections at that time.

Thank you for your consideration.

Lisa and Randy Siegel
4 Split Tree Road
Scarsdale, NY 10583

cc: Elizabeth Paul - Conservation Department ✓

Sept. 25, 2105

Mr. Stephen Altieri
Town Administrator
Town of Mamaroneck
740 West Boston Post Road
Mamaroneck, NY 10543

Dear Mr. Altieri,

As residents of Murdock Woods, we were saddened and angered to hear about the planned removal of many trees at 4 Murdock Road and 1 Split Tree Road. From what we understand, the developers have received approval for taking down 11-14 trees at 1 Split Tree and 27 trees at 4 Murdock.

We strongly ask that you reconsider this decision and put a stop to this needless destruction, which will mar the natural beauty of our neighborhood. We have had to endure months of blasting and noise, and now we discover that the developers plan to wipe out a significant number of trees on each property. These trees add value to our neighborhood, not only because of their physical beauty but because they are essential to maintaining a sound environment. As we all know, trees create an ecosystem that absorbs harmful gasses and provides habitats for birds and other animals. It is a crime to indiscriminately take down healthy trees.

We will be out of town during the Town Hall Meeting on October 7th, so will not be able to speak then. Please keep us informed if other meeting are scheduled.

Respectfully yours,


Sharon and Eric Draghi
8 Split Tree Road
sbmdraghi@gmail.com

AFFAIRS OF THE TOWN

ITEM 2

AFFAIRS OF THE TOWN OF MAMARONECK

2. Authorization to Closeout Various Capital Projects

Is located in your worksession packet

AFFAIRS OF THE TOWN

ITEM 3

AFFAIRS OF THE TOWN OF MAMARONECK

3.Approval – Community Choice Aggregation

Is located in your work session packet

AFFAIRS OF THE TOWN

ITEM 4

AFFAIRS OF THE TOWN

**YOU WILL RECEIVE #4 AUTHORIZATION –
AGREEMENT: ONLINE PAYMENT OF VEHICLE &
TRAFFIC VIOLATIONS ON MONDAY**

AFFAIRS OF THE TOWN

ITEM 5

AFFAIRS OF THE TOWN OF MAMARONECK

5. Set Public Hearing – Amendment to Truck Ban-
Hickory Grove Drive East, Rockland Avenue,
a Portion of Myrtle Boulevard

Is located in your worksession packet

AFFAIRS OF THE TOWN

ITEM 6

AFFAIRS OF THE TOWN OF MAMARONECK

7. Consideration of Certiorari

Is located in your worksession packet

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