## **PUBLIC COMMENT**

# HAMPSHIRE COUNTRY CLUB PLANNED RESIDENTAIL DEVELOPMENT DECEMBER 2017 DEIS -SUBMITTED VIA EMAIL

## **ADDITIONAL COMMENTS**

RECEIVED May 9, 2018

**THROUGH** 

May 9, 2018

123 05 09 2018 Hampshire CC NEWMAN Public Comment
124 05 09 2018 Hampshire CC MARCUS Public Comment
125 05 09 2018 Hampshire CC FINSTAD Public Comment
126 05 09 2018 Hampshire CC SAMUEL Public Comment
127 05 09 2018 Hampshire CC MSAMUEL Public Comment
128 05 09 2018 Hampshire CC WENSTRUP Public Comment
129 05 09 2018 Hampshire CC LEVIN Public Comment
130 05 09 2018 Hampshire CC AULT Public Comment
131 05 09 2018 Hampshire CC KRONICK Public Comment
132 05 09 2018 Hampshire CC SKRILOW Public Comment
133 05 09 2018 Hampshire CC 7FIDNER Public Comment

From: Andrew Newman <info@theresidencesathampshire.com>

**Sent:** Wednesday, May 09, 2018 12:33 PM

**To:** Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt; Betty-Ann

Sherer

**Subject:** I support The Residences at Hampshire Proposal

Follow Up Flag: Follow up Flag Status: Flagged

Dear Members of the Village and Planning Boards,

I support the plan to develop a portion of the Hampshire Country Club property with a residential use. Adding a residential component to the Club will ensure that it can remain an important recreational and social resource for the community. It will also provide important tax and employment benefits to the region and the Village.

The current plan to add beautifully-designed carriage houses and single-family residences consistent with the character of the neighborhood, would also preserve a large portion of the golf course and the associated open space on the property. To the extent that the Village would want to preserve a larger portion of the property, then it should permit Hampshire to incorporate residences into the clubhouse and maintain the entire 18-hole golf course.

I respectfully urge your support for this proposal.

Sincerely,

Andrew Newman 611 WEBSTER AVE Zip Code: 10801-1514

Email: andrewnewman499@gmail.com

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Submitted from: 157.130.19.110

**From:** Eric Marcus <info@theresidencesathampshire.com>

**Sent:** Wednesday, May 09, 2018 12:44 PM

**To:** Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt; Betty-Ann

Sherer

**Subject:** I support The Residences at Hampshire Proposal

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I respectfully urge your support for this proposal.

Sincerely,

Eric Marcus 3 Beresford Lane Zip Code: 10538

Email: <a href="mailto:epmarcusny@gmail.com">epmarcusny@gmail.com</a>

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Submitted from: 108.171.130.179

**From:** Dave Finstad <info@theresidencesathampshire.com>

**Sent:** Wednesday, May 09, 2018 1:35 PM

**To:** Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt; Betty-Ann

Sherer

**Subject:** I support The Residences at Hampshire Proposal

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I respectfully urge your support for this proposal.

Sincerely,

Dave Finstad 18 Vanderburgh Ave., Larchmont

Zip Code: 10538

Email: dave.finstad@yahoo.com

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Submitted from: 72.142.92.173

From: Donna Samuel <info@theresidencesathampshire.com>

**Sent:** Wednesday, May 09, 2018 3:22 PM

**To:** Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt; Betty-Ann

Sherer

**Subject:** I support The Residences at Hampshire Proposal

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I respectfully urge your support for this proposal.

Sincerely,

Donna Samuel 817 fenimore Road Zip Code: 10543

Email: DONSELENA@AOL.COM

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Submitted from: 68.129.151.83

From: Mark Samuel <info@theresidencesathampshire.com>

**Sent:** Wednesday, May 09, 2018 3:23 PM

**To:** Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt; Betty-Ann

Sherer

**Subject:** I support The Residences at Hampshire Proposal

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Dear Members of the Village and Planning Boards,

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I respectfully urge your support for this proposal.

Sincerely,

Mark Samuel 817 fenimore Road Zip Code: 10543

Email: Dcrehab@aol.com

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Submitted from: 68.129.151.83

From: Kelly WENSTRUP <kwenstrup@me.com>
Sent: Wednesday, May 09, 2018 5:00 PM

**To:** Betty-Ann Sherer

**Subject:** Please Forward to the Planning Board re: Hampshire

Dear Chairperson and Members of the Planning Board:

Today Hampshire once again urged its members to sign a new petition and email you in support of its development plan. The email (screenshot below) contained incorrect (if not outright false) assertions and a not-so-veiled threat of litigation. This campaign of misinformation is another attempt to divide the community and drive false support for development.

