

Hampshire Country Club Planned Residential Development  
Village of Mamaroneck,  
Westchester County, New York  
Final Environmental Impact Statement

# B Letters and Written Comments Received on the DEIS



## MEMORANDUM

To: Betty-Ann Sherer

From: Stuart Mesinger

cc: Lester Steinman

Date: May 14, 2018

Re: Hampshire Country Club Planned Residential Development DEIS Comments

Job #: 81540

Attached please find the comments on the DEIS for the Hampshire Country Club Planned Residential Development adopted by the Planning Board on May 8, 2018.



|    | Section           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | Executive Summary | Page 1-10. Last paragraph. States that there is no direct impacts to wetlands (filling, draining, vegetative clearing) at the project site, and no impacts within 100 feet of wetlands. The wetland boundaries should be verified by the Corps and the NYSDEC, and the results should be provided in the EIS.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 2  | Executive Summary | Page 1-14. Vegetation and Wildlife. The Executive Summary should state that there are no federal or state listed endangered, threatened or rare species identified. The cutting of 432 trees is an impact in this urban environment, especially if those trees are large (>3” dbh) and able to provide nesting for migratory birds, albeit common species. The Executive Summary should state if there is a timing restriction proposed on clearing to protect migratory birds. The summary should state the basal area of existing trees to be cut versus the basal area of new replacement trees to be planted.                                                                                                                                                                                                                                                                                                                                                                                                             |
| 3  | Executive Summary | Page 1-14. Critical Environmental Area – will the 36 acres of preserved area be held in a deed restriction or conservation easement, or held by an HOA? If so, how will the developer ensure that buffer plantings etc. around wetland areas for water quality improvements, are managed and maintained as proposed, and are not cut down to the water’s edge to continue to ensure fast and easy play on the golf course? Will the rocks around these areas be removed and will the areas be flattened out to provide a more connected riparian/lacustrine fringe buffer to the waterbody or wetland? Is there a management plan for these areas, and/or adaptive management plan to ensure that the buffer plantings and other areas grow in and become the proposed intended buffer. Will they be in a deed restriction or protected area controlled by another entity? How will the management ensure that Phragmites or other invasives are not become introduced by equipment constructing or operating in these areas? |
| 4  | Executive Summary | Page 1-12. Section 1.E.7 – Floodplains. Potential Impacts - “All proposed buildings and roadways would be located outside the 100-year and 500-year floodplains.” Buildings and road are located within regulatory floodplain. With the proposed grading changes, all proposed buildings and roadways on the Project Site will be located ABOVE the 100-year and 500-year floodplain base floodplain elevations. If the project was constructed and the LOMR-F was not submitted to FEMA to change the regulatory floodplain boundaries, the proposed buildings and roadways would still be in the floodplain.                                                                                                                                                                                                                                                                                                                                                                                                                |
| 5  | Executive Summary | Page 1-7, third paragraph. First sentence implies that the Hampshire Country Club is the land's custodian, but elsewhere the DEIS indicates the HOA would be the custodian. Clarify.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 6  | Executive Summary | Page 1-13. Water Supply and Sanitary Sewage Mitigation Measures. Reference should be made to the applicable appendix.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 7  | Executive Summary | Page 1-20. Alternative B. "With this alternative, the Village of Mamaroneck would lose a good portion of the open space/recreation that currently is provided on the R-20 portion of the Project Site." The private aspect of this space should be noted, as in "open space/private recreation." This clarification should be made throughout the document.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 8  | Executive Summary | Page 1-11. First paragraph. Sentence starting with "Given these.." Replace "measure" with" measures".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 9  | Executive Summary | Page 1-12. Mitigation measures. Remove extra period at the end of the first sentence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 10 | Executive Summary | Page 1-15. The statement that noise impacts would be negligible is not supported by analyses in the DEIS. This discussion may need to be revised based on the results of the analyses requested in comments 138 and 139.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 11 | Executive Summary | Page 1-16. Define the length of the short term period during which construction impacts to air quality could occur.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12 | Executive Summary | Page 1-18. Mitigation measures. First paragraph. Last sentence. "Cooper" not "Copper".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

|    | Section                             | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 13 | Executive Summary                   | Page 1-20. Alternative C. First sentence. Insert "be" after would.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 14 | Description of Proposed Project     | Existing Conditions Plan. Exhibit 2-6. Is not in color, so doesn't clearly show the wetlands, ponds and drainage system on the site. Provide the figure in color similar to the wetland figures.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 15 | Description of Proposed Project     | Provide a subdivision application and preliminary subdivision plat.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 16 | Description of Proposed Project     | Provide details regarding the establishment of a homeowners association to manage the common spaces. Will the homeowners association be managing and maintaining the roads and be responsible for snow removal and other necessary work?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 17 | Description of Proposed Project     | Provide an opinion from a title company counsel regarding ownership and rights to use and relocate access points and to improve and maintain roads. The opinion of title counsel should also address the covenants and easements on the project site and their impact on the Applicant's ability to construct the proposed development.                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 18 | Description of Proposed Project     | Delineate areas of proposed open space on the development plan. How will the open space be separated from the golf course? Who will have access to the open space and how will it be accessed? Will there be public access?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 19 | Description of the Proposed Project | Provide a figure illustrating the buffers between the proposed development and the open space areas.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 20 | Description of the Proposed Project | Will the backyards of the houses bordering the berms be fenced to avoid accidents? Will residents have access to the land below, for example, if a ball goes over a fence?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 21 | Description of Proposed Project     | During the April 11 public hearing a representative of the applicant said that the golf course configuration shown in the EIS would be revised. The revised course layout should be provided in the EIS and its attendant impacts analyzed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 22 | Description of Proposed Project     | Provide a figure illustrating the easements required for water and sewer dedication to the Village or county, including all those required for pipes and pump stations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 23 | Description of Proposed Project     | CEA - See also page 2-21. A review of Exhibit 2-14A, Landscaping Plan shows that most of the proposed trees are small. Norway spruce, Colorado spruce, western arborvitae and Leyland cypress are not native evergreens, and these are 48 of the 432 trees (11%). Many of the deciduous trees are also hybrids, rather than native trees, including the sunset red maple, and the autumn blaze red maple, and the heritage river birch, the Franz Fontaine hornbeam, the Liberty sycamore, the Redmond linden, and the accolade Elm and the Zelkova serrata. The trees are also 2-21/2 inch cal significantly smaller than many of the trees that are proposed to be replaced. Discuss the use of more native trees and a higher percentage of large trees. |
| 24 | Description of Proposed Project     | Exhibit 2-14A. Will Spartina patens grow around the wetland ponds - is the water brackish enough? Will the wetland and infiltration areas not use hybrid trees or shrubs? Will the herbaceous be planted as a seed mix or as individual plugs. Define rate or spacing, respectively.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 25 | Description of Proposed Project     | Discuss the consistency of the proposed landscaping plan with <i>A Coastal Planting Guide for the Village of Mamaroneck, NY</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

|    | Section                         | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 26 | Description of Proposed Project | A draft Construction Management Plan demonstrating construction sequencing and means to deal with contaminated soil and groundwater should be presented. It should focus particularly on management of contaminated soils, for example during dry and windy conditions, during heavy rainfalls, during winter conditions including ice and snow, during dewatering activities, and to ensure material isn’t tracked off-site by construction vehicles. The Construction Management Plan should incorporate the Sediment and Erosion Control Plan discussed on pages 3F-8 and 9 and required by the SWPPP and it should discuss how dewatering will be accomplished, including where water will be directed to. |
| 27 | Description of Proposed Project | Discuss the provision of an environmental monitor during the construction period.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 28 | Description of Proposed Project | Provide a more detailed discussion of the condition of the floodgates. Who owns and maintains them? What would happen if they fail? At what elevation of sea level rise would they be overtopped?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 29 | Description of Proposed Project | Will public access to the private roads in the development be allowed?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 30 | Description of Proposed Project | Page 2-6. Insert space before Village of Mamaroneck Building Department                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 31 | Description of Proposed Project | The respective rights and obligations of the unit owners and Club members regarding all aspects of accessibility, use, operation and maintenance of Club property (e.g. pool, tennis courts, etc.) dedicated to either residential or recreational use should be discussed in the FEIS.                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 32 | Description of Proposed Project | Page 2-18. In the stormwater management section, explain why water quality control is not required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 33 | Description of Proposed Project | Page 2-18. Will the entire fill platform be constructed in a single phase at the beginning of the project or will it be constructed in phases. If in phases, describe them.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 34 | Description of Proposed Project | Page 2-19. Last paragraph. "Provide" not "provides".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 35 | Description of Proposed Project | Page 2-21. A portion of vacated Eagle Knolls Road at the base of the slope for the clubhouse will also remain as a service drive for loading and basement and mechanical space access for the clubhouse. Clarify or correct the description.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 36 | Description of Proposed Project | Section 2.E.1.b. II. Page 2-15. Contains the statement “Stormwater management features may also include bio-swales,” however bio-swales are not identified as stormwater management practices in the SWPPP. Clarify.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 37 | Description of Proposed Project | Section E.1.b. III. Page 2-16. Contains the statement “Systems and fixtures would be utilized to provide significant reductions in water consumption which also result in reduced demands on municipal sanitary systems,” however there is no specific information provided. Information presented in section 3.H.Water Supply and section 3.I. Sanitary Sewage present typical water use rates (110-gpd/bedroom) used to estimate total water demand and sanitary sewer loading. There is no discussion of systems or fixtures that would provide significant reductions in water consumption.                                                                                                                |
| 38 | Description of Proposed Project | Page 2-14 Site Access, Roadways and Circulation. “This relocation (of Cove Road) would permit the Applicant to elevate the roadway above the floodplain, thereby eliminating existing flooding conditions.”<br>The elevated roadway does not remove any portion of the properties from the regulatory floodplain unless a LOMR-F is submitted and approved by FEMA to alter the floodplain boundary.                                                                                                                                                                                                                                                                                                           |
| 39 | Description of Proposed Project | Clarify the difference between member and non-member club events. Is any event sponsored by a single club member a "member event" or is there some other definition?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

|    | Section                                       | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 40 | Description of Proposed Project               | Pages 2-18 and 2-27 contain statements that there are no cumulative impacts associated with the operations of the PRD and the Club. Further information should be provided justifying this statement. The EIS should provide information regarding the projected use of the site when the Club is holding special events. According to the DEIS there were 161 such events in 2016.                                                                                                                       |
| 41 | Description of Proposed Project               | Is a playground planned for the project?                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 42 | Description of Proposed Project               | Will a buffer be provided between the relocated golf course and adjoining neighbors? If so, describe the buffer.                                                                                                                                                                                                                                                                                                                                                                                          |
| 43 | Description of Proposed Project               | During the April 11 public hearing a representative of the Applicant made reference to a report from the National Golf Foundation regarding golf course viability. That report should be submitted as part of the SEQRA record.                                                                                                                                                                                                                                                                           |
| 44 | Description of Proposed Project               | How will the houses be heated: with natural gas or fuel oil?                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 45 | Description of Proposed Project               | How will underground utility lines be protected from flood damage?                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 46 | Land Use, Zoning, and Public Policy           | Page 3A-14. As to the derivation of the Village’s PRD legislation, the Applicant cites Section 7-703-a of the Village Law – Incentive Zoning. However, such legislation was not enacted until 1992. The Village’s PRD legislation was enacted prior to that time. Section 342-50 of the Village Code states that it was enacted pursuant to Former Village Law Section 7-725. Former Village Law Section 7-725 related to site plan approval. That subject is now covered by Village Law Section 7-725-a. |
| 47 | Land Use, Zoning, and Public Policy           | The draft LWRP states that “the zoning changes discussed in the 2012 Comprehensive Plan to preserve Hampshire and better reflect the use of Village parks and open space would be consistent with the goals and objectives articulated in policies presented in this LWRP.” The EIS should explain that the Proposed Action does not involve a zoning change discussed in the Comprehensive Plan and that the Comprehensive Plan does not address the Applicant’s PRD application.                        |
| 48 | Land Use, Zoning, and Public Policy           | Table 3A-2, Bulk and Area Requirements, shows the Floor Area Ratio (FAR) for the R20 District as being 0.3. In 2016 the zoning ordinance was amended to a sliding scale where the FAR is based on the size of the lot. For lots over 20,000 SF, the FAR is 0.27 and the maximum gross floor area is 5,400 SF. Discuss compliance with these requirements.                                                                                                                                                 |
| 49 | Land Use, Zoning, and Public Policy           | Summarize the proposed lot sizes for the single family and carriage home lots.                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 50 | Land Use, Zoning, and Public Policy           | Page 3A-4, Future Without the Project section. In the event the project is not approved, what are the owner's plans for the property?                                                                                                                                                                                                                                                                                                                                                                     |
| 51 | Land Use, Zoning, and Public Policy           | Page 3A-5, Hommocks School is located to the southwest, not the southeast, of the project site.                                                                                                                                                                                                                                                                                                                                                                                                           |
| 52 | Land Use, Zoning, and Public Policy           | Page 3A-20. Last paragraph, mid-way. Close parens.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 53 | Community Character and Visual Resources      | Visibility Test Photographs. Location 1. "Addition" should be replaced with "Additional".                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 54 | Community Character and Visual Resources      | Page #B-2. Fairway Green is located between Old Post Road and the project, not between Hommocks Road and Orienta Avenue.                                                                                                                                                                                                                                                                                                                                                                                  |
| 55 | Geology - Soils, Topography, and Steep Slopes | Page 3C-1. Table 3C-1: Hydric class (percentage) of each soil should be reported.                                                                                                                                                                                                                                                                                                                                                                                                                         |

|    | Section                                       | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 56 | Geology - Soils, Topography, and Steep Slopes | Exhibit 3C-3, Steep slopes illustrates a new road exiting to the northeast corner of the site in an area of steep slopes over 25% and of 15% to 25% slopes. This does not appear to be discussed in the document as an impact. How will this road be constructed; will retaining walls be needed? What is the slope of this roadway? There was no geotechnical testing in this area based on the map. Will blasting be needed here?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 57 | Geology - Soils, Topography, and Steep Slopes | The cut and fill plan provided at Exhibit 2-13 provides the amount of cut and fill but it does not provide the depth of the proposed cuts. A more detailed cut and fill plan should be provided showing areas of cut and fill by two-foot contour intervals in order that cuts can be evaluated in relation to groundwater levels. Page 3C-5 indicates there will be cuts of up to 5-6'. The cut and fill plan should be related to groundwater levels and a discussion provided of how groundwater, when encountered, will be managed. DEIS page 3D-1 indicates that groundwater depth averages 1.2' below the surface across 60% of the site and groundwater is found at a depth of 0.5'-1.4' in one monitoring well. Page 3D-1 states that groundwater will not be encountered during construction; however, Appendix G, the Preliminary Geotechnical Report, acknowledges that groundwater will be encountered during construction (groundwater is at 1.6' below grade in at least one location where cut is proposed). We recommend that additional borings be conducted as part of the EIS process to more completely characterize the site and evaluate groundwater levels. |
| 58 | Geology - Soils, Topography, and Steep Slopes | Provide the CAD files for proposed site grading in order that cut and fill volumes can be assessed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 59 | Geology - Soils, Topography, and Steep Slopes | Provide a discussion of how the platform on which the houses are proposed to be constructed will be stabilized against erosion and damage from wave action.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 60 | Geology - Soils, Topography, and Steep Slopes | Exhibit 3C-1. Village of Mamaroneck not Town of Harrison.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 61 | Geology - Soils, Topography, and Steep Slopes | Page 3C-3. Last paragraph. In other sections of the DEIS, rock removal is noted as potentially necessary. Clarify.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 62 | Groundwater Resources                         | Provide groundwater test results from the existing wells for the same contaminants found in the soils.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 63 | Surface Water Courses and Wetlands            | Exhibit 3E-1, Table 3E-1, and this section state that Wetland A is "isolated." However, this wetland lies within the 100-year floodplain as shown in 3C-4. Typically, the Corps does not identify wetlands as Isolated under Section 404 of the Clean Water Act if they lie within a 100-year floodplain. An approved jurisdictional determination from the Corps providing the regulatory status of this wetland should be provided.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 64 | Surface Water Courses and Wetlands            | Exhibit 3E-3 does not show any DEC freshwater wetlands although they are included in the legend. Is that because there are none?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 65 | Surface Water Courses and Wetlands            | Page 3E-5, 2nd paragraph states that it is the Applicant's opinion that Wetland A and Golf Course Drainage System 2 (Ponds 5 and 6) may not be regulated by the Corps. It has been our experience that wetlands within floodplains are typically identified as regulated by the Corps, more so here given that this is within a tidal floodplain, where there is a proximate nexus to tidal waters of the United States. An approved Jurisdictional Determination from the Corps should be provided.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

|    | Section                            | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 66 | Surface Water Courses and Wetlands | Page 3E-6. The statement that “the loss of a daily custodian to maintain the open space on golf courses results in degradation and property damage through neglect,” is not an accurate statement as it would relate to wetlands and watercourses. It is likely that if the watercourses on this site were not maintained artificially, a larger area of wetlands might form. Even if the wetland area did not change, its structure would become more complex through lack of maintenance, as herbaceous plants were able to grow taller, and shrubs and trees colonized these areas based on hydrologic conditions. This structural complexity would result in wetlands that had higher function than the mowed grass up to a drainage or pond system that exists now. The mitigation plan proposes to accelerate this type of succession through the landscaping plan within the buffer areas. |
| 67 | Surface Water Courses and Wetlands | Page 3E-6. The wetland functionality section states that no direct impacts to wetlands are proposed. Clarify if this means wetlands that might be found “isolated” for purposes of Section 404 of the Clean Water Act.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 68 | Surface Water Courses and Wetlands | Page 3E-7 does not clearly indicate whether there will be a net gain or a net decrease in flow volumes/duration to the wetland features, and how that might impact their hydrology and functionality under current and proposed conditions. This should be stated as part of a water budget for the wetland systems as an existing and proposed condition. See also DEIS statement on page 3E-9, Mitigation, second paragraph “As a result, onsite stormwater discharges to the three existing golf course drainage systems would decrease, with a corresponding reduction in pollutants, organic materials and mineral sediments to the ponds that comprise these systems.” Will changes in stormwater hydrology to the ponds affect the size of the ponds and/or the volume of water feeding the remaining wetland system? See also page 3L-2.                                                  |
| 69 | Surface Water Courses and Wetlands | Page 3E-7 – See previous comments about the need for additional descriptions of how the buffer areas around wetlands will be constructed and managed to maintain or improve functionality. Will the rocks around these areas be removed and will the areas be flattened out to provide a more connected riparian/lacustrine fringe buffer to the waterbody or wetland? How will these areas be managed and by whom? How will invasives be kept out?                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 70 | Surface Water Courses and Wetlands | Page 3E-8 – are all wetlands on the site regulated by the Town or Village of Mamaroneck? If so, state so.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 71 | Surface Water Courses and Wetlands | Page 3E-9, Mitigation - add to last sentence in that first paragraph that the buffer plantings around wetlands and watercourses on the site....would also improve overall plant and wildlife species diversity, stormwater storage/remediation and diversity, and may also improve water quality. This assumes proper buffer management, allowing these areas to grow in and stay native without cutting. Will the areas be marked as out of bounds/no cutting?                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 72 | Surface Water Courses and Wetlands | A figure should be provided defining what portions of the existing golf course drainage system would be routed through the proposed development drainage system. Will this re-reouting require a permit from ACOE? If so, a discussion of the impacts and mitigation should be provided.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 73 | Surface Water Courses and Wetlands | Stormwater drainage inputs to off-site wetlands systems will be increased at one outlet and decreased at the other (see Pages 3E-7, 3F-4 and the SWPPP). The impacts to wetlands both on and off-site from the change in flow regime should be analyzed. A figure should be provided comparing the existing drainage system as shown in Exhibit 3E-1 and 3L-2 with the proposed drainage system.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 74 | Stormwater Management              | Mitigation, Section a. States that “two pipes 48 inches in diameter will be located across Cooper Avenue to the north and south of Fairway Lane along the northeastern property line to avoid ponding as a result of the proposed grading changes, and as shown on Exhibit 3F-1, Grading and Utility Plan.” The plan shows an 8’x8’ box culvert under Cooper Lane for golf cart access, however no 48-inch diameter pipes are indicated.                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 75 | Stormwater Management              | Discuss how drainage from adjoining properties is accounted for in the SWPPP.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



|    | Section               | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 76 | Stormwater Management | Page 3F-7 indicates that porous pavement may be used. What considerations will go into making this decision?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 77 | Stormwater Management | Page 3F-8. Last sentence on page. Add space after 2016.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 78 | Floodplains           | Page 2-25 argues that Section 186-5(A)(3)(c) of the Village Code requiring hydraulic equivalency for any filling in a floodplain does not apply because "the purpose of this regulation is to ensure that any new construction in a regulatory floodway remains hydraulically balanced to the existing conditions and as a result there would be no increase in flood elevation." This argument is also made on pages 3G-2, 3, and 6. However, Section 186-5(A)(3)(c) does not reference floodways, it applies to the floodplain. This section of the code therefore applies and hydraulic equivalency through compensatory storage must be achieved. We have confirmed this code interpretation with the Village Building Inspector who is responsible for administering the floodplain ordinance. If hydraulic equivalency cannot be achieved, a variance will be required. The EIS should either demonstrate achievement of hydraulic equivalency or show how the project meets the criteria for a variance. |
| 79 | Floodplains           | A number of commentors noted that the property floods and is slow to drain during heavy rainfall events; i.e. not only during the 100-year storm event, but during higher return interval storm events. Provide an analysis of water levels on the property during flood events from the 10, 25 and 50-year return storm intervals and provide a discussion of whether flooding from storms of these types will impact other properties. Also address the time for the property to drain during the above storm intervals.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 80 | Floodplains           | Compare the flood elevations from Superstorm Sandy to the 100-year flood elevations modelled in the DEIS and discuss how a storm of that size would affect the property.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 81 | Floodplains           | Discuss the amount of sea level rise that would result in the overtopping of Eagle Knolls Road and Cove Road, thus potentially stranding people in a flood. How does this compare with the range of projections for sea level rise? How does this compare with the current regulatory flood elevation?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 82 | Floodplains           | Page 3G-8. Mitigation. 5. “With the proposed grading changes, all proposed buildings on the Project Site will be located outside the 100-year and 500-year floodplains.” With the proposed grading changes, all proposed buildings on the Project Site will be located ABOVE the 100-year and 500-year floodplain base floodplain elevations as required by the Village Code. If the project was constructed and the a LOMR-F was not submitted to FEMA to change the regulatory floodplain boundaries, the proposed buildings would still be in the floodplain.                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 83 | Floodplains           | Pages 1-12 and 3G-6 indicate that all finish floor elevations will be a minimum of 3.5’ above the Base Flood Elevation. Elsewhere, for example page 2-25, it is states that “all buildings will be located at a minimum of 2’ above the bas flood elevation. Clarify.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 84 | Water Supply          | Project site is described in at least one location as “Hampshire COUNTY Club”. Modify to “Hampshire Country Club” throughout report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 85 | Water Supply          | Subsection 3 of Section H lists a Westchester County Department of Health usage rate of 110 gallons per bedroom per day. Provide citation for this usage rate.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 86 | Water Supply          | In accordance with 10-State Standards, Westchester County Department of Health also reviews and approves hydrant locations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

|    | Section         | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 87 | Water Supply    | Clarify what is meant by the phrase “WJWW did acknowledge access to water main...”. Is that simply that the water main exists and is accessible, or did they give approval to connect?                                                                                                                                                                                                                                                                                                      |
| 88 | Water Supply    | Without any hydraulic modeling, Section 3 is incomplete. Potential impacts cannot be determined without conducting the modeling that is discussed in that section. The modeling should be provided.                                                                                                                                                                                                                                                                                         |
| 89 | Water Supply    | The conclusion of Section 4 – Alternatives presumes that hydraulic modeling will show that sufficient capacity exists. Since the modeling has not yet been conducted, the extents of required improvements are not yet known, and therefore this conclusion cannot be made. The modeling should be provided.                                                                                                                                                                                |
| 90 | Water Supply    | The design concept appears to show some proposed water lines closer than 10’ from sewer and storm infrastructure. Final design shall address water and sewer/storm separation in accordance with WCDOH requirements.                                                                                                                                                                                                                                                                        |
| 91 | Sanitary Sewage | Report references WCDOH design flow rate of 110 gpd per bedroom for a total design flow rate of 39,490 gpd. Does this take into account a peaking factor and if so, what is the factor? The flow calculations should be revised to clearly describe the citations for design flow rates and peaking factors, as well as a listing of calculated flow rates (average daily flow, peak hour flow, etc.).                                                                                      |
| 92 | Sanitary Sewage | Calculated sanitary sewer flow should include an allowance for infiltration and inflow to the proposed onsite collection system.                                                                                                                                                                                                                                                                                                                                                            |
| 93 | Sanitary Sewage | Calculated design flow rates should be coordinated with Water Supply section of the DEIS as applicable.                                                                                                                                                                                                                                                                                                                                                                                     |
| 94 | Sanitary Sewage | The capacity of the proposed onsite collection system to accommodate the calculated peak hourly flow shall be clearly demonstrated.                                                                                                                                                                                                                                                                                                                                                         |
| 95 | Sanitary Sewage | As proposed in the DEIS, condition and capacity assessment of the existing collection system downstream of the proposed connection point is required to confirm the ability of the system to accommodate wastewater from the project.                                                                                                                                                                                                                                                       |
| 96 | Sanitary Sewage | The DEIS references “project connection to the County pump station” but also states that “the project does not propose to utilize the existing County sewer pump station located on Cove Road.” The text and drawings should be revised to consistently describe the intended connection point from the project to existing sanitary sewer infrastructure. The Grading and Utility Plan currently appears to show the project force main connecting to the existing Cove Road pump station. |
| 97 | Sanitary Sewage | Applicant should review to determine if the pump station north of Lots 17 and 18 is required, or if a deeper gravity sewer in certain sections would be feasible to eliminate the pump station. Specifically, increasing gravity sewer depth near Lots 17 and 18 may allow all sanitary flow from the western portion of the site to be routed to a single pump station on the eastern side of the site.                                                                                    |
| 98 | Sanitary Sewage | The DEIS describes that WCDOH may require Village ownership of the gravity sewer main and pump stations. This requirement should be confirmed with WCDOH so that access requirements and ownership responsibilities can be clearly defined.                                                                                                                                                                                                                                                 |
| 99 | Sanitary Sewage | Applicant should clarify if the proposed sewer system will convey waste flows from the existing Club House to remain. If the existing Club House will be served by the new system, the Applicant should clarify proposed measures to mitigate ongoing grease blockages from the Club House (i.e. grease trap, etc.).                                                                                                                                                                        |



|     | Section                 | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 100 | Sanitary Sewage         | Show, as an alternative, a low pressure sewer system in which each house is equipped with an individual grinder pump. Discuss the pros, cons and environmental impacts of this alternative.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 101 | Vegetation and Wildlife | First paragraph. Second sentence. The area of trees should not be mixed into landscaped fairways, practice rough, greens and trees (81.6% of site). Identify the wooded areas as a separate area, as defined by Exhibit 3K-1, containing the 432 trees that are 8” dbh or greater.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 102 | Vegetation and Wildlife | Exhibit 3K-1, the removal of 432 trees are 8” dbh or larger is a significant impact. There is at least one 55” dbh tree. Include a chart or table with the number of trees in size increments by 5” groupings (i.e., number of trees 10” dbh or less; number of trees 11-15” dbh; 16-20” dbh ; etc.), so that the size range and numbers of trees in each cohort can be better understood. The tree lists on this exhibit are too small to read, except at 400x magnification. Take each group of trees and label them (i.e., Group A), and where they are found on the map, label that (i.e., “Area A”), and have a table in larger font around the edges of the map with the Group A...list trees and sizes; Group B, list trees and sizes etc.. The size of each wooded area could also be noted in this table around the edges of the figure. A chart or table of size groupings is also needed in this text to show the number of trees in different size classes in order to compare to what is being cut to what is being planted. The overall dbh of tree being cut versus the overall dbh of trees planted should be stated in the FEIS. |
| 103 | Vegetation and Wildlife | Provide a chart or table illustrating the size, in diameter at breast height, at 5" intervals, of trees to remain on the site after project completion. Provide the percentage of trees of each diameter group to remain on the site after project completion.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 104 | Vegetation and Wildlife | Exhibit 3K-2 should not include wooded areas as “landscaping” as it artificially and inappropriately reduces the value of the wooded areas. It would be more appropriate to call these areas “landscaping – grass and brush” and “landscaping – wooded."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 105 | Vegetation and Wildlife | Table 3K-1 should be totaled.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 106 | Vegetation and Wildlife | Page 3K-3. Paragraph B. Note that the only critical habitat identified by the USFWS in New York State is along the Great Lakes for the Piping Plover. Next sentence should read “There are also no state or federally listed rare, threatened or endangered plant or animal species known to inhabit the site.” Note that under federal records, the short-eared owl, for example is a state listed threatened species.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 107 | Vegetation and Wildlife | Page 3K-4. Provide an estimate of the total number of trees on the project site. What percentage of the total does the removal of 432 trees represent?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 108 | Vegetation and Wildlife | Page 3K-5. Table 3K-2 should break out Landscaping Woods versus Landscaping Grass and Brush to identify the impacts to wooded areas with large trees. The mitigation section should include a comparison of total basal area of coniferous versus deciduous trees to be cut versus planted. It is also difficult to differentiate between Landscaping (identified as basically the Golf Course in the existing condition) and the Meadows, Grasslands and Brushlands in the existing versus proposed condition. Is the increase in meadows, grasslands and brushland habitat claimed to be better than the existing golf course? The last paragraph states that there is no change in surface water features and wetlands as a result of the project. However, the SWPPP states that stormwater inputs into wetlands will be changed.                                                                                                                                                                                                                                                                                                             |
| 109 | Vegetation and Wildlife | Page 3K-6 – What does the sentence stating “however the areas of natural vegetated habitats, to be located in the shared open spaces, would grow significantly” mean? Grow in area, grow through in succession? The DEIS later states on page 3K-7 that the HOA will manage these open areas. What is the management plan? Will they be managed as mowed lawn, grassland (mowed once or twice a year), old field/shrubland or allowed to succeed to wooded habitat?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

|     | Section                                          | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 110 | Vegetation and Wildlife                          | <p>Page 3K-6. The only “critical habitat” identified by the USFWS in NYS is for piping plover along the Great Lakes. Stating that the site does not contain “critical habitat” does not mean that migratory birds do not use the site, nor does it mean that cutting down 432 large trees will not have an impact on migratory birds.</p> <p>The list of migratory birds that are Birds of Conservation Concern and within the range of the site is identified under within the USFWS Trust Resource List, contained within the DEIS body and in Appendix L. The NYS Breeding Bird Atlas (the site lies in Breeding Bird Block 6053c) identifies all birds which have been identified as breeding (nesting with young) in this geographic area. Include the list of breeding birds (birds of conservation concern) from the USFWS Trust Resources List and from the Breeding Bird Atlas Block 6053c in the FEIS and identify those birds that may be present on the site given the habitat features. All of these species (except perhaps for resident Canada geese) are migrating birds.</p> <p>The federal Migratory Bird Act prohibits the killing migratory birds. (See Appendix L, USFWS Trust Resource Report, page 4 which states “any activity which results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service. There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured. Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures.”)</p> <p>Cutting trees when birds are not nesting or fledging is an appropriate mitigation measure to reduce the potential killing or take of migratory birds. Generally, avoiding cutting of trees from April 15th through July 31st in this part of the state would avoid direct take of migratory birds. Secondly, planting larger native trees in order to make up for the significant reduction in total basal area tree loss would help reduce the take associated with the temporal loss of nesting habitat on the site.</p> |
| 111 | Vegetation and Wildlife                          | <p>Page 3K-6. Second to last paragraph. Discuss the loss of significant tree basal area.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 112 | Vegetation and Wildlife                          | <p>Mitigation Page 3K-7. There is a significant impact associated with the removal of trees. 432 trees removed at 30 inches dbh average, versus 432 trees planted at 2” dbh average. There is a substantial loss of wooded habitat, cooling potential and migratory bird nesting, if only for common species, but given the urban nature of this site, that may be significant. Furthermore, it is unclear whether there will be impacts on wetland hydrology from alteration of stormwater inputs. The maintenance plan for the 36 acres of open space is not defined; therefore, it is premature to state that conditions will be improved. The statement indicating that the future conditions of the site would enhance wildlife species assemblage is not well supported given the proposed landscaping plan and urban environment. The need for additional landscaping consistent with <i>A Coastal Planting Guide for the Village of Mamaroneck, NY</i> should be considered.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 113 | Vegetation and Wildlife                          | <p>Page 3K-7. 18. A discussion of the benefits and implications of prohibiting the use of inorganic fertilizers, pesticides and herbicides on the residential portion of the property should be provided.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 114 | Vegetation and Wildlife                          | <p>Provide an Integrated Pest Management Plan for the golf course.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 115 | Traffic, Transportation, Pedestrians and Transit | <p>The statement on page 3M-3 that pavement on East Cove Road is in "generally fair to good condition" should be reevaluated. The pavement appears to be in poor condition.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 116 | Traffic, Transportation, Pedestrians and Transit | <p>The DEIS recommends improving the pedestrian environment with completion of a sidewalk across the property. Given the proximity of Hommocks Middle School and other recreational facilities that will be frequented by residents of the project, the project should include sidewalk connections between the property and the sidewalk network on Hommocks Road. This would be a true improvement to the pedestrian environment and in keeping with the Safe Routes to School initiatives that is discussed in the study.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

