

PUBLIC COMMENTS

ON

DRAFT MULTI-  
HAZARD PLAN\*

\*THESE COMMENTS WERE RECEIVED FROM VILLAGE OF MAMARONECK RESIDENTS AND ARE INCLUDED FOR HISTORICAL PURPOSES. THE COMMENTS ATTACHED HERETO DO NOT REPRESENT AN OFFICIAL POSITION OF THE VILLAGE OF MAMARONECK

## LOCAL MITIGATION PLAN REVIEW TOOL

---

<b>Jurisdiction:</b> Village of Mamaroneck, NY	<b>Title of Plan:</b> Local Multi-Hazard Mitigation Plan	<b>Date of Plan:</b> January 27, 2012
<b>Local Point of Contact:</b> Dan Sarnoff	<b>Address:</b> Village of Mamaroneck 123 Mamaroneck Avenue Mamaroneck, NY 10543	
<b>Title:</b> Assistant Village Manager		
<b>Agency:</b> Village of Mamaroneck		
<b>Phone Number:</b> 914-777-7703	<b>E-Mail:</b> <a href="mailto:dsarnoff@vomny.org">dsarnoff@vomny.org</a>	

<b>State Reviewer:</b> Not reviewed	<b>Title:</b>	<b>Date:</b>
-------------------------------------	---------------	--------------

<b>FEMA Reviewer:</b> Paul Hoole	<b>Title:</b> Hazard Mitigation Planner	<b>Date:</b> March 6, 2012
Cathleen Carlisle	Hazard Mitigation Planner	April 6, 2012
<b>Date Received in FEMA Region</b> <i>(insert #)</i>	February 26, 2012 (1 <sup>st</sup> draft)	
<b>Plan Not Approved</b>		
<b>Plan Approvable Pending Adoption</b>	April 3, 2012 (1 <sup>st</sup> Draft)	
<b>Plan Approved</b>		

## SECTION 1: REGULATION CHECKLIST

**INSTRUCTIONS:** The purpose of the Checklist is to identify the location of relevant or applicable content in the Plan by Element/sub-element and to determine if each requirement has been ‘Met’ or ‘Not Met.’ The ‘Required Revisions’ summary at the bottom of each Element must be completed by FEMA to provide a clear explanation of the revisions that are required for plan approval.

1. REGULATION CHECKLIST		Location in Plan (section and/or page number)	Met	Not Met
<b>Regulation (44 CFR 201.6 Local Mitigation Plans)</b>				
<b>ELEMENT A. PLANNING PROCESS</b>				
A1. Does the Plan document the planning process, including how it was prepared and who was involved in the process for each jurisdiction? (Requirement §201.6(c)(1))	Sections 1A-1C Section 1E Appendix 2	Met		
A2. Does the Plan document an opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, agencies that have the authority to regulate development as well as other interests to be involved in the planning process? (Requirement §201.6(b)(2))	Section 3A, 3B and 3D Appendix 2	Met		
A3. Does the Plan document how the public was involved in the planning process during the drafting stage? (Requirement §201.6(b)(1))	Section 1D Section 2 Appendix 2	Met		
A4. Does the Plan describe the review and incorporation of existing plans, studies, reports, and technical information? (Requirement §201.6(b)(3))	Sections 1E, 5B, 7 and 11	Met		
A5. Is there discussion of how the community(ies) will continue public participation in the plan maintenance process? (Requirement §201.6(c)(4)(iii))	Section 9.A.2	Met		
A6. Is there a description of the method and schedule for keeping the plan current (monitoring, evaluating and updating the mitigation plan within a 5-year cycle)? (Requirement §201.6(c)(4)(i))	Sections 9.A.1, Sections 9B - 9E	Met		
<b><u>ELEMENT A: REQUIRED REVISIONS</u></b>  No required revisions.  Please see recommended “Opportunities for Improvement.”				
<b>ELEMENT B. HAZARD IDENTIFICATION AND RISK ASSESSMENT</b>				
B1. Does the Plan include a description of the type, location, and extent of all natural hazards that can affect each jurisdiction(s)? (Requirement §201.6(c)(2)(i))	Section 4	Met		
B2. Does the Plan include information on previous occurrences of hazard events and on the probability of future hazard events for each jurisdiction? (Requirement §201.6(c)(2)(i))	Section 4	Met		

1. REGULATION CHECKLIST		Location in Plan (section and/or page number)	Met	Not Met
<b>Regulation (44 CFR 201.6 Local Mitigation Plans)</b>				
B3. Is there a description of each identified hazard's impact on the community as well as an overall summary of the community's vulnerability for each jurisdiction? (Requirement §201.6(c)(2)(ii))	Section 5	Met		
B4. Does the Plan address NFIP insured structures within the jurisdiction that have been repetitively damaged by floods? (Requirement §201.6(c)(2)(ii))	Section 5.D.2.1	Met		
<b><u>ELEMENT B: REQUIRED REVISIONS</u></b>				
No required revisions.				
Please see recommended "Opportunities for Improvement."				
<b>ELEMENT C. MITIGATION STRATEGY</b>				
C1. Does the plan document each jurisdiction's existing authorities, policies, programs and resources and its ability to expand on and improve these existing policies and programs? (Requirement §201.6(c)(3))	Section 1 Section 7.A.5	Met		
C2. Does the Plan address each jurisdiction's participation in the NFIP and continued compliance with NFIP requirements, as appropriate? (Requirement §201.6(c)(3)(ii))	Sections 4, 5, and 6	Met		
C3. Does the Plan include goals to reduce/avoid long-term vulnerabilities to the identified hazards? (Requirement §201.6(c)(3)(i))	Section 6.A	Met		
C4. Does the Plan identify and analyze a comprehensive range of specific mitigation actions and projects for each jurisdiction being considered to reduce the effects of hazards, with emphasis on new and existing buildings and infrastructure? (Requirement §201.6(c)(3)(ii))	Section 7	Met		
C5. Does the Plan contain an action plan that describes how the actions identified will be prioritized (including cost benefit review), implemented, and administered by each jurisdiction? (Requirement §201.6(c)(3)(iv)); (Requirement §201.6(c)(3)(iii))	Section 7 and 8	Met		
C6. Does the Plan describe a process by which local governments will integrate the requirements of the mitigation plan into other planning mechanisms, such as comprehensive or capital improvement plans, when appropriate? (Requirement §201.6(c)(4)(ii))	Section 9	Met		
<b><u>ELEMENT C: REQUIRED REVISIONS</u></b>				
No required revisions.				
<b>ELEMENT D. PLAN REVIEW, EVALUATION, AND IMPLEMENTATION</b> (applicable to plan updates only)				
D1. Was the plan revised to reflect changes in development? (Requirement §201.6(d)(3))		NA		
D2. Was the plan revised to reflect progress in local mitigation efforts? (Requirement §201.6(d)(3))		NA		

1. REGULATION CHECKLIST		Location in Plan (section and/or page number)	Met	Not Met
Regulation (44 CFR 201.6 Local Mitigation Plans)				
D3. Was the plan revised to reflect changes in priorities? (Requirement §201.6(d)(3))			NA	
<b><u>ELEMENT D: REQUIRED REVISIONS</u></b>				
Not applicable because this plan is not updating a previously approved plan.				
<b>ELEMENT E. PLAN ADOPTION</b>				
E1. Does the Plan include documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval? (Requirement §201.6(c)(5))	Section 1 and 10			Not Met
E2. For multi-jurisdictional plans, has each jurisdiction requesting approval of the plan documented formal plan adoption? (Requirement §201.6(c)(5))			NA	
<b><u>ELEMENT E: REQUIRED REVISIONS</u></b>				
E1. This plan has not yet been adopted.				
<b>ELEMENT F. ADDITIONAL STATE REQUIREMENTS (OPTIONAL FOR STATE REVIEWERS ONLY; NOT TO BE COMPLETED BY FEMA)</b>				
F1.			NA	
F2.			NA	
<b><u>ELEMENT F: REQUIRED REVISIONS</u></b>				
Not applicable because there are no additional state requirements.				

## SECTION 2: PLAN ASSESSMENT

**INSTRUCTIONS:** The purpose of the Plan Assessment is to offer the local community more comprehensive feedback on the quality and utility of the plan in a narrative format. The audience for the Plan Assessment is not only the plan developer/local community planner, but also elected officials, local departments and agencies, and others involved in implementing the Local Mitigation Plan

### A. Plan Strengths and Opportunities for Improvement

This section provides a discussion of the strengths of the plan document and identifies areas where these could be improved beyond minimum requirements.