Significantly, Hampshire writes "The Village of Mamaroneck has lost millions of taxpayer dollars in unsuccessful battles to fight development. That's a lot of money that could have been put to better use towards schools, infrastructure and programs for our seniors." Same on them.

If you receive a new petition of support or a slurry of emails citing these concerns, you should be aware of their impetus.

Thank you again for your careful attention to this important issue.

Sincerely,

Kelly Wenstrup 1058 Cove Road Mamaroneck

#### Reply-To: Info@hampshireclub.com

Click here to view it on the web! Naving trouble viewing this email?

You're receiving this email because you are a Member at Hampshire Country Club. Don't forget to add info@hampshire.club.com to your address book so we'll be sure to land in your inbox!

You may unsubscribe if you no longer wish to receive our emails.





**From:** Don Levin <info@theresidencesathampshire.com>

**Sent:** Wednesday, May 09, 2018 5:23 PM

**To:** Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt; Betty-Ann

Sherer

**Subject:** I support The Residences at Hampshire Proposal

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I respectfully urge your support for this proposal.

Sincerely,

Don Levin 147 Rockland Av, Larchmont

Zip Code: 10538

Email: donaldlevin@gmail.com

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Submitted from: 68.129.154.186

From: Rachel Ault <info@theresidencesathampshire.com>

**Sent:** Wednesday, May 09, 2018 5:25 PM

**To:** Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt; Betty-Ann

Sherer

**Subject:** I support The Residences at Hampshire Proposal

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Dear Members of the Village and Planning Boards,

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I respectfully urge your support for this proposal.

Sincerely,

Rachel Ault 20 Lafayette Road Zip Code: 10538

Email: rachel.a.ault@gmail.com

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Submitted from: 69.112.77.2

1020 Cove Road

Mamaroneck, NY 10543

May 8, 2018

Dear Members of the Planning Board and the Board of Trustees:

We write regarding the proposal of the real estate developer who purchased Hampshire. One of us spoke during the public hearing. This letter attempts to summarize those comments and include some additional information, yet minimize duplication of other comments.

- The Village Should Rezone to Accurately Reflect Zoning Intent: The Village should take the same action taken by the Town of Mamaroneck with respect to Bonnie Briar Country Club, which is mentioned in the Village Comprehensive Plan: rezone the property from what was considered a "holding zone" (before the time of "open space" zoning) to Open Space/recreation zoning. The Comprehensive Plan states that the zoning of open space as a "residential zone" is a common circumstance with many older codes in New York State. The original code writers created a low-density residential zone to apply to parks and other open spaces as a default provision, because there was no "open space" zoning. The intent when zoned was NOT to build over 100 houses on the land, or even to build 100 condos, multiplying the current clubhouse size by approximately NINE TIMES. The intent as drafted was to keep it as open space, as described in the Comprehensive Plan. The Plan states that the zoning in environmentally sensitive areas should be amended to reflect existing land use at that time. This Planning Board should not be limited by history's inartful drafting constraints. This Board can should recognize and solve the limitations of history and recommend rezoning now.
- <u>Limit Density on Property:</u> However, if for some reason the property is not rezoned, the Planning Board can and should take actions to limit density on the property. If the Planning Board were to permit clustered development, the number of clustered units should be limited to the number of units that actually would be buildable under current law, which is a much lower number than the developer claims (more like 20 units rather than 100+ units).
- Unique and Critical Environmental Area: Hampshire is private property and borders private roads, but it was designated a Critical Environmental Area in the Village's Comprehensive Plan, and its open space vistas are viewed from roads accessed by the public for walking, biking, driving and accessed by various students and sports teams at Hommocks. The impact of construction and residential pollution on the water quality of Delancey Cove and Long Island Sound, the Hommocks and Delancey Cove marshes, and Flint Park would be significant. Hampshire also may include intertidal wetlands and upland fringe that provide