|     | Section                                          | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----|--------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 117 | Traffic, Transportation, Pedestrians and Transit | It is unclear how the golf carts will navigate the course from the 2nd hole to the 3rd hole. There are proposed houses that appear to block a path for the carts without having to travel on the road. Although the road is private, this would appear to constitute a safety hazard.                                                                                                                                                                                                                                             |
| 118 | Traffic, Transportation, Pedestrians and Transit | Page 3M-40. First paragraph. Last sentence. Close parens.                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 119 | Traffic, Transportation, Pedestrians and Transit | Address change in traffic pattern on Cooper Avenue. Describe proposed improvements in detail and provide an assessment of impacts. Speciically, address the impacts of the proposed new sidewalks on Cooper Avenue and the proposed widening of Cooper Avenue.                                                                                                                                                                                                                                                                    |
| 120 | Traffic, Transportation, Pedestrians and Transit | During the April 11 public hearing a representative of the applicant stated that Cooper Avenue would be gated. This is not discussed in the DEIS. If this is now planned it should be described and the impacts with respect to traffic and pedestrian circulation discussed. Did the traffic study take into account the gating of Cooper Avenue? Who will control access to the gate (i.e. assuming it is locked, who will have the key?)                                                                                       |
| 121 | Traffic, Transportation, Pedestrians and Transit | Discuss the provision of on-site transportation such as a jitney service during rush hours to local venues such as the Mamaroneck and Larchmont stations and also to Harbor Island Park and downtown.                                                                                                                                                                                                                                                                                                                             |
| 122 | Traffic, Transportation, Pedestrians and Transit | Include in the analyses of construction vehicle traffic both trucks carrying fill and other construction vehicles. A numerical estimate of both trucks carrying fill and trucks other than those carrying fill should be provided. The hours during which construction truck traffic will occur should be compared to truck traffic during the same hours and compared to the both peak and off-peak hours of Hommocks School operation.                                                                                          |
| 123 | Traffic, Transportation, Pedestrians and Transit | Provide a quantitative discussion of increased construction truck traffic on residential streets leading to the project site. The analysis should compare existing traffic and truck volumes to construction traffic volumes.                                                                                                                                                                                                                                                                                                     |
| 124 | Traffic, Transportation, Pedestrians and Transit | Discuss, as a potential mitigation measure, limitation of the hours at which construction trucks may access the site.                                                                                                                                                                                                                                                                                                                                                                                                             |
| 125 | Traffic, Transportation, Pedestrians and Transit | Representatives of the School District indicated during the public comment period that certain intersections were troublesome. Identify those intersections, discuss issues as identified by the school district and provide an assessment of their significance and whether mitigation is needed.                                                                                                                                                                                                                                |
| 126 | Community Demographics, Facilities and Services  | Provide an analysis of the park and recreation needs generated by the project and the alternatives in the DEIS, as well as the additional alternatives requested in these comments, and provide an assessment of whether Village, Town and County resources are capable of meeting such needs. The analysis should include an assessment of impacts on local youth sports leagues, including field availability and use. The assessment should include the results of documented communication with recreation service providers. |
| 127 | Community Demographics, Facilities and Services  | Provide evidence that the Village of Mamaroneck Fire Department has reviewed and approved the site plan, including the location and arrangement of fire hydrants.                                                                                                                                                                                                                                                                                                                                                                 |
| 128 | Community Demographics, Facilities and Services  | provide a discussion of impacts on each of the Village service providers.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

|     | Section                        | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 129 | Fiscal and Economic Conditions | Page 3O-4. 2nd to last paragraph. The MUFSD has indicated the need for new portable buildings as recently as 2017 for other schools in the District. Section 3O-6 should provide an assessment of the need for new capital facilities as a result of children generated by the project. Note that this comment does not request a cumulative assessment of the impacts of all pending or proposed projects in the school district; rather, the assessment is requested for the applicant's proposed project only.                                                                                                                                                                                                                                                                                    |
| 130 | Fiscal and Economic Conditions | Provide substantiation for the use of \$2,600,000 as the assessed valuation of the proposed single family homes and \$1,300,000 for the assessed valuation of the carriage homes and town homes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 131 | Fiscal and Economic Conditions | Page 3O-8. First paragraph. \$11,162 should be replaced with \$11,416.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 132 | Fiscal and Economic Conditions | Page 3O-9. Table 3O-9. "Apparel" not "appeal"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 133 | Fiscal and Economic Conditions | Page 3O-11. First paragraph. How is 204 jobs calculated? Describe the jobs. Are they permanent or temporary?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 134 | Fiscal and Economic Conditions | Will the carriage houses be taxed as single family houses or as condominiums? How will the taxation status be maintained in perpetuity? Does the fiscal impact analysis accurately reflect the tax status of the residences?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 135 | Noise                          | Page 3R-3. The Village Code limits construction hours to 8:00 am to 6:00 pm. However, page 3M-37 references construction truck access between 4:00 pm and 7:00 pm. Clarify.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 136 | Noise                          | Page 3R-4. First paragraph. In other sections of the DEIS, rock removal is noted as potentially necessary. Clarify.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 137 | Noise                          | Pages 3R-4 and 3R-5. Discuss the potential need for noise mitigation measures. The need for such measures should be further evaluated and provided in the EIS if they are required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 138 | Noise                          | Discuss the impacts on noise to residences from truck traffic on residential streets leading to the project site. The analysis should estimate decibel levels from passing trucks compared to background noise levels and discuss the frequency and time period over which sound level increases will occur.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 139 | Noise                          | Provide a quantitative assessment of construction noise on nearby residential receptors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 140 | Alternatives                   | A reduced density project would have fewer impacts in a number of areas, including, among others, reduced impacts to open space and the property's associated CEA designation, reduced vegetation impacts, fewer truck trips and associated noise, fewer visual impacts and less construction disturbance and risks associated with the movement of contaminated soil. Provide reduced density versions of Alternative F, the No-Fill Alternative, with 25, 50 and 75-units and compare the impacts of each alternative to the proposed action. The comparison should cover each of the areas of the environment analyzed in the DEIS and be at a level of detail sufficient to allow the Planning Board to make a SEQRA Finding comparing the impacts of each alternative with the proposed action. |

|     | Section                                                 | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 141 | Alternatives                                            | A reduced density project would have fewer impacts in a number of areas, including, among others, reduced impacts to open space and the property's associated CEA designation, reduced vegetation impacts, fewertruck trips and associated noise, fewer visual impacts and less construction disturbance and risks associated with movement of contaminated soil. Alternative G, Rezoning for Condominium and Golf Course, in particular appears to have fewer impacts than the project analyzed in the DEIS, as well as fewer impacts than the other alternatives analyzed. Alternative G analyzes a 121-unit, five story condominium structure. The Applicant should additionally analyze less dense variants of this alternative. Specifically, provide an analysis of a 25, 50 and 75-unit condominium alternatives occupying roughly the same footprint as that shown in Alternative G. Compare the impacts of each alternative to the proposed action at a level of detail sufficient to allow the Planning Board to make a SEQRA finding comparing the impacts of each alternative with the proposed action. The visual impacts of two, three and four-story condominium buildings should also be analyzed, including visibility from the Long Island Sound. |
| 142 | Alternatives                                            | A reduced density project would have fewer impacts in a number of areas, including, among others, reduced impacts to open space and the property's associated CEA designation, reduced vegetation impacts, fewer truck trips and associated noise, fewer visual impacts and less construction disturbance and risks associated with movement of contaminated soil. Provide reduced density versions of the proposed action, with 25, 50 and 75-units and compare the impacts of each alternative to the proosed action. The comparison should cover each of the areas of the environment analyzed in the DEIS and be at a level of detail sufficient to allow the Planning Board to make a SEQRA Finding comparing the impacts of each alternative with the proposed action.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 143 | Alternatives                                            | Provide, for Alternative G, a plan for layout, ownership and maintenance of water and sewer facilities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 144 | Alternatives                                            | Describe how open space would be preserved and/or protected in Alternative G.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 145 | Alternatives                                            | With respect to Alternative G, would the proposed rezoning encompass or potentially impact properties other than Hampshire? If so, what are the potential development thresholds and impacts on those other properties?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 146 | Alternatives                                            | Discuss the precedent set by the the rezoning associated with Alternative G on other MR-zoned properties.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 147 | Alternatives                                            | During the February 14 public hearing comments were made to the effect that the Applicant had represented that Alternative G, if pursued, would be an age-restricted community. The Applicant should confirm whether or not this is the case and assess the impacts to the school district if it is. If it is the case, what would be the minimum age allowed to reside on the property?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 148 | Alternatives                                            | Provide an assessment of consistency with the LWRP for Alternative G, as well as the variants discussed in Comment 141 above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 149 | Alternatives                                            | The proposed project results in several disconnected areas of unmanaged open space. Can the site plan be reconfigured to result in less open space fragmentation? Discuss impacts on open space of a reconfigured alternative.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 150 | Alternatives                                            | Page 4-19. Second to last paragraph. Mid way. "the proposed flood wall would not adversely impact flooding conditions on adjacent properties." How has this been determined?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 151 | Effects on the Use and Conservation of Energy Resources | Will the houses be equipped with generators?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

|     | Section    | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 152 | Appendix B | Wetland Functional Assessment. Page 3 - The functional assessment identified a number of habitats on site including: Mowed Lawns with Trees and Successional Southern Hardwoods. The DEIS text did not identify Mowed Lawn with Trees or Successional Southern Hardwoods, even though large trees exist on site. There should be a category of “wooded habitat” in the list of habitats to be assessed for impacts within table 3K-1 and 3K-2.                                                                                                                                                                                                                 |
| 153 | Appendix B | Attachment D, page 9 shows common reed prevalent in one of the wetlands (isolated wetland A). Eradicating this invasive species from this wetland and restoring the wetland to a better habitat type would be appropriate mitigation. The EIS should discuss how spread of this invasive species will be controlled in wetland areas on the site, especially with buffer plantings.                                                                                                                                                                                                                                                                            |
| 154 | Appendix F | Appendix F should include a hydric soils report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 155 | Appendix G | The GZA Phase 2 Environmental Site Assessment notes that soils and sediments that exceed use standards and those that remain on-site may have regulatory restrictions, such as environmental easements or other land use controls, imposed. The need for and nature of such controls should be discussed.                                                                                                                                                                                                                                                                                                                                                      |
| 156 | Appendix G | Page 6 of the GZA geotechnical appendix recommends compaction of structural fill to 95% of its dry capacity. Does the number of estimated truck trips bringing fill to the site take into account the 5% or more of material volume that will be eliminated due to compaction? If not, the number of truck trips should be recalculated.                                                                                                                                                                                                                                                                                                                       |
| 157 | Appendix G | Pages 1-9 and 3C-5 acknowledge the need for up to 7-8 feet of rock removal. Page 6 of the GZA report notes the possibility of vibrations affecting nearby buildings. Pre and post-construction surveys of surrounding buildings should be conducted to ensure against foundation damage, or information should be presented that demonstrates that such surveys are not needed. In either event, a blasting mitigation plan should be presented in the EIS if blasting is proposed. Further, if blasting is required, quantify the amount of rock to be blasted, the number of blast events likley to be required, and the likely noise impacts from blasting. |
| 158 | Appendix H | Construction activities that have the potential to affect a historic property are not eligible to obtain coverage under the SPDES General Permit (GP-0-15-002) unless there is documentation that such impacts have been resolved. The SWPPP should include a discussion of this requirement, and include the necessary documentation.                                                                                                                                                                                                                                                                                                                         |
| 159 | Appendix H | A long term Operations and Maintenance Plan is required in accordance with Part III.B.2.f. of the General Permit, and question 38 of the Notice of Intent. The plan should provide inspection and maintenance schedules, and actions to ensure continuous and operation of each post-construction stormwater management practice.                                                                                                                                                                                                                                                                                                                              |
| 160 | Appendix H | The SWPPP indicates that the drainage channel from the site to Delancey Cove will be modified in order to convey the increased peak flow rate. This channel flows through an existing culvert under Eagle Knolls Road which will remain under the proposed condition. The SWPPP should describe the existing culvert and its capacity to convey the increased runoff, or if improvements to the culvert are required they should be described.                                                                                                                                                                                                                 |
| 161 | Appendix H | The SWPPP identifies two infiltration basins that will be utilized for stormwater management. The soil test results provided in the SWPPP are presented as Percolation Test Data. While percolation tests may be used for initial feasibility testing, the final design must be based on falling-head permeability tests performed in accordance with Appendix D of the NYS Stormwater Management Design Manual.                                                                                                                                                                                                                                               |



|     | Section    | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 162 | Appendix H | The infiltration test results should include the existing grade elevation where the tests are performed. Soil test data provided indicate brown sandy loam to a depth of 2-feet, with grey clay below 2-feet. Section 6.3.1 of the NYS Stormwater Management Design Manual states that infiltration practices cannot be located in fill soils, and the bottom of the infiltration facility shall be separated by at least three feet vertically from the seasonally high water table. The SWPPP should demonstrate how these requirements are met, or demonstrate why it is appropriate to locate infiltration practices in fill soils.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 163 | Appendix H | Soil infiltration testing is required for the proposed drywells. Section 6.3.1 of the NYS Stormwater Management Design Manual states that infiltration practices cannot be located in fill soils, except the top quarter of an infiltration trench or drywell. The SWPPP should define the elevations for the proposed drywells, and demonstrate conformance with this requirement, or demonstrate why it is appropriate to locate the drywells in fill soils.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 164 | Appendix H | Section 6.3.2 of the NYS Stormwater Management Design Manual states that all infiltration systems shall be designed to fully de-water the entire WQv within 48-hours after the storm event. The SWPPP should demonstrate conformance with this requirement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 165 | Appendix H | The design of the infiltration basins should include provisions for emergency overflow.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 166 | Appendix H | The proposed CDS pre-treatment units have maximum flow-through capacities. The SWPPP should include calculations to demonstrate that the flow-through capacity is not exceeded, or include provisions for external by-pass.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 167 | Appendix P | Significant additional soil testing will be required to further characterize the nature and extent of soil contamination on the site. This is noted on page 1 of the environmental site assessment which states that it is a generalized report based on widely spaced explorations and intended to convey trends. We agree that one sample per five acres is sufficient to characterize site soils. However, significant additional testing will be required to further characterize the site and develop a mitigation plan because substantial regrading and movement of soils is proposed, and because it is likely that groundwater will be encountered during regrading. There isn't enough information at present to make the statement on page 3Q-5 that 50-100 cubic yards of soil will be relocated, given that in excess of 200,000 cubic yards of soil are proposed to be moved. The EIS should provide evidence that the DEC has reviewed the site characterization data and agrees that the site has been sufficiently characterized. Additionally, evidence should be provided that the DEC has or will approve a remedial action plan for the site. |
| 168 | Appendix P | Provide further discussion of the fibrous peat layer identified in Appendix P. Where did it originate, will it be encountered during construction and is there reason to believe it might generate methane or other pollutants?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

|     | Section           | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 169 | Appendix Q        | <p>There are several incomplete items in Appendix Q:</p> <p>a. In the “Proposed Water Flow” paragraph, domestic flows are stated to have a “peak rate of 110 gpm”. Modify the unit to be gpd instead of gpm. Second, clarify what is meant by “peak rate”. Does “peak rate” mean the total demand on the maximum day, or does it mean the peak hour flow on the maximum day (or perhaps something else)?</p> <p>b. Provide citations, including document name, date, and issuing agency, for figures used:</p> <p>i. 110 gpd domestic demand</p> <p>ii. 5,000 and 10,000 square feet figures for irrigation of carriage and single family homes—this should be based on an actual average of the homes on this project.</p> <p>iii. 0.5 inches per square foot per week of irrigation</p> <p>iv. Average annual water consumption levels for the 18-hole golf course</p> <p>v. If an 18-hole course does have 18,000 gpd of demand, how do we arrive at 10,000 gpd for a 9-hole course? Shouldn’t the demand be half? Further justification for this calculation should be provided.</p> <p>c. The total water demand is listed as 81,234 in the “Proposed Water Flow” paragraph, but it’s listed as 81,334 in the table. These numbers should match.</p> <p>d. The analysis of water usage is incomplete, as it does not address peak usage rates for domestic, fire suppression, and irrigation usage. Peak usage rates should be estimated and incorporated in hydraulic modeling.</p> |
| 170 | Required Analyses | <p>Page 5-4. Floodplains. With the proposed grading changes, all proposed buildings on the Project Site would be located outside the 100-year and 500-year floodplains.” With the proposed grading changes, all proposed buildings on the Project Site will be located ABOVE the 100-year and 500-year floodplain base floodplain elevations as required by the Village Code. If the project was constructed and the a LOMR-F was not submitted to FEMA to change the regulatory floodplain boundaries, the proposed buildings would still be in the floodplain.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |



PUBLIC COMMENT  
HAMPSHIRE COUNTRY CLUB PLANNED RESIDENTIAL DEVELOPMENT  
DECEMBER 2017 DEIS  
SUBMITTED VIA EMAIL  
JANUARY 12, 2018  
THROUGH  
FEBRUARY 11, 2018

1. 01 12 2018 Creative Habitat Memo to HCZMC
2. 01 31 2018 ZILBERBERG Hampshire Public Comment
3. 01 31 2018 FEINBLOOM Hampshire Public Comment
4. 01 31 2018 MARLIS Hampshire Public Comment
5. 01 31 2018 SILETTI BeckyGray Letter Hampshire Public Comment
6. 01 31 2018 SOTO PINTO Hampshire Public Comment
7. 01 31 2018 McGRATH Hampshire Public Comment
8. 02 01 2018 GROSS Hampshire Public Comment
9. 02 01 2018 MULLANEY Hampshire Public Comment
10. 02 01 2018 ZAMBARDINO Hampshire Public Comment
11. 02 02 2018 JOHNSON Hampshire Public Comment
12. 02 02 2018 PLACHTA Hampshire Public Comment

**Additional comments received:**

**February 10, 2018 Through February 11, 2018**

13. 02 10 2018 RYAN Hampshire Public Comment
14. 02 10 2018 LANDAU Hampshire Public Comment
15. 02 11 2018 ARESTY Hampshire Public Comment
16. 02 11 2018 VILLAGE LANDSCAPE CONSULTANT Hampshire

**Creative Habitat Corp.**

253 Old Tarrytown Road, White Plains, NY 10603  
T: 914-948-4389 F: 914-948-4390 www.creativehabitatcorp.com

From: Sven Hoeger, Environmental Consultant to the HCZMC

To: Members of the HCZM Commission

Date: January 12, 2018

**RE: Hampshire Country Club DEIS**

The above referenced DEIS is, in my opinion, **not addressing the environmental policies of the Village of Mamaroneck LWRP to the fullest extent possible**. The DEIS in its statements and discussions of alternatives asserts that the proposed action is the best possible for environmental and economic reasons. Supporting this assertion are documents listed in the appendices (CD attached to the DEIS), which, when examined in detail, can be interpreted differently from the statements made in the DEIS. My detailed commentary on the environmental policies of the LWRP is listed below following a series of numbered comments that explain how I arrived at my interpretation of the DEIS.

1) Throughout the DEIS various area measurements are repeated frequently. It took me a while to make sense of them in the context of the entire site. I am therefore giving a summary of my understanding of the property and its current and future allocations as I read the document. The DEIS states that the entire site measures 106.2 acres. The Planned Residential Development applies to a 94.5 acre portion of the site (R-20 zoning). MR zoning, 4.4 acres and 7.3 acres in the Town of Mamaroneck (R-30) zoning complete the 106.2 acres. Building lots and roads will occupy 29 acres (page 3A-1). Future conditions will retain 36.8 acres of newly reconfigured golf course and a 36 acres set-aside of open space that preserves existing water features, such as ponds and ditches, for a total of 72.8 acres of open space. This open space refers to the entire property of 106.2 acres. The open space remaining on the R-20 zone is 65.5 acres (94.5 minus 29). The discussion of development versus open space should therefore more clearly state that the 7.3 acre portion of the site situated in the Town will not be touched by the development but will be counted toward the open space set-aside. It may also be important to note that overall an estimated 55.6 acres of the site will be physically impacted, including some of the open space areas (Page 3A-15). That disturbance number could also be 57.9 acres as stated in the Preliminary SWPPP.

2) The wetland assessment was done according to the Magee-Hollands Method protocol, which does take hydric soils into account, but does not examine their presence by taking soil samples and examining the soil coloration. Hydric soils are a determinant of wetland status, as stated clearly in the Village code, chapter 192, under the definition of wetlands. While I do not expect a drastically different delineation, there are likely areas of hydric soils that may have been missed with the currently applied method. I would like to inspect the site in person after all frost has left the ground and snow cover is gone to assure myself that the delineation did not miss areas of hydric soils.

3) The phase II Environmental Assessment mentions that practically the entire site has some arsenic, lead, and pesticide contamination, but fails to propose remedies for the 72.8 acres that are left undeveloped and are proposed for ongoing use as a golf course (36.8 acres) and as open space accessible for passive recreation (restricted to members of the future homeowner's association and club members). Note: The sample plot location map on page 716 of the report in appendix P is missing the sample plot number designations for plots 8, 9, 18 and 19.



4) More importantly, the DEIS states repeatedly and in detail in section 3K-2 “*Existing and Proposed Cover Types*”, under point 4 on page 3K7, that “*no significant adverse impacts to ecological resources on or adjacent to the project site are anticipated ....*”. The clustering of the development and the “*preservation*” of 36 acres of “*natural vegetation*” are proposed as “*primary wildlife mitigation*”. The word “*preservation*” of natural vegetation must be a misnomer, since table 3K-2 (page 3K-5) lists only 8.8 acres of the existing site as “*meadows, grasslands, or brushlands*”. It therefore stands to reason that the 36 acres of “*natural vegetation*” will be created as part of the landscaping plan. These 36 acres however are not contiguous, rather split into three disjunct parcels of roughly equal size spaced at equal distances in three corners at the perimeter of the property. They are effectively isolated from each other. The map (Appendix C – Existing Conditions Plan) shows the proposed allocation of preserved recreational, natural space, and golf fairways as interwoven, making the proposed “*open*” space very similar to the existing conditions – only significantly reduced in size. It would be more exact to make a statement that a total of 72.8 acres will be preserved in a similar character and with some improvements in landscaping as currently existing on the site. A very important difference to existing conditions is the fact that these 72.8 acres are no longer a cohesive unit. Advocating for migratory birds, wading birds, grazers, amphibians, reptiles and small mammals, it is important to see these three wetland/natural complexes from an animal’s perspective where they are rather separate from one another— especially when floating on a pond, stalking for worms at the shore or perched in a shrub. The mass of buildings, the roads – not to mention increased numbers of humans, their pets (CATS and dogs), and their vehicles, will provide formidable barriers for creatures which are not wing-endowed, such as amphibians (toads, frogs, salamanders), reptiles (turtles, snakes) and small mammals (mice, muskrat, opossums, etc.). **A meaningful, much better conceived and ecologically viable mitigation proposal would create a single set-aside preservation area, enhanced by natural vegetation and water features, even at the cost of losing existing water features elsewhere on the site to construction.**

5) On page 3K-3 the DEIS makes a statement about 28 bird species listed by the US Fish and Wildlife Service as potentially using the site during migrations. The DEIS correctly states that none of these species are “*rare or endangered*”, but omits to mention that ALL are flagged as “*Conservation Concerns*”(see Appendix L). In other words, these species are on a federal watch list and are regarded as vulnerable to disturbance and habitat loss. Their survival and conservation IS an important concern when making decisions concerning the future development of the site.

6) The DEIS also mentions proposed native plantings at the perimeter of ponds. Judging from the photos of those ponds and their connecting ditches, many of these plantings would not be directly connected to the water, but rather sitting high and dry above stone walls that define several of the aquatic features of the golf course. To have a meaningful ecological effect, many of these stonewalls would have to be removed, the adjacent land regraded to slope gently toward the water and then planted/seeded with native vegetation in accordance with a prevailing moisture gradient. This recommendation applies to ponds as well as ditches. A local example of how this was done along the Sheldrake River exists at the Bonnie Briar Golf Club in the Town of Mamaroneck.

7) While the Village of Mamaroneck does not have a tree preservation/replacement ordinance, the proposed one-for-one replacement of trees does not go far enough. Since only trees greater than 8 inches in diameter at breast height have been counted toward replacement, it is inevitable that at least an equal number of trees smaller than that size will be removed without replacement. It is also understood that the replaced trees will be replaced at smaller sizes, reducing the initial future canopy coverage dramatically. As a rule of thumb, the canopy of a tree increases exponentially as the tree trunk diameter increases. For example, a 4-inch caliper tree (the typical landscaping size) would only have a quarter of the canopy size of an 8-inch caliper tree (the minimum tree size counted for removal). If the applicant were to replace the canopy of



those trees counted for removal (432), and all of those were measured at only 8 inches in diameter, then at the very minimum the planting of at least 4 times as many trees as proposed would be required to adequately replace the lost canopy. That would amount to 1,728 replacement trees at 4-inch caliper size. In reality several of those removed trees will be larger than 8 inches, so that an even larger number of replacements would be required to truly reflect an ecologically equivalent replacement effort. This is not a mere numbers game, but a significant factor when considering the ecological impact the removal of existing trees will have on the environment and when planning for the enhancement and development of natural areas (preserved or created) on site. Tree removal also affects the water budget.

8) In its assessment of alternatives, when reviewing the non-development option, the applicant conjures up a situation whereby the golf course could not be maintained due to economic stress. In this case the DEIS, under the heading of “wildlife habitat” (p. 3K-4), states: *“Thus, without a custodian to manage these features of the Project Site, the existing habitat would become overgrown, and invasive species would be permitted to dominate the landscape, leading to an overall decrease in the quality of habitat”*. This of course is only the worst of the potential trajectories of natural development if the golf course would be left unattended. There are several other potential trajectories, some of which might be desirable from an ecological and even from an aesthetic point of view. Considering the following statement from New York State, an orderly conversion of the golf course into salt marsh by allowing frequent flooding may be one potential scenario if the development should not go forward: *“By 2100, scientists project sea levels 18 to 50 inches higher than today along New York's coastlines and estuaries, though a rise as high as 75 inches could occur.”* (<http://www.dec.ny.gov/energy/45202.html>)

9) The proposed stormwater pollution prevention and water quality improvement features will indeed make a positive contribution to the waters of the Hommocks marshlands and of Long Island Sound. The amount of fertilizers and pesticides lavished on the average golf course in the course of one year alone is staggering. The proposed reduction (halving) of golf course alone will make a significant contribution to better water quality, given its location so close to these environmentally sensitive areas. I would however like to see the developer go one step further and consider committing the future operator of the 9-hole golf course to Integrated Pest Management (IPM) procedures in an even farther reaching water quality improvement goal.

In strictly commenting on the environmental aspects of the LWRP in detail, following are my remarks concerning the above referenced DEIS:

1) Policies 7 – 10 Fish and Wildlife Policies:

*Policy #7 Significant coastal fish and wildlife habitats, as identified on the N.Y. Coastal Area Map (when finalized), shall be protected, preserved, and where practical, restored so as to maintain their viability as habitats.*

**Commentary: This policy does not apply.**

*Policy #7a. Significant coastal fish and wildlife habitats, as identified in the LWRP, shall be protected, preserved, and where practical, restored so as to maintain their viability as habitats.*

**Commentary:** Delancey Cove and Greacan Point Marsh are the closest “Significant Fish and Wildlife Habitats” listed in the Village of Mamaroneck LWRP. The **Hommocks Saltmarsh Complex** is listed by the Town of Mamaroneck as a “Locally Important Fish and Wildlife Habitat”. The **Hampshire Country Club** is listed by both municipalities as a “Critical Environmental Area”, which requires special scrutiny when developmental action is proposed. While the proposed development does not directly impact on either of



the listed fish and wildlife habitat areas, its drainage into the Hommocks marshlands and into Delancey Cove does have a significant effect on fish and wildlife habitat surrounding the club. Additionally, the open landscape character of the golf course with its various water features, grasslands, lawns and miscellaneous landscaping (trees, shrubs) is an important habitat component to tie in with the surrounding protected areas. While only relatively few wildlife species will directly utilize the site, its open character will draw birds in and let them make use of the adjacent marshes and coves. In this respect it is a dual benefit bestowed to the general area that is derived from the existing character of the country club.

The proposed action has the potential to significantly improve the water quality discharged from the Hampshire CC property, but the clustering of the proposed development in the middle of the site will have a discouraging effect on migratory birds. The statement that 36 acres of natural area will be preserved is at best misleading, since only 8.8 acres of natural areas currently exist there. A more precise description of the proposed action would be the creation (and preservation) of three separate open space areas that each have water features, natural areas, and golf fairways and greens. These areas are not interconnected in an ecologically significant way. The mandate of Policy #7a to “*maintain their* (i.e Hommocks marshlands & Delancey Cove) *viability as habitats*” would be better served if the proposed 36 acres of natural areas and the 36.8 acres of golf course could be contiguous and bunched together near the Hommocks saltmarshes without a road intersecting them. **The proposed action is not fully compliant with this policy.**

***Policy #8. Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bioaccumulate in the food chain or which cause significant sublethal or lethal effect on those resources.***

**Commentary:** **This policy applies and the plans are in compliance.** The stormwater runoff from the proposed development has the potential to pollute the Hommocks marshlands and Long Island Sound. The water quality controls comply with current stormwater quality regulations and are likely going to remove whatever pollutants would be generated at the site. Furthermore, the reduction of golf course area will reduce the potential for pesticide and fertilizer runoff into the Hommocks marshlands and Long Island Sound. Improvements to future management procedures (yet to be agreed to by the applicant) can produce even better water quality (Integrated Pest Management). The plans as presented in the DEIS are however in compliance with this policy.

Other Improvements are possible, since most of the soil samples taken for a Phase II site investigation showed metal and pesticide contamination exceeding limits for unrestricted use. Habitat creation and miscellaneous site work for stormwater controls outside of the “development” cluster will occur. Additional soil remediation should be considered to further reduce the risk of off-site contamination in waters of the Hommocks marshlands and of Long Island Sound.

***Policy # 9. Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks and developing new resources. Such efforts shall be made in a manner which ensures the protection of renewable fish and wildlife resources and considers other activities dependent on them.***

**Commentary:** **This policy does not apply.**



***Policy # 10. Further develop commercial finfish, shellfish and crustacean resources in the coastal area.***

**Commentary: This policy does not apply.**

2) Policies 11 – 17 Flooding & Erosion Hazard Policies:

***Policy # 11. Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding.***

**Commentary:** The DEIS clearly states that the flooding risk has been taken into consideration and that significant amounts of soil will be imported into the site to raise buildings a minimum of 2 feet above the flood plain. **Unless deemed otherwise by the Village Engineer the plans presented in the DEIS are in compliance with this policy.**

***Policy # 12. Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features.***

**Commentary: This policy does not apply**

***Policy # 13. The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years.***

**Commentary: This policy does not apply.**

***Policy # 14. Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development or at other locations.***

**Commentary: This policy is covered by the SWPPP, which will be reviewed by the Village Engineer.**

***Policy #17. (Policies #15 and 16 listed as are not applicable to the LWRP) Whenever possible, use nonstructural measures to minimize damage to natural resources and property from flooding and erosion. Such measures shall include: (i) the setback of buildings and structures; (ii) the planting of vegetation and the installation of sand fencing and draining; (iii) the reshaping of bluffs; and (iv) the floodproofing of buildings or their elevation above the base flood level.***

**Commentary: This policy does not apply**

3) Policies 30 – 44 Water & Air Resources policies:

***Policy #30. Municipal, industrial, and commercial discharge of pollutants, including but not limited to toxic and hazardous substances, into coastal waters will conform to State and National water quality standards.***

**Commentary:** Currently the occasional discharge of stormwater from the golf course (commercial operation) is likely to contain pollutants (pesticides and fertilizers) flowing into coastal waters. The proposed action will reduce these discharges. Further improvements (yet to be agreed to by the applicants) to future reductions in pollutants

from stormwater discharges can be achieved if integrated pest management procedures were to be introduced at the remaining 9-hole golf course. **The plans presented in the DEIS are in compliance with this policy.**

*Policy #31. State coastal area policies and the purposes of this local program will be considered while modifying water quality standards; however those waters already overburdened with contaminants will be recognized as being a development constraint.*  
Commentary: **This policy does not apply**

*Policy # 32. Not applicable*

*Policy # 33. Best Management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.*  
Commentary: The DEIS refers to a Preliminary Storm Water Pollution Prevention Plan (SWPPP) in compliance with temporary sediment and erosion control requirements during construction and permanent stormwater controls after the site has been developed. Both DEIS and Preliminary SWPPP list permanent water quality controls, such as CDS units as pretreatment and two each infiltration and bioretention basins. There are no combined sewers at this site. The Preliminary SWPPP will be reviewed by the Village Engineer for compliance with this policy and other Village code. **Unless deemed otherwise by the Village Engineer the plans presented in the DEIS are in compliance with this policy.**

*Policy #34. Discharge of waste materials from vessels into coastal waters will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply areas.*

Commentary: **This policy does not apply**

*Policy #35. Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing State and Federal dredging permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.*

Commentary: **This policy does not apply**

*Policy #36. Activities to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.*

Commentary: Chapter IX of the Preliminary SWPPP details a Spill Prevention and Response plan for contractors during construction to be used in case of fuel oil, lubricants or hydraulic oils that could be conveyed into the Hommocks marshlands or Delancey Cove by way of the stormwater discharge systems. Additional permanent measures to prevent similar escapes of heating oils from the proposed development during storm events should be proposed. **The DEIS does not cover this issue sufficiently to satisfy this policy.**

*Policy #37. Best management practices will be utilized to minimize the nonpoint discharge of excess nutrients, organics, and eroded soil into coastal waters.*

Commentary: The DEIS refers to maintaining an existing system of ponds and ditches that will be augmented with additional infiltration and bioretention basins as permanent



Best Management Practices (BMPs) for erosion and sediment control. In addition the Preliminary SWPPP addresses temporary BMPs to be installed for the duration of construction until all permanent controls are in place and fully functional. **Unless deemed otherwise by the Village Engineer the plans presented in the DEIS are in compliance with this policy.**

***Policy #38.** The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.*

**Commentary:** All existing aquatic features and drainage systems will be retained and additional stormwater quantity and quality controls for runoff from new impervious surfaces will be installed in accordance with all local and state regulations. The Village Engineer will comment on these features in more detail. **Unless deemed otherwise by the Village Engineer the plans presented in the DEIS are in compliance with this policy.**

***Policy #39.** The transport, storage treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural land and scenic resources.*

**Commentary:** **This policy does not apply**

***Policies # 40 - #43.** Not applicable*

***Policy #44.** Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.*

**Commentary:** **The applicant can do more to comply with the spirit and intent of this policy.** While the DEIS addresses the special status of the site as a Critical Environmental Area, the proposed set-asides and landscaping plans leave ample room for improvement. The Hampshire Country Club does not only serve as a freshwater drainage for the Hommocks marshlands and Delancey Cove, but also as an important signaling site for migratory birds that “here” is a safe habitat that can serve them as a stop-over point for resting and feeding during their migration. It is the contiguous size of the 106 acres of open space in conjunction with the Hommocks marshlands that signals that message to migratory birds. A reduction of the site by 29 acres required for the proposed development alone would not be such a large loss of habitat, but the siting of the development smack in the middle of the property does render it no longer as effective as a signaling site for migratory birds. The proposed siting of the development further splits the existing and proposed natural areas and open space into three ecologically isolated pockets – which changes the character of the site dramatically. The proposed access roads, additional humans and their pets only add to the dramatic changes. The proposed planting of native vegetation and landscaping (especially tree replacement and lack of grading along water features) leave much room for improvements. Functionally the mandated “preservation and protection” of existing freshwater wetlands is not fully adhered to as presented in the DEIS.