#### Element A: Planning Process

##### Plan Strengths

- The plan is very well written. The narrative is straight forward and clear. The graphics and pictures are excellent.
- The plan includes a strong process for monitoring and evaluating the implementation of the plan. Monthly, quarterly and annual reports will help ensure success.

##### Opportunity for Improvement

- It appears that blanks have been inserted in Section 2 of the plan as placeholders for meeting dates. The dates should be inserted into the plan for the final draft and statements in Section 3 that say what “will be” done should be changes to state what was done.
- The plan (page 9-8) anticipates preparing an updated plan in the 5<sup>th</sup> year and completing the update within two months. It would be better to allow more time. An update to the plan is more than just edits to the original plan. It includes a reconsideration of the threats, a new assessment of the village’s vulnerabilities, new mitigation actions, and a reporting on what was and was not implemented. The public will also need to be involved and the entire planning process for the update will need to be documented. While this can be relatively quickly, especially if the Village stays on top of the plan’s implementation, it probably is best to assume a longer planning period.
- Appendix 2 provides documents on the planning process, but some of the meetings were not documented. We strongly recommend including this documentation in the plan. For example, plan should include minutes from each of the planning meetings, copies of the correspondence with stakeholders, and the names and titles of those stakeholders contacted. Consider the appendix a good location to add information to the “institutional memory” of the village. If there is staff turnover, this documentation will aid them when updating the plan. Good documentation will help them avoid reinventing the wheel.

## Element B: Hazard Identification and Risk Assessment

### Plan Strengths

- The plan makes an excellent point that a 100-year flood is caused by a storm with a 1% chance of occurring in any given year, and therefore a “100-year” flood could occur more than once in a relatively short period of time. This is a point that is often misunderstood by citizens.
- Several hazard and planning maps are included in the Appendix and the Risk Assessment including a map of the 100 and 500 year floodplains and the hurricane inundation zone.

### Opportunities for Improvement

- The plan makes note of the village’s intent to follow the CRS planning process and why this will benefit the village. The plan would be improved if a general description of the NFIP program was added and if the plan included a brief discussion of what the villages currently does to mitigate flooding as a participant in the NFIP. This is a good opportunity to point out that the village has been active in flood mitigation, even as more needs to be done.
- The village has many repetitive loss properties and severely loss properties, which the plan intends to address. However, there is little data presented in the plan on the number of such properties and the financial impact of repetitive losses. The plan would make a stronger case for addressing these properties if data is included and analyzed. (See attached file).
- Regarding the earthquake hazard: There is a thorough discussion of the earthquake hazard and potential risks, including a discussion of potential risks from Indian Point. The Village does not consider earthquake a significant hazard and states that mitigating earthquake risk is a lower priority. Nonetheless, the Village should consider including earthquakes as a hazard of concern, and providing a brief vulnerability analysis and mitigation action (possible examples could include a public awareness/education action - an action to enhance the local building code with respect to earthquakes). We have included a file showing the annualized loss figures for New York Counties. **(3-risk-3e-eq-ny-county-annualized-loss-map+table).**

### Note on the use of the HAZNY program:

- Regarding the advantages and limitations of the HAZNY program— please see the attached file: **3-risk-3 hazny-use**. In this plan, the HAZNY was used as a preliminary step to screen hazards in this plan, however, the plan included additional information on profiling and vulnerability analysis that does meet the requirements.

## Element C: Mitigation Strategy

## Plan Strengths

- The discussion of each proposed action in Section 7 helps explain the action and the reason for the action. This builds support for the action and provides an effective and exemplary level of specificity.
- The action plan in Section 8 reflects considerable thought, especially with respect to scheduling of actions. This forethought on implementation is another good example.
- The plan includes a strong process for monitoring and evaluating the implementation of the plan. Monthly, quarterly and annual reports will help ensure success.

## Opportunity for Improvement

- None – a job well done!

## Element D: Plan Update, Evaluation, and Implementation (*Plan Updates Only*)

- Not applicable because this plan is not an update of a previously approved plan.

## B. Resources for Implementing Your Approved Plan

- *The federal funds which are potentially available are listed on Table 8-1 in the plan.*
- *The village is encouraged to review the State of New York announcement on the availability of Hazard Mitigation Grant Program (HMGP) funding. Information can be found at:*  
<http://www.dhSES.ny.gov/oem/programs/hmGP.cfm>

*Please note that Letters of Intent and HMGP applications may be submitted prior to the formal approval of the village's plan. The awarding of funds cannot take place until the plan is adopted by the village and documentation of this adoption is provided to the State.*



## Daniel Sarnoff

---

**From:** Sue McCrory [smccrory@mac.com]  
**Sent:** Monday, April 09, 2012 8:57 AM  
**To:** vrifkin@enviroexpertsetg.com; Daniel Sarnoff  
**Cc:** RLord@dhss.ny.gov  
**Subject:** Comments on Village of Mamaroneck Multi- Hazard Mitigation Plan  
**Attachments:** 10-02-0681P-360916-102D.pdf; ATT00001.htm; Re Village of Mamaroneck Continues to Allow Rebuilding Without complying with Flood Rules.pdf; ATT00002.htm

To Whom It May Concern:

I am a resident of the Village of Mamaroneck concerned about flooding and committed to making this flood-prone community "reasonably safe from flooding." I have reviewed the draft Multi-Hazard Mitigation Plan and offer the following comments:

### Background and Hazard Identification & Rankings

Generally, the findings of the first five sections seem reasonable. If past is prologue, then floods and windstorms are the hazards we should try to mitigate. In reviewing these first five sections of the draft report, I had the the following comments and concerns:

(1) Westchester County Flood Guide was not considered a relevant planning document. (p. 25 of plan) See <http://www.westchestergov.com/planningdocs/reports/FLOODGUIDE.pdf>. I was not sure whether you knew of this document and rejected it or were unfamiliar with it.

(2) You cite as a source of information the "Village of Mamaroneck Flood Insurance Study." (p.25) In 2007, FEMA did a Westchester County-study in place of earlier studies of specific political jurisdictions. I am not aware of a current Village of Mamaroneck Flood Insurance Study. I believe our prior study has been superseded by the 2007 County Study. (See the same issue at 4-3 or p. 43 of pdf) I believe the report should acknowledge that our coastal study is decades old and that FEMA will be updating it --with likely implications for our flood zones --including a new coastal zone between V and A where smaller waves will have the possibility of damaging structures.  
See [https://www.rampp-team.com/documents/newjersey/nj\\_ny\\_coat\\_kickoff\\_7dec11\\_final\\_12-13-2011.pdf](https://www.rampp-team.com/documents/newjersey/nj_ny_coat_kickoff_7dec11_final_12-13-2011.pdf)

(3) The LWRP 2011 update has not been adopted but there is a prior version that remains in effect. (p.39 or 3-7)

(4) Please indicate whether any comments were received by the communities invited to comment. The sentence on 3-7 (p. 40 of the pdf) fails to distinguish between no-comments and insignificant comments.

(5) The report claims certain neighborhoods have experienced "the most damage from flooding." (p. 60 pdf or p. 4-20). Please clarify the empirical basis for making this determination. Were you able to analyze and summarize past FEMA flood claims? How is "most damage" determined? These streets exclude areas like Flagler Drive where coastal exposure is high so the statement being made is powerful ...if it is supportable by hard data.

(6) The definition of "base flood" is somewhat informal (p.64 of the pdf, 4-24) given the legal and regulatory background to this term. I urge you to conform this discussion to the FEMA definition, that is:

"The flood having a one percent chance of being equaled or exceeded in any given year. This is the regulatory standard also referred to as the "100-year flood." The base flood is the national standard used by the NFIP and all Federal

agencies for the purposes of requiring the purchase of flood insurance and regulating new development. Base Flood Elevations (BFEs) are typically shown on Flood Insurance Rate Maps (FIRMs)."

(7) This (p 4-25) sentence is hard to understand, "The Village of Mamaroneck's close proximity to the coast line would result in a higher risk and intensity of a hurricane." Maybe all you are trying to say is that coastal communities have greater exposure to the risk of hurricanes? I wasn't sure.

(8) Your table 4-4 incorrectly shows the 1938 hurricane to be category 5. It was a 3.

(9) The Dec 1992 storm caused a death in Mamaroneck --at the Hampshire Country Club-- a driver who drowned.

