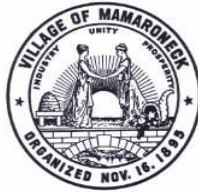


**Village of**



**Mamaroneck**

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OFFICE OF  
KATHLEEN SAVOLT  
MAYOR

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June 24, 2009

Chairman David Karp and Members of the Scarsdale Planning Board  
Village of Scarsdale  
1001 Post Road  
Scarsdale, New York 10583

Re: Amendment of Subdivision Site Plan  
465 Mamaroneck Road

Dear Chairman Karp and Members of the Planning Board:

The above-referenced application has come to my attention because of its location in the Mamaroneck River watershed and its potential relevance to flood mitigation. This project has great significance to the Village of Mamaroneck in terms of the ever-increasing risk of flooding due to the growth of impervious surfaces in the watershed. The Village is concerned that this development may exacerbate our recurrent flooding problems and we are taking a proactive approach with respect to development activities occurring upstream. On behalf of the residents of the Village of Mamaroneck, I appreciate the opportunity to be heard and the Planning Board's time and attention to this matter.

As you know, New York State Village Law § 7-730(1) requires a showing that the land can be used safely for building purposes "without danger to health or peril from fire, flood, drainage or other menace to neighboring properties or the public health, safety or welfare." We appreciate the fact that Scarsdale requires detention facilities for a one-hundred-year storm on sites of two acres or more, however, there are a number of concerns the Village would ask the Board to consider in its review of this application. First and foremost, we request that you declare the project a Type I action pursuant to SEQRA and require a coordinated review.

According to the May 4, 2009 Environmental Assessment Form, the subject site contains a pond (.7 acres) and wetlands (.33 acres) and is generally acknowledged to be an environmentally sensitive site adjacent to both the Weinberg Nature Center and Saxon Woods Park. Because of these facts, it would arguably be a Type I action which would require a coordinated review. Our concerns center mainly on flooding, storm water quality/quantity, erosion, drainage and the avoidance of impacts on property owners downstream.

The Village of Mamaroneck and Westchester County both have a policy of “zero increase” in rates of storm water discharge. The clearing of vegetation and construction of impervious surfaces will undoubtedly result in an increase in storm water runoff that downriver communities cannot sustain. In the subject area, we anticipate that there will be flooding under certain circumstances, particularly given the depth of the water table. It is for this reason that we believe additional detailed hydrologic and wetland study is required. Also, the wetlands on the parcel need to be mapped as they are of critical importance given the propensity for flooding. Like wetland areas tend to do, this one has undoubtedly increased since 1986.

We urge this Board to require additional, more detailed information regarding storm water, pollutant loading, habitat protection and the like from the applicant and to engage experts to assist you with this review so that the issues are fully addressed. Natural protective features, such as wetlands, trees and vegetation help safeguard land from flooding. Wetlands especially function as flood mitigators and should be protected from any development that impairs their flood reducing capacity.

We understand the subdivision was initially approved in 1986. However, the passage of time has created new environmental concerns and new baseline conditions that were not contemplated back then. These environmental concerns cannot be ignored. The applicant should comply with all current state and local regulations (including the new Phase II regulations) as well as all current land use plans. Potential environmental impacts, particularly with regard to flooding, erosion, water quality, habitat, wetlands and drainage, have changed in the twenty-three years since this subdivision was first approved. For example, in 2001, the Management Plan for the Sheldrake and Mamaroneck Rivers and Mamaroneck Harbor brought additional attention to the watershed and storm water quality. The Mamaroneck River was also identified as an impaired water body and placed on the 303(d) list (pursuant to the Clean Water Act). Recently, the Village of Scarsdale adopted a Village-wide Comprehensive Stormwater Plan that recommends various improvement projects. All of these new concerns must be addressed and mitigated by your Board.

It appears that the applicant must obtain approvals from the New York State DEC and the County, among others. We urge the Board to undertake a coordinated review and to solicit the input of the County, the State, the United States Army Corps of Engineers (currently working with us, the County and the State on an analysis of the Mamaroneck River watershed and the flooding in Mamaroneck) and the Village of Mamaroneck. Your Board can potentially benefit from the responses of other agencies.

Furthermore, I note that the Planning Board’s 1986 approval resolution stated that the subdivision plat would “be void and of no effect” unless certain stated conditions were met by February 3, 1987. I would ask that your legal counsel confirm that those stated conditions have been met and determine if the plat is not void.

On behalf of the estimated 20,000 residents of the Village of Mamaroneck, many of whom live directly downriver from this project, I urge the members of the Planning Board to carefully assess the new environmental concerns given this parcel's importance to the watershed and the broader community. Thank you for your courtesies in this regard.

Sincerely,

A handwritten signature in black ink that reads "Kathleen Savolt". The signature is written in a cursive, flowing style.

Kathleen Savolt

cc: The Honorable Nita Lowey  
The Honorable Andrew Spano  
Westchester County Planning Commissioner, Gerard Mulligan  
Peter Eschweiler, Chair, Westchester County Flood Action Task Force  
The Honorable Judith Myers  
The Honorable Carolyn Stevens, Mayor Village of Scarsdale  
Elizabeth Marrinan, Scarsdale Planner  
William C. Janeway, NYSDEC  
Eugene Brickman, USACE  
Tom Shea, USACE  
Jodi McDonald, USACE  
Tom Anderson, Westchester Land Trust  
Village of Mamaroneck Trustees  
Village of Mamaroneck Flood Mitigation Advisory Committee  
Richard Slingerland, Village Manager  
Janet Insardi, Village Attorney  
Richard Haber, Village of Scarsdale resident  
Paige Rentz, *The Sound and Town Report*