- an important natural and valuable area for wildlife (birds, turkeys, hawk, fish, mussels, deer, coyotes), which must be protected.
- Hydraulically Equivalent Volume: The residence proposal requires the developer to put fill (dirt) below the flood plain in order to build the houses. Village law section 186-5 clearly prohibits this unless the fill placed below the base flood elevation is compensated for and balanced by a hydraulically equivalent volume of excavation taken from below the base flood elevation at or adjacent to the development site. My understanding is that basically, they need to take out (in terms of space volume/dirt) an amount equal to the fill that they add in, so that water has the same amount of space to go/so that the open space still has the same volume available to hold water. We all see huge amounts of water pooled in a couple of different areas of Hampshire (like bathtubs) during rainstorms, and this water still needs a place to go if those lower areas are filled in with fill. The developer's plans don't provide for that balance. The law also provides for other limits on this fill as well. Also, please remember the environmental and contamination concerns that have been raised by others, even if the developer were to excavate/dig on the site to balance the fill they intend to add.
- **Storm Water Drainage:** The developer's proposal does not adequately address drainage of stormwater and storm drains. Orienta's storm drains tie into a few central locations and are already overburdened. Adding more impervious surfaces will further burden the system.
- <u>Limited Easement to Use Cove Road</u>: The developer's proposal does not address the fact that Hampshire's right to use Cove Road is based on a limited easement contained in the property deeds of at least some homeowners of Cove Road (including ours). Revising the use of the property to residential use likely would extinguish any rights that Hampshire and its guests may have to use Cove Road, and they may not use the road, preventing access to the development.
- <u>Developer's False Claims About Its Rights:</u> The real estate developer who purchased Hampshire as an investment claims it has "a right" to build residential homes on the land. As has been discussed by many individuals, this is not correct: although the land may be zoned for residential use, that zoning does not give a developer a right of free rein to build as it wants (even if the zoning were not controversial), particularly when this land encompasses a critical environmental area and has flooded during large rain storms, may have toxic soil if disturbed, and when the proposal would significantly increase traffic and infrastructure needs, and does not offset such costs. (Even if it did offset costs, it should still be prohibited from burdening the Village in these ways.)
- Developer's False Claims About a Choice: As I explained during the hearing, I fear this is all a massive waste of time and resources in response to a threat that aims to convince people and government entities to make a false choice: to choose between two choices, Hampshire's housing plan or Hampshire's 121 unit condo plan. We have heard during the public hearing and or via the investor's well-funded yet not credible public relations outreach that the investor "prefers" to build a 121-unit condo development, and that the developer considers this condo development to be a "compromise" to its supposed right to

- build a massive housing development under current zoning (which is false especially on land that floods and is designated to be a critical environmental area). However, this is not a case of choosing one of the two options the developer proposes.
- <u>Developer's True Goal and Motivation</u>: As you also have heard, the developer has a legal obligation to its investors to pursue the most profits. Its claims that it cares about what is best for our Village for you, for me, for our neighbors, for our families, even for its own club members could be contrary to its obligation to its investors. So please do not be fooled by the claim that the developer cares about or will prioritize any *supposed* benefits to the Village. Taking steps other than maximizing profits could subject the developer to significant liability from its investors.
- Developer's False Claims about "the Better Option ... for the entire Village of Mamaroneck": Despite this obligation to its investors and its proposal tonight, the developer has written this direct quote from one of its emails to Hampshire club members: the "condo development proposal is not only the far better option for our Members, but also for the entire Village of Mamaroneck. In fact, the positives of this development proposal so far outweigh the negatives, it is quite difficult to understand how one can argue against this option" of the condo development. As a reminder, there also are several reasons why the 100+ unit condo development is not preferable for the village relative to the housing plan, and many of these considerations relate to both proposals:
  - Building a massive 5-story, 300,000 square foot building, with over 100 2-3 bedroom apartments and approx. 246 underground parking spots, an indoor theater room, an indoor pool, a business center, fitness center, restaurants, valet parking, is not environmentally sensitive. It sounds like a shopping mall and certainly not a responsible development.
  - For perspective, the current clubhouse (according to the Hampshire website in February 2018) is 35,000 square feet. The supposedly less disruptive condo proposal would actually expand the current building by almost <u>9 times</u>.
  - It would result in significant disruption to soil, move roads, change elevations of the
    road, disrupt Delancey Cove and Hommocks and cove wetlands. It would result in
    massive change of stormwater drainage patterns that would adversely impact and likely
    cause flooding to surrounding homes, neighborhoods and schools.
  - Condos "targeted" to "empty-nesters <u>but not required</u> to be sold to them would still
    result in a significant increase of school age children and overcrowding. We already
    have an overcrowding problem in the district and do not need more. Many of us
    purposely purchased homes in the amazing and intimate Central school community.
    Adding 100 condos would certainly impact that.
  - Traffic: Over 100 condos would result in at least 100 or even 200 extra cars, plus friends/visitors/deliveries, etc. in and out of our narrow local streets. The streets are not built or maintained with the expectation of such a significant increase in traffic.