(10) The population vulnerable to storms excludes those streets subject to coastal storms. Are you assuming that the word storms--as used in this report -- exclude coastal storms or hurricanes? I was surprised residences on streets within the flood zone including Orienta and Shore Acres neighborhoods were excluded from this list. (See p. 132 or 5-17)

(11) Section 5.D.2.2 implies that the 100-year flood is not based on hurricane activity. I believe this is incorrect --at least for the coastal areas.

(12) The transect elevation information was revised by FEMA in a LOMR after the FIS was published. The data in the table you have displayed were found to be incorrect and have been corrected by FEMA. (p. 18 of pdf or 5-43). I have attached the LOMR revising the transects.

(13) Table 5-10 shows estimates based on manual counts from Westchester County Base Maps and Land Use Designation Maps. Particularly important for this table is whether a structure that has been counted as "subject to flood hazards" is a pre-FIRM building or one built to NFIP construction standards. I believe it is urgently important that the Village inventory those structures that are in the flood zone and are "reasonably safe from flooding" from those that are in the flood zone and have not been constructed to be "reasonably safe from flooding." An important planning goal is to move as many structures as possible from the "not safe from flooding" category to the "reasonably safe from flooding" category and lower the \$ value at risk.

(14) Your analysis of floodplain related damages is calculated based on the Village of Mamaroneck FIS, 2007 for a calculation of Base Flood Elevation less lower Floor Depths. Please verify that this analysis is based on BFEs in the FIRM, not the erroneous transect information from the FIS. Again, this table would be more helpful with the total number of structures in each class.

(15) It would be helpful to have the methodology used for Village-provided building counts used in Table 5-17. To the extent that the Village will be trying to manage its exposure to hurricanes, knowing how counts are done helps to assure that any future updates can employ the same methods to measure progress over time.

### **Comments on the Second Half of the Report**

Goals and objectives: I would strongly suggest that the Village have a goal of making this community's properties reasonably safe from flooding by elevating its housing stock above the BFE. Street-by-street, we should know which houses are reasonably safe from flooding and which are not and this plan should provide the framework and analysis for that measurement. "What gets measured gets done" is an old management adage. Wouldn't it be nice to know how many houses on each block are "reasonably safe from flooding" and each 5-year update, re-analyze this number? Then, the Village could measure clear progress --or lack thereof--to its mitigation goal.

## Comments of Section 7 --Review of Mitigation Activities

The mitigation activities appear to focus on municipal structural projects rather than property protection and preventive measures with no projects proposed for natural resources. (How about replacing the net loss of hundreds of Village trees in the past decade?) Perhaps I am more skeptical than the plan writers about our ability to control the forces of storms but I think this mitigation approach is biased to extraordinarily expensive projects that we simply may not be able to afford.

Dredging is a never-ending game that won't change the flood levels substantially. I think this activity promises little long-term benefit.

Catch basin cleaning is quite spotty in the Village and no doubt contributes to street flooding. This is a low-cost maintenance activity that needs better management and reporting. I urge this report to specify a frequency for catch basin cleaning and a reporting responsibility. This activity needs better management controls.

I do not understand the mitigation approach of "enhancing inspections." Do you mean that the Village needs to enforce flood zone compliance rules and inspect to identify violations? During the preparation of this plan, the Village experienced August 2011 storms Irene and Lee. Many properties were flood-damaged but flood zone rules were not consistently enforced during re-building. Certain properties --such as 1616 N. James -- should have been elevated since their repeated flood damages qualified as "substantial improvements" under the Code. Because the owner of that house was politically connected and also served on the Citizen's Flood Mitigation Committee --as well as the one to develop the All Hazard Mitigation Plan --the rules were not enforced. I have attached a summary of this case to show the need for elevation of this building. I have reported the issue to the Village but so far as I know, no violation has been issued. I do not know how to solve this problem of failure to enforce codes but it is a very pressing issue. On my own block, a new house built in the V-zone was not elevated on piers or pilings despite specific instruction by State officials to do so. The owner submitted plans to elevate on piers but then simply built solid foundation walls and extensively filled the V-zone site. The Village has issued no violation. (See attached emails.)

From a water quality perspective, I understand the need to continue relining and refurbishing storm and sanitary sewers. However, the report fails to address or inventory the number of streets that are without storm drains and/or the number of properties that are not hooked up to municipal sewer. Fixing what is present is helpful but there is also a problem of streets without storm drains.

Section 7.B.1.10 is called "Develop a Plan and Change Code to Base Flood Elevation (BFE)+2. My reading of the Village of Mamaroneck Code is that our current law already requires the lowest floor --including the basement-- to be elevated to BFE+2 so I am confused about this proposal (§186-5C). The V-zone requirements (§186-5D) apply to the lowest horizontal structural member -- not the lowest floor-- and are also BFE+2. The present code already requires utilities to be raised as well as HVAC replacements to be placed above base flood elevation.

Section 7.B.1.11 is too vague to be meaningful. Please be specific about the code and regulatory provisions that need to be improved.

Section 7.B.2.1--elevating housing stock -- is an item deserving of much greater priority I understand that the priority is lower because of the projected costs of elevating but I believe you have overstated the costs and I would ask you to substantiate the report's average estimate of \$250,000 for elevating a property. FEMA has a publication that estimates the costs depending on type of structure. A-zone structures with stem wall foundations -- a very common foundation in this area --are much less expensive to elevate than \$250K. You should also be aware that ICC coverage of standard FEMA policies would provide \$30,000 towards elevating a building but nobody in the Village seems familiar with this coverage. I doubt this coverage was used after

either of the last two flooding events. In my own view, raising individual homes is a much more productive effort than infrastructure changes. We need to identify funding sources, find mechanisms to house families temporarily while their houses are elevated and one-by-one elevate or remove at-risk properties from the flood zone. We need to study what other communities have done and make this a higher priority. At a minimum, people should develop plans to accomplish this and have permits pre-approved so that the work could be done quickly after damage from a flood.

Section 7.b.2.2. "Reinforce Existing Structures to Ensure they are Flood Safe" is too non-specific to evaluate. Are we talking about reinforcing structures that are not elevated? If the properties are elevated, what kinds of reinforcement do you believe will be necessary? If this recommendation relates to installing flood walls and dams, that deserves discussion...at least as an interim improvement until structures can be elevated but the section's implications are simply not comprehensible to a general reader.

Section 7.B.2.4 Update Emergency Operation Plan and Evacuation Plan. Thank you for making this item the highest priority. If this plan accomplishes nothing else, this step alone would be a worthwhile improvement over the experience of Irene. Please try to accelerate the timeframe. I live in a V-zone, with four neighboring couples over 80 years of age --some no longer driving. Some elderly folks also live in a 5-story condo building on the street. Despite the fact that Irene was tracked for more than a week before it came to this area, our evacuation notice was approximately 24 hours...and was given by harbor police officers who walked around and handed out evacuation notices. If you look at the emergency notices on the VOM website, you will see that these are all outdated. Nobody uses that link because it's not maintained in current fashion. I got no blast phone calls and no emails from the Village about the pending storm. Revising communication protocols and assigning one individual the ultimate responsibility for emergency center operations are desperately needed. (7.B.2.6)

Section 7B.2.4 Check Vulnerability, Stability of Sea Walls, Docks, Pilings, Gas Tanks. Most of these are privately owned but located on State land and I am unaware of any authority by the Village to inspect these or order their repair. These are discretionary, not required structures, and the general regulatory sentiment is that hardened shorelines are worse for flooding than natural barriers. It is my understanding that FEMA's flood maps assume that these structures would fail in a catastrophic storm since none of the seawalls in this area are certified to protect from the 1 percent storm. I think this recommendation needs more research and analysis.

Section 7.B.4.1 et al. CRS Program. While this is a fine objective, realistically, the Village's enforcement of flood zone rules is so lax that we should worry about being dropped from the NFIP or being put on probation rather than seeking premium reductions. The Village is presently considering weakening our flood prevention local law to eliminate the need for elevating a house based on "cumulative" substantial improvement or damage. That means we will not elevate SRL properties unless one-time damage is greater than 50 percent of the pre-loss value of the structure. Any improvement I make in the V-zone needs a floodplain development permit (\$200), a wetlands permit (\$200), a building permit (variable cost based on improvement valuation) and a certificate of occupancy or compliance (fees being introduced). There are also escrow funds demanded for engineering and land use board review that total in the thousands of dollars. The regulatory cost and burden is so high that property-owners will simply do the work without permits or without complying with law.

Section 7.B.4.3. SRL Property Inventory. It would be helpful for this plan to explain how the Village will identify SRL properties. To the best of my knowledge, the Village does not receive information on FEMA flood claims payments. Without such information, SRLs are hard to identify if property owners did not obtain permits or accurately report their expenses to repair flood damages.