End of commentary



**Betty-Ann Sherer**

---

**From:** Julie Zilberberg <juliemz@optonline.net>  
**Sent:** Wednesday, January 31, 2018 10:32 AM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire's plan to build housing

Dear Planning Board,

I cannot attend the Planning Board meeting, but I would like you to know that I think it's a bad idea to allow Hampshire to build homes on its property.

The schools are already tremendously overcrowded, the beautiful nature of Orienta must be left as pristine as possible and should not be disturbed further, traffic is already far too great, and there is potential to aggravate flooding with this project. It is fine to continue to operate Hampshire as a club. However, adding housing would be very detrimental to the area.

If by some chance the entire property and club is up for sale, the community could purchase it, operating it in the same the way Manor Park in Larchmont operates — open to the public's enjoyment, with membership charged for use of the pool and golf facility. As a resident of Larchmont Village, I feel Manor Park is a great asset to the community.

Thank you for taking into consideration the community's disapproval of the plan to add housing at Hampshire.

Best,  
Julie Zilberberg

Julie Zilberberg, PhD  
Philosophy & Bioethics

## Betty-Ann Sherer

---

**From:** Jeffrey Feinbloom <jeffrey@fbllp.com>  
**Sent:** Wednesday, January 31, 2018 10:36 AM  
**To:** Betty-Ann Sherer  
**Cc:** Melanie Feinbloom  
**Subject:** Hampshire Country Club Public Hearing - Wed. 2/14

Dear Planning Board,

We write to express our deep concern over, and objection to, Hampshire CC's proposal to build 105 homes on and around its golf course property.

We are the homeowners and residents of 712 Orienta Avenue in Mamaroneck. Melanie and I have three children, ages 10, 9 and 5. Our two oldest attend Central Elementary, and our youngest will start Kindergarten there next year. Our home is directly across the street from the intersection of Cove Road and Orienta Avenue.

We believe our neighborhood, and the larger community, is a truly special place and that we could not have selected a better place to raise our children. From our perspective, and the perspective of many of our friends and neighbors, the two most pressing threats the stability and well-being of our community are overcrowding in the schools and congestion in our streets, particularly in Orienta and particularly at the intersections of Cove Road and Boston Post Road. The proposed construction and housing development will have a significant and long-term detrimental impact on both of these already serious problems. The quality of our schools is one of, if not the biggest draw to Mamaroneck. School overcrowding is a serious threat to singularly important institution. And congestion is not only a quality of life issue, but a real safety issue, as our children roam the streets of Orienta 365 days a year. There is already a big problem with cars speeding on Orienta Avenue, and the proposal before the Board will surely make things worse and more dangerous. For these reasons, we respectfully submit that the proposal should be rejected.

We also understand that the proposed construction could have a serious adverse impact on the environment. Although we cannot speak directly to this issue, it is surely a concern and must be carefully studied and conservatively treated by the Board.

Finally, even assuming that the increase to the tax base would result in lower property taxes – a highly speculative proposition to begin with – any *de minimus* financial benefit would be far outweighed by the loss in property values that would almost certainly result over time from exacerbating the school overcrowding and neighborhood congestion issues. Environmental-based litigation would further erode the benefit and could possibly result in a catastrophic financial loss to the community. Any benefit of the project is also far outweighed by the drop in the high quality of life and standard of living that we are privileged to enjoy, which of course is another big draw to our community and neighborhood.

For all of these reasons, we respectfully request that the proposal be rejected.

Sincerely yours,  
Jeffrey and Melanie Feinbloom

Jeffrey A. Feinbloom, Esq.  
FEINBLOOM BERTISCH LLP

Manhattan Office  
33 Irving Place, 3<sup>rd</sup> Floor  
New York, NY 10003

**\*\* b/t 15/16<sup>th</sup> Street, just East of Union Square**

Westchester Office

181 Westchester Avenue, Suite 300-C  
Port Chester, NY 10573

Tel. (212) 279-5299

Fax (914) 294-3057

[www.fbllp.com](http://www.fbllp.com)

*This message and any attachment is intended only for the use of the addressee and may contain information that is PRIVILEGED and CONFIDENTIAL. If you are not the intended recipient, dissemination of this communication is strictly prohibited. If you have received this communication in error, please erase all copies of the message and its attachments and notify us immediately. Thank You.*



**Betty-Ann Sherer**

---

**From:** Rebecca Marlis <bmarlis@yahoo.com>  
**Sent:** Wednesday, January 31, 2018 11:38 AM  
**To:** Betty-Ann Sherer  
**Subject:** Comments re: Public Hearing Scheduled for 2/14/2018

To the VOM Planning Board,

I am writing to you as a concerned citizen and homeowner within the Town of Mamaroneck school district.

At the upcoming Public Hearing on February 14th you will consider the Hampshire Country Club's request to add an additional 105 homes to their property. Is this the most advantageous option, monetarily, for the owners of Hampshire? Of course. Does it make sense for our community? Absolutely not, and I hope you'll take that seriously into consideration.

The MUFSD has had a long history and stellar reputation of providing quality education to a diverse student body. That reputation is currently at risk because of overcrowding. Building 105 more homes to feed into our district is not the answer.

The VOM has also prided itself as a beautiful, park-filled town along the sound. That reputation is also at risk if we continue to build on every available piece of green space.

The VOM is also dealing with traffic congestion, adding to our pollution and safety concerns for our residents. Building 105 more homes is not the answer.

On many weekends our district's children and sports teams are often scrambling to find an unused field to play on because of overuse and overcrowding. Perhaps the unused space at Hampshire could be repurposed as a sports field? Or perhaps we could use the space to build a new school to accommodate the overcrowding at the schools? Sadly these may be unlikely scenarios, but they would definitely be in the best interest of our community.

Perhaps if Hampshire isn't allowed to be rezoned for development, they will be forced to sell the land at a reasonable price to be repurposed for our Community's best interest?

Thank you for considering my perspective.

Best Regards,

Becky Gray  
646-345-3627

What: Public Hearing When: Wednesday, February 14, 7:00 pm Where: Courtroom at Village Hall, 169 Mt. Pleasant Ave., Mamaroneck  
Issues for our community: • flooding • traffic congestion • school overcrowding • environmental contamination

## Betty-Ann Sherer

---

**From:** Martha Siletti <muffindear@aol.com>  
**Sent:** Wednesday, January 31, 2018 12:25 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire Country Club

This was written by Becky Gray and I certainly agree with her opinion.

To the VOM Planning Board,

I am writing to you as a concerned citizen and homeowner within the Town of Mamaroneck school district. At the upcoming Public Hearing on February 14th you will consider the Hampshire Country Club's request to add an additional 105 homes to their property. Is this the most advantageous option, monetarily, for the owners of Hampshire? Of course. Does it make sense for our community? Absolutely not, and I hope you'll take that seriously into consideration. The MUFSD has had a long history and stellar reputation of providing quality education to a diverse student body. That reputation is currently at risk because of overcrowding. Building 105 more homes to feed into our district is not the answer. The VOM has also prided itself as a beautiful, park-filled town along the sound. That reputation is also at risk if we continue to build on every available piece of green space. The VOM is also dealing with traffic congestion, adding to our pollution and safety concerns for our residents. Building 105 more homes is not the answer. On many weekends our district's children and sports teams are often scrambling to find an unused field to play on because of overuse and overcrowding. Perhaps the unused space at Hampshire could be repurposed as a sports field? Or perhaps we could use the space to build a new school to accommodate the overcrowding at the schools? Sadly these may be unlikely scenarios, but they would definitely be in the best interest of our community. Perhaps if Hampshire isn't allowed to be rezoned for development, they will be forced to sell the land at a reasonable price to be repurposed for our Community's best interest? Thank you for considering my perspective.

Sincerely,  
Martha Siletti  
Lawn Terrace, Mamaroneck



## Betty-Ann Sherer

---

**From:** valentina soto pinto <valsoto@yahoo.com>  
**Sent:** Wednesday, January 31, 2018 12:29 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire

Dear Board Members,

As an Orienta neighborhood resident at 531 Rushmore Avenue, I am writing to voice my concerns over the possibility the development of Hampshire Country Club. The impact on the environment, traffic and the character of the neighborhood would be such, that I have trouble understanding how this could be possible at all. I will not state the obvious impact on the environment, wild life, traffic, and quality of life of our children who walk and ride bikes to and from schools. My biggest concern at this point is how could this be considered given the current state of our school district. The school district is bursting at the seams trying to accommodate the already heavy increase in enrollment, and this is without adding new residential units. As I'm sure you are aware, the district is reconsidering rezoning the elementary schools, which will add 100 new children to Central School which is the designated school for Orienta area. I would like to know where the children occupying these new units will be placed? The impact in the class sizes is already being felt by the district. We all know what this means in term of education for our children. The prevailing reason for our family to move to Mamaroneck was the school district. I'm not sure this will be the case for families in the future when our school ratings go down due to overpopulation and less spending per student. This new development will have a negative impact in our children's education and the value of our homes, when we loose the gem of education we have now.

Of all the negative aspects of this proposal, to me, the biggest and most negatively impactful is what this will do to the school district. I implore to you, not to make this decision without direct input from the BOE and Dr. Shapps. I am not aware if this was something that was brought to their attention when the rezoning of Mamaroneck ave happened. Please don't ,make the mistake of overlooking an already big problem our community is facing.

Thank you for your attention and i sincerely hope you consider my concerns, as they're not only mine.

Valentina SotoPinto  
Resident since 2010

## Betty-Ann Sherer

---

**From:** Susan McGrath <suandlarry@me.com>  
**Sent:** Wednesday, January 31, 2018 4:15 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire Housing

To whom it may concern:

Given the current angry debate that is ensuing with the threat of rezoning of long established communities (in some cases, houses that have been tied to a particular school for close to 80 years) the town seriously needs to take into account the burden they are placing on what is clearly an already saturated school system that has NO cohesive plan in place to address said issue.

At the very least ALL NEW multiple developments should automatically be flex zoned in order to make sure that the current situation does not arise again. It's outrageous the way this has been managed with massive NEW developments like the Cambium not being flexed zone, a new and barely established community, where established communities are being pitted against one another.

Disgraceful planning on the parts of the Towns and the BOEs. Do not let history repeat itself.

Regards,

Susan McGrath



## Betty-Ann Sherer

---

**From:** Joanna Gross <jiegross@aol.com>  
**Sent:** Wednesday, January 31, 2018 9:11 PM  
**To:** Betty-Ann Sherer  
**Subject:** Housing plans

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Board,

I am writing to you as a concerned citizen and homeowner within the Town of Mamaroneck school district. At the upcoming Public Hearing on February 14th you will consider the Hampshire Country Club's request to add an additional 105 homes to their property. Is this the most advantageous option, monetarily, for the owners of Hampshire? Of course. Does it make sense for our community? Absolutely not, and I hope you'll take that seriously into consideration.

The MUFSD has had a long history and stellar reputation of providing quality education to a diverse student body. That reputation is currently at risk because of overcrowding. Building 105 more homes to feed into our district is not the answer.

The VOM has also prided itself as a beautiful, park-filled town along the sound. That reputation is also at risk if we continue to build on every available piece of green space.

The VOM is also dealing with traffic congestion, adding to our pollution and safety concerns for our residents. Building 105 more homes is not the answer.

On many weekends our district's children and sports teams are often scrambling to find an unused field to play on because of overuse and overcrowding. Perhaps the unused space at Hampshire could be repurposed as a sports field? Or perhaps we could use the space to build a new school to accommodate the overcrowding at the schools? Sadly these may be unlikely scenarios, but they would definitely be in the best interest of our community.

Perhaps if Hampshire isn't allowed to be rezoned for development, they will be forced to sell the land at a reasonable price to be repurposed for our Community's best interest?

Thank you for considering my perspective.

Joanna Gross

Sent from my iPhone

## Betty-Ann Sherer

---

**From:** mullaneybk@aol.com  
**Sent:** Thursday, February 01, 2018 12:27 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire's plan to build 105 homes

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To whom it concerns

As a current resident of Mamaroneck and a former resident of Larchmont , I am vehemently opposed to the building of homes on Hampshire Golf Course. The community cannot afford to risk the environmental issues that would occur such as flooding. In addition, given the current problems with space at our schools, it would be disastrous to think about additional housing/ children who would go to our schools. The schools simply cannot accommodate more students. Increased traffic would also be terrible.

For these reasons, I hope the board will not approve ANY building of residential homes, townhouses, condos.....

Thank you

Beth Mullaney

## Betty-Ann Sherer

---

**From:** Judy Zambardino <judyzam@aol.com>  
**Sent:** Thursday, February 01, 2018 5:32 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire

To the members of the board:

As a resident of Orienta, I object very strongly to any plan presented by Hampshire Country Club to develop their property. My concerns center on several issues, including traffic, environmental changes which could interfere with the quality of life in our neighborhood , effects impacting our school system such as overcrowding. I vividly recall the owners promise several years ago to remain transparent ; a promise they never kept. I plan to attend the meeting, but I wanted my voice to be heard.

Sincerely,  
Judy Katzin Zambardino  
918 Sylvan Lane  
Sent from my iPhone



## Betty-Ann Sherer

---

**From:** Megan Johnson <megandlynch@gmail.com>  
**Sent:** Friday, February 02, 2018 12:05 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire country club request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To the VOM Planning Board,

I am writing to you as a concerned citizen and homeowner within the Town of Mamaroneck school district.

At the upcoming Public Hearing on February 14th you will consider the Hampshire Country Club's request to add an additional 105 homes to their property. Is this the most advantageous option, monetarily, for the owners of Hampshire? Of course. Does it make sense for our community? Absolutely not, and I hope you'll take that seriously into consideration.

The MUFSD has had a long history and stellar reputation of providing quality education to a diverse student body. That reputation is currently at risk because of overcrowding. Building 105 more homes to feed into our district is not the answer.

The VOM has also prided itself as a beautiful, park-filled town along the sound. That reputation is also at risk if we continue to build on every available piece of green space.

The VOM is also dealing with traffic congestion, adding to our pollution and safety concerns for our residents. Building 105 more homes is not the answer.

On many weekends our district's children and sports teams are often scrambling to find an unused field to play on because of overuse and overcrowding. Perhaps the unused space at Hampshire could be repurposed as a sports field? Or perhaps we could use the space to build a new school to accommodate the overcrowding at the schools? Sadly these may be unlikely scenarios, but they would definitely be in the best interest of our community.

Perhaps if Hampshire isn't allowed to be rezoned for development, they will be forced to sell the land at a reasonable price to be repurposed for our Community's best interest?

Thank you for considering my perspective.

Best Regards,

Megan Johnson

What: Public Hearing When: Wednesday, February 14, 7:00 pm Where: Courtroom at Village Hall, 169 Mt. Pleasant Ave., Mamaroneck  
Issues for our community: • flooding • traffic congestion • school overcrowding • environmental contamination

Sent from my iPhone

## Betty-Ann Sherer

---

**From:** Deborah N Plachta <grendelo@aol.com>  
**Sent:** Friday, February 02, 2018 8:13 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire Country Club Public Hearing

To Whom It May Concern:

I live in Mamaroneck Village and have strong opinions about proposed development of the Hampshire Country Club but will be out of town on the day of the hearing so am writing to make my thoughts heard.

I moved from Manhattan to Mamaroneck over 10 years ago to enjoy its open spaces, clean air, local wildlife, and overall bucolic feel in contrast to the choked, crowded, paved-over city.

It seems we are now headed in that direction.

The Hampshire space is one of the dwindling green areas remaining. I bike through it daily and enjoy the bird life, chipmunks, turkeys that share it. One of its marshes was famously photographed by Edward Steichen.

Please do not allow this proposed development to proceed. This land should be repurposed in a way that allows it to remain green, not choked with more people, cars, and waste.

Deborah N Plachta, MD  
Mamaroneck, NY.

Sent from my iPad



## Betty-Ann Sherer

---

**From:** Paul Ryan <paulr10383@aol.com>  
**Sent:** Saturday, February 10, 2018 12:08 PM  
**To:** Betty-Ann Sherer; Tom Murphy; Celia Felsher; Andrew Spatz  
**Subject:** Fwd: Hampshire CC Development Public Hearing

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

To: VOM Planning Board

Below is Supervisor Nancy Seligson's reply to my email.

Please note that approximately 7 acres of the Hampshire property is in the Unincorporated Area. This land was declared a "fresh water wetlands" by the Town many years ago and therefore has special protections. Then, of course, there are the salt marshes behind the Hommocks playing field. The field also belongs to the Town - not the BdofEd.

As Supervisor Seligson said, I would expect the Town to weigh in as an involved agency under SEQRA.

Paul Ryan

Sent from my iPad

Begin forwarded message:

**From:** "Seligson, Nancy" <[Supervisor@TownofMamaroneckNY.org](mailto:Supervisor@TownofMamaroneckNY.org)>  
**Date:** February 9, 2018 at 6:24:06 PM  
**To:** Paul Ryan <paulr10383@aol.com>  
**Cc:** "Altieri, Stephen" <[SAltieri@TownofMamaroneckNY.org](mailto:SAltieri@TownofMamaroneckNY.org)>  
**Subject:** RE: Hampshire CC Development Public Hearing

Dear Paul:

Thank you for your email. I was surprised that the Town wasn't listed as an involved agency as well. The Town submitted specific questions and comments for the scoping process and will now have comments on the DEIS. Please be assured that our comments will address your concerns as they are the same as ours.

Nancy

-----Original Message-----

From: Paul Ryan [<mailto:paulr10383@aol.com>]  
Sent: Friday, February 09, 2018 5:29 PM  
To: Seligson, Nancy <[Supervisor@TownofMamaroneckNY.org](mailto:Supervisor@TownofMamaroneckNY.org)>; [Bsherer@vomny.org](mailto:Bsherer@vomny.org);  
[tamurphy365@gmail.com](mailto:tamurphy365@gmail.com)  
Cc: Celia Felsher <[cfelsher@reservoircap.com](mailto:cfelsher@reservoircap.com)>; [ams@spatzlaw.com](mailto:ams@spatzlaw.com)

Subject: Hampshire CC Development Public Hearing

Dear Nancy:

I just opened the DEIS of this project and was amazed and hugely disappointed that the TOM/VOL CZMC was not listed as either an involved or interested agency. As an abutting municipality with a NYS approved LWRP, the TOM would automatically be an interested (and perhaps likely an involved ) agency under SEQRA?

We all remember when the man was swept away and drowned in the flooding that took place in the 90s when I was on the TB. I use the term "swept away"deliberately to illustrate that flooding on the Hampshire area bordering the Unincorporated Area is not only a flood zone but also a velocity zone.

Any building on this property would be likely to affect the stream running by the back of Hommocks MS and could also block access to the school and homes abutting the Golf Course property. As someone who has witnessed the destruction caused by that particular flooding occasion in an official capacity and subsequent flooding in 2007, I would urge you, as Town Supervisor, to consult with your legal staff as well as the CZMC to insure the safety of the Town's residents, students, and emergency response teams.

In short, in my opinion as someone who has been involved in flooding issues for years, The Town of Mamaroneck very much needs to insist on a seat at this table. And, as an aside, I read that the developers would keep 9 holes of the actual golf course. When we were involved in the Bonnie Briar lawsuit, we noted that 9 hole golf courses were not usually economically viable. Therefore there are strong economic and environmental similarities between the two projects.

Thank you in advance for your attention and, hopefully, your Board's positive action on the Hampshire Project.

Respectfully,

/s/

Paul A. Ryan

Sent from my iPad

## Betty-Ann Sherer

---

**From:** Greg Cutler  
**Sent:** Monday, February 12, 2018 9:10 AM  
**To:** Betty-Ann Sherer  
**Subject:** FW: Hampshire

**From:** THOMAS LANDAU [mailto:docotis27@yahoo.com]  
**Sent:** Saturday, February 10, 2018 1:47 PM  
**To:** Greg Cutler <gcutler@vomny.org>  
**Cc:** Dave Smith <dsmith@hampshireclub.com>  
**Subject:** Hampshire

We would like to support HCC's plan to build condos near their present clubhouse. We live at Fairway Green. The plan is for a limited number of condos to be built on small piece of land leaving over 110 acres to exist as a golf course. in perpetuity. The small footprint would not tax municipal resources i.e. sanitation, roads (which would be private) etc. and would be populated by empty nesters. In addition please consider

- Low To No Impact on the School System, 0-20 Students
- Total School Taxes \$1,473,689
- Total School Costs \$317,860
- Total Net Benefit to the School District \$1,155,829
- Introduction of the development does not Impact the flood elevation of the adjacent neighborhood, multiple means of egress have been included.
- Total estimate taxes \$2,948,994
- Net increase from existing conditions \$2,603,713

We urge the planning board to allow this project to move forward.

Tom and Judy Landau  
604 Fairway Green



## Betty-Ann Sherer

---

**From:** raresty <raresty@optonline.net>  
**Sent:** Sunday, February 11, 2018 4:53 PM  
**To:** Betty-Ann Sherer  
**Cc:** Peter & Rosanne Aresty  
**Subject:** Planning Board

Hello Mamaroneck Planning Board,

Thank you for serving on this committee. I know that it is a very difficult, time consuming volunteer position.

To think that Hampshire is proposing a 105 Home Development on this site is ridiculous.

As you well know, this is a site that is basically a wetland area with a golf course on top of it all.

In addition, the proposal asks for a rezoning of this property to put a massive condominium development on this fragile site.

Does this make any sense at all? Given the many issues that we have in our community — flooding, traffic congestion, complicated implications for school enrollment?

And to have a large, looming building in our residential neighborhood? Why?

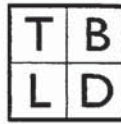
This makes no sense whatsoever and we all hope that you will just enforce the current zoning laws so that they have to comply with them like we all do in our neighborhood.

Please this proposal and the group leading it has always been only interested in their own pocket books at the expense of everyone else who are heavily invested in our residential neighborhood.

Please preserve it as such.

Again, thank you for your service.

Rosanne and Peter Aresty



## T E R R A   B E L L A   L A N D   D E S I G N

|          |                                             |               |                                |
|----------|---------------------------------------------|---------------|--------------------------------|
| To:      | <u>John Verni Chairman</u>                  | From:         | <u>Terra Bella Land Design</u> |
| Company: | <u>Village of Mamaroneck Planning Board</u> | Contact Name: | <u>Susan Oakley</u>            |
| eMail:   | <u>javerni@aol.com</u>                      | Page #:       | <u>1 of 1</u>                  |
| Subject: | <u>Hampshire Country Club</u>               | Date:         | <u>February 12, 2018</u>       |

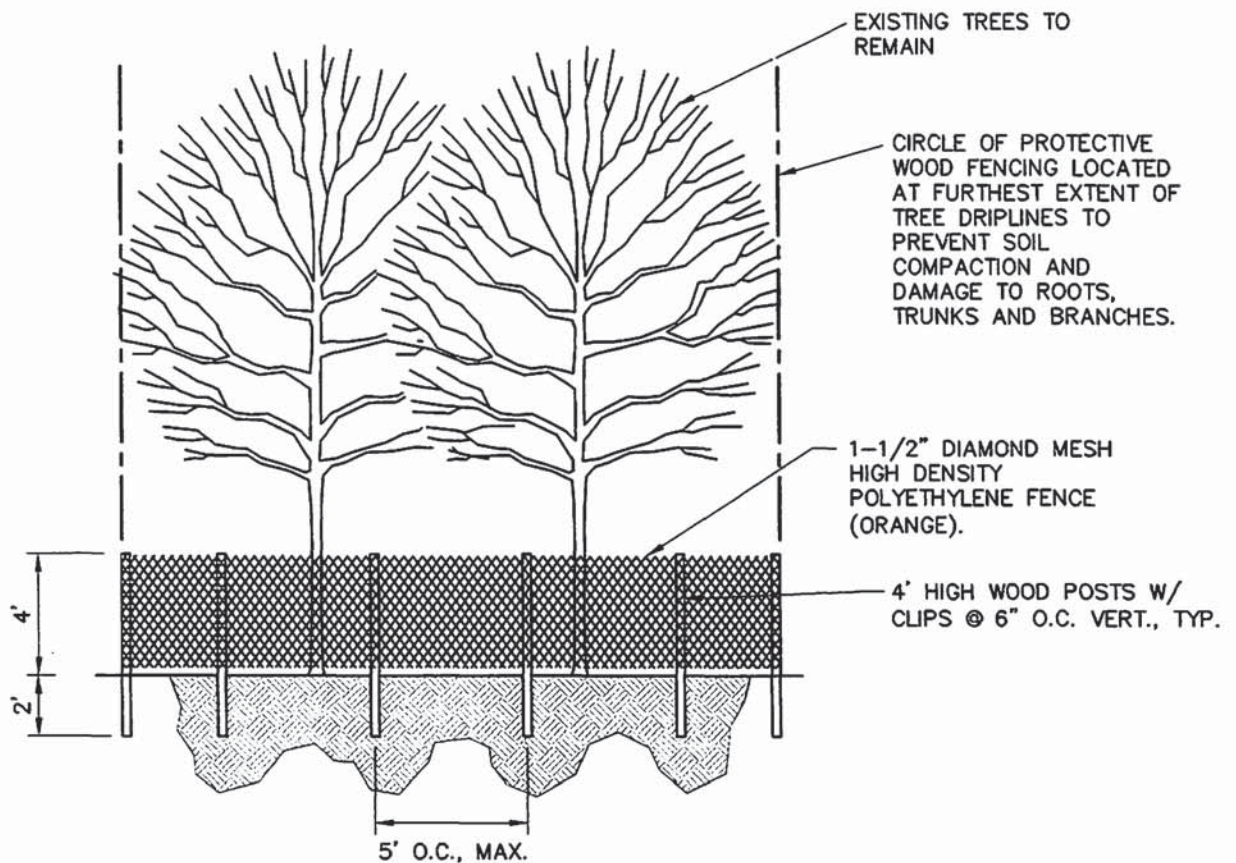
The Hampshire Country Club DEIS, dated December 2017, has been read and reviewed. Comments are as follows:

A Tree Removal Plan has been generated (Exhibit 3K-1) that indicates the proposed removal of 432 deciduous and evergreen trees with a caliper of 8" and above. Based on the American Standard for Nursery Stock (ANSI) (ANSI Z60.1-2014) which charts the height to caliper relationship for Type I shade trees, for every inch that caliper increases, tree height increases approximately two to four feet on average. This indicates that a 6" caliper tree could have a height between 20' and 22' tall. For comparison, this is roughly the height of a two story house. Since the Removals Plan only notes trees with a caliper of 8" and larger, it is possible that many substantially sized trees are being removed but not included in the removals count. Therefore, the tree removals list should include all trees that are 6" in diameter at breast height (DBH) and up. This could alter the tree removal amount substantially. It is recommended that the Board request the applicant to provide a tree count that reflects these new numbers on a revised Tree Removal Plan. Tree replacements on the Landscape Plan should at least equal, and preferably exceed, this number. In this draft statement, the replacement plants selected have been chosen from the Coastal Planting Guide and are appropriate to the site. As the project develops, it is anticipated that the Landscape Plan will also be modified.

Tree protection measures are necessary for the mature trees remaining on the property that are within or in close proximity to the Area of Disturbance. The Village of Mamaroneck Tree Protection Standard (SD-II) is included as part of this memo and the drawing should be added to the Planting Details & Notes.

|     |                                 |                                       |
|-----|---------------------------------|---------------------------------------|
| cc: | Planning Board Members          | Dan Gray, Building Inspector          |
|     | Greg Cutler, Village Planner    | Hugh Greechan, Engineering Consultant |
|     | Bob Galvin, Planning Consultant | Les Steinman, Village Attorney        |





**NOTES:**

1. LOCATE TREE PROTECTION FENCING AS SHOWN ON PLANS APPROVED BY THE VILLAGE OF MAMARONECK BUILDING DEPARTMENT AND VILLAGE ENGINEER.
2. NO MATERIAL OR EQUIPMENT SHALL BE STORED OR STOCKPILED WITHIN THE AREA SURROUNDED BY TREE PROTECTION FENCING.
3. FENCE MUST REMAIN AND BE MAINTAINED THROUGHOUT ENTIRE BUILDING PHASES DURING WHICH CONSTRUCTION MAY AFFECT TREES.
4. ADDITIONAL PROTECTIVE MEASURES SHALL BE INSTALLED, AS ORDERED BY THE VILLAGE ENGINEER AND/OR BUILDING DEPARTMENT, PRIOR TO AND/OR DURING CONSTRUCTION.

VILLAGE OF MAMARONECK  
STANDARD CONSTRUCTION DETAILS

PREPARED IN THE  
OFFICE OF THE  
VILLAGE ENGINEER

**TREE PROTECTION**

DESIGNED BY: ARC, PE CHECKED BY: ARC, PE  
DRAWN BY: ARC, PE VOM Tree Protection.dwg



VILLAGE OF MAMARONECK  
VILLAGE MUNICIPAL BUILDING  
169 MT. PLEASANT AVENUE (3RD FLOOR)  
WESTCHESTER COUNTY  
VILLAGE OF MAMARONECK, NY 10543  
PHONE: (914) 777-7731  
FAX: (914) 777-7792

PROJECT: DETAILS  
SCALE: NOT TO SCALE  
DATE: 03/13/2014

SD-11



PUBLIC COMMENT

HAMPSHIRE COUNTRY CLUB PLANNED RESIDENTIAL DEVELOPMENT

DECEMBER 2017 DEIS -SUBMITTED VIA EMAIL

ADDITIONAL COMMENTS

RECEIVED FEBRUARY 12, 2018

THROUGH

FEBRUARY 14, 2018

17. 02 12 2018 WASSERMAN Hampshire Public Comment
18. 02 12 2018 PLACHTA Hampshire Public Comment
19. 02 12 2018 NORRIS Hampshire Public Comment
20. 02 12 2018 L GREENBERG Hampshire Public Comment
21. 02 12 2018 BROWN Hampshire Public Comment
22. 02 13 2018 E GREENBERG Hampshire Public Comment
23. 02 13 2018 DONIGER Hampshire Public Comment
24. 02 13 2018 ZOLNA Hampshire Public Comment
25. 02 13 2018 LAGUARDA Hampshire Public Comment
26. 02 13 2018 GREENHAUS Hampshire Public Comment
27. 02 13 2018 D LEVIN Hampshire Public Comment
28. 02 13 2018 CHAPSKI Hampshire Public Comment
29. 02 13 2018 GREENBERG Hampshire Public Comment
30. 02 13 2018 NICHINSKY Hampshire Public Comment
31. 02 13 2018 BUNDER Hampshire Public Comment
32. 02 13 2018 LEVIN Hampshire Public Comment
33. 02 13 2018 PORAT Hampshire Public Comment
34. 02 13 2018 SPIRIDELLIS Hampshire Public Comment
35. 02 14 2018 LIEBER Hampshire Public Comment
36. 02 14 2018 STEINBERG Hampshire Public Comment
37. 02 14 2018 ROBERTS Hampshire Public Comment

**Betty-Ann Sherer**

---

**From:** Petie Wasserman <petie.wasserman@gmail.com>  
**Sent:** Monday, February 12, 2018 4:36 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire Country Club

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To Whom it May Concern,

My husband and I are long standing members of Hampshire Country Club. I am writing this email to demonstrate our support for the condo development proposal. Selfishly, I want the golf course to remain as an 18-hole course. We live in Harrison, and the convenience, beauty, and unpretentiousness of Hampshire has been very satisfying for both of us. We were members of Ridgeway Country Club for 33 years prior to its' closing, and this has been a great substitute.

I can only see the benefits of this plan in terms of traffic, and added value to Mamaroneck as a viable community.

Thanks for hearing our points of view.