- Infrastructure: The proposed residences would represent an approximately 15% increase in Orienta residences. From approximately 700 residences to over 800. Traveling on the same streets most of us do: Orienta Avenue, Old Boston Post Rd, Eagle Knolls Road, Hommocks Road. Think of the 8 am Hommocks congestion that would be increased on Boston Post Rd by Orienta Avenue, and on Boston Post Road and Hommocks Rd, and on Cove Road. Think of the additional water pipes, sewer drains, stormwater drains, road maintenance, garbage and recycling pick up, etc. all of which would not be supported by the lower tax rates of a condo development. This is not responsible development and it would not be responsible for it to be approved.
- Environmental considerations: Whether a condo development or a housing development, critically environmentally sensitive land would still be disturbed. Trees would come down, light pollution would increase. There is no way you can build a massive building, 9 times the size of the current building, plus almost 250 parking spots underground, with 100 1-3 bedroom condos without disturbing the land around it. It also is so close to the Long Island Sound, Delancey Cove, and the wetlands that these critical environmental areas would be disturbed. Could result in toxic soil being disturbed, and in close proximity to Hommocks. Wildlife would be scared away from Hampshire and further into our yards.
- Investor public relations materials state that the condo development will "help secure the future of Hampshire Country Club." If securing its future is the goal, there are so many other ways to achieve that goal. The condo association would not secure that goal: There would be no financial guarantees, and the investor could just walk away. And of course, its members would have to make do without the club during the years of construction.
- Developer's Public Relations Campaign and Tactics Call Into Question the Developer's and its Experts' Credibility, and Any Support They May Have From Village Residents: The huge public relations campaign (mail, email, social media, etc.) and tactics being used by the developer undermines some of the developer's arguments, some of its turnout, any supporters (whose views may be based on the developer's false assertions), and certainly some of the developer's commitments. At least one representative of the developer (who does not live in the Village) has posted on the neighborhood social media application Next Door Neighbor without identifying herself as an agent of the developer. She also spoke in front of the Planning Board and initially failed to identify herself as an agent of the developer, so please be careful to whom you listen, upon whom you rely, and whom you trust.
- Community Members Involved in and Supportive of the Village of Mamaroneck In Many
  Ways and for Many Years Are Against the Developer's Proposals: In emails to its
  members, the developer has gotten nasty and accused longstanding community members
  of only caring about their homes and their own backyards when in fact community
  members who have spoken out against or otherwise supported efforts against the

development proposals have been of incredible service to the community, including by serving on the School Board, village committees/land use boards, the board of at least one religious organization, and in leadership roles in charitable organizations, neighborhood organizations, the Central School and Mamaroneck District Parent-Teacher Associations, and various other nonprofit organizations. This is most certainly not a case of people saying "not in MY backyard" as the developer stated in a recent email to its members. This development is NOT in my backyard and not in the backyard of many supporters. It is in our neighborhood and our Village. To the contrary, many of the developer's supporters do not live in the Village.

The Planning Board and the Board of Trustees' Choice and Legacy: This choice is up to you, my fellow community members. Will we be fooled by a for profit company's attempts to make this an "either or" situation and rely on its claimed "right" to build something that actually was never its right? Will we need to carry on indefinitely without getting to see the outcome because the developer's pockets and its investors' pockets are deeper than ours? (Though we WILL carry on.) Please do what the Town of Mamaroneck did for Bonnie Brian and rezone the land to reflect the documented intent when it was zoned. Or, at a minimum, use the rational and true number of approximately 20 units if you don't care about the critical environmental area. But do not let the developer get its way because it has more to win and deeper pockets than the community members. The land use boards and Board of Trustees of the Village of Mamaroneck are being asked to believe the false claims of a developer whose only responsibility is to its investors. Some residents and nonresidents believe the developer. Its claims about what is best for our community, what is permitted in our community, and what was intended for the community by the zoning guidelines, are false and ignorant of – and seek to destroy – the wonderful community we already have and which our predecessors sought to create and protect.

We cannot thank you enough for your time and consideration of these critical issues at stake in our community, and for all of your other work on other critical (and not as critical) issues as well.

Best regards,

Jenn Kronick and Jason Shapiro

From: Maureen Skrilow <info@theresidencesathampshire.com>

**Sent:** Wednesday, May 09, 2018 8:13 PM

**To:** Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt; Betty-Ann

Sherer

**Subject:** I support The Residences at Hampshire Proposal

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I respectfully urge your support for this proposal.

Sincerely,

Maureen Skrilow 122 Osborn Road, Harrison, NY

Zip Code: 10528

Email: mskrilow@yahoo.com

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Submitted from: 47.22.166.30

**From:** Gerald Zeidner <info@theresidencesathampshire.com>

**Sent:** Wednesday, May 09, 2018 9:03 PM

**To:** Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt; Betty-Ann

Sherer

**Subject:** I support The Residences at Hampshire Proposal

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I respectfully urge your support for this proposal.

Sincerely,

Gerald Zeidner 51 East 90 New York, N.y.

Zip Code: 10128 Email: <u>jlzeid@aol.com</u>

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Submitted from: 74.71.100.168