Section 7.B.5.6-8. Please specify which emergency facilities need to be relocated and clarify that expensive equipment exposed to flooding will not be installed at any location that is not reasonably safe from flooding.

Section 7.B.6.4 Establish Long Term Plan to Protect Coastal Residences. As a V-zone resident who owns a pre-FIRM house, I am curious as to what type of activities might even be considered. Would the Village look to structural solutions --such as building levees to protect the harbor area? Would they establish coastal A-zones to elevate coastal residences on piers? It would be helpful were this document more specific than simply proposing another plan.

Section 8.H.3. There is a claim that raising homes in the floodplain will require changes to the zoning code, floodplain management requirements, subdivision regulations, or housing standards. Is this an empirically-based claim? For example, have houses below the base flood elevation been analyzed to show that if these were elevated, they would exceed height limitations? I have heard this claim oft-made but so far as I know, these codes do not block elevation of homes. Rather it is the cost and inconvenience of doing so that makes property owners pursue repair rather than elevation.

Section 9.A.2. Public Participation. It is extremely unrealistic to expect that "the public" will be involved in the multi-hazard plan revision and updating process because public comments are generally unwelcome in this administration. Public commenters are often limited to comments of 2 or 5 minute duration for complex subjects --even when only one or two individuals wish to comment. Significant public policy issues are discussed in executive sessions rather than in open meetings --in violation of NYS Open Meetings law. (Most recently, there was an illegal executive session to discuss a planned FEMA visit.) I believe this draft cannot seriously claim that the public will "continue to be involved in the revision and updating process." It takes considerable time and effort to review a 400 page plan. Who wants to do so only to have their comments ignored?

Section 9.A.3 Incorporation with Other Activities. The Village of Mamaroneck Comprehensive Plan has been adopted so this section should be updated. Its discussion on flood mitigation policies and long-term goals was disappointing. In particular, the comprehensive plan proposes residential development in areas prone to flooding such as Hoyt Avenue and Fenimore Road making residents such as myself concerned that there is no administration commitment to making this Village reasonably safe from flooding. I personally tried on multiple occasions to make the mitigation of flood damages a priority in our planning efforts. The Village policy makers declined to do so.

Thanks for your consideration of these comments.

Sincerely,  
Suzanne McCrory

**From:** William Nechamen <wsnecham@gw.dec.state.ny.us>  
**Subject:** **Re: Village of Mamaroneck Continues to Allow Rebuilding Without complying with Flood Rules**  
**Date:** December 27, 2011 2:41:27 PM EST  
**To:** Sue McCrory <smccrory@mac.com>  
**Cc:** Mark Lewis <melewis@gw.dec.state.ny.us>, Patrick Ferracane <plferrac@gw.dec.state.ny.us>

---

Ms. McCrory:

I reviewed the Village's Local Law for Flood Damage Prevention (Local Law Number 11 of 2007) and have verified that the village has a definition for cumulative substantial improvement well as a repetitive damage clause. Cumulative substantial improvement is defined as any reconstruction, rehabilitation, addition or other improvement of a structure that equals or exceeds 50% of the market value of the structure at the time of the improvement or repair when counted cumulatively for ten years.

The repetitive substantial damage definition is flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of such flood event, on the average, equals or exceeds 25% of the market value of the structure before the damage occurred.

Based on the chart that you enclosed, it is indeed possible that the N. James structure met the threshold of two flood related damages averaging over 25% of the market value of the structure. However, there would have to be verification of the market value and of the losses suffered. The current FEMA insurance data does not verify the amount of the 2011 loss. However that data may be incomplete.

We currently have an extreme backlogged need for community visits due to the wide spread flooding this year. I will put Mamaroneck Village on our list to receive a community visit over the coming year.

Sincerely,

William Nechamen



William Nechamen, CFM  
Chief Floodplain Management Section  
Bureau of Flood Protection and Dam Safety  
New York State Department of Environmental Conservation  
625 Broadway, 4th Floor  
Albany, NY 12233-3504  
518-402-8146

Fax: 518-402-9029

wsnecham@gw.dec.state.ny.us>>> Sue McCrory <smccrory@mac.com> 12/27/2011  
12:09 PM >>>

Dear Mr. Nechamen:

Happy New Year! I hope you have enjoyed the holidays --which during my years of government service were incredibly quiet with so many folks using annual leave rather than forfeiting it. I hope the season brought some time off for you as well.

I write again to raise issues about flood zone non-compliance in the Village of Mamaroneck. You may know that John Winter left Mamaroneck and we had serious flooding again with the Irene/Lee storms this summer.

After the storms, a vocal group of repeat flooding victims began to petition the Village Board of Trustees to spend Village funds to remove the terminus of Glendale Road in Harrison that formed an obstruction in the river separating Mamaroneck from Harrison. The Village Manager said the removal would lower flood levels by 0.1 foot --pretty nominal--but the residents believe this "road to nowhere" exacerbates their flooding problems. In presenting their case, the property owners submitted a schedule of repeat flood damages that each address had suffered. One house on the river --1616 N. James -- had 4 separate flooding incidents since 2004, totaling more than the current assessed value of the structure. The last two episodes alone each represented more than 25 percent damage to the structure and should have required rebuilding in accordance with the flood rules enacted locally in 2007.

I am forwarding an email that I received in response to a FOIL request for floodplain development permits for properties that had experienced the greatest serial damages. I was incredibly despondent to learn that none had been issued. For example, according to Town of Mamaroneck assessment rolls (as of June 1, 2011 --the date closest to the damages from Irene/Lee) 1616 N. James (parcel number 8-10-143) had a total assessed

value of \$10,300 of which 4000 was land. The property's total market value was assessed at \$559,783. That gives a value for the structure of \$342,391. The flood damages to this structure in 2011 were reported to be \$133,000 in 2011 and \$116,000 in April 2007 -- each more than the 25 percent threshold that if twice met during a 10-year period, qualifies the 2011 rebuilding as a "substantial improvement." Rather than being elevated, the property was repaired to its former state--apparently without any permits being issued.

It is quite clear to me that the Village of Mamaroneck continues to overlook the flood damage prevention requirements despite the frequency and severity of past storm losses. There seems to be no consequence to property owners or the Village for failure to construct according to flood zone rules. Obviously, I began to see this problem on my own block with the Ottinger rebuilding --which remains unresolved. The fact that you personally informed the Village that the Ottinger property needed an open foundation and both the owners and building inspectors nonetheless allowed a closed foundation to be built demonstrates the local mindset that state and federal regulators are not serious about these rules and that ultimately they will not be enforced. I assume that the Ottinger property continues to enjoy flood insurance, just as I assume 1616 N. James does. I know you have been incredibly diligent in your dealings with the Village of Mamaroneck, but flood insurance construction requirements continue to receive lip service only. Until you exercise your enforcement authority to make an example of how non-compliant construction will be addressed, we have no hope of making Mamaroneck reasonably safe from flooding.

I have attached the spreadsheet of the flood damages in the Harbor Heights area that was presented to the Board of Trustees. I have no way of verifying the information but I assume that you have access to FEMA flood insurance payments to confirm the reported figures. The Town of Mamaroneck 2011 Final Assessment Roll can be found at its website. Page 443 of this document gives the James Street addresses, pp. 451-457 contain other addresses on the schedule. I did not do a detailed analysis for other properties. The Winfield address may be another candidate if it is covered by federal flood insurance and loss figures for 2011 can be obtained.

Thank you for your help with this matter.

Best regards,  
Sue McCrory  
914 698-5686





# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION DETERMINATION DOCUMENT

COMMUNITY AND REVISION INFORMATION		PROJECT DESCRIPTION	BASIS OF REQUEST
COMMUNITY	Village of Mamaroneck Westchester County New York	NO PROJECT	UPDATE
	COMMUNITY NO.: 360916		
IDENTIFIER	Ottinger Property	APPROXIMATE LATITUDE & LONGITUDE: 40.947, -73.729 SOURCE: USGS QUADRANGLE      DATUM: NAD 83	
ANNOTATED MAPPING ENCLOSURES		ANNOTATED STUDY ENCLOSURES	
TYPE: FIRM*      NO.: 36119C0353F      DATE: September 28, 2007		DATE OF EFFECTIVE FLOOD INSURANCE STUDY: September 28, 2007 TRANSECT DESCRIPTIONS TABLE: 7	

Enclosures reflect changes to flooding sources affected by this revision.