Petie & Harvey Wasserman

**Betty-Ann Sherer**

---

**From:** Deborah N Plachta <grendelo@aol.com>  
**Sent:** Monday, February 12, 2018 6:10 PM  
**To:** Betty-Ann Sherer  
**Subject:** This is on the Hampshire golf course

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

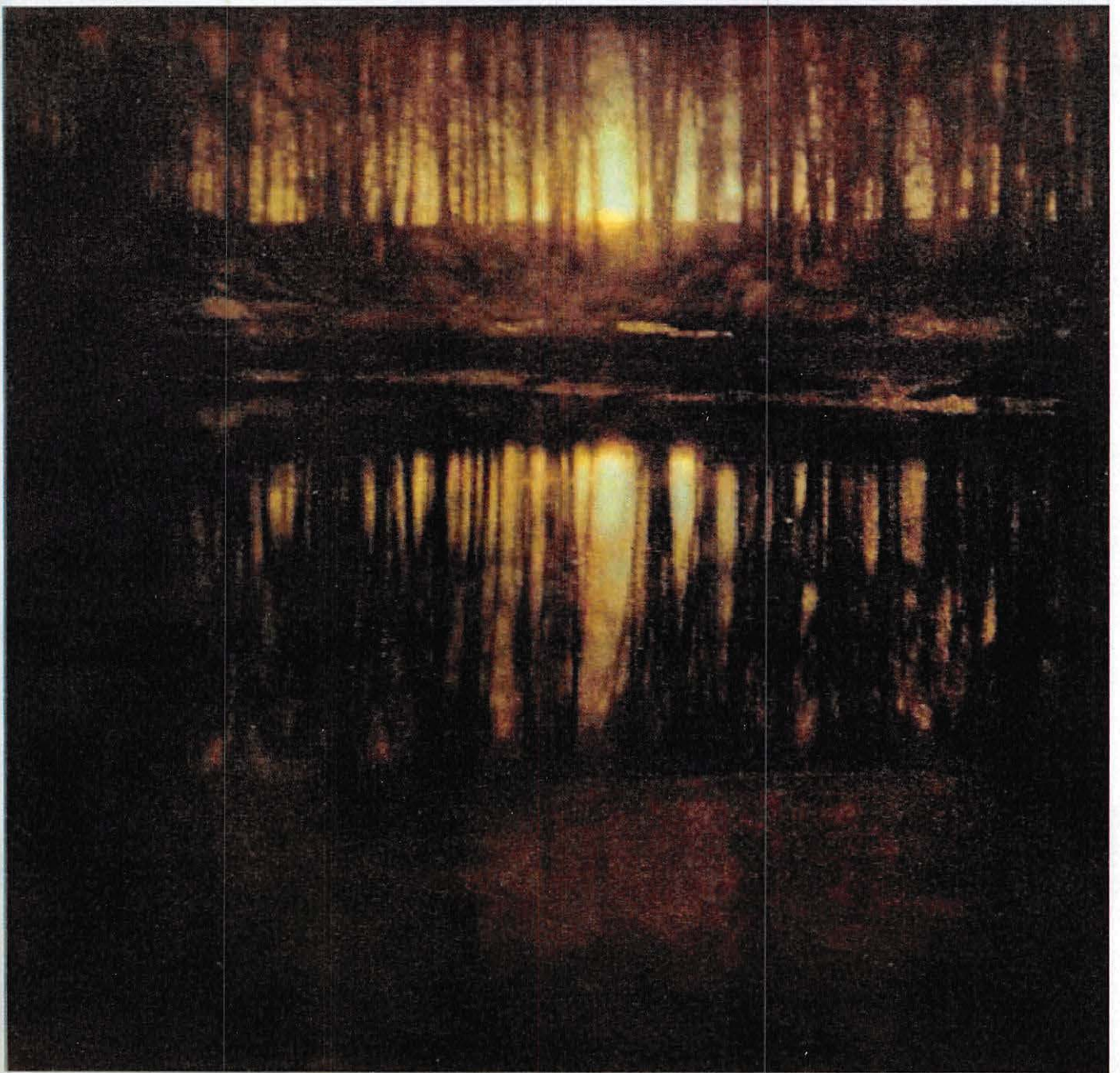
This is a f/u to my email of 2/2/18. Unfortunately I will be out of town as of tonight and cannot attend the meeting. Deborah Plachta



# INSID

PHOTOGR

Steichen's "The  
Pond—Moonlight."



**Betty-Ann Sherer**

---

**From:** Norris, Dana <DNorris@TishmanSpeyer.com>  
**Sent:** Monday, February 12, 2018 6:17 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire redevelopment plans

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Betty Sherer  
 Land Use Coordinator  
 Village of Mamaroneck

Good evening, Betty –

As a long standing member of Hampshire Country Club and someone who works in the real estate industry, I have followed the various proposals and meetings regarding the development plans. It seems inconceivable to me that the local neighbors would favor the loss of open space to build single family homes, as opposed to maintaining the open space and addressing a need for high end, empty nester condos. The renderings do a great job of minimizing what is seen by neighbors, so I applaud the developers and their architects.

There have been many members of the club looking to downsize from their homes in the area, who have commented if the condos existed, they would be first in line to buy one. What is being proposed would serve an unmet local need, keep taxpayers in the area, and really add very little burden to local services such as schools. Instead, these members have sold their homes and moved to New Rochelle or Manhattan as empty nesters.

I hope the town will look at the overall value of the 2 proposals in the context of ALL users, and keep the open space (and the 18 hole golf course). A 9 hole course is really meaningless when there are many other clubs in the Mamaroneck, Scarsdale and Larchmont area that would be happy to add members.

Best,

Dana Norris  
 917 907 2373



**Betty-Ann Sherer**

---

**From:** Lynn Greenberg <lynnjgreenberg@gmail.com>  
**Sent:** Monday, February 12, 2018 9:29 PM  
**To:** Betty-Ann Sherer  
**Subject:** Unfortunately I cannot attend the board meeting

Regarding Hampshire, but would like to voice my concern.

Regards,

Lynn Greenberg



**Betty-Ann Sherer**

---

**From:** Barbara Brown <brbrown1066@gmail.com>  
**Sent:** Monday, February 12, 2018 9:50 PM  
**To:** acutler@vomny.org; Betty-Ann Sherer  
**Cc:** dsmith@hampshireclub.com  
**Subject:** Hampshire

Dear Sirs/Mesdames,

We would like to express our support for HCC's plan to build a limited number of condos on the land at the existing clubhouse site and to keep in perpetuity the remaining 110 acres as an 18 hole golf course.

We urge the planning board to allow this project to move forward.

Barbara and Anthony Brown  
1501 Fairway Green

**Betty-Ann Sherer**

---

**From:** Eric Greenberg <erg220@lehigh.edu>  
**Sent:** Tuesday, February 13, 2018 12:56 AM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire

Planning Board,

My name is Eric Greenberg and I am currently a sophomore at Lehigh University so I will not be able to attend the board meeting. I have lived in Orienta my entire life. Apartments would not be a good thing for the community. Growing up living right down the street from Hampshire I have seen that place flood like crazy. There is also a school two minutes away and there is enough traffic already in Orienta. Hope you strongly consider all the problems an apartment could bring to this area,

Thank You,  
Eric Greenberg

**Betty-Ann Sherer**

---

**From:** Patricia Doniger <pdoniger@earthlink.net>  
**Sent:** Tuesday, February 13, 2018 10:09 AM  
**To:** Betty-Ann Sherer  
**Cc:** dmourouzis@hampshireclub.com  
**Subject:** Letter of Support for Hampshire Country Club

February 11, 2018

RE: Hampshire Country Club

To Whom it May Concern,

I'm writing to you as a Member of Hampshire Country Club and in support of the condo project proposed at the Club. The condo development proposal is not only the far better option for the Club, but also for the entire Village of Mamaroneck. In fact, the positives of this development proposal far outweigh the negatives.

- It's designed for the empty nesters- 55 and older, which means low to no impact on the school system
- The 18-hole Golf Course remains and improves
- Preserves open space
- Increases tax revenue for the Village

It's quite difficult to understand how one can argue against this option.

Thank you.

Respectfully,

Patricia Doniger



**Betty-Ann Sherer**

---

**From:** Jesse Zolna <jzolna@gmail.com>  
**Sent:** Tuesday, February 13, 2018 2:39 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire housing proposal

Hi, I am writing at this time to beg you NOT to approve the 105 new homes at Hampshire. The entire town has been overdeveloped and this is leading to congestion issues that are altering the town forever. At the heart of my request is not making the current crisis in the Town's elementary schools worse.

Unless there is some way to get the builder to fund space for up to 200 new kids up-front, it is a very bad proposition. Perhaps they could build a school on-site?

Thank you,  
Jesse

---

Jesse S. Zolna, Ph.D.  
Mobile: 617.290.5259

**Betty-Ann Sherer**

---

**From:** Pablo Laguarda <Pablo.Laguarda@laguardalow.com>  
**Sent:** Tuesday, February 13, 2018 3:21 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire Proposal Hearing

Dear **Betty-Ann**

I am not sure I am sending this email to the right person but I am going to try nonetheless.

I am writing in reference to the Village Planning Board's public hearing on the draft Environmental Impact Statement (EIS) regarding Hampshire's proposal to build 105 homes on the golf course property.

As a resident of the Village of Mamaroneck, living at 1000 Seven Oaks Lane, I would like to stress my strong opposition to Hampshire's development plan. In my opinion, rezoning the property to construct a massive condominium development will have a serious and adverse impact on the community. Added density, increased traffic, loss of open green space, etc. are a few of the valid reasons to deny this plan.

In addition to the Hampshire's plan in general, I would also like to offer my opinion as an architect and urban planner. I am not at all impressed by the quality of the development proposal regardless of whether it is viable or not. It is simply not a good project.

Unfortunately I am not going to attend the open public hearing, but I want my voice to be heard.

Thank you for your time.

Sincerely,

Pablo

Pablo Laguarda FAIA

**LAGUARDA.LOW**  
 ARCHITECTS LLC

[www.laguardalow.com](http://www.laguardalow.com)

+1 4697676221 cell

NEW YORK 25 East 21st Street, 2nd Floor, New York, NY 10010/USA

+1 646 8239770/+1 646 8239891 fax

BEIJING RM501 Tower15/Jianwai SOHO No.39/East Third Ring Road/Chaoyang District/Beijing/100022/China

+86 1058691560/+86 1058691224 fax

TOKYO 3-1-8/INA Bldg 403/Hakusan Bunkyo-Ku/Tokyo/120001/Japan

+81 35800.5852/+81 35800.5851 fax

**Betty-Ann Sherer**

---

**From:** Carol and Edwin Greenhaus <carolgreenhaus@gmail.com>  
**Sent:** Tuesday, February 13, 2018 3:23 PM  
**To:** Betty-Ann Sherer  
**Subject:** Planning  
**Attachments:** Attach0.html

Request From: Carol and Edwin Greenhaus  
Email: [carolgreenhaus@gmail.com](mailto:carolgreenhaus@gmail.com)  
Source IP: 108.202.231.168

Address: 1055 Nine Acres Lane  
City: Mamaroneck  
State: NY  
Zip: 10543  
Phone: 914 698-2676  
Organization: OPA

The plan being considered for developing Hampshire property would be an affront to the environment and the community. We are most definitely against approving the proposed plan.



**Betty-Ann Sherer**

---

**From:** Don Levin <donaldlevin@gmail.com>  
**Sent:** Tuesday, February 13, 2018 4:48 PM  
**To:** Betty-Ann Sherer; David Smith Hampshire; Amy Levin  
**Subject:** Hampshire Country Club

- Dear Ms. Sherer,
- 

We urge Mamaroneck Village to accept Hampshire's condo proposal -- for many reasons:

For example, the Club's plan:

- Preserves 100 acres out of 106 acres for open space and a golf course;
- Without additional students in the schools;
- Without an impact on the flood elevation of the adjacent neighborhood;
- With new taxes for the Village of about \$2.9 million, a net gain of about \$2.6 million.

Would the Village prefer construction of individual homes on the property?

Thank you for considering this, and kindly pass this on to colleagues who would be part of the development decision.

Sincerely,

Don Levin, 147 Rockland Ave, Larchmont  
914-834-5919, [donaldlevin@gmail.com](mailto:donaldlevin@gmail.com)  
emergencies 914-263-3439



Virus-free. [www.avast.com](http://www.avast.com)

**Betty-Ann Sherer**

---

**From:** Jeff Chapski <jeffchapski@mac.com>  
**Sent:** Tuesday, February 13, 2018 5:12 PM  
**To:** Betty-Ann Sherer  
**Subject:** Oppose hampshire development

I oppose the development of Hampshire golf course. The investors don't live here— we do!

Would these investors tolerate a development like the one proposed in their own neighborhood? I think not.

Jeff Chapski  
911 Cove rd

Jeff Chapski  
917-710-2070

**Betty-Ann Sherer**

---

**From:** Emily <emgberg@aol.com>  
**Sent:** Tuesday, February 13, 2018 5:50 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire development

To whom it may concern,

I am a life long resident of Mamaroneck. I moved back to raise my family and I am gradually seeing this wonderful community shift. It's become overcrowded and over built. This development would be a tragedy. Please preserve what we always and appreciated about this community, don't allow this plan to move any further.

Emily Greenberg  
808 Claflin ave.

Sent from my iPhone



**Betty-Ann Sherer**

---

**From:** Robin Nichinsky <rnichinsky@gmail.com>  
**Sent:** Tuesday, February 13, 2018 6:17 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire plan

I am against a plan to build 100+ homes there - it will further overcrowd our schools, cause traffic and flooding and use up beautiful open land.

On the other hand, I love the idea of a reasonable coop plan, preferably ones for retirees, who could use more nice housing units so they can remain in this community. I would consider that a service to our community. That option would have minimal traffic and environmental impact, would not affect our schools, and would provide needed tax revenue to the VOM and schools while preserving a beautiful golf course in our community. Please approve a coop plan! I also recommend the Club be responsible for paving those roads and adding bike paths for kids to ride to Hommocks safely. Perhaps there are other niceties the village could also get out of this. I also don't want the club to go bankrupt and sell everything to a developer. Please don't just listen to a few vocal people - keep the needs of the entire community in mind.  
 Thank you.

Sent from my iPhone

On Feb 13, 2018, at 2:21 PM, Noa Yemini Arias <[notification+kr4magg4yeb5a@facebookmail.com](mailto:notification+kr4magg4yeb5a@facebookmail.com)> wrote:



Facebook

Noa Yemini Arias, Ross Prussin and Jane Goodrich posted in [Forum To Discuss Alternatives to Rezoning Mamaroneck Schools](#).



**Noa Yemini Arias**  
 February 13 at 2:21pm

Reminder - Hampshire Country Club Public Hearing is TOMORROW

Open public hearing at VOM Planning Board on Hampshire's latest proposal to build 105 homes on the golf course.

What: Public Hearing

When: Wednesday, February 14, 7:00 pm

Where: Courtroom at Village Hall, 169 Mt. Pleasant Ave., Mamaroneck

Issues for our community:

- flooding
- traffic congestion

- school overcrowding
- environmental contamination

Attend the Planning Board meeting and be HEARD. If you cannot attend, send an email to the Planning Board at [Bsherer@vomny.org](mailto:Bsherer@vomny.org) and tell them what you think.



[View on Facebook](#)

[Edit Email Settings](#)

Reply to this email to comment on this post.

This message was sent to [rnichinsky@gmail.com](mailto:rnichinsky@gmail.com). If you don't want to receive these emails from Facebook in the future, please [unsubscribe](#).

Facebook, Inc., Attention: Community Support, 1 Hacker Way, Menlo Park, CA 94025



Sent from my iPhone

**Betty-Ann Sherer**

---

**From:** Debbie Bunder <dsbunder@gmail.com>  
**Sent:** Tuesday, February 13, 2018 6:24 PM  
**To:** Betty-Ann Sherer; Mayor Tom Murphy  
**Subject:** Hampshire Development

I'd like to voice my opinion about Hampshire's housing project. It seems to me that the developer would like to work with the community to build something that wouldn't put an impact on our schools and infrastructure. One idea to limit the impact on the schools is to restrict the new housing to buyers who are 55 or older and make it into a "retirement community."

This just happened in the City of Rye. In order to greenlight a developer's request to convert a vacant office building into residential, the city council ruled that buyers of the 1&2 bedroom condos have to be 55 years or older. The luxury retirement community is currently under construction and will be located next to The Osborn on Old Post Road. The city of Rye is excited about the development as it won't impact the schools, adds housing for an underserved segment of the population, and will add tax revenue to the City of Rye.

I think this is the perfect solution to please both the developer and the community. In addition, perhaps the community can purchase part of Hampshire GC that is closest to the Hommocks School and convert it into field space, with a nature preserve and a running/biking trail. Perhaps we can work with Westchester Land Trust to purchase part of the land.

As a lifelong resident of Mamaroneck/Larchmont and a real estate developer, I think it's time to stop the fighting and allow our community to benefit from the beautiful land that is currently called Hampshire Country Club.

Best,  
Debbie Bunder

**Betty-Ann Sherer**

---

**From:** Ivonne Levin <ivonnelevin@icloud.com>  
**Sent:** Tuesday, February 13, 2018 6:36 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire public hearing

Dear Ms. Scherer,

I would like to voice my opposition to the Hampshire development of 105 new homes; it is my opinion that this development would impact negatively in our community, causing environmental problems, traffic congestion, schools overcrowding.

I currently live in the village of Mamaroneck, at 1000 Seven Oaks Lane.

I am not able to attend tomorrow's public hearing; for that reason I am sending you this email.

Thank you for looking into this.

Sincerely,

Ivonne Levin



**Betty-Ann Sherer**

---

**From:** Samuel Porat <samuel.porat@gmail.com>  
**Sent:** Tuesday, February 13, 2018 8:36 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire Country Club development plan

Dear Board members of the VOM Planning Board:

You have the difficult task of balancing the needs of our Community with the economic interests of developers to stimulate economic activity and progress in our great Community. So first and foremost, thank you. Thank you for your hard work and thoughtful deliberation and thank you for creating a fair and open process for people in our town to weigh in on this and other plans.

Unfortunately, a prior engagement prevented me from attending tomorrow's hearing, but I hope, through this email, my voice is heard and my opinion is taken into consideration along with others in your decision. I am a home owner and Mamaroneck resident for a decade. I currently reside in the Orienta neighborhood along with wife and two children who attend Central Elementary School, so I am directly impacted by the Hampshire proposal. My wife and I own a local business in Mamaroneck so we are entrepreneurs and we appreciate the need for economic progress and development to stimulate growth in our Community and tax base. We also have experience developing commercial and residential properties in the town so we do not approach the Hampshire development plan with a preexisting bias.

However, we believe the current Hampshire development proposal(s) are bad for our Community for various reasons:

- Schools - Our elementary schools are already overcrowded and our School Board and Community are struggling with a solution which has not yet been decided or implemented, let alone evaluated as to its success. It would be simply irresponsible to allow such a large scale development to go forward before we have a concrete plan to accommodate our existing base of students for the next decade. The Hampshire developer talks about marketing the project to older residents who won't burden our school system with many additional students, but how can they guarantee this? They will sell their properties to the highest bidders and it is likely that those bidders will be young families who cannot yet afford to buy our expensive homes with their already high local taxes.
- Traffic - The Hampshire property has only 2 traffic routes in and out; Cove road and Eagle Knolls/Hommocks Roads. Cove Road is already in dire need of repairs. Both routes already face heavy traffic usage especially in high volume times such as morning and evening rush hours to work and to school. How will the addition of dozens of new condos or homes impact traffic on these routes? It is likely to cause heavy congestion at their respective junctions with Boston Post Road at the Weaver and Orienta intersections.
- Environmental impact - The Hampshire property is shared with many different species of fish, fowl, deer and other animals large and small. The area is a large estuary and habitat for migrating birds and other animals who "share" the golf course and nearby lawns and wilder areas with human residents. Hampshire is a well-known flood zone and it absorbs a lot of water from more and more frequent and powerful storms that would otherwise impact our homes. How will a large new development affect the natural flood and water movement patterns in the area? Which homes that currently do not have water issues will now develop water mitigation problems as a result of the inevitable change in terrain that results from such a large scale development?

- Infrastructure - Our schools are crowding, our train and bus systems face constant delays, our roads are potholed and our storms create regular blackouts. We are a great and diverse Community yet we struggle to keep up with our current demands despite one of the highest tax burdens in the country. How will the addition of hundreds of new citizens in a short period of time affect our already creaky infrastructure?

The Hampshire developers have not addressed these and other concerns to our satisfaction. The risks of this large development plan, relative to the size of our Community, is large. There are also alternatives: the status quo has worked for years and it should be considered seriously; perhaps leaving the area as a park with land for a new school? We have other options and we must review those too. The risks of this plan simply do not outweigh its potential benefits in terms of additional tax revenue and I urge you to weigh the gravity of these risks in your important deliberations.

Thank you for your consideration.

Sincerely,

Sam and Lauren Porat



**Betty-Ann Sherer**

---

**From:** trent spiridellis <trent\_spiridellis@yahoo.com>  
**Sent:** Tuesday, February 13, 2018 8:43 PM  
**To:** Betty-Ann Sherer  
**Cc:** nrudowitz@yahoo.com; AMESSINA11@OPTONLINE.NET; findchuck@yahoo.com; Dan Margoshes; anitababikian@gmail.com; Tina Maresca  
**Subject:** Hampshire housing development - LMFC response to submissions by the developer

Dear Village of Mamaroneck (VOM) Planning Board,

With respect to the proposed housing development at Hampshire, the Larchmont Mamaroneck Football Club (LMFC), which is one of the largest youth sports organizations in our community, wishes to inform the VOM Planning Board that the leadership of our club was never contacted by the developer for input.

Any representation by the developer that it's sought the input of the LMFC appears to be disingenuous.

While the LMFC Board has not yet had an opportunity to review publicly available material RE: the development proposal, certain members of the club's leadership have expressed serious reservations about the likely increase in traffic in and around the Hommocks grass fields, which are utilized extensively by the players, families and supporters of the LMFC in the fall and spring, as well as related considerations.

Please share this message with the VOM Planning Board in advance of tomorrow's meeting.

Thanks,

LMFC Board of Directors

**Betty-Ann Sherer**

---

**From:** robert lieber <rklieber@optonline.net>  
**Sent:** Tuesday, February 13, 2018 8:45 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire golf course development

Mamaroneck Planning Board

Our family lives on Rockridge road in view of the golf course. Over the years we have seen the golf course flood many times and it has come to our attention that the land is in the coastal flood zone. Attached are photos of the flooding which occurred due to the recent light rains over the past few weeks. It seems that any development of this property would violate environmental law regarding wetlands. As sea level rises, this will become more and more of a problem.

We're also concerned about the level of noise that might come from any major construction projects taking place in the area and from the property itself once it's developed. My wife struggles with insomnia, is self employed and works from home during the day. One of the reasons for originally purchasing this property is how the road is quiet throughout the day and night. This construction would disturb the entirety of those who surround the development as there are other families who live practically on the golf course.

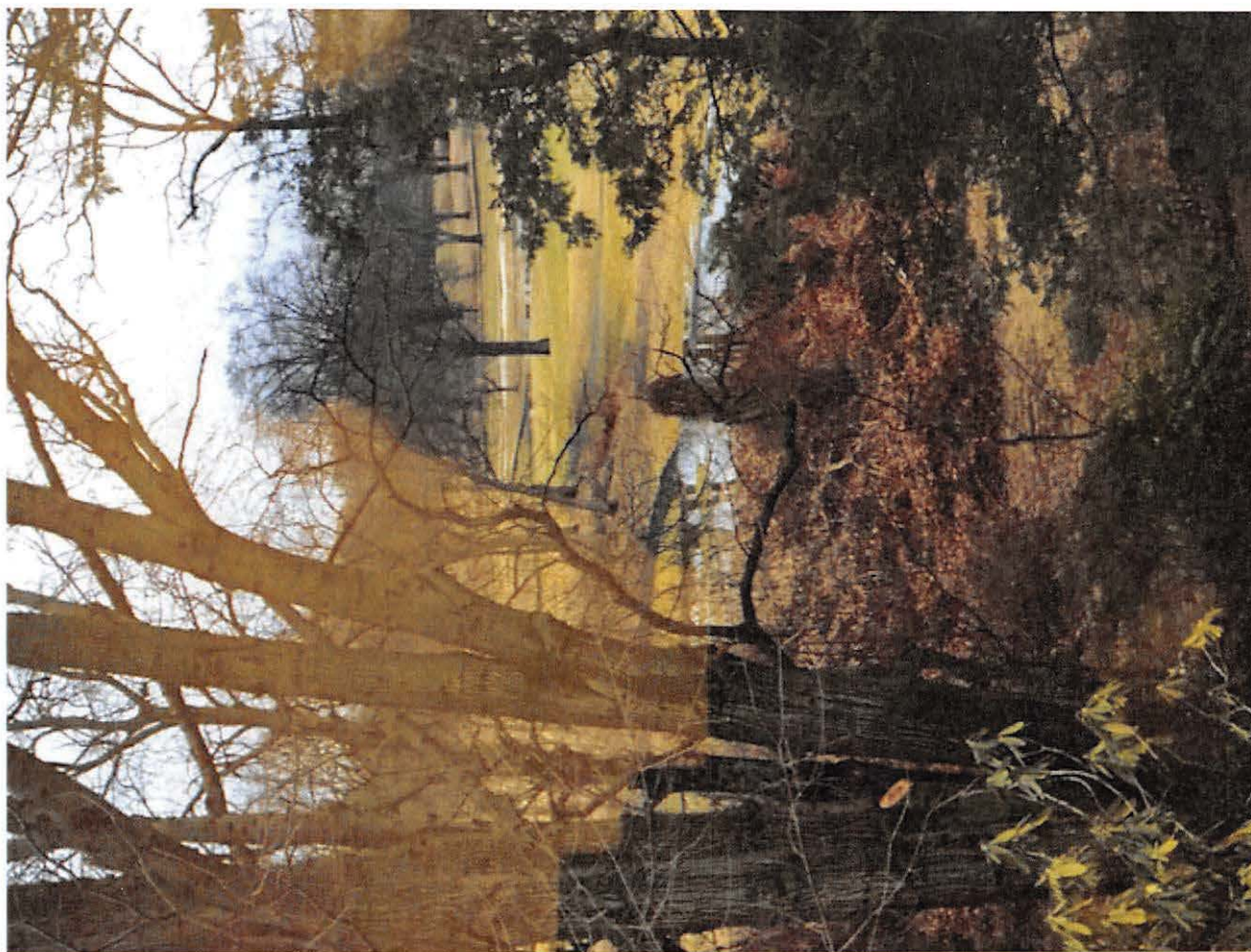
Our son attended Hommocks for his middle school education and is currently enrolled in MHS. Both schools already have a huge student population and a more students would definitely be an issue. The level of traffic on my commute to work and occasionally when I have to drop him off is presently a problem. Currently, the morning school drop off hour is a nightmare at the intersection of Boston Post Road and Hommocks Road. I can not imagine how much worse it would be with more traffic originating on Hommocks.

This development would fundamentally violate what the town stands for: the preservation of Mamaroneck's original infrastructure, and the community itself. I would like to thank everyone who has made an active effort in working to prevent this mistake in massive overdevelopment. We ask the planning board not to approve the housing development on Hampshire golf course.

Respectfully yours,  
The Lieber family  
10 Rockridge Road



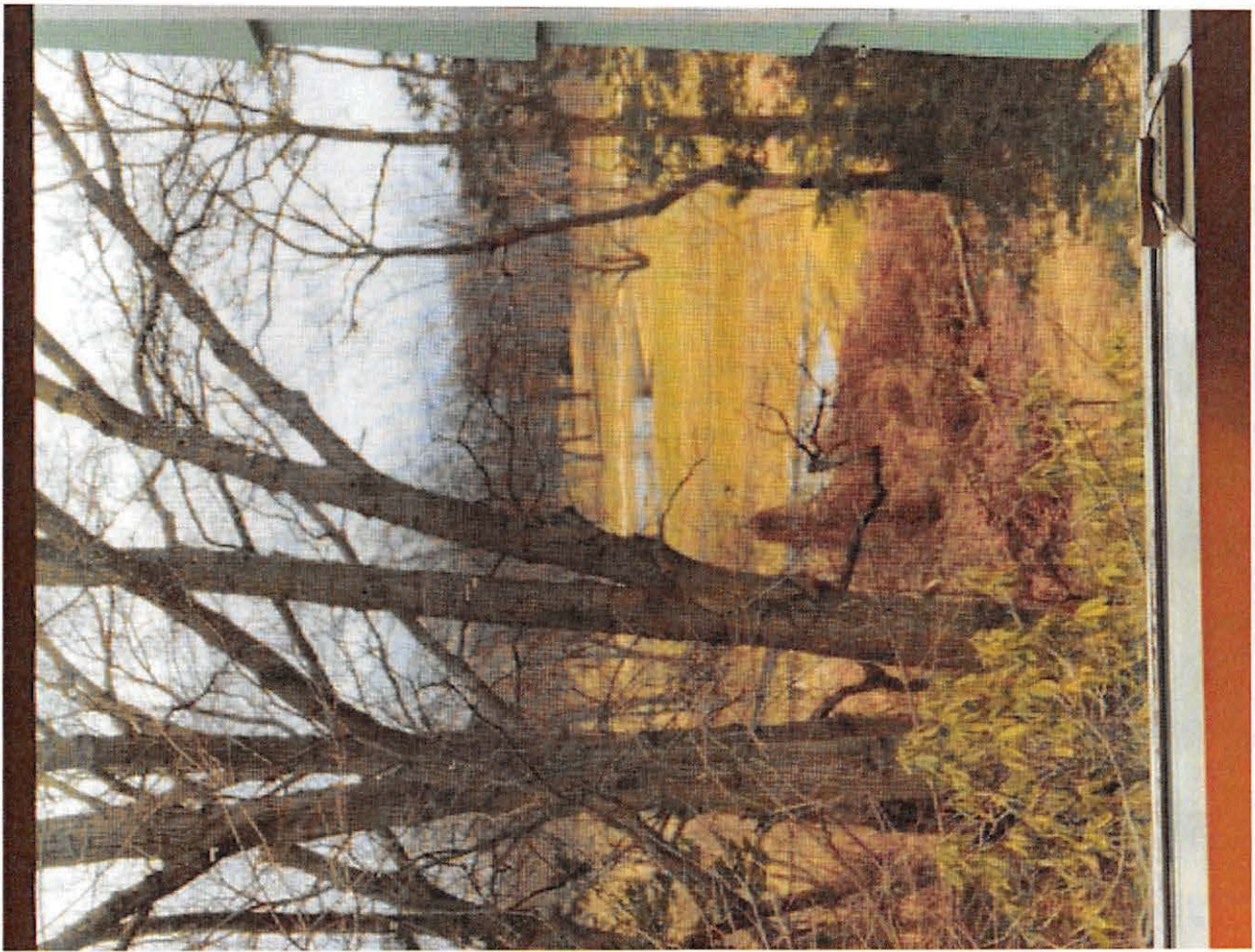




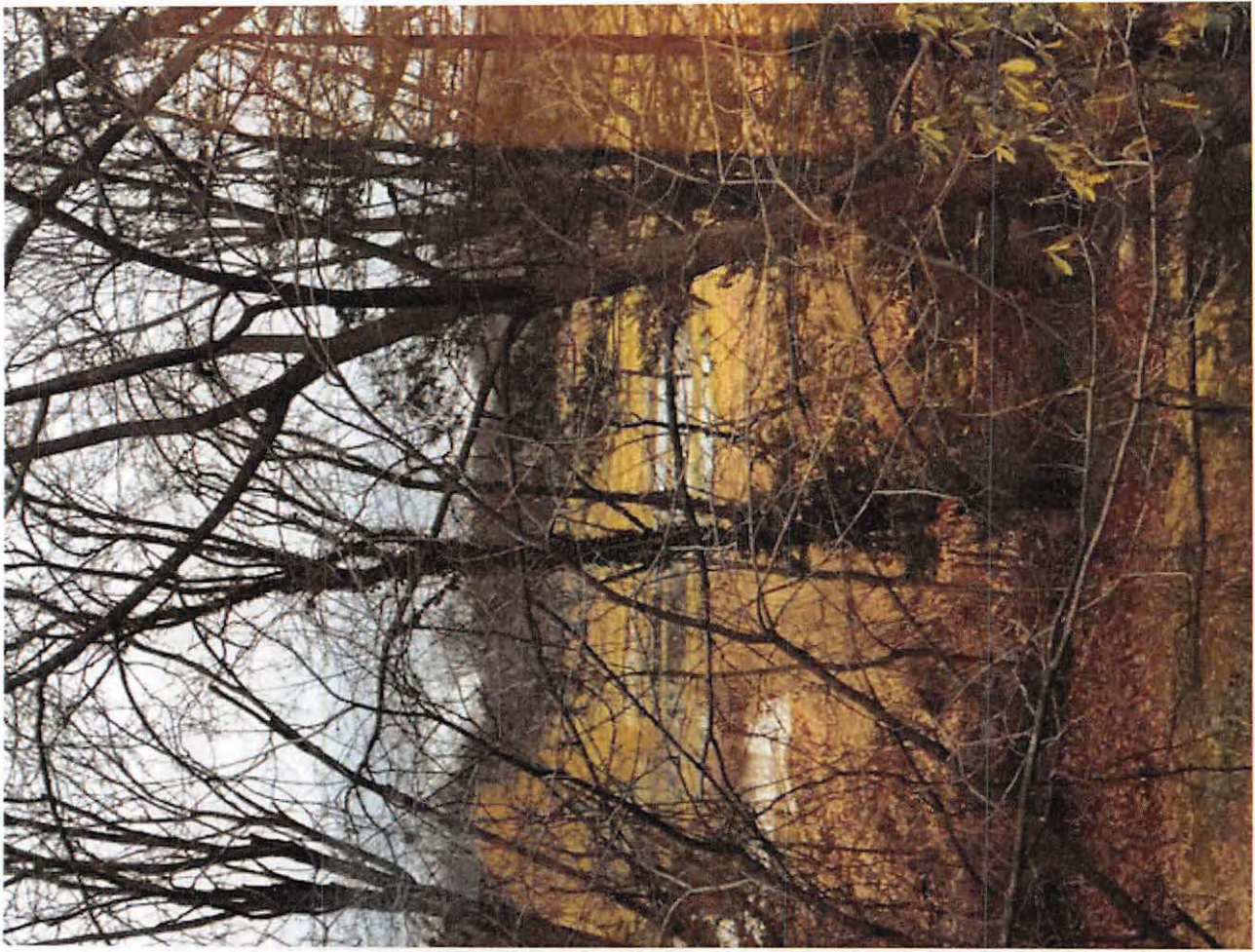


















**Betty-Ann Sherer**

---

**From:** Marshall Steinberg <mtsteinberg28@yahoo.com>  
**Sent:** Tuesday, February 13, 2018 8:59 PM  
**To:** Betty-Ann Sherer  
**Cc:** dsmith@hampshireclub.com  
**Subject:** Hampshire Country Club

To whom it may concern,

I have been a member of Hampshire Country Club for several years and have loved the experience. As a result, I have been following the news surrounding the proposed development. I certainly would not like to see the club either closed or with a 9 hole golf course instead of the current 18. But, I am certainly open minded to the concerns of the Larchmont community. My son and his wife and 3 children are living in Larchmont.