\* FIRM - Flood Insurance Rate Map; \*\* FBFM - Flood Boundary and Floodway Map; \*\*\* FHBM - Flood Hazard Boundary Map

### FLOODING SOURCE(S) & REVISED REACH(ES)

East Basin - approximately 1,000 feet northeast of the intersection of East Boston Road and Mamaroneck Avenue

### SUMMARY OF REVISIONS

This LOMR is being issued to update Table 7 (Transect Descriptions) of the effective FIS report and a labeling error on Panel 36119C0353F of the effective FIRM for Westchester County, New York (All Jurisdictions), both dated September 28, 2007. The original modeling data and historical FIS reports were reviewed and used to update Table 7, employing the appropriate conversion factor for the NAVD datum. This LOMR updates the flood hazard designation for the East Basin area from Zone VE on the effective FIRM panel to Zone AE. The updates to Table 7 and the labeling on Panel 36119C0353F did not result in changes to the Base Flood Elevations (BFEs) on any FIRM panels for this community.

### DETERMINATION

This document provides the determination from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding a request for a Letter of Map Revision (LOMR) for the area described above. Using the information submitted, we have determined that a revision to the flood hazards depicted in the Flood Insurance Study (FIS) report and/or National Flood Insurance Program (NFIP) map is warranted. This document revises the effective NFIP map, as indicated in the attached documentation. Please use the enclosed annotated map panels revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals in your community.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 6730 Santa Barbara Court, Elkridge, MD 21075. Additional Information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

Todd A. Steiner, Program Specialist  
Engineering Management Branch  
Mitigation Directorate



## Federal Emergency Management Agency

Washington, D.C. 20472

### LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

#### COMMUNITY INFORMATION

##### APPLICABLE NFIP REGULATIONS/COMMUNITY OBLIGATION

We have made this determination pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the NFIP are required to adopt and enforce floodplain management regulations that meet or exceed NFIP criteria. These criteria, including adoption of the FIS report and FIRM, and the modifications made by this LOMR, are the minimum requirements for continued NFIP participation and do not supersede more stringent State/Commonwealth or local requirements to which the regulations apply.

##### COMMUNITY REMINDERS

We based this determination on the base (1-percent-annual-chance) flood discharges computed in the FIS for your community without considering subsequent changes in watershed characteristics that could increase flood discharges. Future development of projects upstream could cause increased flood discharges, which could cause increased flood hazards. A comprehensive restudy of your community's flood hazards would consider the cumulative effects of development on flood discharges subsequent to the publication of the FIS report for your community and could, therefore, establish greater flood hazards in this area.

Your community must regulate all proposed floodplain development and ensure that permits required by Federal and/or State/Commonwealth law have been obtained. State/Commonwealth or community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction or may limit development in floodplain areas. If your State/Commonwealth or community has adopted more restrictive or comprehensive floodplain management criteria, those criteria take precedence over the minimum NFIP requirements.

We will not print and distribute this LOMR to primary users, such as local insurance agents or mortgage lenders; instead, the community will serve as a repository for the new data. We encourage you to disseminate the information in this LOMR by preparing a news release for publication in your community's newspaper that describes the revision and explains how your community will provide the data and help interpret the NFIP maps. In that way, interested persons, such as property owners, insurance agents, and mortgage lenders, can benefit from the information.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 8730 Santa Barbara Court, Elkridge, MD 21075. Additional information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

A handwritten signature in black ink, appearing to read "Todd A. Steiner".

Todd A. Steiner, Program Specialist  
Engineering Management Branch  
Mitigation Directorate





**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

We have designated a Consultation Coordination Officer (CCO) to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Ms. Mary A. Colvin  
Acting Director, Federal Insurance and Mitigation Division  
Federal Emergency Management Agency, Region II  
26 Federal Plaza, 13th Floor  
New York, NY 10278-0002  
(212) 680-3622

**STATUS OF THE COMMUNITY NFIP MAPS**

We will not physically revise and republish the FIRM and FIS report for your community to reflect the modifications made by this LOMR at this time. When changes to the previously cited FIRM panel(s) and FIS report warrant physical revision and republication in the future, we will incorporate the modifications made by this LOMR at that time.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 6730 Santa Barbara Court, Elkridge, MD 21075. Additional Information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

A handwritten signature in black ink, appearing to read "Todd A. Steiner".

Todd A. Steiner, Program Specialist  
Engineering Management Branch  
Mitigation Directorate



**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

**PUBLIC NOTIFICATION OF REVISION**

This revision is effective as of the date of this letter. Any requests to review or alter this determination should be made within 30 days and must be based on scientific or technical data.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 6730 Santa Barbara Court, Elkridge, MD 21075. Additional Information about the NFIP is available on our website at <http://www.fema.gov/nfip>.

A handwritten signature in black ink, appearing to read "Todd A. Steiner".

Todd A. Steiner, Program Specialist  
Engineering Management Branch  
Mitigation Directorate

Transects were spaced close together in areas of complex topography and dense development. In areas having more uniform characteristics, they are spaced at larger intervals. It was also necessary to locate transects in areas where unique flooding existed and in areas where computed wave heights varied significantly between adjacent transects.

Each transect was taken perpendicular to the shoreline and extended inland to a point where wave action ceased. Along each transect, wave heights and elevations were computed considering the combined effects of changes in ground elevation, vegetation, and physical features. The stillwater elevations for the 1percent annual chance flood were used as the starting elevations for these computations. Wave heights were calculated to the nearest 0.1 foot, and wave elevations were determined at whole-foot increments along the transects. The location of the 3-foot breaking wave for determining the terminus of the V zone (area with velocity wave action) was also computed at each transect. Table 7, "Transect Descriptions," provides a listing of the transects location and stillwater starting elevations, as well as maximum wave crest elevations.

TABLE 7 - TRANSECT DESCRIPTIONS

<u>TRANSECT</u>	<u>LOCATION</u>	<u>ELEVATION (FEET NA VD)</u>	
		<u>STILLWATER<sup>1</sup></u>	<u>WAVE CREST<sup>2</sup></u>
1	South corporate limits to Glen Island	11.8	15.0
2	Davids Island	11.8	18.0
3	Glen Island to Pine Island	11.8	18.0
4	Pine Island to Echo Bay Place extended	11.7	18.0
5	Echo Bay Place extended to Duck Point	11.7	18.0

<sup>1</sup>Because of map scale limitations, the 100-year stillwater may not be shown on the FIRM.

<sup>2</sup>Because of map scale limitations, the maximum wave elevation may not be shown on the FIRM.

REVISED TO  
REFLECT LOMR  
EFFECTIVE: April 6, 2010

REVISED  
DATA

TABLE 7 - TRANSECT DESCRIPTIONS - continued

<u>TRANSECT</u>	<u>LOCATION</u>	<u>ELEVATION (FEET NA VD)</u>	
		<u>STILLWATER<sup>1</sup></u>	<u>WAVE CREST<sup>2</sup></u>
6	Duck Point to Echo Island	11.7	18.0
7	Echo Island to Premium Point Road extended	11.6	17.0
8	From Larchmont/Mamaroneck corporate limits to Premium Point	11.6	17.0
9	Premium Mill Pond shoreline and Premium River shoreline	11.7	17.0
10	Southeast corner of Premium Mill Pond to Bay Avenue, extended	11.7	17.0
11	Bay Avenue, extended, to northern corporate limits	11.6	17.0
12	Larchmont Harbor	11.6	18.0
13	Western corporate limits to approximately 1,500 feet east of western corporate limits	11.6	18.0
14	Approximately 1,500 feet east of western corporate limits to Seven Oaks Lane, extended	11.6	18.0
15	Seven Oaks Lane, extended, to Orienta Point	11.5	17.0
16	Orienta Point to mouth of Otter Creek	11.5	17.0
17	Mouth of Otter Creek to approximately 1,400 feet east of mouth of Otter Creek	11.5	17.0
18	Approximately 1,400 feet east of mouth of Otter Creek to eastern corporate limits	11.5	15.0

←  
**REVISED  
DATA**

**REVISED TO  
REFLECT LOMR  
EFFECTIVE: April 6, 2010**

<sup>1</sup>Because of map scale limitations, the 100-year stillwater may not be shown on the FIRM.

<sup>2</sup>Because of map scale limitations, the maximum wave elevation may not be shown on the FIRM.



**TABLE 7 - TRANSECT DESCRIPTIONS - continued**

<u>TRANSECT</u>	<u>LOCATION</u>	<u>ELEVATION (FEET NA VD)</u>	
		<u>STILLWATER<sup>1</sup></u>	<u>WAVE CREST<sup>2</sup></u>
19	From the southwestern corporate limits to Maries Neck	11.5	17.0
20	From Maries Neck to Milton Point	11.5	17.0
21	From Milton Point to Playland Beach	11.4	17.0
22	From Playland Beach to the southern end of Manursing Island	11.4	17.0
23	From the southern end of Manursing Island to the northern end of North Manursing Island	11.3	18.0
24	From the northern end of North Manursing Island to the northeastern corporate limits	11.2	18.0
25	Southern corporate limits to access road off Harbor Drive, extended	11.2	16.0
26	Access road off Harbor Drive, extended, to the Byram River	11.2	15.0

←  
REVISED  
DATA

<sup>1</sup>Because of map scale limitations, the 100-year stillwater may not be shown on the FIRM.

<sup>2</sup>Because of map scale limitations, the maximum wave elevation may not be shown on the FIRM.

Figure 2 is a profile for a typical transect illustrating the effects of energy dissipation and regeneration on a wave as it moves inland. This figure shows the wave elevations being decreased by obstructions, such as buildings, vegetation, and rising ground elevations, and being increased by open, unobstructed wind fetches.

REVISED TO  
REFLECT LOMR  
EFFECTIVE: April 6, 2010

COORDINATING COUNCIL OF NEIGHBORHOOD ASSOCIATIONS  
% 916 East Boston Post Road  
Mamaroneck NY, 10543  
914-698-5678  
dan.n@dsnainc.com

Mayor Rosenblum and Board of Trustees  
Village of Mamaroneck  
123 Mamaroneck Avenue  
Mamaroneck, NY 10543

**RE: Village of Mamaroneck's PROPOSED Multi Hazard Mitigation Plan**

Dear Mayor Rosenblum and Board of Trustees;

The Coordinating Council of Neighborhood Associations has reviewed the Multi Hazard Mitigation Plan and finds for the most part it is well written and covers a lot of ground. However there are a few points that need to be made:

- a) The most pressing and long term hazard facing the Village is *flooding*. It is known, it will continue and it will get worse.
- b) The plan as written is focused on what to do AS AND AFTER a hazard is or has occurred. The approaches are reasonable and meaningful. Notification of an impending hazard allows prudent action on the part of those in the Village including evacuation from areas prone to flooding
- c) The largest omission is ***failure to focus on revisiting the zoning to avoid the creation of residential housing where none presently exists in areas that are known to flood.*** If one simply uses the FEMA standards, this means that one can create significant numbers of new as well as high density housing in areas that are known to flood (as presently allowed in the Village's Master Plan) resulting in the *evacuations of hundreds of additional people* from that which has happened in the last floods.
- d) The report should be *more proactive to suggest prevention of new residential development in areas that flood where such residential development does not presently exist.*
- e) *Review other zoning regulations to make them also proactive allowing as well as encouraging remediation measures to prevent flood damage* including raising of the heights of existing residences and raising shoreline protection features and property elevations to be more meaningful to the uses prescribed. For instance in storms it is encouraged that boaters haul their boats and place them in marinas. But the elevations of these properties, for the most, are at low elevations so the boats would simply float off the property and down the streets (as has occurred on previous occasions).
- f) **The zoning reviews and changes have the highest cost benefit ratio of all potential improvements within the Hazard Mitigation Plan and should be identified and prioritized as such.**
- g) The plan should include *more detailed historic quantification evaluation data analysis as to cost of the various resources in responding to various hazards so better cost benefit effectiveness planning can be undertaken.* (This should include, among others) the cost of evacuations, shelters, fire, police, red cross and other responders and volunteers)

We have also taken the liberty of suggesting some editing in marking mode for portions of Sections 6, 7, and 8 in along the lines that begin to touch on the issues expressed above. The attachments are in *word documents in marking mode* allowing one to easily see the suggested changes,



If you have any questions or wish to discuss these comments please give us a call.

Sincerely,



Daniel S. Natchez

On behalf of all the participating neighborhood associations and as  
President of the Shore Acres Property Owners Association

Cc: Richard Sligerland, Village Manager  
Dan Sanoff, Assistant village Manager

Valerie Rifkin [vrifkin@enviroexpertsetg.com](mailto:vrifkin@enviroexpertsetg.com)  
Environmental Technology Group, Inc.  
300 Wheeler Road – Suite 307  
Hauppauge, NY 11788

Paul Hoole [Paul.Hoole@fema.dhs.gov](mailto:Paul.Hoole@fema.dhs.gov)  
Mitigation Planning  
FEMA/NYS Joint Field Office  
FEMA-40-20-DR-NY  
10 Jupiter Lane  
Albany, NY 12205

Rick Lord via email [RLord@dhsses.ny.gov](mailto:RLord@dhsses.ny.gov)  
Chief of Mitigation Programs & Agency Preservation Officer  
NYS Division of Homeland Security & Emergency Services  
NYS OEM | Office of Emergency Management  
1220 Washington Avenue | Albany, NY 12226-2251  
518.292.2370 landline | 518.322.4983 fax | 518.867.9482 cell

Sandra K. Knight, PhD, PE, D.WRE via email [Sandra.Knight@fema.dhs.gov](mailto:Sandra.Knight@fema.dhs.gov)  
Deputy Associate Administrator Mitigation  
Federal Emergency Management Agency  
1800 S. Bell Street  
Arlington, VA 20598

Neighborhood Associations

**Nora Lucas  
203 Beach Avenue  
Mamaroneck, NY 10543**

April 12, 2012

**RE: Comments on Village of Mamaroneck Multi-Hazard Mitigation Plan**

To Whom It May Concern:

Please find attached a marked up copy of the Multi-Hazard Mitigation Plan with my comments and suggestions.

In general, the plan is an excellent start, but fails to address measures to prevent flooding -- the most persistent environmental hazard faced by this Village and one for which we are woefully unprepared. Our physical situation and geographic patterns make us vulnerable to flooding, but our planning and building policies do not take strong enough measures to mitigate the adverse impacts of future flooding.

Please make sure that this plan is not simply an item to be “checked off” in the quest for applying for FEMA and other grant funds, but one that also mitigates the potential effects of future floods.

Specifically, the plan does not address proposed Local Law I-2012 “Removing Cumulative from Chapter 186” a shocking step away from the Village’s responsibility to work to make the village more flood safe and to stop properties from having repeat flood losses. In 2007 the Village added a provision to the Flood Damage Prevention Law requiring houses to be made compliant with flood zone construction standards based upon cumulative flood damage or reconstruction. That was a strong step towards making individual flood prone properties safer from flooding. Now, the Village is backtracking yet this change has not been factored into the Multi-Hazard Plan. This plan’s claim to address properties with serious repeat flood losses appears to be nothing more than an empty promise.

Additionally, our newly-adopted Master Plan proposes to modify zoning in the flood-prone commercial district to encourage multi-family residential construction. Currently there is a proposal before the Village to re-zone one parcel in that same district for a school use. None of these eventualities are considered or planned for in the Multi-Hazard Plan. If the Village is intent on such steps, the potential adverse impacts of those measures should be factored into this plan, which after all, is designed to “mitigate” them.

I would also suggest that the Plan overstates public involvement. There was no means for the public to learn of the progress of the plan until it was finally drafted. The All-Hazard Mitigation Plan meeting minutes found in the Appendix do not list any members of the public other than Ex-officio members representing other committees. Village Calendars indicate that the April 18, 2011 and June 9, 2011 All-Hazard Committee meetings were closed to the public. A Trustee urged that there be a public workshop given the widespread community concern about flooding,

but such a workshop was never held. Furthermore, our Board of Trustees allows only 2 minutes for public comment at Regular Board Meetings –making clear that the March 13, 2012 Notice was not an opportunity for extensive public comment on this 400-page document. There was never a formal notice soliciting written comments. This plan was developed behind closed doors.

I would urge the Village to publish the comments that are received on the website for all to see and to make every effort to inform the public which of their suggestions have been adopted, also explaining the rationale for the exclusion of any suggestions that are not incorporated into the revised plan..

Thank You for your consideration.

Sincerely,

*Nora Lucas*

Nora Lucas

Doreen Roney  
143 Highview St.  
Mamaroneck, NY 10543

April 12, 2012

Re; Comments regarding Multi Hazard Mitigation Plan

To Whom It May Concern,

I've read the draft Multi Hazard Mitigation plan and in general found it as an excellent starting point and from what I read a work in progress. I am troubled the fact that that on many occasions certain information that I have brought to the attention of the Board of Trustees, and village manager at many public meetings is missing from this plan. As a lifelong resident who has witnessed flooding in this community for over several decades, there are areas in this village that flood, however are not captured in the 2007 FEMA firm. It is imperative that this matter is addressed going forward at the very least from an emergency planning and emergency resource management perspective.