After examining the proposals of the Hampshire owners I am hard pressed to understand the opposition to the condo project. It would not cause overcrowding in the schools, would not harm the environment, would not result in traffic problems, and could be completed within a year or two and bring increased tax income to the community. The alternate proposal of building homes and carriage homes would result in more schoolchildren in already crowded schools and also make Hampshire less viable as a golf country club which would result in less tax revenue. Golf courses are closing daily around the country and clubs without homes are severely at risk. I believe that if the condo project is rejected that the homes will have to be built, therefore, and the community will suffer. I urge you to approve the condo project and it certainly appears to me that the developers will be open to negotiating a successful plan.

Thank you

Sincerely,

Dr. Marshall and Ms. Terry Steinberg

Sent from my iPad

**Betty-Ann Sherer**

---

**From:** Abby Roberts <abbyroberts46@gmail.com>  
**Sent:** Wednesday, February 14, 2018 8:36 AM  
**To:** Betty-Ann Sherer  
**Cc:** Mayor Tom Murphy; Nora Lucas  
**Subject:** Hampshire environmental impact - thoughts

Hi Betty-Ann,

Sorry for the day-of; it took me awhile to digest the Hampshire plans. I plan on attending tonight, but also wanted to put some thoughts down both in my role as Village Traffic Chair and as a resident of 1030 Old Post Road, which is directly impacted by this plan, and as owner of an investment property at 74 Post Lane, which overlooks the Hampshire golf course and is hugely impacted.

**Quick note:** Before I begin on the major issues, I would also like to quickly note that **Post Lane** was not considered as part of Hampshire's "overlook" study, but would be hugely impacted as it's right next to Cooper so any road would go right by all the residents, including our house at 74. I'm also pretty sure given the views that 74 Old Post Lane would be able to see quite a bit of the construction.

### Recommendations:

- The **sprawling development proposals** over the majority of the golf course should be **denied** as inconsistent with Mamaroneck's environmental code and the community's ability to handle the additional flooding issues, emergency services, infrastructure, traffic and students it would entail.
- Any plan that would use Cooper and Hommocks as routes into the development **must include** (at a minimum) **sidewalks** along **Old Post Road** (including Gillies Park), **Cooper** and the **back of the Hommocks into the development** to help ensure the safety of our children and community with the traffic influx.
- Dump trucks with fill should be **prohibited** during peak school hours - I'm also just worried about them in general and would not want them going through the Hommocks with all our kids there.
- **Cooper and Post Lane residents** need some mechanism to ensure their homes and property values aren't substantially decreased by the widened road going into the development. This could be landscaping, soundproofing - not sure what.

### Major points:

- The two proposed developments (single family and single family / carriage home mix) would **completely undermine Mamaroneck's environmental code**, which has designated Hampshire as a



**critical environmental area** and one of the largest open spaces left on the Sound Shore. Putting a sprawling development on Hampshire and carting in untold (and inconsistent) amounts of fill is just not consistent with that vision, which should be respected.

- Having **seen the entire golf course underwater** on multiple occasions, I do not see how this plan adequately mitigates for major flooding - which is a when not if. The flood gates discussed would not provide for it, and the roads would still be underwater. This would also put an incredibly amount of **cost and stress** on Village and Town services, including water, electrical and emergency response services.
- **Traffic would double on Old Post Road**, which already has incredibly heavy car and pedestrian traffic as it is a feeder street from Orienta to Boston Post, Central Elementary and The High School. The Village Traffic Commission, among others, has studied the road and recommended a sidewalk be installed for pedestrian safety issues - and this is **before** the proposed plan. (As a side note, we reviewed the car and pedestrian study on Old Post Road and think it's **incredibly inaccurate**. Far more than 9 cars go through Old Post Road in an hour during peak traffic time - even during non-peak time there's a lot more than that.)
- In addition to regular traffic doubling, the plan requires **so much fill** that dump trucks would literally be going through **Hommocks** and **Old Post Road** every few minutes **for years**. As a parent, I'm horrified by both the **safety implications** for our children, and also the additional traffic burden on already overly-trafficked streets.
- The plan would add an **incredibly stress on Central Elementary and the rest of the school system**. As I'm sure you're aware, the school district is already dealing with an overcrowding issue in its schools - adding a **potential 10% to the student population** would be insane, and we do not currently have the facilities or spend to cover it.
- Allowing **pesticide-ridden Flood Water** to continue to contaminate the Long Island Sound is not a plan.

Thanks for your attention,

Abby Roberts



PUBLIC COMMENT  
HAMPSHIRE COUNTRY CLUB PLANNED RESIDENTIAL DEVELOPMENT  
DECEMBER 2017 DEIS -SUBMITTED VIA EMAIL  
ADDITIONAL COMMENTS  
RECEIVED FEBRUARY 14, 2018  
THROUGH  
FEBRUARY 14, 2018

- 38. 02 14 2018 ANONYMOUS Hampshire Public Comment
- 39. 02 14 2018 MENELL Hampshire Public Comment
- 40. 02 14 2018 KURTIS Hampshire Public Comment
- 41. 02 14 2018 DEC Hampshire Public Comment
- 42. 02 14 2018 KESSLER Hampshire Public Comment
- 43. 02 14 2018 RUNCIE and SIROTA Hampshire Public Comment
- 44. 02 14 2018 KESSLER Hampshire Public Comment
- 45. 02 14 2018 SECKER WALKER Hampshire Public Comment
- 46. 02 14 2018 SANDLER Hampshire Public Comment
- 47. 02 14 2018 SCHAFER Hampshire Public Comment
- 48. 02 14 2018 FINSTAD Hampshire Public Comment
- 49. 02 14 2018 SERTEL Hampshire Public Comment

**From:**  
**Sent:** Wednesday, February 14, 2018 11:52 AM  
**To:** Betty-Ann Sherer; PlanningBoard  
**Subject:** For meeting tonight with Hampshire.

\*Please keep my name anonymous\*

Dear Planning Board Members,

I write as a local resident and former member of Hampshire Country Club. In recent weeks, I have received several emails from the club describing their development plans, currently before you. The emails indicate that the club will be developed either by home construction on the golf course (shrinking the course from 18 to 9 holes) or their preferred plan of building over one hundred condominiums atop the current clubhouse. Either development would dramatically change the nature of the club and its neighborhood. The club's communication indicates that you must choose either Plan A or Plan B.

My inquiry into the facts behind the emails revealed that Hampshire is misleading us. There is no "A or B" choice before you. Instead – and I urge you to take this course – you may determine that the club's current use should be preserved. There is no requirement that you grant an applicant's requests, particularly requests that require the dramatic changes Hampshire's development would require.

Hampshire's misleading emails have caused confusion and pitted neighbors against each other. We should be better than this. Please deny Hampshire's request to develop either the golf course or the clubhouse.

Thank you!  
A concerned resident.

**Betty-Ann Sherer**

---

**From:** Robert Menell <rmenell@gmail.com>  
**Sent:** Wednesday, February 14, 2018 12:25 PM  
**To:** Betty-Ann Sherer  
**Subject:** Meeting Tonight regarding the Hampshire CC Proposal for Development/Condos  
**Attachments:** Condo - Village Letter - 02-14-2018.docx

Dear Ms. Sherer,

I have attached a letter regarding the above in the hopes it will help the Village of Mamaroneck make the right decision.

The development of the Condos attached to the current clubhouse at HCC make the most sense in many ways. I hope the Village listens carefully and uses their best judgement going forward.

Thank you very much for giving this your attention.

Sincerely,  
Robert A. Menell



**From:** Todd Kurtis <toddkurtis@gmail.com>  
**Sent:** Wednesday, February 14, 2018 12:27 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire condos

Good afternoon,

I was fortunate enough to be AT&T he Hampshire club last week and spoke with the team that was proposing the condo vs homes idea. I was very excited and pleased to hear that the condo plan is the way they want to go. With schools overcrowding and the few children Hampshire condos would bring, i and others were very pleased with this option.

As a member of the community as well as Hampshire, I am more than thrilled to see this project start.on social media, there is ALOT of misinformation out there and I hope you can clear it up. I fully support this project and feel it will have fit the town greatly. I am looking forward to more meetings and hope fully a decision that will minimize the disruption to the community as well as the club. Thanks for all your efforts. Todd Kurtis

Todd Kurtis  
toddkurtis@gmail.com

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3  
21 South Putt Corners Road, New Paltz, NY 12561-1620  
P: (845) 256-3054 | F: (845) 255-4659  
www.dec.ny.gov



41  
Department of  
Environmental  
Conservation

February 14, 2018

Ms. Betty-Ann Sherer  
Land Use Coordinator  
Village of Mamaroneck Planning Department  
169 Mt. Pleasant Avenue  
Mamaroneck, NY 10543

RE: Hampshire Country Club Planned Residential Development  
Village of Mamaroneck, Westchester County  
**Comments on Draft Environmental Impact Statement**  
CH#: 7242

Dear Ms. Sherer:

Department of Environmental Conservation (DEC) staff have reviewed the Draft Environmental Impact Statement (DEIS) for Hampshire Country Club Planned Residential Development. The project consists of constructing 105 single-family units on 94.5-acres, comprising 44 single-family residences and 61 semi-detached carriage residences, reducing the existing golf course from 18-holes to 9-holes, and preserving 36 acres for open space.

## **DEC PERMITS AND JURISDICTION**

The following comments are offered, with reference to articles of the Environmental Conservation Law.

### **Article 25, Tidal Wetlands**

DEC regulates tidal wetlands and the adjacent area, the upland surrounding the wetlands. The extent of the tidal wetland adjacent area can be constricted by several factors:

- The seaward edge of the closest lawfully and presently existing (i.e. as of August 20, 1977), functional and substantial fabricated structure generally parallel to the wetland boundary and 100 feet of greater in length;
- The elevation contour of 10 feet above mean sea level, as shown on the most recent United States geological survey topographical map prior to the effective date of the regulations (August 20, 1977); and
- The crest of a bluff or cliff, where the 10-foot contour crosses the bluff or cliff.





Re: Hampshire Country Club Planning Residential Development  
Village of Mamaroneck, Westchester County  
Comments on Draft Environmental Impact Statement

Hommocks Road, Cove Road, and Eagle Knolls Road can be considered a substantial fabricated structure limiting the tidal wetland adjacent area. But the area which is southeast of Eagle Knolls Road and within 300 feet of the regulated wetland, in Delancey Cove, is regulated adjacent area.

The Grading and Utility Plan, Exhibit 3F-1, shows a "proposed 4' x 10' channel improvement" within 170 feet of the wetland with no apparent barrier. This appears to be modification of an existing structure and a regulated activity.

The tidal wetlands regulations include as a regulated activity any "new discharge of any pollutant requiring a SPDES permit." This includes new discharges under the SPDES General Permit for Stormwater Discharges from Construction Activity - GP-0-15-002. As this will proposal will include new impervious surfaces and it appears that there will be an increase in discharge, it appears that a tidal wetland permit for new discharge of stormwater is required.

However, Exhibit 2-14a shows plantings within the DEC-regulated tidal wetland adjacent area. Establishing plantings in the tidal wetlands adjacent area, is categorized as a "use not requiring a permit" pursuant to the regulations §661.5(9). Please note that DEC recommends the use of native species suitable for the area of proposed planting. The introduction of any plant listed in 6 NYCRR Part 575, Prohibited and Regulated Invasive Species, is prohibited.

Please note that the pond may be under the regulation of the Army Corps of Engineers and if excavation is required to establish wetland plantings, a Corps permit pursuant to Section 404 of the Clean Water Act may be required. If so, a Section 401 Water Quality Certification would be required from DEC.

**Article 11, Title 5, Endangered and Threatened Species**

Section 3.K.1.b. does not mention the SEQR Lead Agency coordination letter, CH# 5963, from DEC to the Village of Mamaroneck Planning Board, regarding State-listed threatened and endangered species. The letter notes that this project is in close proximity to occurrences of breeding marsh birds, king rail (*Rallus elegans*) and least bittern (*Ixobrychus exilis*). However, DEC has determined that this project will have no impact on these species and no further reviewing is necessary at this time.

**Article 19, Air Resources**

Section 3.S, Air Quality, states that some buildings "may require emergency generators, boilers, or other fuel burning sources" and that applications would be submitted for the "appropriate NYSDEC air permits under the Division of Air Resources (DAR)." Please note that applications for Air Registrations should be submitted to the NYSDEC Division of Air Resources. If the emissions exceed the registration thresholds and an Air State Facility Permit is required, the application must be submitted to the Regional Permit Administrator, not directly to DAR. Application for Air Resource permits must be made simultaneously with Tidal Wetlands application, if applicable. Please contact the Air Resource staff with questions on regulation at (845) 256-3185.



Re: Hampshire Country Club Planning Residential Development  
Village of Mamaroneck, Westchester County  
Comments on Draft Environmental Impact Statement

**Article 15, Title 15, Water Withdrawal**

According to the section H, Water Supply, the facility has two existing wells which provide irrigation water for the golf course. No information is provided on the capacity of these wells. If the total pump capacity of the wells exceeds 100,000 gallons per day, then a Water Withdrawal permit is required pursuant to Article 15, Title 15 of the Environmental Conservation Law. Please provide the pump capacity of the existing wells. Please note that this regulated is based on the physical capacity of the existing pumps, not on the amount of water actually being withdrawn nor the calculated safe yield. Please note that if these wells have sufficient capacity, submission of an application for permit should be made as soon as possible and can be independent of any applications needed for this development.

**State Pollutant Discharge Elimination System (SPDES) Stormwater – Construction**  
DEIS Section 2.E.1.k. does not mention the need for a SPDES General Permit for Stormwater Discharges from Construction Activity.

DEIS Section 3.F.1.c. only notes the need to prepare and submit a SWPPP to the Village of Mamaroneck. However, as stated in Table 1.1, the project requires a SPDES permit from DEC. The project sponsor must submit a Notice of Intent to the DEC along with the MS4 Acceptance Form and the SWPPP.

If there are any questions, please feel free to contact me at 845-256-3050 or by email at [sarah.pawliczak@dec.ny.gov](mailto:sarah.pawliczak@dec.ny.gov).

Sincerely,



Sarah Pawliczak  
Division of Environmental Permits

cc: Heather Gierloff, NYSDEC Division of Marine Resources  
Katherine Pijanowski, USACE

**Betty-Ann Sherer**

---

**From:** Kessler, Randall <Randall.Kessler@gsocap.com>  
**Sent:** Wednesday, February 14, 2018 12:46 PM  
**To:** Betty-Ann Sherer  
**Cc:** akessler416@gmail.com  
**Subject:** Hampshire Development

Good afternoon,

We are Larchmont residents writing in strong opposition to the proposed Hampshire development. As you know, we are currently dealing with an overcrowding situation in the Mamaroneck school district, and are nearly out of space in 3 of our 4 elementary schools (even before the completion of several large new apartment projects currently under construction). We are concerned that this new project would dramatically exacerbate this shortage.

First, we believe the estimates of 57 incremental school age children for 105 housing units are dramatically underestimated. As of the 2015 census data, our district had 2.7 people per house, would suggest at least 0.7 kids / house or 73.5 students. Our school populations have only increased since then, suggesting even this may be low. I also worry that this type of community (close to water, schools, recreation) will draw even higher rates of large families and dramatically impact the school system. Who would sign up for Mamaroneck's high school taxes if you're not planning to use the school?

I also find the assumption that these students would be spread evenly across K-12 laughable. You should get the data from our community's realtors, but it would seem that most new families move with younger children, not middle and high school aged kids, further overloading our elementary schools.

Importantly, with elementary schools at capacity, the incremental cost to educate a student is not the right measure of impact – it should include the capital cost to build new space to accommodate these students. On that basis, it is likely that that there 50+++ kids may be the straw that breaks the camel's back for the need of new educational space, which would cost millions of dollars. Perhaps it would be fair to have the development commit funds towards building a new school or donate some land on which we can build?

Finally – I do worry about how the design and density of this neighborhood will impact the feel of our community. I grew up in suburban Boca Raton, FL and the dense combination of town houses and McMansions (all with 2 car garages) being proposed reminds me of the worst parts of our homogenized "gated communities". I'd love to see a more pedestrian friendly vision (1 car garages, bus service to town and schools), lower density and more "variety" of the homes. (Not to mention that most people who need 2 cars... HAVE KIDS – see issues above)!

Thanks for your consideration!

Regards,  
 Randy and Amy Kessler

**Randall Kessler**  
 Managing Director, Performing Credit

**GSO Capital Partners**  
 345 Park Avenue, New York, NY 10154  
 T 212-503 -2192  
[Randall.Kessler@gsocap.com](mailto:Randall.Kessler@gsocap.com)

---

This e-mail communication is intended only for the addressee(s) named above and any others who have been specifically authorized to receive it and may contain information that is privileged, confidential or otherwise protected from disclosure. Please refer to [www.blackstone.com/email-disclaimer](http://www.blackstone.com/email-disclaimer) for important disclosures regarding this electronic communication, including information if you are not the intended recipient of this communication.



Betty-Ann Sherer

---

**From:** Catriona Runcie <cat.runcie@gmail.com>  
**Sent:** Wednesday, February 14, 2018 12:48 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire Country Club Development Proposal

I am writing as a resident of Orienta and as a Mamaroneck School District parent to say that I am opposed to both proposals currently being presented by the Hampshire owners.

There can be no doubt that a huge development that adds 100+ new families in that area will change the character of the neighborhood and cause traffic congestion that will increase the risk of pedestrians being hit traversing our largely sidewalk-free streets. Children walk to and from three schools along roads leading into and through Hampshire, residents stroll, jog and cycle in this neighborhood habitually. Unless the Village proposes to build wide, easily traversable sidewalks throughout, allowing this development poses an unacceptable risk.

But the bigger issue is the burden this will place on our school system. It is madness to add so many new families to the district when we are in the midst of an overcrowding crisis. Meetings are currently underway to try to figure out how we can accommodate the children already here! Indeed, what is needed right now is a ***moratorium*** on new development that creates additional housing until the schools can handle an influx of new students. Please consider this.

Yours truly,

Catriona Runcie & Dimitri Sirota  
1 Pirates Cove  
917-975-2202

## Betty-Ann Sherer

---

**From:** Kessler, Randall <Randall.Kessler@gsocap.com>  
**Sent:** Wednesday, February 14, 2018 12:59 PM  
**To:** Betty-Ann Sherer  
**Subject:** RE: Hampshire Development

I would also urge you to reconsider the plan to build smaller condos (particularly age restricted condos) as a way to shore up our tax base without overloading our schools!

Thanks again  
 Randy

**Randall Kessler**  
 Managing Director, Performing Credit

**GSO Capital Partners**  
 345 Park Avenue, New York, NY 10154  
 T 212-503 -2192  
[Randall.Kessler@gsocap.com](mailto:Randall.Kessler@gsocap.com)

---

**From:** Kessler, Randall  
**Sent:** Wednesday, February 14, 2018 12:46 PM  
**To:** 'Bsherer@vomny.org'  
**Cc:** akessler416@gmail.com  
**Subject:** Hampshire Development

Good afternoon,

We are Larchmont residents writing in strong opposition to the proposed Hampshire development. As you know, we are currently dealing with an overcrowding situation in the Mamaroneck school district, and are nearly out of space in 3 of our 4 elementary schools (even before the completion of several large new apartment projects currently under construction). We are concerned that this new project would dramatically exacerbate this shortage.

First, we believe the estimates of 57 incremental school age children for 105 housing units are dramatically underestimated. As of the 2015 census data, our district had 2.7 people per house, would suggest at least 0.7 kids / house or 73.5 students. Our school populations have only increased since then, suggesting even this may be low. I also worry that this type of community (close to water, schools, recreation) will draw even higher rates of large families and dramatically impact the school system. Who would sign up for Mamaroneck's high school taxes if you're not planning to use the school?

I also find the assumption that these students would be spread evenly across K-12 laughable. You should get the data from our community's realtors, but it would seem that most new families move with younger children, not middle and high school aged kids, further overloading our elementary schools.

Importantly, with elementary schools at capacity, the incremental cost to educate a student is not the right measure of impact – it should include the capital cost to build new space to accommodate these students. On that basis, it is likely that that there 50+++ kids may be the straw that breaks the camel's back for the need of new educational space, which would cost millions of dollars. Perhaps it would be fair to have the development commit funds towards building a new school or donate some land on which we can build?

Finally – I do worry about how the design and density of this neighborhood will impact the feel of our community. I grew up in suburban Boca Raton, FL and the dense combination of town houses and McMansions (all with 2 car garages) being proposed reminds me of the worst parts of our homogenized “gated communities”. I’d love to see a more pedestrian friendly vision (1 car garages, bus service to town and schools), lower density and more “variety” of the homes. (Not to mention that most people who need 2 cars... HAVE KIDS – see issues above)!

Thanks for your consideration!

Regards,  
Randy and Amy Kessler

**Randall Kessler**  
Managing Director, Performing Credit

**GSO Capital Partners**  
345 Park Avenue, New York, NY 10154  
T 212-503 -2192  
[Randall.Kessler@gsocap.com](mailto:Randall.Kessler@gsocap.com)

---

This e-mail communication is intended only for the addressee(s) named above and any others who have been specifically authorized to receive it and may contain information that is privileged, confidential or otherwise protected from disclosure. Please refer to [www.blackstone.com/email-disclaimer](http://www.blackstone.com/email-disclaimer) for important disclosures regarding this electronic communication, including information if you are not the intended recipient of this communication.



**Betty-Ann Sherer**


---

**From:** Tom Secker-Walker <tomseckerwalker@gmail.com>  
**Sent:** Wednesday, February 14, 2018 1:28 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire Country Club Development proposals

Dear Sir,

I hope that you are well and preparations for this evenings Planning meeting to discuss the development proposals for the Hampshire Club are going smoothly.

I am writing to you to register my opinions regarding this proposal as I will only be able to attend in person for the first hour (as it is Valentine's Day). I am a member of the Hampshire Club and also live in Orienta - so I have a very keen interest in the decisions that you are about to undertake.

**I would like to strongly urge the Village Planing team to reconsider the original Condominium plan that was originally submitted in 2014.** This plan would mean the rezoning of the club but I think the benefits will far outweigh the negatives.

This area is so attractive and a great place to live which is , in part, due to the golf course. This is a real benefit to the community with residents (both for and against the current plans) regularly using the space for exercising, dog walking and easy access to Hommocks School. The condo plan would ensure that approximately 102 acres are kept intact (out of the current 106 acres) and the 18 hole course will remain. I also understand that the developers have committed to putting the remaining 102 acres in a trust to ensure that the course / park land remaining in perpetuity after that. Other benefits of this plan are:

- The Golf Course continues to operate as a 18-hole Course
- Potentially low impact on the School System, 0-20 Students as the majority of the condo's would be bought by 'empty nesters' rather than families. This is a massive issue at the moment so anything the Town / Village can do to minimize significant impact is critical!
- Massive benefit to the school system - taxes \$1,473,689, cost to school \$317,860 = net gain for school of \$1,155, 829.
- A Net taxes increase of \$2,631,134
- Introduction of the development does not Impact the flood elevation of the adjacent neighborhood, multiple means of egress have been included.

The proposal for the 105 residential houses and carriage houses, whilst more lucrative for Mamaroneck, will have a much greater negative impact to the area.

- Loss of half the Gold Course therefore making it 9 hole course
- Huge disruption to the area for a least 4 years with large amounts of infill (which I am sure will impact the local ecosystem).
- Impact on the already over burdened School system as these house will primarily attract families. Projections are between 50 and 60 (although I think this is a little light).

I understand that both development will have very little impact on other utility services for Mamaroneck with and independent sewer line being put in as well as private refuse collection.

In closing, I feel that the current 105 house development would destroy this beautiful part of Mamaroneck. It will mean the Hampshire Country Club could only offer a 9 hole course which I personally feel would lead to the eventual closure of the Club. No one would benefit from this scenario. The Town would lose valuable revenue (from the numerous events held there), the community would lose a fabulous area of parkland and, most significantly, there would be the possibility of further development by someone else (as this is a prime area of real estate).

I would urge you to seriously consider the condo proposals as the best alternative to the current plan.

Your sincerely,

Tom Secker-Walker



## Betty-Ann Sherer

---

**From:** Neil Sandler <neilsandler@gmail.com>  
**Sent:** Wednesday, February 14, 2018 1:44 PM  
**To:** Betty-Ann Sherer  
**Subject:** Public hearing on Hampshire Country Club

Dear Planning Board Members,

Thank you for the opportunity to address the Board as I am unable to make the meeting tonight. I have been a resident of Mamaroneck for 29 years. Living in Orienta during that time, I am acutely aware of the issues presented by this proposal for what could be the largest construction project in Mamaroneck history. While prudent development can be a significant positive to a community by providing much needed housing for families and older residents, the benefits of property taxes and general business activities would be grossly outweighed by the burden to the entire Mamaroneck community.

To suggest that the only options are the two involving substantial development may be a case the owners make to their investors and fellow professionals. However, we as a community do not have to accept these two options. Just as the prior owners had to decide, there is always the option to run it as was originally intended, or to sell the property to another owner. If this comes at a loss, this is not the responsibility of the Village of Mamaroneck. Our Village is not obligated to help the investors turn a profit.

First, the professional institutional investors of Hampshire were quite disingenuous in their original purchase of the property. They widely advertised they would continue to run the property as a golf club. Given their financial sophistication, they knew all too well that the club could not support the status quo and could only turn a profit on their investment through the development of the course into residential housing. There were no other bidders for the property who sought to exclusively continue golf operations.

Second, this is hardly the first plan the investment group has presented, so at this point, the motive to maximize profit with little regard to the impacts on the community is quite obvious.

Third, the burden to the rest of the community is quite substantial.

- a. As we all know, the flooding on the golf course can be catastrophic. During a strong storm several years ago, a resident lost his life on the course during a storm surge. Given the obvious effects of climate change and rising ocean levels, we will continue to see stronger storms with dangerous consequences on this property.
- b. The Mamaroneck School system is already moving students from various schools to address severe overcrowding. Additional residential property will certainly bring more school children to the currently overburdened classrooms.
- c. As we know from other development projects including the proposed expansion of Westchester Day school several years ago, several well regarded traffic studies clearly demonstrated a dangerously overcrowded traffic situation given the existing road and intersection designs around Orienta and Boston Post Road. This project would bring in far more vehicles than the WDS plan creating not only over crowded roads but also a more dangerous situation for drivers and pedestrians in the area.
- d. Roads. The road system in our village is worse than some 3<sup>rd</sup> world countries with economic output less than that of Westchester. Traffic from 300 additional vehicles would only perpetuate this state of disrepair.
- e. Village Services. It is unlikely the Village could accommodate the additional burdens placed on the Police, Fire, Ambulance, and Public Works without significant investment in infrastructure, vehicles, and personnel.

I urge you to vote against accepting these plans to develop Hampshire.

Sincerely,





## Betty-Ann Sherer

---

**From:** Schafler, Seth B. <SSchafler@proskauer.com>  
**Sent:** Wednesday, February 14, 2018 3:27 PM  
**To:** Betty-Ann Sherer  
**Cc:** 'dsmith@hampshireclub.com'  
**Subject:** Tonight's Meeting of the Planning Board

To whom this may concern:

Unfortunately I am unable to attend the meeting tonight, but I write in support of the condo plan.

I am a member of the Hampshire and love the golf course. I live at 22 Rockridge Road, and my backyard abuts the 16th fairway. I think it would be a terrible thing for this property not to continue to operate as an 18-hole course. It would negatively impact me as well as many others who enjoy recreational use of the course, and would diminish open space. The condo development would be highly attractive to members of our community looking for alternative living arrangements. The alternative of building homes on the golf course and downgrading the course to 9 holes would have far greater impact on our school system and destroy a precious community asset.

As I have been saying for many years now, this matter should be worked out on the basis of the condo plan. I encourage you to take a productive role in that process.

Thank you for your consideration.

**Seth B. Schafler**  
 Member of the Firm

[Proskauer](#)  
 Eleven Times Square  
 New York, NY 10036-8299  
 d 212 969 3660  
 f 212 969 2900  
[sschafler@proskauer.com](mailto:sschafler@proskauer.com)

greenspaces  
 Please consider the environment before printing this email

\*\*\*\*\*  
 \*\*\*\*\*

This message and its attachments are sent from a law firm and may contain information that is confidential and protected by privilege from disclosure.

If you are not the intended recipient, you are prohibited from printing, copying, forwarding or saving them. Please delete the message and attachments without printing, copying, forwarding or saving them, and notify the sender immediately.

\*\*\*\*\*  
 \*\*\*\*\*

**Betty-Ann Sherer**

---

**From:** May Finstad <may\_finstad@yahoo.ca>  
**Sent:** Wednesday, February 14, 2018 3:41 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire Country Club (HCC) / Condo Development

Ms. Sherer,

We are writing in support of the proposed condo development on the Hampshire Country Club land. My husband, David, is a current member of HCC and for him it is important that the Club continue to operate as an 18 hole course. Clearly, the condo development (vs. single family homes) would seem to preserve the greatest land space.

As a Larchmont family currently embroiled in the school district's enrollment issues, we would support development that minimizes the impact to classroom size. If the target audience for the proposed condo development is for residents 50+, then the choice is obvious.

To summarize, we believe that the condo option is best for the community because:

- environmentally, it would result in the least amount of disruption to the land and maintain the golf course with 18 holes
- it would add 20 or less new students to the school system
- it would allow the club to prosper, and
- it will add incremental tax revenue

Thank you for your time.

Best regards,  
David and May Finstad



**Betty-Ann Sherer**

---

**From:** julie sertel <juliesertel@gmail.com>  
**Sent:** Wednesday, February 14, 2018 4:12 PM  
**To:** Betty-Ann Sherer  
**Subject:** orienta development

As a Orienta resident I am writing to register my extreme concern for the current development plans being considered for the Hampshire Golf Course.

I urge the planning board to turn down all current proposals and explore smaller scale development which I believe would be much more suited to the character of our community.

Thank you.  
Julie Sertel  
6 Indian Cove Rd  
Mamaroneck, NY 10543

**PUBLIC COMMENT**  
**HAMPSHIRE COUNTRY CLUB PLANNED RESIDENTIAL DEVELOPMENT**  
**DECEMBER 2017 DEIS -SUBMITTED VIA EMAIL**  
**ADDITIONAL COMMENTS**  
**RECEIVED FEBRUARY 14, 2018**  
**THROUGH**  
**FEBRUARY 20, 2018**

- 50. 02 14 2018 GORDON Hampshire Public Comment
- 51. 02 14 2018 FERNANDEZ Hampshire Public Comment
- 52. 02 14 2018 LARSEN Hampshire Public Comment
- 53. 02 14 2018 ZOLNA Hampshire Public Comment
- 54. 02 14 2018 LUSK Petition submitted at PH Hampshire Public Comment
- 55. 02 14 2018 RYAN Photos submitted at PH Hampshire Public Comment
- 56. 02 14 2018 TOWN of MAMARONECK Hampshire Public Comment
- 57. 02 15 2018 STRAUSS Hampshire Public Comment
- 58. 02 17 2018 AGENDA Commentary HCZMC from CreativeHabitat
- 59. 02 20 2018 DIVNEY Hampshire Public Comment
- 60. 02 20 2018 NYS DOT Hampshire DEIS Comment

**Betty-Ann Sherer**

---

**From:** Jamie Gordon <jbgorienta@yahoo.com>  
**Sent:** Monday, February 12, 2018 6:45 AM  
**To:** Betty-Ann Sherer  
**Subject:** Planning

Request From: Jamie Gordon

Email: [jbgorienta@yahoo.com](mailto:jbgorienta@yahoo.com) <<mailto:jbgorienta@yahoo.com>>

Source IP: 24.188.167.14

Address: 628 Orienta avenue

City: Mamaroneck

State: New York

Zip: 10543

Phone: 9147772410

Organization:

Approving anything to promote the development of Hampshire would be disastrous on oh so many levels. We moved here for the tranquility of the neighborhood and the lovely open space of Hampshire.



**Betty-Ann Sherer**

---

**From:** Oscar Fernandez <oscarfernandezjr@gmail.com>  
**Sent:** Wednesday, February 14, 2018 5:51 PM  
**To:** Betty-Ann Sherer  
**Subject:** Planning  
**Attachments:** Attach0.html

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Request From: Oscar Fernandez  
Email: [oscarfernandezjr@gmail.com](mailto:oscarfernandezjr@gmail.com)  
Source IP: 70.214.108.48

Address: 114 Sunset Road  
City: Mamaroneck  
State: NY  
Zip: 10543  
Phone:  
Organization: None

To Whom it May Concern-

This comment is with regard to the zone planning meeting tonight at 7pm on 2/14 on the topic of the Hampshire Club proposal. I would just like to note as a member of the community and resident with 3 school age children that currently the school district has a major challenge in that our school enrollment and space is at capacity. There until these space issues are adequately addressed it is not the right time to approve a proposal for new housing that might bring in a large amount of school age children into the system. We would certainly welcome these students and families once the district has a plan in place to handle the existing space issue and ongoing increased enrollment challenges. I am a concerned parent who is an executive board member of the MAS and HMX PTAs though I do not represent these school bodies as a while I do feel I have a perspective which is shared with many of our district families across the community.