For the most part topography has not changed in these outside the 100 year flood areas however the 2007 FEMA firm did. This is well illustrated when you compare historical FEMA firms to the 2007 FEMA firm. I am familiar with this in at least 2 riverine flood areas; south of Hoyt Avenue/railroad tracks on Bishop and Stanley Avenues and on Fenimore Rd to the northwest of I-95. Within the following publications please note numerous pictures depicting this flooding in areas outside of the 2007 FEMA mapped flood zones:

<http://larchmont.patch.com/articles/public-requests-a-more-readable-waterfront-revitalization-plan-in-mamaroneck-village#photo-8331130> and <http://larchmont.patch.com/articles/county-promises-flood-mitigation-money-to-larchmont-and-mamaroneck#photo-7531830> and <http://larchmont.patch.com/articles/the-village-of-mamaroneck-underwater> and <http://larchmont.patch.com/articles/families-still-displaced-in-mamaroneck-village-local-agencies-band-together#photo-7532461>

Our recently adopted village Comprehensive Master Plan documents this issue on page 58 as follows:

**There are certain areas of the Village that, while not located within a FEMA-mapped 100-year floodplain, nonetheless experience frequent flooding and related damage during storm events.** Based on this concern, the

Village should coordinate with both FEMA and with appropriate property owners to ensure that official flood maps reflect the most accurate and up-to-date information, and are based on clear evidence of flooding history. In addition, some members of the public have suggested that the Village create local flood-risk zones to recognize these flood-prone areas that may not be within a FEMA floodplain (and therefore not subject to NFIP regulations). It is understood that creation of such localized flood-risk zones would not change the administration of NFIP regulations, i.e. property owners within the local zones would not be required to purchase flood insurance. But the local zones – which would most likely be zoning overlay zones – could be regulated by local laws and actions, which could be highly effective in addressing specific flooding issues. **This**

**plan does not recommend the creation of any specific local flood-risk zones;however, the Village, based on the recommendations of the All-Hazard Plan and the Flood Mitigation Advisory Committee, may wish to pursue their creation, through appropriate revisions to Chapters 186 (Flood Damage Prevention; Erosion and Sediment Control) and 342 (Zoning) of the Village Code.** This issue should be part of a separate, comprehensive study that is based on data and documented flooding experience, with the full cooperation of FEMA representatives and affected property owners.

I am also concerned about the safety and well being of those not only living within flood zones needing evacuation, but also at the same time being prepared to deal with emergencies during flooding to those neighborhoods cut off from emergency services by flood waters. From what I'm told there may have been 2 flood related deaths in Mamaroneck. One supposed event where someone drowned in the vicinity of Hampshire Country Club driving through flood waters long ago. A definite unfortunate event occurred in 2007 when my former neighbor required medical assistance and there was difficulty and delay reaching the area due to flood waters. Evaluating risks, manpower, possible assistance from neighboring municipalities with those areas cut off and egress routes are very important considerations in planning for emergencies. For example the street that I live on becomes a virtual island cut off from emergency services and a possible route on higher ground is Winged Foot Country Club which is gated closed to prevent thoroughfare of traffic.

I bring these matters to your attention now as my concerns were not brought forth to committee as I had expected. Public information meetings and outreach to the community regarding commentary on this draft Multi Hazard Mitigation Plan have been sparse. In June 2011 this plan was not drafted for review as yet and on March 27, 2012 this plan was first presented publically by the consultants with the close of public comments on this today. I hope there will be further meetings and some outreach with much publicity to all community members in the future to help gain input such as you desire.

Thank you for your consideration.

Sincerely,

Doreen Roney

## Daniel Sarnoff

---

**From:** Sue McCrory [smccrory@mac.com]  
**Sent:** Sunday, April 15, 2012 10:10 AM  
**To:** Daniel Sarnoff; vrifkin@enviroexpertsetg.com  
**Subject:** Additional comments on the All-Hazard Plan  
**Attachments:** Village of Mamaroneck-3.pdf; ATT00001.htm; Village of Mamaroneck follow-up-4.pdf; ATT00002.htm

Dear Mr. Sarnoff and Ms. Rifkin:

I have attached the NYSDEC report from its community assistance visit as well as a follow-up letter written after meeting with Mr. Winter.

I believe this information should be included in the discussion of the regulatory requirement that the plan address the "continued compliance with NFIP requirements." 44CFR§201.6(c)(3)(ii).

I believe you should also be addressing the letter from FEMA dated January 26, 2012 that discusses the property at 818 The Crescent --that is mentioned as one of serious non-compliance in the 2007 report.

In effect, the all-hazard plan should address the problem that the Village has had serious compliance issues with NFIP regulations. If this plan is going to direct mitigation efforts, we must honestly assess our practices to date.

Sincerely,

Sue McCrory

# New York State Department of Environmental Conservation

## Division of Water

### Bureau of Flood Protection and Dam Safety, 4<sup>th</sup> Floor

625 Broadway, Albany, New York 12233-3504

Phone: (518) 402-8185 • FAX: (518) 402-8082

Website: [www.dec.ny.gov](http://www.dec.ny.gov)



Alexander B. Grannis  
Commissioner

January 17, 2008

John Winter  
Village of Mamaroneck  
169 Mt. Pleasant Ave.  
Mamaroneck, NY 10543

Re: Community Assistance Visit for the National Flood Insurance Program

Mr. Winter:

Thank you for taking the time to meet with me and Bernard Lohmann on January 15, 2008 to discuss the National Flood Insurance Program (NFIP) and development within the floodplains of the Village of Mamaroneck.

This letter is intended to document what was discussed during the meeting:

- 1) We discussed the fact that the Village of Mamaroneck has a new local law for flood damage prevention, effective July 20, 2007, and that it was in fact in Section 186 of your Village Code.
- 2) We discussed the fact that the Village of Mamaroneck has newly adopted Flood Insurance Rate Maps, which became effective September 28, 2007, which you have a copy of in your office.
- 3) We reviewed the list of structures in the floodplain which were identified during the floodplain inspection that Bernie and I conducted on June 26, 2007 (which is attached for your information). We discussed some of the properties with more serious problems such as 818 The Crescent, one at the corner of Constable and Orienta, some on Flagler and some on Graecen Point. As we understand it, the properties with improperly constructed break-away walls will be corrected prior to issuance of the Certificates of Occupancy.

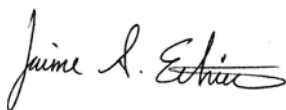
We appreciate you pulling the building permit files for some of the properties on the list while we were there. We were pleased to see that most of the properties in question had floodplain development permits and elevation certificates. We recommend that you review the remainder of the list to ensure that the proper documentation is there and if materials are missing, we urge you to inform the residents, so that the Village may be in compliance with the NFIP.

- 4) We also discussed some questions that you had regarding the NFIP, substantial improvement and the requirements for substantially improved structures.
- 5) We then conducted a drive through inspection of the floodplain and the development in question.
- 6) I left you with a CD with a variety of NFIP materials for your information. The CD contains:
  - 1) NFIP Technical Bulletins
  - 2) Common Questions about Flood Insurance
  - 3) Elevation Certificate
  - 4) FEMA 480- NFIP Desk Reference
  - 5) Floodplain Construction Requirements in NYS
  - 6) Floodplain and Floodway Development Guidance
  - 7) Letter of Map Change Applications
  - 8) NFIP FIRM Grandfather Rules

As was understood, for any properties missing the necessary materials for development in the floodplain, you will either be getting those materials or informing the residents that their structures may need to be retrofitted to meet the requirements of the NFIP.

I will be forwarding my notes to FEMA indicating that the Village of Mamaroneck is in compliance with the National Flood Insurance Program. Again, we thank you for your time and if you have any questions regarding the NFIP, I can be reached at (518) 402-8149.

Regards,



Jaime Ethier  
Floodplain Management Coordinator

Cc: Bernard Lohmann, NYSDEC Regional Floodplain Management Coordinator  
Richard Einhorn, FEMA Region II



FEDERAL EMERGENCY MANAGEMENT AGENCY COMMUNITY VISIT REPORT			O.M.B. NO. 3067-0198 Expires November 30, 1991
<p align="center"><b>PAPERWORK BURDEN DISCLOSURE NOTICE</b></p> <p>Public reporting burden for this form is estimated to vary from 2 to 4 hours per response. The estimate includes the time for National Flood Insurance Program (NFIP) community officials to search existing data sources, gather the data needed, and provide information to a FEMA, or State representative who will subsequently complete the form. The information is used by FEMA to assess the effectiveness of a community's implementation of the NFIP and to offer assistance to the community where such a need is identified. Send comments regarding the burden estimate or any aspect of the collection, including suggestions for reducing the burden, to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, S.W., Washington, D.C. 20472; and to the Office of Management and Budget, Paperwork Reduction Project (3067-0198), Washington, D.C. 20503.</p> <p align="center"><b>INSTRUCTIONS</b></p> <p>A community Visit Report indicating the findings must be completed after each community visit. The report should not be completed during the meeting with the local officials or provided to the local officials to complete. The Community Visit Report and any other relevant documentation should be completed and on file in the FEMA regional office within 30 days from the date of the visit.</p> <p><b>Section I and Section III - Part A and Part B - Self Explanatory</b></p> <p><b>Section II</b> - "Name of Local Official" is the name of the designated local official with the responsibility, authority, and means to implement the NFIP requirements. "Address" and "Telephone Number" is the address and telephone number of the local official. Attach list of all attendees.</p> <p><b>Section IV</b> - This section indicates the date that the CAV is closed. A CAV can be considered closed when all program deficiencies have been corrected and violations identified have been remedied to the maximum extent possible, and all follow-up action(s) have been completed. The date the CAV is closed will be completed and initialed by the FEMA regional office ONLY.</p> <p><b>Attach any other documentation related to the visit, e.g., chronology of contacts, correspondence, resolution of issues, community ordinance.</b></p>			
SECTION I			
1.NAME OF COMMUNITY Mamaroneck (V)	2. STATE New York	3. COMMUNITY ID NUMBER 360916	4. COUNTY Westchester
5.VISIT CONDUCTED BY Jaime Ethier & Bernard Lohmann	6. AGENCY NYSDEC		7. DATE OF VISIT 01/15/2008
SECTION II			
8. NAME OF LOCAL OFFICIAL John Winter, Building Inspector		9. TELEPHONE NUMBER 914-777-7731	
10. ADDRESS OF LOCAL OFFICIAL Village of Mamaroneck 169 Mt. Pleasant Ave. Mamaroneck, NY 10543			
SECTION III - FINDINGS			
<b>PART A:</b> Refer to subparagraph 6-2b in the NFIP Guidance for Conducting CAC's and CAV's for guidance in completing questions 1-4. <b>Circle appropriate response.</b>			
1. Are there any problems with the community's floodplain management regulations? Local Law #11 of 2007			NONE
2. Are there problems with the community's administrative and enforcement procedures? Permits by ex-BI		MINOR	
3. Are there engineering or other problems with the maps or Flood Insurance Study? New Maps			NONE
4. Are there any other problems in the community's floodplain management program?			NONE
5. Are there any problems with the Biennial Report data? (Attach a copy showing the updated Biennial Report information.)			NO
6. Are there any programmatic issues or problems identified ? (Programmatic problems may relate to the nation or region as a whole, not merely to an individual community)			NO
7. Are there any potential violations of the community's floodplain management regulations (Check appropriate category) <input checked="" type="checkbox"/> A potential violation of violations has/have been identified. <input type="checkbox"/> No violations have been identified. <input checked="" type="checkbox"/> Actions are being taken on the part of the community to remedy the violation(s) identified during the CAV. For each structure identified as a potential violation, attach appropriate documentation per the guidance provided in subparagraph 5-2d of the NFIP Guidance for Conducting Community Assistance contacts and Community Assistance Visits.			

SECTION III - (Cont.)	
<b>PART B: (NARRATIVE)</b> - Attach a narrative statement addressing each of the following. Identify each page of the narrative with the following: Name of community, date of CAV, and name of person conducting the CAV.	
<b>1. BACKGROUND.</b> Include in this section a brief statement on the reasons the community was selected for the CAV. Also, include in this section any relevant background information such as the history of the community's floodplain management program history of flooding in the community, a general description of the character of the flood hazard and floodplain development, availability of sites for development outside the SFHA.	
<b>2. Reference Part A, questions 1-4.</b> Provide a narrative statement of the findings for a serious or minor answers in questions 1-4.	
<b>3. Programmatic Issues.</b> Describe any programmatic issues or problems identified as a result of this CAV or as a result of a number of CAV's conducted over a period of time. Indicate whether the program or issues supports the need for a rule change, the development of a manual or guidance document, a statement of policy by FEMA, or whether the problem or issue can be resolved through the issuance of a guidance memorandum from FEMA or by the provision of technical assistance.	
<b>4. Section 1362, NFIP Flood Damaged Property Purchase Program.</b> If properties have been acquired under Section 1362, provide a brief description for each of the following: <ul style="list-style-type: none"> <li>a. Is the use of the land consistent with the community's Land Reuse Plan for open space or for recreational use?</li> <li>b. Are structures or other improvements located on the land, except rest rooms, open on all sides and functionally related to the open space or recreational use or are properly elevated or floodproofed?</li> <li>c. Is the property maintained in good condition and all debris or other improvements such as concrete slabs or foundations which are not part of the reuse plan removed?</li> </ul>	
<b>5. E.O. 11988 Floodplain Management.</b> Describe any known or probable Federally funded actions which have taken place in the SFHA which appear to be inconsistent with E.O. 11988-Floodplain Management.	
<b>6. Other findings.</b> Describe in this section any other issues related to the community's floodplain management program. Examples of these activities include: post-flood mitigation programs, disaster preparedness efforts, relocation programs other than those related to Section 1362, a description of any unique or innovative floodplain management procedures or programs along with any recommendations related to transferability to other communities.	
<b>7. Follow-up.</b> Provide a narrative statement as to the type of follow-up assistance provided at the time of the CAV or any additional follow-up which is needed to assist the community in resolving or preventing any future program deficiencies or violations, e.g., community needs assistance in revising its floodplain management regulations, local officials need workshop to provide detailed information on the NFIP and its requirements, local officials need a floodproofing workshop, local officials need assistance in updating the community's permit procedures. Include a schedule for completing any follow-up promised to the community, e.g., recommended date for conducting a workshop.	
<b>8. Community Action Needed.</b> Provide a narrative statement as to the appropriate community actions that should take place to resolve the particular issue or problems, e.g., revise floodplain management permit form, update floodplain management regulations, require elevation certificates. Include a schedule setting out the expected time for the community to resolve the problem or issue, or for which some type of action is expected, e.g., expected date for adoption of the local floodplain management regulations.	
SECTION IV - Completed by the FEMA regional office.	
DATE CAV CLOSED	INITIALS

## **PART B: (NARRATIVE)**

**1. Background:** The Village of Mamaroneck has had an open CAV for the past few years. There has been a considerable amount of development in the floodplain considering the built-out nature of the Village. Much of the new development in the floodplain has been demolitions and rebuilds. The Village has a new Building Inspector, John Winter, as of the fall of 2007.

**2. Reference Part A, questions 1-4:** The Village has a new FIRM and Local Law as of the summer of 2007. The previous building inspector, Richard Carroll (now retired), was cooperative, but slow to provide documentation for development in the floodplain. There were a few houses that raised serious concerns concerning development in the floodplain and unfortunately, Mr. Carroll seemed to be doing little to remedy those issues. Mr. Winter appears to be coming in with the intention to address previous issues with construction in the Village.

There were a few houses in the coastal hazard zones (one on Constable Drive and another on The Crescent) which had improper break-away walls. Mr. Winter has issued stop work orders and consent orders to ensure that the break-away walls are properly constructed prior to any consideration for Certificates of Occupancy. He will also look into other properties that may have floodplain development issues.

**3. Programmatic Issues:** None

**4. Section 1362, NFIP Flood Damaged Property Purchase Program:** There are no 1362 properties.

**5. E.O. 11988 Floodplain Management:** There are no issues with E.O. 11988.

**6. Other findings:** None

**7. Follow-up:** Although he seems versed in the NFIP, Mr. Winter plans to attend a workshop when it is offered in the area. DEC left him with some NFIP materials (technical bulletins, FEMA 480, and other information). DEC will plan on an informal follow-up in the future.

**8. Community Action Needed:** The Village intends on reviewing the attached list of properties to ensure all necessary permits were issued and elevation certificates were obtained. For those properties missing materials, Mr. Winter will try and get copies of needed materials and/or inform residents of potential issues with the NFIP.