**Betty-Ann Sherer**

---

**From:** Kim Larsen <kimlarsen@mindspring.com>  
**Sent:** Wednesday, February 14, 2018 7:38 PM  
**To:** Betty-Ann Sherer  
**Subject:** Planning Board hearing tonight

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello. I am very concerned about Hampshire's proposals to develop their property. I have skimmed the draft EIS and it is full of inaccuracies and false assumptions. I tried to attend this evening's hearing but it was standing room only...outside! Clearly residents are concerned about the negative impacts Hampshire's proposals would have on our community.

In any case, I understand another meeting is scheduled for March 14. This development proposal is a matter of utmost importance. Perhaps the meeting could be held in a larger venue to allow more citizens to express their views. The Emelin, MHS, and Hommocks all have auditoriums that might work.

Thank you.  
Kim Larsen  
531 Orienta Avenue



Virus-free. [www.avast.com](http://www.avast.com)

**Betty-Ann Sherer**

---

**From:** Jesse Zolna <jzolna@gmail.com>  
**Sent:** Thursday, February 15, 2018 8:39 AM  
**To:** Betty-Ann Sherer  
**Subject:** Re: Hampshire housing proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Thank you Betty.

I understand the proposal predicts 57 children. That is just not a good projection. People move to our town for the schools. Even if only half the houses are occupied by families (and I would bet it's going to be more than 80%) and they have 2 kids each it'll be more than 100 kids. The projection might be close if it was 105 apartments near the train, but this is not that. It will attract families.

I worry that the developer is presenting untruths to get their proposal approved. I worry even more about whether they are doing same with traffic and environmental impact assessments (which I can not judge).

Please don't let this group, who have no attachment to the community after the units are sold, convince you with misleading or false data.

Wait until the school situation is figured out before we make it worse.

Thank you,  
 Jesse

Sent from my mobile: 617.290.5259

On Feb 14, 2018, at 9:48 AM, Betty-Ann Sherer <[bsherer@vomny.org](mailto:bsherer@vomny.org)> wrote:

Hello,  
 Your letter regarding Hampshire Country Club will be distributed to the Planning Board and has been made part of the record.  
 Have a pleasant day.

*Betty-Ann*

Betty-Ann Sherer  
 Land Use Coordinator  
 Planning, Zoning & HCZMC  
 Village Of Mamaroneck  
 169 Mt.Pleasant Avenue  
 Mamaroneck, NY 10543  
 (914)825-8758 \* Phone  
 (914)777-7792 \* Fax



**From:** Jesse Zolna [<mailto:jzolna@gmail.com>]  
**Sent:** Tuesday, February 13, 2018 2:39 PM  
**To:** Betty-Ann Sherer <[bsherer@vomny.org](mailto:bsherer@vomny.org)>  
**Subject:** Hampshire housing proposal

Hi, I am writing at this time to beg you NOT to approve the 105 new homes at Hampshire. The entire town has been overdeveloped and this is leading to congestion issues that are altering the town forever. At the heart of my request is not making the current crisis in the Town's elementary schools worse.

Unless there is some way to get the builder to fund space for up to 200 new kids up-front, it is a very bad proposition. Perhaps they could build a school on-site?

Thank you,  
Jesse

---

Jesse S. Zolna, Ph.D.  
Mobile: 617.290.5259

Submitted 2/14/18 during  
Hampshire Club PH. by (54)  
Jack Fusk

**Cove Road Homeowners Statement**  
**Submitted to Village of Mamaroneck Planning Board**  
**February 14, 2018**

We, homeowners of Cove Road, write to alert the Village Planning Board to a fatal flaw in Hampshire Recreation LLC's ("Hampshire") application to develop portions of the Hampshire Country Club property. Hampshire assumes it may use Cove Road as a means of access to its proposed 105-unit housing development and alternatives. However, as Hampshire's application acknowledges, Cove Road is privately owned, not only by Hampshire, but also by the other property owners along Cove Road. While Hampshire Club members, personnel and vendors have been using portions of Cove Road that are exclusively or partially owned by Cove Road homeowners, they have done so only pursuant to an implied easement or license. It is our understanding that under New York law, an entity like Hampshire that has an easement or license to cross the lands of others to access property for a specific use has no right to unilaterally change the use, particularly where doing so would increase the burden on the burdened properties without their permission. Hampshire has never requested such permission, let alone received it. We the undersigned do not consent to the use of Cove Road as a means of ingress and egress to the proposed new development or its alternatives outlined in the Draft Environmental Impact Statement.

It is our understanding that this issue is not unique to Cove Road, and that the other roads proposed for egress and ingress for the Project (Eagle Knolls Road and Cooper Avenue) are also privately owned. This same flaw may therefore exist with respect to those roads as well.

We think this is a critical issue and should be cleared up now, before the Planning Board and the public waste immense amounts of time on this application. At the very least, the Planning Board should request a written opinion from its counsel on the issue before proceeding further.

~~Elizabeth - 100x~~  
Name: Ephie Toll  
Address:

Date:

2/7/18

917 Cove Rd.  
Mamaronock, NY

~~Richard Ackerman~~  
Name: Richard Ackerman

Date:

2/7/18

Address: 917 Cove Rd.  
Mamaronock, NY

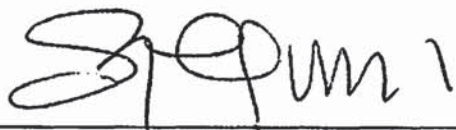


**Cove Road Homeowners Statement**  
**Submitted to Village of Mamaroneck Planning Board**  
**February 14, 2018**

We, homeowners of Cove Road, write to alert the Village Planning Board to a fatal flaw in Hampshire Recreation LLC's ("Hampshire") application to develop portions of the Hampshire Country Club property. Hampshire assumes it may use Cove Road as a means of access to its proposed 105-unit housing development and alternatives. However, as Hampshire's application acknowledges, Cove Road is privately owned, not only by Hampshire, but also by the other property owners along Cove Road. While Hampshire Club members, personnel and vendors have been using portions of Cove Road that are exclusively or partially owned by Cove Road homeowners, they have done so only pursuant to an implied easement or license. It is our understanding that under New York law, an entity like Hampshire that has an easement or license to cross the lands of others to access property for a specific use has no right to unilaterally change the use, particularly where doing so would increase the burden on the burdened properties without their permission. Hampshire has never requested such permission, let alone received it. We the undersigned do not consent to the use of Cove Road as a means of ingress and egress to the proposed new development or its alternatives outlined in the Draft Environmental Impact Statement.

It is our understanding that this issue is not unique to Cove Road, and that the other roads proposed for egress and ingress for the Project (Eagle Knolls Road and Cooper Avenue) are also privately owned. This same flaw may therefore exist with respect to those roads as well.

We think this is a critical issue and should be cleared up now, before the Planning Board and the public waste immense amounts of time on this application. At the very least, the Planning Board should request a written opinion from its counsel on the issue before proceeding further.



Name: Virginie DUPAQUIER  
Address: 742 Cove Road.  
MAMARONECK NY.

Date: \_\_\_\_\_



Name: MARC DUPAQUIER  
Address: 742 Cove Rd  
MAMARONECK, NY


Date: 02/07/2018

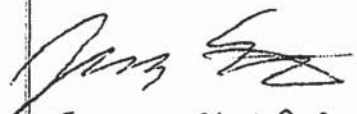
**Cove Road Homeowners Statement**  
**Submitted to Village of Mamaroneck Planning Board**  
**February 14, 2018**

We, homeowners of Cove Road, write to alert the Village Planning Board to a fatal flaw in Hampshire Recreation LLC's ("Hampshire") application to develop portions of the Hampshire Country Club property. Hampshire assumes it may use Cove Road as a means of access to its proposed 105-unit housing development and alternatives. However, as Hampshire's application acknowledges, Cove Road is privately owned, not only by Hampshire, but also by the other property owners along Cove Road. While Hampshire Club members, personnel and vendors have been using portions of Cove Road that are exclusively or partially owned by Cove Road homeowners, they have done so only pursuant to an implied easement or license. It is our understanding that under New York law, an entity like Hampshire that has an easement or license to cross the lands of others to access property for a specific use has no right to unilaterally change the use, particularly where doing so would increase the burden on the burdened properties without their permission. Hampshire has never requested such permission, let alone received it. We the undersigned do not consent to the use of Cove Road as a means of ingress and egress to the proposed new development or its alternatives outlined in the Draft Environmental Impact Statement.

It is our understanding that this issue is not unique to Cove Road, and that the other roads proposed for egress and ingress for the Project (Eagle Knolls Road and Cooper Avenue) are also privately owned. This same flaw may therefore exist with respect to those roads as well.

We think this is a critical issue and should be cleared up now, before the Planning Board and the public waste immense amounts of time on this application. At the very least, the Planning Board should request a written opinion from its counsel on the issue before proceeding further.

  
Jennifer Knick 2-11-18  
Home Owners 1070 Cove Rd

  
JASON SHAPIRO  
2/11/18



**Cove Road Homeowners Statement**  
**Submitted to Village of Mamaroneck Planning Board**  
**February 14, 2018**

We, homeowners of Cove Road, write to alert the Village Planning Board to a fatal flaw in Hampshire Recreation LLC's ("Hampshire") application to develop portions of the Hampshire Country Club property. Hampshire assumes it may use Cove Road as a means of access to its proposed 105-unit housing development and alternatives. However, as Hampshire's application acknowledges, Cove Road is privately owned, not only by Hampshire, but also by the other property owners along Cove Road. While Hampshire Club members, personnel and vendors have been using portions of Cove Road that are exclusively or partially owned by Cove Road homeowners, they have done so only pursuant to an implied easement or license. It is our understanding that under New York law, an entity like Hampshire that has an easement or license to cross the lands of others to access property for a specific use has no right to unilaterally change the use, particularly where doing so would increase the burden on the burdened properties without their permission. Hampshire has never requested such permission, let alone received it. We the undersigned do not consent to the use of Cove Road as a means of ingress and egress to the proposed new development or its alternatives outlined in the Draft Environmental Impact Statement.

It is our understanding that this issue is not unique to Cove Road, and that the other roads proposed for egress and ingress for the Project (Eagle Knolls Road and Cooper Avenue) are also privately owned. This same flaw may therefore exist with respect to those roads as well.

We think this is a critical issue and should be cleared up now, before the Planning Board and the public waste immense amounts of time on this application. At the very least, the Planning Board should request a written opinion from its counsel on the issue before proceeding further.

Nadia Cordier  
Name: \_\_\_\_\_  
Address: 727 Cove Road

[Signature] 02/14/2018  
Date: \_\_\_\_\_

LAURENT CORDIER  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_

[Signature] 02/14/2018  
Date: \_\_\_\_\_

[Signature]  
727 COVE RD



**Cove Road Homeowners Statement**  
**Submitted to Village of Mamaroneck Planning Board**  
**February 14, 2018**

We, homeowners of Cove Road, write to alert the Village Planning Board to a fatal flaw in Hampshire Recreation LLC's ("Hampshire") application to develop portions of the Hampshire Country Club property. Hampshire assumes it may use Cove Road as a means of access to its proposed 105-unit housing development and alternatives. However, as Hampshire's application acknowledges, Cove Road is privately owned, not only by Hampshire, but also by the other property owners along Cove Road. While Hampshire Club members, personnel and vendors have been using portions of Cove Road that are exclusively or partially owned by Cove Road homeowners, they have done so only pursuant to an implied easement or license. It is our understanding that under New York law, an entity like Hampshire that has an easement or license to cross the lands of others to access property for a specific use has no right to unilaterally change the use, particularly where doing so would increase the burden on the burdened properties without their permission. Hampshire has never requested such permission, let alone received it. We the undersigned do not consent to the use of Cove Road as a means of ingress and egress to the proposed new development or its alternatives outlined in the Draft Environmental Impact Statement.

It is our understanding that this issue is not unique to Cove Road, and that the other roads proposed for egress and ingress for the Project (Eagle Knolls Road and Cooper Avenue) are also privately owned. This same flaw may therefore exist with respect to those roads as well.

We think this is a critical issue and should be cleared up now, before the Planning Board and the public waste immense amounts of time on this application. At the very least, the Planning Board should request a written opinion from its counsel on the issue before proceeding further.

  
Name: David Wenstrup

Date: February 7, 2018




**Cove Road Homeowners Statement**  
**Submitted to Village of Mamaroneck Planning Board**  
**February 14, 2018**

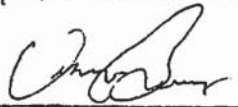
We, homeowners of Cove Road, write to alert the Village Planning Board to a fatal flaw in Hampshire Recreation LLC's ("Hampshire") application to develop portions of the Hampshire Country Club property. Hampshire assumes it may use Cove Road as a means of access to its proposed 105-unit housing development and alternatives. However, as Hampshire's application acknowledges, Cove Road is privately owned, not only by Hampshire, but also by the other property owners along Cove Road. While Hampshire Club members, personnel and vendors have been using portions of Cove Road that are exclusively or partially owned by Cove Road homeowners, they have done so only pursuant to an implied easement or license. It is our understanding that under New York law, an entity like Hampshire that has an easement or license to cross the lands of others to access property for a specific use has no right to unilaterally change the use, particularly where doing so would increase the burden on the burdened properties without their permission. Hampshire has never requested such permission, let alone received it. We the undersigned do not consent to the use of Cove Road as a means of ingress and egress to the proposed new development or its alternatives outlined in the Draft Environmental Impact Statement.

It is our understanding that this issue is not unique to Cove Road, and that the other roads proposed for egress and ingress for the Project (Eagle Knolls Road and Cooper Avenue) are also privately owned. This same flaw may therefore exist with respect to those roads as well.

We think this is a critical issue and should be cleared up now, before the Planning Board and the public waste immense amounts of time on this application. At the very least, the Planning Board should request a written opinion from its counsel on the issue before proceeding further.

  
Name: Monica Bhardwaj  
Address: 1044 Cove Road Mamaroneck  
10543

Date: 2/8/18

  
Name: Vikram Bhardwaj  
Address: 1044 Cove Road Mamaroneck  
10543

Date: 2/18/18

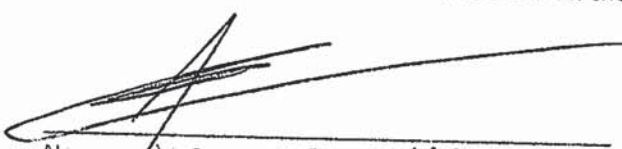


**Cove Road Homeowners Statement**  
**Submitted to Village of Mamaroneck Planning Board**  
**February 14, 2018**

We, homeowners of Cove Road, write to alert the Village Planning Board to a fatal flaw in Hampshire Recreation LLC's ("Hampshire") application to develop portions of the Hampshire Country Club property. Hampshire assumes it may use Cove Road as a means of access to its proposed 105-unit housing development and alternatives. However, as Hampshire's application acknowledges, Cove Road is privately owned, not only by Hampshire, but also by the other property owners along Cove Road. While Hampshire Club members, personnel and vendors have been using portions of Cove Road that are exclusively or partially owned by Cove Road homeowners, they have done so only pursuant to an implied easement or license. It is our understanding that under New York law, an entity like Hampshire that has an easement or license to cross the lands of others to access property for a specific use has no right to unilaterally change the use, particularly where doing so would increase the burden on the burdened properties without their permission. Hampshire has never requested such permission, let alone received it. We the undersigned do not consent to the use of Cove Road as a means of ingress and egress to the proposed new development or its alternatives outlined in the Draft Environmental Impact Statement.

It is our understanding that this issue is not unique to Cove Road, and that the other roads proposed for egress and ingress for the Project (Eagle Knolls Road and Cooper Avenue) are also privately owned. This same flaw may therefore exist with respect to those roads as well.

We think this is a critical issue and should be cleared up now, before the Planning Board and the public waste immense amounts of time on this application. At the very least, the Planning Board should request a written opinion from its counsel on the issue before proceeding further.

  
Name: JEFFREY S. CHAPSKI

Address: 911 COVE RD.

Date: FEB 6, 2018

  
Name: \_\_\_\_\_

Address: \_\_\_\_\_

911 Cove Road

Jean-François Lee

Date: Feb 7, 2018

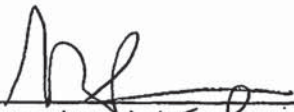


**Cove Road Homeowners Statement**  
**Submitted to Village of Mamaroneck Planning Board**  
**February 14, 2018**


We, homeowners of Cove Road, write to alert the Village Planning Board to a fatal flaw in Hampshire Recreation LLC's ("Hampshire") application to develop portions of the Hampshire Country Club property. Hampshire assumes it may use Cove Road as a means of access to its proposed 105-unit housing development and alternatives. However, as Hampshire's application acknowledges, Cove Road is privately owned, not only by Hampshire, but also by the other property owners along Cove Road. While Hampshire Club members, personnel and vendors have been using portions of Cove Road that are exclusively or partially owned by Cove Road homeowners, they have done so only pursuant to an implied easement or license. It is our understanding that under New York law, an entity like Hampshire that has an easement or license to cross the lands of others to access property for a specific use has no right to unilaterally change the use, particularly where doing so would increase the burden on the burdened properties without their permission. Hampshire has never requested such permission, let alone received it. We the undersigned do not consent to the use of Cove Road as a means of ingress and egress to the proposed new development or its alternatives outlined in the Draft Environmental Impact Statement.

It is our understanding that this issue is not unique to Cove Road, and that the other roads proposed for egress and ingress for the Project (Eagle Knolls Road and Cooper Avenue) are also privately owned. This same flaw may therefore exist with respect to those roads as well.

We think this is a critical issue and should be cleared up now, before the Planning Board and the public waste immense amounts of time on this application. At the very least, the Planning Board should request a written opinion from its counsel on the issue before proceeding further.

  
Name: MELANIE FUSCO  
Address: 1010 COVE RD MAMARONECK

Date: 2/6/18

  
Name: JEREMY ARFIELD  
Address: 1010 COVE RD

Date: 2/6/18

**Cove Road Homeowners Statement**  
**Submitted to Village of Mamaroneck Planning Board**  
**February 14, 2018**

We, homeowners of Cove Road, write to alert the Village Planning Board to a fatal flaw in Hampshire Recreation LLC's ("Hampshire") application to develop portions of the Hampshire Country Club property. Hampshire assumes it may use Cove Road as a means of access to its proposed 105-unit housing development and alternatives. However, as Hampshire's application acknowledges, Cove Road is privately owned, not only by Hampshire, but also by the other property owners along Cove Road. While Hampshire Club members, personnel and vendors have been using portions of Cove Road that are exclusively or partially owned by Cove Road homeowners, they have done so only pursuant to an implied easement or license. It is our understanding that under New York law, an entity like Hampshire that has an easement or license to cross the lands of others to access property for a specific use has no right to unilaterally change the use, particularly where doing so would increase the burden on the burdened properties without their permission. Hampshire has never requested such permission, let alone received it. We the undersigned do not consent to the use of Cove Road as a means of ingress and egress to the proposed new development or its alternatives outlined in the Draft Environmental Impact Statement.

It is our understanding that this issue is not unique to Cove Road, and that the other roads proposed for egress and ingress for the Project (Eagle Knolls Road and Cooper Avenue) are also privately owned. This same flaw may therefore exist with respect to those roads as well.

We think this is a critical issue and should be cleared up now, before the Planning Board and the public waste immense amounts of time on this application. At the very least, the Planning Board should request a written opinion from its counsel on the issue before proceeding further.

Louis Dupere  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
925 Cove Rd.  
Mamaroneck, NY 10543

February 6, 2018  
Date: \_\_\_\_\_

Hyriam Dupere  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
925 Cove Rd  
Mamaroneck, NY 10543

February 6<sup>th</sup>, 2018  
Date: \_\_\_\_\_



**Cove Road Homeowners Statement**  
**Submitted to Village of Mamaroneck Planning Board**  
**February 14, 2018**

We, homeowners of Cove Road, write to alert the Village Planning Board to a fatal flaw in Hampshire Recreation LLC's ("Hampshire") application to develop portions of the Hampshire Country Club property. Hampshire assumes it may use Cove Road as a means of access to its proposed 105-unit housing development and alternatives. However, as Hampshire's application acknowledges, Cove Road is privately owned, not only by Hampshire, but also by the other property owners along Cove Road. While Hampshire Club members, personnel and vendors have been using portions of Cove Road that are exclusively or partially owned by Cove Road homeowners, they have done so only pursuant to an implied easement or license. It is our understanding that under New York law, an entity like Hampshire that has an easement or license to cross the lands of others to access property for a specific use has no right to unilaterally change the use, particularly where doing so would increase the burden on the burdened properties without their permission. Hampshire has never requested such permission, let alone received it. We the undersigned do not consent to the use of Cove Road as a means of ingress and egress to the proposed new development or its alternatives outlined in the Draft Environmental Impact Statement.

It is our understanding that this issue is not unique to Cove Road, and that the other roads proposed for egress and ingress for the Project (Eagle Knolls Road and Cooper Avenue) are also privately owned. This same flaw may therefore exist with respect to those roads as well.

We think this is a critical issue and should be cleared up now, before the Planning Board and the public waste immense amounts of time on this application. At the very least, the Planning Board should request a written opinion from its counsel on the issue before proceeding further.

Steven H. Zenger, M.A.  
Name:  
Address: 752 Cove Rd

2/6/18  
Date:

Raymond A. Zenger  
Name:  
Address: 752 Cove Rd

2/6/18  
Date:



**Cove Road Homeowners Statement**  
**Submitted to Village of Mamaroneck Planning Board**  
**February 14, 2018**

We, homeowners of Cove Road, write to alert the Village Planning Board to a fatal flaw in Hampshire Recreation LLC's ("Hampshire") application to develop portions of the Hampshire Country Club property. Hampshire assumes it may use Cove Road as a means of access to its proposed 105-unit housing development and alternatives. However, as Hampshire's application acknowledges, Cove Road is privately owned, not only by Hampshire, but also by the other property owners along Cove Road. While Hampshire Club members, personnel and vendors have been using portions of Cove Road that are exclusively or partially owned by Cove Road homeowners, they have done so only pursuant to an implied easement or license. It is our understanding that under New York law, an entity like Hampshire that has an easement or license to cross the lands of others to access property for a specific use has no right to unilaterally change the use, particularly where doing so would increase the burden on the burdened properties without their permission. Hampshire has never requested such permission, let alone received it. We the undersigned do not consent to the use of Cove Road as a means of ingress and egress to the proposed new development or its alternatives outlined in the Draft Environmental Impact Statement.

It is our understanding that this issue is not unique to Cove Road, and that the other roads proposed for egress and ingress for the Project (Eagle Knolls Road and Cooper Avenue) are also privately owned. This same flaw may therefore exist with respect to those roads as well.

We think this is a critical issue and should be cleared up now, before the Planning Board and the public waste immense amounts of time on this application. At the very least, the Planning Board should request a written opinion from its counsel on the issue before proceeding further.

Name:

Address:

Dore E. Angel  
1002 Cove Rd

Date:

2/6/18

Name:

Address:

Jack Lusk  
1002 Cove Rd

Date:

2/6/18

**Cove Road Homeowners Statement**  
**Submitted to Village of Mamaroneck Planning Board**  
**February 14, 2018**

We, homeowners of Cove Road, write to alert the Village Planning Board to a fatal flaw in Hampshire Recreation LLC's ("Hampshire") application to develop portions of the Hampshire Country Club property. Hampshire assumes it may use Cove Road as a means of access to its proposed 105-unit housing development and alternatives. However, as Hampshire's application acknowledges, Cove Road is privately owned, not only by Hampshire, but also by the other property owners along Cove Road. While Hampshire Club members, personnel and vendors have been using portions of Cove Road that are exclusively or partially owned by Cove Road homeowners, they have done so only pursuant to an implied easement or license. It is our understanding that under New York law, an entity like Hampshire that has an easement or license to cross the lands of others to access property for a specific use has no right to unilaterally change the use, particularly where doing so would increase the burden on the burdened properties without their permission. Hampshire has never requested such permission, let alone received it. We the undersigned do not consent to the use of Cove Road as a means of ingress and egress to the proposed new development or its alternatives outlined in the Draft Environmental Impact Statement.

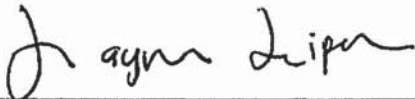
It is our understanding that this issue is not unique to Cove Road, and that the other roads proposed for egress and ingress for the Project (Eagle Knolls Road and Cooper Avenue) are also privately owned. This same flaw may therefore exist with respect to those roads as well.

We think this is a critical issue and should be cleared up now, before the Planning Board and the public waste immense amounts of time on this application. At the very least, the Planning Board should request a written opinion from its counsel on the issue before proceeding further.



Name: ROBERT GOODMAN  
Address: 1013 COVE RD

Date: 2-6-2018



Name: Jayne Lipman  
Address: 1013 COVERLY

Date: 2-6-2018



**Cove Road Homeowners Statement**  
**Submitted to Village of Mamaroneck Planning Board**  
**February 14, 2018**

We, homeowners of Cove Road, write to alert the Village Planning Board to a fatal flaw in Hampshire Recreation LLC's ("Hampshire") application to develop portions of the Hampshire Country Club property. Hampshire assumes it may use Cove Road as a means of access to its proposed 105-unit housing development and alternatives. However, as Hampshire's application acknowledges, Cove Road is privately owned, not only by Hampshire, but also by the other property owners along Cove Road. While Hampshire Club members, personnel and vendors have been using portions of Cove Road that are exclusively or partially owned by Cove Road homeowners, they have done so only pursuant to an implied easement or license. It is our understanding that under New York law, an entity like Hampshire that has an easement or license to cross the lands of others to access property for a specific use has no right to unilaterally change the use, particularly where doing so would increase the burden on the burdened properties without their permission. Hampshire has never requested such permission, let alone received it. We the undersigned do not consent to the use of Cove Road as a means of ingress and egress to the proposed new development or its alternatives outlined in the Draft Environmental Impact Statement.

It is our understanding that this issue is not unique to Cove Road, and that the other roads proposed for egress and ingress for the Project (Eagle Knolls Road and Cooper Avenue) are also privately owned. This same flaw may therefore exist with respect to those roads as well.

We think this is a critical issue and should be cleared up now, before the Planning Board and the public waste immense amounts of time on this application. At the very least, the Planning Board should request a written opinion from its counsel on the issue before proceeding further.

Name:

Address:

Date:

Name:

Address:

Date:

722 Cove Road  
Mamaroneck, NY 10543



**Cove Road Homeowners Statement**  
**Submitted to Village of Mamaroneck Planning Board**  
**February 14, 2018**

We, homeowners of Cove Road, write to alert the Village Planning Board to a <sup>potential</sup> fatal flaw in Hampshire Recreation LLC's ("Hampshire") application to develop portions of the Hampshire Country Club property. Hampshire assumes it may use Cove Road as a means of access to its proposed 105-unit housing development and alternatives. However, as Hampshire's application acknowledges, Cove Road is privately owned, not only by Hampshire, but also by the other property owners along Cove Road. While Hampshire Club members, personnel and vendors have been using portions of Cove Road that are exclusively or partially owned by Cove Road homeowners, they have done so only pursuant to an implied easement or license. It is our understanding that under New York law, an entity like Hampshire that has an easement or license to cross the lands of others to access property for a specific use has no right to unilaterally change the use, particularly where doing so would increase the burden on the burdened properties without their permission. Hampshire has never requested such permission, let alone received it. We the undersigned do not consent to the use of Cove Road as a means of ingress and egress to the proposed new development or its alternatives outlined in the Draft Environmental Impact Statement.

It is our understanding that this issue is not unique to Cove Road, and that the other roads proposed for egress and ingress for the Project (Eagle Knolls Road and Cooper Avenue) are also privately owned. This same <sup>potential</sup> flaw may therefore exist with respect to those roads as well.

We think this is a critical issue and should be cleared up now, before the Planning Board and the public waste immense amounts of time on this application. At the very least, the Planning Board should request a written opinion from its counsel on the issue before proceeding further.

LS

LS

Leslie Shifrin  
1031 Cove Rd  
Name: Maniamed, NY Date:  
Address: 10543

2/12/18

Frank Shifrin  
1031 Cove Rd  
Name: Maniamed, NY Date:  
Address: 10543

2/12/18

25





2/19/18

Submitted by  
Paul Ryan  
During  
Hampshire  
PH

3/15/2010 - Hampshire CC

55  
3/15



5/

1950

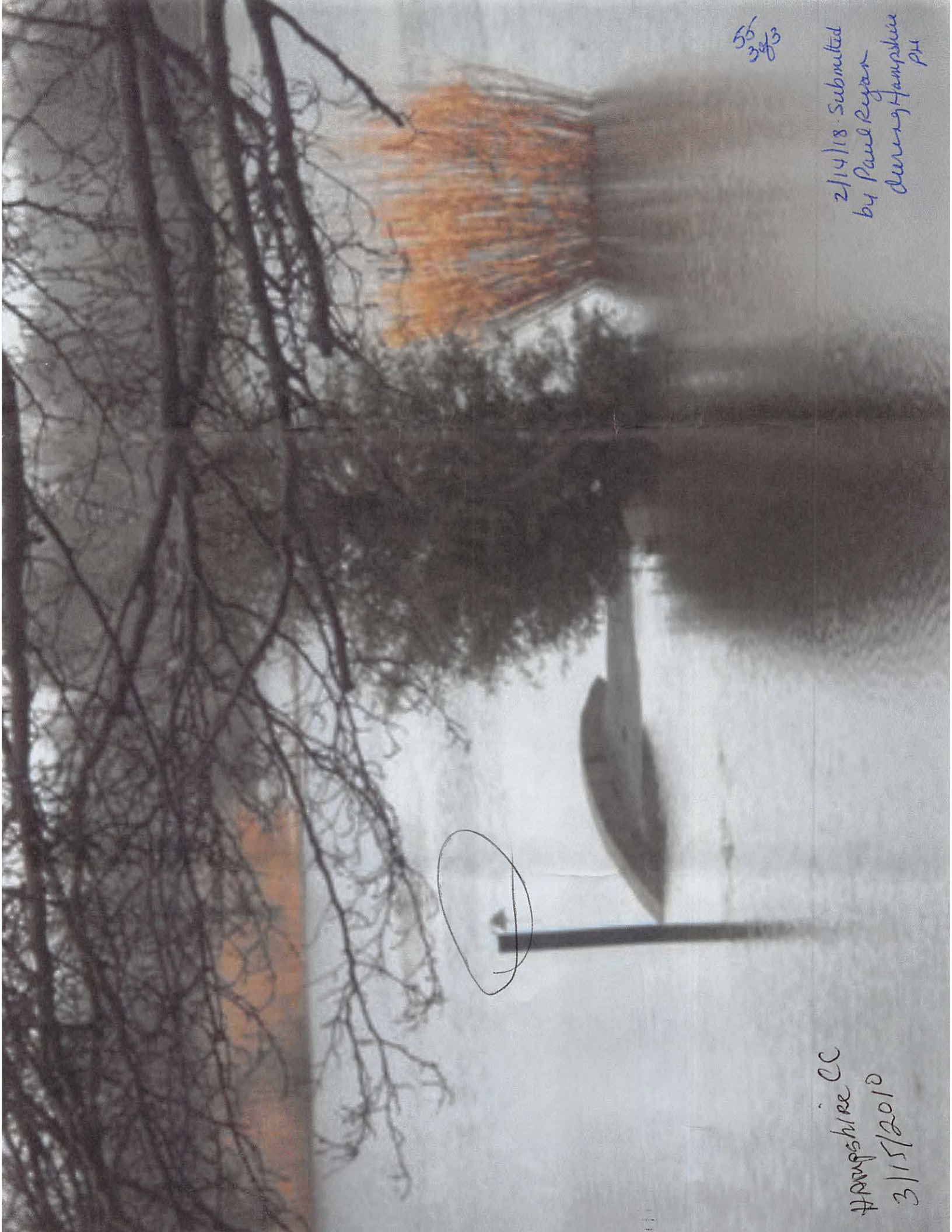


2/14/18  
Submitted by  
Paul Ryan during  
Hampshire Club A4



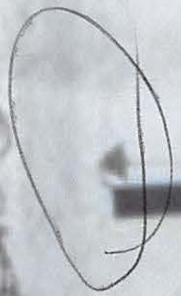
3/15/2010 - Hampshire CC





56  
3813

2/14/18 - Submitted  
by Paul Ryan  
during Hampshire  
PH



Hampshire CC  
3/15/2010





**Town of Mamaroneck**  
Town Center  
740 West Boston Post Road, Mamaroneck, NY 10543-3353

OFFICE OF THE TOWN ADMINISTRATOR

RECEIVED

FEB 16 2018

**BUILDING DEPT.**

TEL: 914/381-7810

FAX: 914/381-7809

townadministrator@townofmamaroneck.org

February 14, 2018

**Mr. Robert Yamuder**  
Village Manager  
Village of Mamaroneck  
123 Mamaroneck Avenue  
Mamaroneck, New York 10543

**HAND DELIVERED 2-15-18**

**Re: Comments on the Draft Environmental Impact Statement  
Hampshire Country Club Planned Residential Development**

Dear Mr. Yamuder:

In November of 2015 the Town of Mamaroneck commented upon the then draft scoping document in connection with the proposed development on the Hampshire Country Club property. (See Attached) At that time the Town submitted comments on the scoping document suggesting evaluation of certain impacts.

The Town has now had the opportunity to review the Draft Environmental Impact Statement. We appreciate the opportunity to comment upon the document. The following are the Town's comments:

1. The Town of Mamaroneck is not listed in the DEIS as an involved or an interested agency which is of some concern due to the proximity of Hampshire Country Club to the Town and the fact that a portion of the club is located in the Town.
2. The proposal does not appear to adequately demonstrate that there will be no flood impact as a result of filling within the flood zone. The document argues that because the flood zone is tidal, there will be no impact, however, the Village Code states that compensation must be provided when filling an area within the floodplain:

***Village of Mamaroneck Code Section 186-5.A.(3)(c)***

***Whenever any portion of a floodplain is authorized for development, the volume of space occupied by the authorized fill or structure below the base flood elevation shall be 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. All such excavations shall be constructed to drain freely to the watercourse. No area below the waterline of a pond or other body of water can be credited as a compensating excavation.***

RECEIVED

FEB 18 1908

BUILDING DEPT.



The Town does not agree that because the flood zone is tidal there will be no impact. In our comments on the scoping document we pointed out that at the southernmost portion of the Hampshire Property adjacent to Hommocks Road there is a floodgate on the golf course property. The floodgate is controlled by the current owners of the club property. When the floodgate is opened storm water drains from the property through an existing vault located adjacent to Hommocks Road and a storm water drain system underneath the Town's Hommocks Fields. Eventually the storm water drains into what is known as the Little Harbor Sound. The flood gate system is also used at times by the property owner to prevent incoming tidal flow onto the golf course. Therefore at times the natural tidal flow is being interrupted by the use of the floodgate thus impacting the Town. Therefore further analysis should be provided on storm drain pipe sizes and the retention of storm water on the property during both low and high tides during heavy rain events.

3. Does the proposal use FEMA's Advisory Base Flood Elevations that were based on conditions found during Superstorm Sandy? FEMA recently updated the base flood elevation maps and it is unclear from the DEIS whether the revised elevation data has been applied.
4. The quantity of fill material required for this project is massive. The grades are being raised between 9 and 13.4 feet to place the structures above the flood plain. According to the DEIS, *"The Project will require the onsite cut and relocation of approximately 217,490 cubic yards of soil and the fill of 301,594 cubic yards of soil requiring an estimated net soil import of approximately 84,000 cubic yards."* Blasting, chipping and moving this quantity of material is a massive undertaking. Material must be certified as clean fill and its origins documented. Page 2-25 does not state how many truck trips will be required for 84,000 cubic yards, but it does state that they would use 16-yard trucks. This would require 5,250 one way trips or 10,500 round trips on Hommocks Road just for the additional fill material estimated. Without knowing the estimated time frame in which these trips would occur, the potential impact of this number of trips is potentially overwhelming to this area. One must assume that a certain percentage of these trips will coincide with school traffic at the Hommocks School. At school drop off and pickup times the traffic at the intersection of Hommocks Road and Boston Post Road is significant. There are also a large number of school children crossing the streets of this intersection. Consideration must also be given to the impact of this traffic upon the Town's summer camp and pool programs and the many activities on the Hommocks Fields. There is no discussion in the DEIS of alternative routes for this amount of truck traffic. Alternate routes must be developed to ease the burden on Hommocks Road and the Hommocks School.
5. The DEIS states that all construction access will be from Hommocks Road and Eagle Knolls Road. No construction access will be provided from Orienta Avenue or Cooper Avenue. Again, this places an unfair burden on Town roads creating serious traffic issues for the school, Town camp and our



residents. As stated in comment #4 alternative routes for construction traffic must be developed. Regardless of the quantity of construction and truck traffic planned for travel on Hommocks Road, we would anticipate excessive wear and tear on the roadway. The DEIS states that the developer would repave Hommocks Road prior to the start of construction and states that the road would be re-inspected after construction. One could interpret this to mean that the potential exists for Hommocks Road not to be repaved after construction if the developer does not believe it is necessary. This is not a sensible solution for the Town and is not acceptable. The Town would require some form of guarantee for the repaving of Hommocks Road.

6. The DEIS does not address where displaced wildlife will go once close to 500 trees are removed and construction begins. The golf course and its open space has provided significant wildlife habitat and is a Critical Environmental Area. The removal of habitat for deer, coyotes and Canada geese will put a greater burden on the Hommocks Conservation Area, our playing fields and resident's back yards.
7. The DEIS does not provide a survey of existing birds, wildlife or plants and the tree removal plan does not specify the species of trees to be removed. This information is critical to determine the impact upon the Town's Hommocks Conservation Area.
8. Page 3F-1 inaccurately states that the project does not discharge to a 303(d)-listed waterbody.
9. While the issue of school enrollment is not specific to the Town of Mamaroneck government, the Town along with the Villages of Larchmont and Mamaroneck have been discussing the recent increase in student enrollment in the Mamaroneck Schools. We have discussed this with the school district in the context of indirect impacts upon the three local governments. The matter of school overcrowding is an important community concern. The methodology used in the DEIS to measure school enrollment impact should be discussed in greater detail with the Mamaroneck School District officials to verify its applicability to this development
10. The Village of Mamaroneck Code provides the following standards to be used in reviewing applications for site development plan approval. This proposal fails to achieve several of these standards by filling the property. Homes should be built on piers with lower levels reserved for storage or parking when constructed in a flood zone and every effort should be made to preserve and protect the flood plain as it is our community's defense against coastal flooding and storm surges.
  - Insofar as practical, minimize degradation of unique or irreplaceable land types and critical areas;



- Preserve the landscape in its natural state, insofar as practicable and environmentally desirable, by minimizing tree and soil removal. If development of the site necessitates the removal of established trees, special attention shall be given to the planting of replacements or to other landscape treatment. Any grade changes shall be in keeping with the general appearance of neighboring developed areas;
- Proposed structures shall be related harmoniously to themselves, the terrain and to existing buildings and roads in the vicinity that have a visual relationship to the proposed structures. The achievement of such harmonious relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, terrain features or other buildings;
- A proposed development shall be designed so as to provide for proper surface water management through a system of controlled drainage that, wherever practicable, preserves existing natural drainage patterns and wetlands and enhances groundwater recharge areas and that protects other properties and existing natural and artificial drainage features from the adverse effects of flooding, erosion and the depositing of silt, gravel or stone. The design shall be in conformance with Chapter 186, Flood Damage Prevention
- The site development proposal generally shall minimize adverse traffic effects on the road networks serving the area in question;
- All entrance and exit driveways to public streets shall be located with due consideration for traffic flow and so as to afford maximum safety to traffic on the public streets.
- Considerate of on-site parking,
- Circulation, and pedestrian safety;
- Property utility services and waste disposal;
- Compliance with noise regulations; and
- Sufficient provision of open and recreational space to meet the needs of residents occupying dwelling units that will be built.

The Town raises these points because, as proposed, this development shall be directly adjoining the Town at its border with the Village on Hommocks Road thereby escalating its impact upon the Town. The Village must consider the more wide-ranging impacts upon a neighboring community and the impact upon the character of that community, in this case the Town. The Village Code as written does a superb job of identifying broad based criteria for site development. The Town asks that this criteria be strictly applied not only to benefit the Village but to consider the broader impact upon the Town and the surrounding environment.

11. Arsenic, lead and pesticide levels were found to be elevated on the property. What impact will this have on air quality during excavation and fill operations if these materials become airborne?

12. Page 3R-3 states that the project will be undertaken in one phase of 24-36 months but other sections state that work will be phased. The document should reconcile the inconsistencies over the phasing schedule. This will prove important in evaluating traffic and construction impacts.

13. With a project cost of \$123,000,000 and the large scale public infrastructure improvements for roads and underground utilities what form of bonding or contingencies are to be in place should a situation develop where there are insufficient funds for the project.

This concludes our comments on the Draft Environmental Impact Statement for the proposed residential development on Hampshire Country Club. Many thanks to the Village for allowing the Town the opportunity to provide these comments. The Town of Mamaroneck and Village of Mamaroneck have historically worked well together on many different projects and issues, so we look forward to continued cooperation on the review of proposed development project. The Town is available at any time to provide additional information and to answer any questions regarding our comments.

Sincerely,



Stephen V. Altieri  
Town Administrator

cc: Supervisor Nancy Seligson  
Members of the Town Board  
Mayor Thomas Murphy  
Members of the Village Board  
Mr. Gregory Cutler- Village of Mamaroneck  
Elizabeth Paul- Town of Mamaroneck





# **Town of Mamaroneck**

## **Town Center**

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

OFFICE OF THE TOWN ADMINISTRATOR

TEL: 914/381-7810

FAX: 914/381-7809

[townadministrator@townofmamaroneck.org](mailto:townadministrator@townofmamaroneck.org)

[www.townofmamaroneck.org](http://www.townofmamaroneck.org)

November 6, 2015

Ms. Betty-Ann Sherer  
Land Use Coordinator  
Village of Mamaroneck  
169 Mt. Pleasant Avenue  
Mamaroneck, New York 10543

Delivered by e-mail & Postal Service

Re: Comments on Proposed Scoping Document  
Hampshire Country Club Planned Residential Development

Dear Ms. Sherer:

The following comments are submitted by the Town of Mamaroneck in connection with the Draft Scoping Document dated August 25, 2015 for the Hampshire Country Club Residential Development application. The Town is requesting that these additional comments be taken into consideration and made a part of the final scoping document.

### **III. Existing Environmental Conditions, Anticipated Impacts and Mitigation**

#### **C. Wetlands and Water bodies:**

1d. The draft scoping document states that a functional analysis of the existing wetland communities should be completed.

The Town suggests that the components of the functional analysis be clarified to include a review of the ecological benefits and how the current wetlands serve as wildlife habitats and how the wetlands impact water quality and biological diversity on the Hampshire Property.

#### **E. Storm Water Management**

1a. At the southern end of the Hampshire Property on Hommocks Road, there is a flood gate that is controlled by the current owners of the property. When opened storm water drains the golf course through a vault and piping system that courses underneath the Hommocks Fields owned by the Town of Mamaroneck. The flood gate system is also used at times by the property owner to prevent incoming tidal flow onto the golf course. Storm water carried through this system eventually drains out to Little Harbor and Long Island Sound. The scoping document should acknowledge the existence of these drainage facilities in the pre-development description of existing conditions.



**2a Anticipated Impacts** – Included in this section of the scoping document should be a complete analysis of the impact of the alternative development schemes upon the drainage facilities described in the existing conditions. The analysis should consider the size of the existing storm drain pipes and their capacity both during normal conditions and during 50 and 100 year storm events. Included should also be the impacts upon Little Harbor for all alternative development schemes. The scoping document should also indicate whether the existing flood gates would remain a component of the storm drainage system in any of the development schemes. If not, what alternative storm drainage facilities would be in place to carry storm water from the property and what are the potential downstream impacts upon the Hommocks Field and Little Harbor

**3. Mitigation-** What steps would be taken to prevent surcharging of the existing storm drain system and flooding on Hommocks Road and on the Hommocks Fields during 50 and 100 year storm events.

#### **J. Traffic**

**1. Existing Conditions** - The current development proposal calls for traffic to enter and exit by way to the intersection of Eagle Knolls Road and Hommocks Road. Hommocks Road eventually leads to the intersection of Boston Post Road (NY Rte 1), Hommocks Road and Weaver Street (NY Rte 125). In describing the existing conditions the scoping document does not make mention of facilities immediately adjacent to Hommocks Road which includes the Hommocks School, Hommocks Ice Rink and Hommocks Pool. The school is a source of high traffic volumes particularly during school drop off and pickup. Traffic conditions are intensified during those times when the school, ice rink and pool are operating concurrently. The analysis of existing conditions should include current traffic volumes generated by these facilities.

**2. Anticipated Impacts** – For each development alternative, traffic volumes and capacity analysis should include traffic volumes generated by the school, ice rink and pool. The traffic volumes should include seasonal analysis for the busiest times for each facility and for those times when the three facilities operate concurrently. The analysis should suggest changes that would be necessary to the existing roadways and traffic control devices to provide for efficient traffic flows on Hommocks Road and through Hommocks Road/Weaver Street/Boston Post Road intersection.

#### **K. Community Facilities**

**1. Existing Conditions** - Although the development plan is located in the Village of Mamaroneck. The Hampshire property is also located in the Town of Mamaroneck. Residents of the Village of Mamaroneck are eligible to use, as residents of the Town, all Town recreation facilities including the Hommocks Pool and Hommocks Ice Rink. Therefore the Hommocks Pool and Hommocks Ice Rink should be included in the discussion of existing open space and recreation facilities.



1. The first part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them.

2. The second part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them.

3. The third part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them.

4. The fourth part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them.

5. The fifth part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them.

6. The sixth part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them.

7. The seventh part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them.

8. The eighth part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them.

9. The ninth part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them.

10. The tenth part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them.

1. The first part of the document is a list of names and their corresponding addresses. The names are listed in the first column, and the addresses are listed in the second column. The names are: John Doe, Jane Smith, and Bob Johnson. The addresses are: 123 Main St, 456 Elm St, and 789 Oak St.

2. The second part of the document is a table with two columns. The first column is labeled "Name" and the second column is labeled "Address". The table contains the following data:

| Name        | Address     |
|-------------|-------------|
| John Doe    | 123 Main St |
| Jane Smith  | 456 Elm St  |
| Bob Johnson | 789 Oak St  |

3. The third part of the document is a list of names and their corresponding addresses. The names are listed in the first column, and the addresses are listed in the second column. The names are: John Doe, Jane Smith, and Bob Johnson. The addresses are: 123 Main St, 456 Elm St, and 789 Oak St.

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.



**2. Anticipated Impacts – In this discussion, an analysis is to be included on the impacts upon the Hommocks Pool and Hommocks Ice Rink. Specifically, what might be the expected increase in registrations and participation in the use of these facilities.**

Thank you for the opportunity to comment upon the draft scoping document and we look forward to our comments being included in the final version of the document. Should there be a need to clarify any of the comments, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Altieri', written over the word 'Sincerely'.

Stephen V. Altieri  
Town Administrator

cc: Supervisor Nancy Seligson  
Members of the Town Board  
Richard Slingerland-Village of Mamaroneck Manager

**Betty-Ann Sherer**

---

**From:** Ilene Strauss <ilenestrauss@gmail.com>  
**Sent:** Thursday, February 15, 2018 9:32 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire Proposal

Dear Planning Board,

Unable to fit in the room to attend last night's Planning Board meeting, I was forced to watch it from home. I am writing to express my disbelief that the Board is even considering approval of the plan presented. As you well know, we are in the midst of an intense debate about overcrowding in our district schools. Three of our four elementary schools are near capacity. Class sizes are large and growing. There is no plan to build a new school, or even build on to an existing school in place. Again this backdrop, the Planning Board appears to be considering a plan that would potentially introduce up to 100 children into the system (let me put a finer point on that: into ONE SCHOOL within the system). What?!

You are representatives of this community. Part of your job is to protect it from overdevelopment. To "plan." This is not planning. Planning does not mean simply increasing tax revenue. It means considering all of the consequences a development will bring. The Hampshire development -- as proposed -- will bring a storm of negative consequences. One of them is continued overcrowding of our schools. Unless you plan to solve that alongside your approval, you need to reject this proposal.

Eventually, I suppose, no one will want to develop in a town with notoriously overcrowded and declining schools. Is that what you're waiting for?

Ilene Strauss

**Creative Habitat Corp.**

253 Old Tarrytown Road, White Plains, NY 10603  
T. 914-948-4389 F. 914-948-4390 www.creativehabitatcorp.com

From: Sven Hoeger, Environmental Consultant to the HCZMC

To: Members of the HCZM Commission

Date: February 17, 2018

**RE: Commentary on Agenda topics as highlighted below:**

- 1) **1216 Henry Avenue:** No commentary
- 2) **Hampshire Country Club:** I restate my opinion that the current layout of the proposed development renders the environmental significance of the entire property obsolete. In order to continue to serve as significant open space and maintain its character as a "Significant Environmental Area", the development would need to be redesigned to abut existing residential areas and to consolidate all remaining golf course and natural areas into one contiguous and compact mass with immediate connection to the Hommocks Salt Marsh Complex. My January comments remain unchanged. I am attaching to this memo background information on which some of the January commentary is based.
- 3) **532 and 620 West Boston Post Road:** While neither of these building changes directly touches on my expertise, I am faced with very similar issues concerning follow-through on environmental requirements that are issued with permits. I would recommend widening the scope of your discussion to include follow-through review of all conditions attached to your commission's determinations.
- 4) **Discharge into Mamaroneck River:** The photo distributed by Mrs. v Eif unfortunately is not conclusive. I do support the request for an investigation that goes beyond a simple verification of the fact that foam appears on the water's surface. This is a phenomenon that can occur naturally in waters with large amounts of decaying organic matter. But foam can also result from illicit discharges into the River. At the very least, the origin of the foam should be located. If the origin appears to be subject, perhaps a more detailed chemical analysis could be performed.
- 5) **PLL-EE 2017 and Wayfinding Signage:** No commentary.

**End of commentary**

Attachments:

Hampshire Country Club – DEIS commentary supporting materials (7 pages)



## BIRDS OF CONSERVATION CONCERN

### WHAT ARE BIRDS OF CONSERVATION CONCERN?

The 1988 amendment to the Fish and Wildlife Conservation Act mandates the U.S. Fish and Wildlife Service (USFWS) to “identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act (ESA) of 1973.” **Birds of Conservation Concern 2008** is the most recent effort to carry out this mandate. Bird species considered for the BCC include:

- nongame birds
- gamebirds without hunting seasons
- subsistence-hunted nongame birds in Alaska
- ESA candidate, proposed, and recently delisted species

The overall goal of the Birds of Conservation Concern is to accurately identify the migratory and non-migratory bird species (beyond those already designated as Federally threatened or endangered) that represent our highest conservation priorities. Bird species considered for inclusion on lists in this report include nongame birds, gamebirds without hunting seasons, subsistence-hunted nongame birds in Alaska; and Endangered Species Act candidate, proposed endangered or threatened, and recently delisted species.

Birds of Conservation Concern 2008 encompasses three distinct geographic scales including at the National level (United States in its entirety, including island "territories" in the Pacific and Caribbean), at the North American Bird Conservation Initiative (NABCI) Bird Conservation Regions (BCRs), and at U.S. Fish and Wildlife Service Regions level. This is primarily derived from assessment scores from three major bird conservation plans: the Partners in Flight North American Landbird Conservation Plan, the United States Shorebird Conservation Plan, and the North American Waterbird Conservation Plan.

The **Birds of Conservation Concern** includes some non-MBTA-protected species because their conservation status and efforts are of concern to the U.S. Fish and Wildlife Service.

MBTA: Migratory Bird Treaty Act

### **Lead:**

**Lead poisoning.** Lead poisoning is a type of metal poisoning caused by lead in the body. The brain is the most sensitive. Symptoms may include abdominal pain, constipation, headaches, irritability, memory problems, inability to have children, and tingling in the hands and feet.

### **Arsenic**

**Arsenic poisoning** is a medical condition that occurs due to elevated levels of arsenic in the body.<sup>[4]</sup> If exposure occurs over a brief period of time symptoms may include vomiting, abdominal pain, encephalopathy, and watery diarrhea that contains blood.<sup>[1]</sup> Long-term exposure can result in thickening of the skin, darker skin, abdominal pain, diarrhea, heart disease, numbness, and cancer.

### **4,4'-DDD**

**Dichlorodiphenyldichloroethane (DDD)** is an organochlorine insecticide that is slightly irritating to the skin.<sup>[1]</sup> DDD is a metabolite of DDT.<sup>[2]</sup> DDD is colorless and crystalline;<sup>[3]</sup> it is closely related chemically and is similar in properties to DDT, but it is considered to be less toxic to animals than DDT.

DDD is in the "Group B2" classification, meaning that it is a probable human carcinogen. This is based on an increased incidence of lung tumors in male and female mice, liver tumors in male mice, and thyroid tumors in male rats. Further basis is that DDD is so similar to and is a metabolite of DDT, another probable human carcinogen.<sup>[2]</sup>

DDD is no longer registered for agricultural use in the United States, but the general population continues to be exposed to it due to its long persistence time. The primary source of exposure is oral ingestion of food.

### **4,4'-DDE**

**Dichlorodiphenyldichloroethylene (DDE)** is a chemical compound formed by the loss of hydrogen chloride (dehydrohalogenation) from DDT, of which it is one of the more common breakdown products.<sup>[1]</sup> Due to DDT's massive prevalence in society and agriculture during the mid 20th century, DDT and DDE are still widely seen in animal tissue samples.<sup>[2]</sup> DDE is particularly dangerous because it is fat-soluble like other organochlorines, thus it is rarely excreted from the body and concentrations tend to increase throughout life. The major exception is the excretion of DDE in breast milk, which delivers a substantial portion of the mother's DDE burden to the young animal or child.<sup>[3]</sup> Along with accumulation over an organism's life, this stability leads to bioaccumulation in the environment which amplifies DDE's negative effects. DDE has been shown to be toxic to rats at 79.6 mg/kg.<sup>[4]</sup> DDE and its parent, DDT, are reproductive toxicants for certain birds species, and major reasons for the decline of the bald eagle,<sup>[5]</sup> brown pelican,<sup>[6]</sup> peregrine falcon, and osprey.<sup>[7]</sup> These compounds cause egg shell thinning in susceptible species, which leads to the birds' crushing their eggs instead of incubating them, due to the latter's lack of resistance.<sup>[8]</sup> Birds of prey, waterfowl, and song birds are more susceptible to eggshell thinning than chickens and related species, and **DDE appears to be more potent than DDT**.<sup>[7]</sup>



## **4,4'-DDT**

DDT is a persistent organic pollutant that is readily adsorbed to soils and sediments, which can act both as sinks and as long-term sources of exposure affecting organisms.<sup>[13]</sup> Depending on conditions, its soil half-life can range from 22 days to 30 years. Routes of loss and degradation include runoff, volatilization, photolysis and aerobic and anaerobic biodegradation. Due to hydrophobic properties, in aquatic ecosystems DDT and its metabolites are absorbed by aquatic organisms and adsorbed on suspended particles, leaving little DDT dissolved in the water. Its breakdown products and metabolites, DDE and DDD, are also persistent and have similar chemical and physical properties.<sup>[11]</sup> DDT and its breakdown products are transported from warmer areas to the Arctic by the phenomenon of global distillation, where they then accumulate in the region's food web.<sup>[58]</sup>

Because of its lipophilic properties, DDT can bioaccumulate, especially in predatory birds.<sup>[59]</sup> DDT is toxic to a wide range of living organisms, including marine animals such as crayfish, daphnids, sea shrimp and many species of fish. DDT, DDE and DDD magnify through the food chain, with apex predators such as raptor birds concentrating more chemicals than other animals in the same environment. They are stored mainly in body fat. DDT and DDE are resistant to metabolism; in humans, their half-lives are 6 and up to 10 years, respectively. DDT is an endocrine disruptor.<sup>[72][73]</sup> It is considered likely to be a human carcinogen although the majority of studies suggest it is not directly genotoxic.<sup>[74][75][76]</sup> DDE acts as a weak androgen receptor antagonist, but not as an estrogen.

## **Aldrin**

Aldrin is an organochlorine insecticide that was widely used until the 1990s, when it was banned in most countries. It is a colourless solid. Before the ban, it was heavily used as a pesticide to treat seed and soil. Aldrin and related "cyclodiene" pesticides (a term for pesticides derived from Hexachlorocyclopentadiene) became notorious as persistent organic pollutants.<sup>[3]</sup>

Like related polychlorinated pesticides, aldrin is highly lipophilic. Its solubility in water is only 0.027 mg/L, which exacerbates its persistence in the environment. It was banned by the Stockholm Convention on Persistent Organic Pollutants. In the U.S., aldrin was cancelled in 1974.

Aldrin has rat LD<sub>50</sub> of 39 to 60 mg/kg (oral in rats). For fish however, it is extremely toxic, with an LC<sub>50</sub> of 0.006 – 0.01 for trout and bluegill.<sup>[3]</sup>

It is classified as an extremely hazardous substance in the United States as defined in Section 302 of the U.S. Emergency Planning and Community Right-to-Know Act (42 U.S.C. 11002), and is subject to strict reporting requirements by facilities which produce, store, or use it in significant quantities.<sup>[9]</sup>

## **Chlordane**

In the United States, chlordane was used for termite-treatment of approximately 30 million homes until banned in 1988.<sup>[4]</sup> Chlordane was banned 10 years earlier for food crops like corn and citrus, and on lawns and domestic gardens.<sup>1</sup>

Being hydrophobic, chlordane adheres to soil particles and enters groundwater only slowly, owing to its low solubility (0.009 ppm). It requires many years to degrade.<sup>[15]</sup> Chlordane bioaccumulates in animals.<sup>[16]</sup> It is highly toxic to fish, with an LD<sub>50</sub> of 0.022–0.095 mg/kg (oral).



Oxychlordanes ( $C_{10}H_4Cl_8O$ ), the primary metabolite of chlordane, and heptachlor epoxide, the primary metabolite of heptachlor, along with the two other main components of the chlordane mixture, *cis*-nonachlor and *trans*-nonachlor, are the main bioaccumulating constituents.<sup>[7]</sup> *trans*-Nonachlor is more toxic than technical chlordane and *cis*-nonachlor is less toxic.<sup>[7]</sup>

Chlordane and heptachlor are known as persistent organic pollutants (POP), classified among the "dirty dozen" and banned by the 2001 Stockholm Convention on Persistent Organic Pollutants.<sup>[17]</sup>

Exposure to chlordane/heptachlor and/or its metabolites (oxychlordanes, heptachlor epoxide) are risk factors for type-2 diabetes (reviewed 17 published studies),<sup>[27]</sup> for lymphoma (13 studies),<sup>[28]</sup> for prostate cancer (8 studies),<sup>[29]</sup> for obesity (5 studies),<sup>[30]</sup> for testicular cancer (4 studies),<sup>[31]</sup> for breast cancer (2 studies),<sup>[32]</sup>

## **Dieldrin**

**Dieldrin** is an organochloride originally produced in 1948 by J. Hyman & Co, Denver, as an insecticide. Dieldrin is closely related to aldrin, which reacts further to form dieldrin. Aldrin is not toxic to insects; it is oxidized in the insect to form dieldrin which is the active compound.

However, it is an extremely persistent organic pollutant; it does not easily break down. Furthermore, it tends to biomagnify as it is passed along the food chain. Long-term exposure has proven toxic to a very wide range of animals including humans, far greater than to the original insect targets. For this reason, it is now banned in most of the world.

It has been linked to health problems such as Parkinson's, breast cancer, and immune, reproductive, and nervous system damage. It is also an endocrine disruptor, acting as an estrogen and antiandrogen, and can adversely affect testicular descent in the fetus if a pregnant woman is exposed to it.<sup>[3]</sup>

# What is Integrated Pest Management (IPM)?

Integrated pest management, or IPM, is a process you can use to solve pest problems while minimizing risks to people and the environment. IPM can be used to manage all kinds of pests anywhere—in urban, agricultural, and wildland or natural areas.

- Definition of IPM

IPM is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and nontarget organisms, and the environment.

## What is a pest?

*Pests are organisms that damage or interfere with desirable plants in our fields and orchards, landscapes, or wildlands, or damage homes or other structures. Pests also include organisms that impact human or animal health. Pests may transmit disease or may be just a nuisance. A pest can be a plant (weed), vertebrate (bird, rodent, or other mammal), invertebrate (insect, tick, mite, or snail), nematode, pathogen (bacteria, virus, or fungus) that causes disease, or other unwanted organism that may harm water quality, animal life, or other parts of the ecosystem.*

- How does IPM work?

IPM focuses on long-term prevention of pests or their damage by managing the ecosystem

With IPM, you take actions to keep pests from becoming a problem, such as by growing a healthy crop that can withstand pest attacks, using disease-resistant plants, or caulking cracks to keep insects or rodents from entering a building.

Rather than simply eliminating the pests you see right now, using IPM means you'll look at environmental factors that affect the pest and its ability to thrive. Armed with this information, you can create conditions that are unfavorable for the pest.

In IPM, monitoring and correct pest identification help you decide whether management is needed

Monitoring means checking your field, landscape, forest, or building—or other site—to identify which pests are present, how many there are, or what damage they've caused. Correctly identifying the pest is key to knowing whether a pest is likely to become a problem and determining the best management strategy.



After monitoring and considering information about the pest, its biology, and environmental factors, you can decide whether the pest can be tolerated or whether it is a problem that warrants control. If control is needed, this information also helps you select the most effective management methods and the best time to use them.

## IPM programs combine management approaches for greater effectiveness

The most effective, long-term way to manage pests is by using a combination of methods that work better together than separately. Approaches for managing pests are often grouped in the following categories.

### Biological control

Biological control is the use of *natural enemies*—predators, parasites, pathogens, and competitors—to control pests and their damage. Invertebrates, plant pathogens, nematodes, weeds, and vertebrates have many natural enemies.

### Cultural controls

Cultural controls are practices that reduce pest establishment, reproduction, dispersal, and survival. For example, changing irrigation practices can reduce pest problems, since too much water can increase root disease and weeds.

### Mechanical and physical controls

Mechanical and physical controls kill a pest directly, block pests out, or make the environment unsuitable for it. Traps for rodents are examples of mechanical control. Physical controls include mulches for weed management, steam sterilization of the soil for disease management, or barriers such as screens to keep birds or insects out.

### Chemical control

Chemical control is the use of pesticides. In IPM, pesticides are used only when needed and in combination with other approaches for more effective, long-term control. Pesticides are selected and applied in a way that minimizes their possible harm to people, nontarget organisms, and the environment. With IPM you'll use the most selective pesticide that will do the job and be the safest for other organisms and for air, soil, and water quality; use pesticides in bait stations rather than sprays; or spot-spray a few weeds instead of an entire area.

## IPM is based on scientific research

Hear UC IPM scientist Pete Goodell talk about the scientific basis for IPM. (7 min)

- IPM programs

These IPM principles and practices are combined to create *IPM programs*. While each situation is different, six major components are common to all IPM programs:



1. Pest identification
2. Monitoring and assessing pest numbers and damage
3. Guidelines for when management action is needed
4. Preventing pest problems
5. Using a combination of biological, cultural, physical/mechanical and chemical management tools
6. After action is taken, assessing the effect of pest management

**Betty-Ann Sherer**

---

**From:** Anna Divney <annadivney@gmail.com>  
**Sent:** Tuesday, February 20, 2018 11:20 AM  
**To:** Betty-Ann Sherer  
**Cc:** mdivney@hotmail.com  
**Subject:** Hampshire Development Concerns

Dear Planning Board,

We are writing to express concern over the planned Hampshire Development. As you are aware, the Mamaroneck Union Free School District (MUFSD) is in the midst of an overcrowding crisis. Based on the developer's projections for this project alone, there could be anywhere from 20-93 children added to the district. We are concerned that these projections are flawed and are gross underestimates of the projected number of school-age children added to the district for three reasons:

1. The developer's projections are based on "residential multipliers" published in 2006, over a decade ago, and were likely based on demographics and statistics in the several years before that (e.g. 2000-2004).
2. These "residential multipliers" were based on population density in New York State as a whole (in early 2000), when we know that residential density is greater in the New York city area than the rest of New York State.
3. These projections are based on the number and type of units the developers are planning, but do not take into account the fact that young families will likely move into the homes that "empty-nesters" will move out of and into these units.

As the MUFSD Superintendent and the Board of Education has made the community aware, the MUFSD physical plant is at the tipping point of not being able to accommodate students zoned for the district. This development is not occurring in isolation, there are several recently completed, near completion and planned development projects that will add students to the district, regardless of whether they are *intended* for families or not.

We urge the board to:

1. Require the developers to update their school-age children added projections based on more recent "residential multipliers" that are specific to the New York City area and that also take into account the number of students added via home-turnover from empty-nesters to young families. We need more accurate projections.
2. Require all new developments to contribute to expanding the school system's capacity.

These developments not only stress our school system, but our municipal infrastructure as well. As such, we should, as a community, require the developers to contribute to mitigating these stressors rather than add to them.

Thank you for your time and tireless work.

Anna and Mike Divney

11 Parkway St. Larchmont

--

Anna Divney

[annadivney@gmail.com](mailto:annadivney@gmail.com)





**Department of  
Transportation**

60  
**ANDREW M. CUOMO**  
Governor

**PAUL A. KARAS**  
Acting Commissioner

**LANCE MacMILLAN, P.E.**  
Acting Regional Director

February 9, 2018

Betty-Ann Sherer  
Land Use Coordinator  
Village of Mamaroneck Planning Department  
169 Mt. Pleasant Ave.  
Mamaroneck, NY 10543

**RECEIVED**

**FEB 20 2018**

**BUILDING DEPT.**

**Re: NYSDOT SEQR #15-175  
Hampshire Country Club  
1025 Cove Rd., Mamaroneck  
Westchester County**

Dear Ms. Sherer:

The New York State Department of Transportation (NYSDOT) is in receipt of a DEIS and a Notice of a SEQR Hearing dated December 20, 2017.

We remain concerned about additional traffic entering the already congested Boston Post Rd (US Route 1) and eventually Weaver St. (NYS Route 125) without any mitigations proposed here.

Please note that any work within the NYSDOT Right-of-Way requires a Highway Work Permit (HWP). A detailed engineering review is necessary and required for issuance of a HWP.

Thank you for your interest in highway safety.

Very truly yours,



Mary McCullough  
SEQRA – HWP Unit

cc: Permit Field Engineer, Residency 8-8  
Westchester County Planning

**PUBLIC COMMENT**  
**HAMPSHIRE COUNTRY CLUB PLANNED RESIDENTIAL DEVELOPMENT**  
**DECEMBER 2017 DEIS -SUBMITTED VIA EMAIL**  
**ADDITIONAL COMMENTS**  
**RECEIVED FEBRUARY 20, 2018**  
**THROUGH**  
**MARCH 12, 2018**

61.02 20 2018 Hampshire CC SERTON Public Comment  
62.03 02 2018 Hampshire CC HERZOG Public Comment  
63.03 05 2018 Hampshire CC GESSLER Public Comment  
64.03 12 2018 Hampshire CC COUNTY Comment

**Betty-Ann Sherer**

---

**From:** Doug Serton <douglas.serton@gmail.com>  
**Sent:** Tuesday, February 20, 2018 3:02 PM  
**To:** Betty-Ann Sherer; Greg Cutler; Bob Galvin  
**Subject:** Comments on the proposed Hampshire development project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Betty-Anne, Greg, Robert: As a resident of Cooper Ave in Orienta, I attended last week's meeting with a great interest in the proposed plan for development at Hampshire. While I could not stay late enough for the public comment portion of the agenda, I did want to raise two points directly.

First, and most importantly as was discussed at the meeting, Cooper Ave is a private road. The work necessary to create an access point described by the current proposal /environmental report would be significantly intrusive to both the lives and private properties of the residents on the street. I concur with the Coalition's assessment that such an idea is unlawful and reckless to propose. It is one of the many reasons acceptance of this proposal should not be considered.

Further to that point of disruption to the neighborhood, what I don't believe was addressed in detail was Old Post Road. One of the benefits and, in some aspect, necessities of our current school footprint/parking limitations is the ability to walk to Central, which dozens of families in Orienta do throughout the year (mine included).

Walking on Old Post Road is already hazardous given the lack of a true sidewalk, multiple blind spots and natural impediments such as leaf and snow piles throughout much of the academic year. To dramatically increase vehicle traffic on this road would create an increase danger to the many school children and local residents that utilize its walking/bike lane.

During the duration of your consideration of this proposal, which I urge you to be swift given the many unlawful elements and downright impractical ideas put forth, please note the above as grounds for rejecting this project.

Respectfully yet passionately,

Doug Serton



**Betty-Ann Sherer**

---

**From:** Jane E Herzog <jeh2@nyu.edu>  
**Sent:** Friday, March 02, 2018 11:36 AM  
**To:** Betty-Ann Sherer  
**Attachments:** IMG\_3446.jpg

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Please share this with the Planning Board. It is a photo taken this morning after only a few hours of rain. The water is deep and will result in homeowners being stranded on the golf course were homes built there. I am strongly against any development in this fragile location.

Dr. Jane E. Herzog  
1002 Cove Road







**Betty-Ann Sherer**

**From:** Barbara Gessler <forshopdrop@gmail.com>  
**Sent:** Monday, March 05, 2018 11:08 AM  
**To:** Betty-Ann Sherer  
**Subject:** The Buyers of the Hampshire Golf Club should be reminded of their promises:

From the Larchmont Gazette, Judy Silberstein, posted on June 17, 2010

Asked about plans for housing development at Hampshire, Mr. Pfeffer said a lot of people are speculating, but "at the current time" there are no such plans. "We are going to have a great club," he said.





George Latimer  
County Executive

County Planning Board

RECEIVED

MAR 12 2018

BUILDING DEPT.

March 12, 2018

Betty-Ann Sherer, Land Use Coordinator  
Mamaroneck Village Hall  
169 Mt. Pleasant Avenue  
Mamaroneck, New York 10543

Subject: **Referral File No. MMV 18-001 – Hampshire Country Club  
Subdivision, Site Plan and Special Permit Approvals  
Draft Environmental Impact Statement**

Dear Ms. Sherer:

The Westchester County Planning Board has received a draft environmental impact statement (EIS) (dated accepted December 13, 2017), prepared pursuant to the NYS Environmental Quality Review Act, for the above referenced application for a planned residential development (PRD) that is proposed for the 94.5-acre portion of the Hampshire Country Club that is zoned R-20 and is currently a golf course. The applicants propose to construct 105 dwelling units (44 detached single-family dwellings and 61 attached “carriage homes”) utilizing the Village’s PRD special permit regulations which provide flexibility to cluster the proposed development to preserve 36 acres of open space. The proposed residential units would have access to the surrounding areas via extensions of Cove Road, Eagle Knolls Road and Cooper Avenue. An additional subdivision “Road A” would also be constructed.

The Hampshire Country Club property is comprised of 106.2 acres in both the Village of Mamaroneck and unincorporated Town of Mamaroneck. The proposed development would not occur on the 4.4 acres within the MR District in the Village or on the 7.3 acres within the R-30 District in the Town. In addition to the PRD special permit, the proposal would require subdivision and site plan approvals from the Village Planning Board.

We have reviewed the draft scoping document under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and offer the following comments:

**1. Consistency with County Planning Board policies.** The County Planning Board’s long-range planning policies set forth in *Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning*, adopted by the Board on May 6, 2008, amended January 5, 2010, generally call for development to be channeled, whenever possible, to centers where infrastructure can support growth, where public transportation can be provided efficiently and where redevelopment can enhance economic vitality. While the proposed development, by placing new homes within a flood-



prone open space area outside of the downtown center, is not consistent with this policy, there are other policies identified in *Westchester 2025* that offer some support to this proposal.

The closing of privately-owned golf courses is a long-term trend that is occurring in Westchester and elsewhere. This trend presents a challenge, since most golf courses have underlying zoning that permit residential development, and when golf courses close they usually present situations where large open spaces can be developed all at once, dramatically changing the character of a local area.

However, the subject proposal appears to be an approach that seeks to retain as much open space as possible to preserve the character that the golf course provided. It is our opinion that the proposed PRD development would be preferable to a conventional subdivision under existing zoning, which would place 105 single-family homes across the entire site in a much more “sprawl”-oriented layout. We also point out in our comments below, that the subject site is within walking distance to a school, a recreational complex, stores and transit stops. Therefore, the existing nearby services have the potential to support additional growth, provided the applicant works towards integrating the development with its surroundings through adequate sidewalks and pedestrian connections.

**2. County sewer impacts.** The draft EIS contains an adequate discussion of how the application will satisfy the County Department of Environmental Facilities’ policy to require inflow/infiltration (I&I) mitigation to offset projected increase in wastewater flows at a ratio of three for one.

**3. Flooding.** The property is located in a Special Flood Hazard Area and has been identified by the municipality as an area prone to flooding and documented in the stormwater reconnaissance plan prepared for the watershed under the County Stormwater Management Law. The development, including all fill and any other obstruction within the floodplain, should be designed in accordance with the local floodplain ordinance and applicable guidance from New York State and the Federal Emergency Management Agency. Studies and analyses should use the best available data, including but not limited to, the preliminary flood insurance rate maps released in 2015 and precipitation data included in the NOAA Atlas 14 program. Utilizing the most conservative versions of available data is recommended in order to provide the highest degree of protection from the impacts of flooding, particularly in coastal flood hazard zones with wave action. Particular attention should be paid during the design of the site to ensure that infrastructure and emergency access is protected from flooding and that the project will not create or exacerbate flooding upstream or downstream. Given the location in a flood prone area, particularly in proximity to the coastline, consideration should also be given to increasing the freeboard an additional amount to provide an additional measure of protection against rising sea levels and increased flooding.

**4. Pedestrian circulation.** The draft EIS states that sidewalks will only be provided along the north side of the extended and rerouted Cove Road. As noted above, the subject site is within walking distance to a school, a recreational complex, stores and transit stops. We recommend the sidewalk network be expanded to include a sufficient pedestrian connection to the Hommocks Middle School and the recreational facilities adjacent to the school, or at least as close as possible to the school as one can be constructed on the project site. We also recommend a sidewalk extending as far as the site


entrance with Cooper Avenue to allow residents to walk to businesses along Boston Post Road as well as to the Bee-Line bus stop located at Richbell Road which provides rush-hour shuttle service to the Larchmont train station. We point out that our review of Google StreetView for the project site area showed pedestrians walking along these neighborhood streets which currently have no sidewalks.

**5. Affordable housing.** The draft EIS states that the proposed subdivision will contain no affordable units. We encourage the applicant to work with the Village towards incorporating affordable units into this development.

**6. Green building technology.** We encourage the applicant to include as much green, or sustainable, building technology as possible into the construction of the proposed development.

Thank you for calling this matter to our attention.

Respectfully,  
WESTCHESTER COUNTY PLANNING BOARD

By:   
Norma V. Drummond  
Acting Commissioner

NVD/LH



PUBLIC COMMENT  
HAMPSHIRE COUNTRY CLUB PLANNED RESIDENTIAL DEVELOPMENT

DECEMBER 2017 DEIS -SUBMITTED VIA EMAIL

ADDITIONAL COMMENTS

RECEIVED March 15, 2018

THROUGH

April 4, 2018

65 03 15 2018 Hampshire CC WEIS Public Comment

66 03 19 2018 Hampshire CC KARELL Public Comment

67 03 19 2018 MEARA attachments:

1 Statement of Stephen L Kass

Attachment 67 03 19 2018 MEARA attachment 2 Pro Forma Advisors Hampshire Country Club Nine Hole Golf Course

Attachment 67 03 19 2018 MEARA attachment 3 Final Report of Lisa Liquori with Exhibits A G

Attachment 67 03 19 2018 MEARA attachment 4 TYLI Hampshire DEIS Findings Memo

Attachment 67 03 19 2018 MEARA attachment 5 CA Rich Consultants, Memo on Environmental Contamination Geology and Groundwater

Attachment 67 03 19 2018 MEARA attachment 6 Statement of Christine Fazio

Attachment 67 03 19 2018 MEARA attachment 7 Statement of Karen Meara with Exhibits 1through5

Attachment 67 03 19 2018 MEARA attachment 8 Statement of Celia Felsher with Exhibit A

68 03 30 2018 Hampshire CC Traffic Commission Comments

69 04 02 2018 Hampshire CC GGOLDSTEIN Public Comment

70 04 02 2018 ANONYMOUS Hampshire Public Comment

71 03 29 2018 Hampshire CC GREENHAUS Public Comment

72 04 02 2018 Hampshire CC NEGRIN Public Comment

73 04 03 2018 Hampshire CC RSPATZ Public Comment



MAR 15 2018

Elene Spanakos Weis, Esq.  
14 West Drive  
Larchmont, NY 10538

BUILDING DEPT.

March 14, 2018

Planning Board  
Village of Mamaroneck  
Mamaroneck, NY 10543

Re: Written Comments  
February 14, 2018 Meeting

Dear Ladies and Gentlemen:

I attended the Village of Mamaroneck Planning Meeting on February 14, 2018. I planned to speak but the list of speakers outlasted my babysitting deadline. Below are reasons in support of **rejecting** the application of the proposed development of the Hampshire Country Club in Mamaroneck.

I am a Town of Mamaroneck resident, in the unincorporated section and I attended the meeting to support the MUFSD. Our Community's pride and value structure is anchored by the reputation of our public schools. (NOTE: I consider our "Community" to be the entire Town of Mamaroneck including the unincorporated section, and the incorporated, Villages of Larchmont and Mamaroneck. Although, I understand that the 3 jurisdictions are separate legal entities.) It is my opinion (that is not shared by the MUFSD) that the MUFSD currently faces an overcrowding crisis that already compromises the quality of education. One of my children has 32 students in classes at Hommocks and other of my children have had upwards of 27 children in Murray Avenue Elementary School classes. (NOTE: This problem is not only a school specific problem based on empty nester flight. This is a MUFSD/Community problem. When MUFSD began to explode in size in 2011, MUFSD started to move the Pre-K program and the self-contained or co-teach special education classes to Central, Murray and Chatsworth to accommodate Mamaroneck Avenue School's growth and the smaller class size guidelines.) Since my assessed property taxes are no longer fully deductible, this school overcrowding is especially troublesome. It has diminished the quality of education by: creating space and budget constraints that drive the most critical curriculum and learning based decisions; and large class sizes overwhelm teachers and create classroom management problems that overlook the educational needs of the cooperative student population. This project, in any form, would send the existing overcrowding crisis into the abyss. A 55 and over community would not be helpful in abating this issue either as the last few empty nesters in our Community would move there and their houses would be bought by more families with multiple children.

School overcrowding is only one of the key reasons why this application should be denied. As outlined in the record of the meeting, the negative impact on the



ENVIRONMENT, ECOLOGY, LOCAL TRAFFIC, NOISE AND TRAFFIC IMPACT ON HOMMOCKS SCHOOL AND AIR QUALITY are all critical reasons to deny this application. However, the risk of flood is the one reason that requires an absolute denial from the VOM Planning Board.

Our Community has suffered from significant flood losses through the years. I was surprised to learn that the proposed plan involved the use of landfill to reach FEMA flood level requirements as well as disturb natural water flow patterns and wetlands. (See Attached Exhibit A for the applications, B and C, on articles for the 2007 Floods and Hurricane Sandy). Furthermore, as outlined in the NY Times article on New Orleans, and our recent March Nor'easters, super storms and flooding are only getting worse. (See Attached Exhibit D.) Three, the VOM is currently pursuing a Flood Mitigation Plan through the Army Corp. of Engineers to deal with flooding from the Mamaroneck and Sheldrake Rivers. (Exhibit E, attached press release) I am concerned that an application that significantly augments the VOM's flood profile would compromise Federal approval of existing flood risks. Four, phone cameras and social media have documented many people trapped in their homes with rising waters during and after super storms in recent years. In 1992, a man on Cove Road was swept away during the storm surge. (See Exhibit F, page 2 of Army Corp. of Engineers). I have grave concerns that this project significantly increases the risk profile for storm surges, in particular, loss of life and the safety of our first responders who will have to rescue residents. Finally, the *VOM Sea Level Rise and Flooding Paper*, dated February 2017, (Exhibit G, as attached) the VOM issued several recommendations to prevent flooding along the Sound. Such recommendations include planting native planting and RESTORING wetlands and the installation of berms to protect storm surge and sea level rise. The application as filed, involve the disturbance to wetlands including the disruption of surrounding environment and ecology that acts as a natural barrier to floodwaters. I am concerned that should this project move forward and flood losses occur as a result, the legal defense profile for VOM would have been significantly compromised by the publication and online availability of this Report (knowledge has been established).

The good news is that the Planning Board of the Village of Mamaroneck has the winning playbook in its possession. One of the premiere cases involving the zoning of recreation spaces is the Town of Mamaroneck and Bonnie Briar Case. The TOM successfully changed the zoning from residential to recreation with flood mitigation as one of the key arguments. (Exhibit H as attached.) Please note the attached article in the NY Law Journal on the legacy of this groundbreaking case. (Exhibit I).

After attending this meeting, I cannot imagine any justification to approve this application other than fear of litigation by Westport Capital. (Please see the above Town of Mamaroneck case where the Town ultimately prevailed in Court.) Westport Capital has one objective: to maximize profit from its investment as well as to satisfy its legal requirement to maximize profits for its investors. The Planning Board's objectives and obligations are thankfully, more socially redemptive. Our

entire Community applauds you for your leadership, courage, time and efforts in these challenging times.

Respectfully yours,

Elene Spanakos Weis

CC: Tom Murphy, Mayor, Village of Mamaroneck  
Nancy Seligson, Supervisor, Town of Mamaroneck  
Robert Shaps, Superintendent, MUFSD (without attachments)  
Melanie Gray, President, Board of Education, MUFSD (without attachments)

*Any questions -*

*917.363.7746*

## EXHIBIT A





## Village of Mamaroneck Building Department

169 Mt. Pleasant Avenue  
Mamaroneck, N.Y. 10543  
914-777-7731 Fax 914-777-7792  
[www.village.mamaroneck.ny.us](http://www.village.mamaroneck.ny.us)

Application # \_\_\_\_\_

Permit # \_\_\_\_\_

# Flood Plain Development Permit Application

## SECTION 1: GENERAL PROVISIONS

1. No work may start until a permit is issued.
2. The permit may be revoked if any false statements are made herein.
3. If revoked, all work must cease until permit is re-issued.
4. Development shall not be used or occupied until a Certificate of Compliance is issued.
5. The permit is invalid if no work is commenced within six months of issuance.
6. Applicant is hereby informed that other permits may be required to fulfill local, state and federal regulatory requirements.
7. Applicant hereby gives consent to the Local Administrator or his/her representative to make reasonable inspections required to verify compliance.

|                                                                                                                                                                                                                                                                                                   |              |              |              |            |              |                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|--------------|--------------|------------|--------------|-----------------------------------------|
| <b>1. Project address:</b><br>1025 Cove Rd., a/k/a 1107 Cove Rd. N., Mamaroneck, NY 10543                                                                                                                                                                                                         |              |              |              |            |              |                                         |
| <b>Section</b>                                                                                                                                                                                                                                                                                    | <b>Below</b> | <b>Block</b> | <b>Below</b> | <b>Lot</b> | <b>Below</b> | <b>What year was your house built ?</b> |
| <b>2. Owners name and address :</b><br>Hampshire Recreation, LLC<br>1025 Cove Rd., a/k/a 1107 Cove Rd. N., Mamaroneck, NY 10543<br>Section 9 Block 35, Lot 700, Block 36, Lot 1, Block 42, Lot 568, 659, & 367, Block 43, Lot 1,12<br><br><b>E-Mail Address :</b><br><b>Phone #:</b> 914-698-4610 |              |              |              |            |              |                                         |
| <b>3. Applicants name and address (Please print) :</b><br>Hampshire Recreation, LLC<br>1025 Cove Rd., a/k/a 1107 Cove Rd. N., Mamaroneck, NY 10543<br><br><b>E-Mail Address :</b><br><b>Phone #:</b> 914-698-4610                                                                                 |              |              |              |            |              |                                         |
| <b>4. Architect/Engineer name and address:</b><br>VHB<br>50 Main St., Ste. 360, White Plains, NY 10606<br><br><b>E-Mail Address :</b><br><b>Phone #:</b> 914-467-6600                                                                                                                             |              |              |              |            |              |                                         |
| <b>5. Contractor name and address:</b><br>TBD<br><br><b>License # :</b><br><b>Expiration date:</b><br><br><b>Phone #:</b>                                                                                                                                                                         |              |              |              |            |              |                                         |
| <b>6. What is the cost of construction?</b>                                                                                                                                                                                                                                                       |              |              |              |            |              |                                         |

**7. Description of work:**

Planned residential development, including 105 residential units (44 single-family homes and 61 townhomes).

**Structural Development (Please check all that apply)**

- ☐ Repair/ Replacement    ☒ New Structure    ☒ Residential (1-2 Family)    ☐ Demolition  
☐ Alteration    ☐ Addition    ☐ Multi Family    ☐ Non-Residential (Flood Proofing ?)

**Other Development Activities (Please check all that apply)**

- ☒ Grading Property (Up to 6" of Soil)  
☒ Filling in Property    ☒ Excavation ( Except for Structural Development checked above)  
☒ Water Course Alteration (including Dredging or Channel Modifications)    ☒ Drainage Improvements  
☐ Water or sewer system    ☒ Road, Street or Bridge Construction    ☒ Subdivision  
☐ Other (Please Specify)

I, THE APPLICANT, CERTIFY THAT ALL STATEMENTS HEREIN AND IN ATTACHMENTS TO THIS APPLICATION ARE, TO THE BEST OF MY KNOWLEDGE, TRUE AND ACCURATE.

(APPLICANT'S SIGNATURE)



DATE 6/26/15

**SECTION 2:****FLOODPLAIN DETERMINATION (To be completed by LOCAL ADMINISTRATOR)**

The proposed development is located on FIRM Panel No. (Check the one that applies)

- |                          |       |                          |                                                              |
|--------------------------|-------|--------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> | 0351F | Dated September 28, 2007 | The proposed development is in or adjacent to a flood area.  |
| <input type="checkbox"/> | 0353F | Dated September 28, 2007 |                                                              |
| <input type="checkbox"/> | 0354F | Dated September 28, 2007 | The 100 year flood elevation at this site is: _____ Ft. NAVD |
| <input type="checkbox"/> | 0361F | Dated September 28, 2007 | Is the proposed development located in a floodway?           |
| <input type="checkbox"/> | 0362F | Dated September 28, 2007 | <input type="checkbox"/> Yes <input type="checkbox"/> No     |

Signed

Date

**SECTION 3:****ADDITIONAL INFORMATION REQUIRED (To be completed by LOCAL ADMINISTRATOR)**

The applicant must submit the documents checked below before the application can be processed:

- ☐ A site plan showing the location of all existing structures, water bodies, adjacent roads, lot dimensions and proposed development.  
☐ Development plans and specifications, drawn to scale, including where applicable: details for anchoring structures, proposed elevation of lowest floor (including basement), types of water resistant materials used below the first floor, details of floodproofing of utilities located below the first floor, details of enclosures below the first floor, openings in  
☐ Elevation Certificate  
☐ Subdivision or other development plans (If the subdivision or other development exceeds 50 lots or 5 acres, whichever is the lesser, the applicant must provide 100-year flood elevations if they are not otherwise available).  
☐ Plans showing the watercourse location, proposed relocations, Floodway location.  
☐ Topographic information showing existing and proposed grades, location of all proposed fill.



☐ Top of new fill elevation \_\_\_\_\_ Ft. G NGVD 1929/ G NAVD 1988 (MSL)

☐ Other:

**SECTION 4:**

**PERMIT DETERMINATION (To be completed by LOCAL ADMINISTRATOR)**

I have determined that the proposed activity:

A. ☐ Is

B. ☐ Is not

in conformance with provisions of Local Law # 8-1987. This permit is hereby issued subject to the conditions attached to and made part of this permit.

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

Additional  
comments:

If BOX A is checked, the Local Administrator may issue a Development Permit upon payment of designated fee.

If BOX B is checked, the Local Administrator will provide a written summary of deficiencies. Applicant may revise and resubmit an application to the Local Administrator or may request a hearing from the Planning Board.

Variance Requested ☐ Yes  
☐ No

Variance Approved ☐ Yes  
☐ No

Conditions:

**SECTION 5:**

**AS-BUILT ELEVATIONS (To be submitted by APPLICANT before Certificate of Compliance is issued)**

The following information must be provided for project structures. This section must be completed by a registered professional engineer or a licensed land surveyor (or attach a certification to this application). Complete 1 or 2 below.

1. Actual (As-Built) Elevation of the top of the lowest floor, including basement (in Coastal High Hazard Areas, bottom of lowest structural member of the lowest floor, excluding piling and columns) is: \_\_\_\_\_ FT. G NGVD 1929/ NAVD 1988 (MSL).

**Attach Elevation Certificate FEMA Form 81-31**

2. Actual (As-Built) Elevation of floodproofing protection is \_\_\_\_\_ FT. G NGVD 1929/ G NAVD 1988 (MSL).

**Attach Floodproofing Certificate FEMA Form 81-65**

**NOTE: Any work performed prior to submittal of the above information is at the risk of the Applicant.**



**SECTION 6:****COMPLIANCE ACTION (To be completed by LOCAL ADMINISTRATOR)**

The **LOCAL ADMINISTRATOR** will complete this section as applicable based on inspection of the project to ensure compliance with the community's local law for flood damage prevention.

**INSPECTIONS:**

|      |    |                |                          |     |                          |    |
|------|----|----------------|--------------------------|-----|--------------------------|----|
| DATE | BY | DEFICIENCIES ? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| DATE | BY | DEFICIENCIES ? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| DATE | BY | DEFICIENCIES ? | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |

**SECTION 7:****CERTIFICATE OF COMPLIANCE (To be completed by LOCAL ADMINISTRATOR)**

Certificate of Compliance issued: DATE: \_\_\_\_\_

BY: \_\_\_\_\_

## **EXHIBIT B**

## Nor'easter Produced Worst Flooding in Local Memory

See More Photos: Nor'easter Slams Larchmont & Mamaroneck

by Judy Silberstein

(April 19, 2007) The April 15 nor'easter was the worst ever experienced by most residents and officials in Larchmont, Town of Mamaroneck and Village of Mamaroneck. "The worst suffering is coming from residents and businesses in the Village of Mamaroneck," said Town Supervisor Valerie O'Keeffe. There, flooded streets delayed firefighters from reaching a smoky fire at 243 Knollwood Avenue in Harbor Heights that ultimately claimed the life of 85-year-old Jacques Kirsch. (See: Obituaries.) Mayor Phil Trifiletti, touring the emergency shelter at Mamaroneck High School and shaken by the death of his neighbor from a few doors away, nevertheless noted, things could have been even worse.

Homes and stores inundated in the early March deluge were hit even harder this time. Damage spread to many more homes and businesses, with estimates of financial impacts running into the tens of millions of dollars. Among those hit twice were the Whittemores and others on Howard Avenue, many of whom had only recently completed renovations and returned home. Jim Whittemore was rescued by boat from his flooded second floor by Mamaroneck Village firefighters who battled the current for almost twenty minutes to reach him, according to Carolyn Whittemore, his mother.

Over 220 residents, many from low-lying Washingtonville neighborhoods, took shelter in the high school gym, where the Red Cross provided cots, blankets food and information. NY Governor Elliot Spitzer visited the center and reviewed the devastation along with state, county and local political leaders, who along with New York's representatives to Congress are requesting that President George Bush declare parts of Westchester a disaster area eligible for federal help.



Governor Eliot Spitzer surrounded by state, county and local leaders outside Mamaroneck High School, calls Mamaroneck the "epicenter" of the flooding and promised assistance.

"I hope they can help," said Randolph Scott, 49, who had grabbed a jitney to the high school after climbing out a window to escape from his basement apartment at Old White Plains Road and New Street. "I've lived in Mamaroneck thirty years and never



seen it as bad." Newly appointed Mamaroneck Village Trustee Tony Fava said he had five feet of water in his office at Waverly and Mamaroneck Avenue.

Up in the Harbor Heights section of Mamaroneck Village, the Mamaroneck River again overflowed its banks filling basements and ground floors of surrounding homes. "It's been dormant for 20 years," said Peggy Jackson, whose basement was completely submerged and ground floor got 8 feet of water. The neighborhood association she heads has been meeting for months with all levels of government, including the Army Corps of Engineers, to find "small, medium and giant fixes" to recently recurring flooding that they view as "part overdevelopment upriver and part weather cycle."

## 7 Inches and More of Rain

For this flood event, the weather received most of the blame. There was only so much officials and residents could do to contain or prepare for such heavy rain.

More than 7 inches of rain fell over 15 hours from noon on Sunday, April 15 to 3 am on Monday, according to estimates from Mamaroneck Town Administrator Steve Altieri. An email update from the Town said, "The equivalent of two months of rain fell in twelve hours. The heavy rains swelled local brooks and rivers releasing torrents of water throughout the Town." The water level at the Larchmont Reservoir had been dropped 114 inches below the spillway, but by dinner time Sunday, the water had risen and spilled over, "which was an incredible sight," said Mr. Altieri.

Especially hard hit in Mamaroneck Town were homes on East and West Brookside Drives. The "brook," a section of the Sheldrake River, flooded adjacent roads and homes causing Con Edison to shut off power to an area that included neighboring streets. More homes were flooded when their sump pumps lost power (a topic that consumed much of the public discussion at the Town Council meeting on Wednesday, April 18).

In Larchmont Village "people had flooding who have never had water," said Larchmont Deputy Mayor Marlene Kolbert, who was filling in as Mayor Liz Feld recuperated from a hospital stay for cardiac tests. (See: Mayor Hospitalized for Cardiac Tests; VOL Prepares for Storm.) Among the newly flooded were the Kolberts, who had water in their basement for the first time in thirty years.

Even some Pine Brook Drive residents in the lowest-lying block, who are more experienced with high water, were caught by surprise. Larchmont firefighters had to use a Zodiac inflatable boat offered by the Larchmont Yacht Club to reach and rescue people from a number of homes. "Firefighters motored it right up to the front door of several homes," said Deputy Fire Chief PJ Abrahamson.



An orange highlights the movement of two firefighters motoring an inflatable boat along Pine Brook Drive in Larchmont to rescue residents trapped by the high water. Photo by Joe Clifton.

Flint Park flooded, turning into a lake by midday Sunday, but the plot staked out by the Larchmont Board for its proposed artificial turf field remained dry, according to Joe Bedard, manager of Larchmont's Department of Public Works.

"One big problem we had was the flow of raw sewage," said Deputy Chief Abrahamson. Along Hall Avenue the pressure on the pipes was "blowing the sewer caps off basement traps," and allowing sewage to spill into houses. There were also cases where home heating oil mixed with sewage and rain water seeped into homes.

### **Hard to Believe, But It Could Have Been Worse**

As bad as it was, officials in all three communities recognize it could have been worse.

Most of the flooding was as a result of intense, concentrated rain – rather than gale force winds and super high tides, as had been predicted. High tides did cause additional flooding in many neighborhoods, mostly by backing up the storm sewers, rivers and brooks that empty into Long Island Sound. But had the winds combined with the tides, there could have been much more damage, especially for homes right on the Sound.

"In the end, it wasn't really a coastal storm," said Deputy Mayor Kolbert. "The water only came a little over the seawall."

That said, the damage is severe and recovery will take many weeks. The deputy mayor along with officials in Mamaroneck Town and Village were advising residents, who were understandably eager to get started with cleanup, to first photograph and document their losses to help with private insurance claims and possible assistance from the Federal Emergency Management Agency (FEMA).



Geysers spouted out of overcharged sanitary sewers near Manor Park on Monday, April 16.

## **EXHIBIT C**





Select Language

Search


[Home](#) [About](#) [Boards](#) [Agendas & Minutes](#) [Departments](#) [Useful Links](#) [Job Opportunities](#) [Code](#) [FAQ](#)
[Army Corps Flood Project](#)[Bids/Contracts/RFPs](#)[Emergency News](#)[Forms & Permits](#)[Public Hearing Notices](#)[Meeting & Legal Notices](#)[Reports & Studies](#)[Send us Comments](#)[Stormwater Management](#)[Subscribe to News](#)[Water Quality](#)

## Hurricane Sandy Update: dangerous tides, coastal flooding; Evacuate near LI Sound

[Printer-Friendly Version](#)

Everyone is encouraged to be advised of the following dangerous tides and coastal flooding information excerpted from the National Weather Service website

Based on the information below, we anticipate additional possible flooding that is between three feet and five feet ADDITIONAL, ABOVE what was experienced at mid-day today, when much of the fields and park areas in Harbor Island Park were flooded

THE VILLAGE OF MAMARONECK HAS ISSUED AN EVACUATION ORDER FOR THE ORIENTA AND SHORE ACRES NEIGHBORHOODS THAT ARE SUBJECT TO TIDAL FLOODING

Source: National Weather Service

HISTORIC AND LIFE THREATENING COASTAL FLOODING EXPECTED THROUGH TUESDAY MORNING for SOUTHERN WESTCHESTER-NEW YORK

345 PM EDT MON OCT 29 2012

COASTAL FLOOD WARNING REMAINS IN EFFECT UNTIL 3 PM EDT TUESDAY for LONG ISLAND SOUND

\* TIDAL DEPARTURES BETWEEN 6 TO 11 FT ABOVE TONIGHT INTO TUESDAY MORNING THE HIGHER END OF THE RANGE RELEGATED TO THE HISTORICALLY MOST VULNERABLE AREAS ALONG NEW YORK HARBOR

WESTERN LONG ISLAND SOUND

\* HIGH SURF OF 6 TO 12 FT WAVES ARE EXPECTED ALONG EXPOSED EASTERN AND NORTHEASTERN FACING PORTIONS OF LONG ISLAND SOUND THE DESTRUCTIVE WAVES ON TOP OF THE STORM SURGE WILL CAUSE OVERWASHES AND SIGNIFICANT DAMAGE TO COASTAL STRUCTURES NEAREST TO SEA LEVEL

\* TIMING THROUGH TUESDAY WITH THE HIGHEST STORM TIDE OCCURRING WITH TONIGHTS HIGH TIDE CYCLE THE WORST IS EXPECTED AT AND AFTER 6 P.M THIS EVENING

\* IMPACTS A HISTORIC AND LIFE THREATENING COASTAL FLOOD EVENT CONTINUES WITH MAJOR COASTAL FLOODING TONIGHT AND ADDITIONAL COASTAL FLOODING EARLY TUESDAY MORNING

PROBABILITY IS HIGH FOR SIGNIFICANT INUNDATION AND DAMAGE TO STRUCTURES IN HISTORICALLY FLOOD PRONE SPOTS

PRECAUTIONARY/PREPAREDNESS ACTIONS

A COASTAL FLOOD WARNING MEANS THAT FLOODING IS EXPECTED OR OCCURRING COASTAL RESIDENTS IN THE WARNED AREA SHOULD BE ALERT FOR RISING WATER AND TAKE APPROPRIATE ACTION TO PROTECT LIFE AND PROPERTY

THE VILLAGE OF MAMARONECK HAS ISSUED AN EVACUATION ORDER FOR THE ORIENTA AND SHORE ACRES NEIGHBORHOODS THAT ARE SUBJECT TO TIDAL FLOODING



[Click here for weather forecast](#)

For more information view the National Weather Service website at [www.weather.gov](http://www.weather.gov)

Page 2

## **EXHIBIT D**



<https://nyti.ms/2sPhvLj>

**The New York Times**

**U.S.**

## **FORTIFIED BUT STILL IN PERIL, NEW ORLEANS BRACES FOR ITS FUTURE**

In the years after Hurricane Katrina, over 350 miles of levees, flood walls, gates and pumps came to encircle greater New Orleans. Experts say that is not enough.

By JOHN SCHWARTZ and MARK SCHLEIFSTEIN FEB. 24, 2018

**NEW ORLEANS** — Burnell Cotlon lost everything in Hurricane Katrina — “just like everyone else,” he said.

When the flawed flood wall bordering his neighborhood here in the Lower Ninth Ward gave way in August 2005, the waters burst through with explosive force that pushed his home off its foundations and down the street. What was left: rubble, mud and mold.

Not far from his rebuilt home stands a rebuilt flood wall, taller and more solidly anchored in its levee than the old one. On the other side of that lies the canal whose storm-swollen waters toppled the old wall, letting Lake Pontchartrain spill into the neighborhood and then sit, more than 10 feet deep, for weeks on end. As an added shield, an enormous gate closes the canal off from the lake when storms approach. Similar gates can secure the city’s other major canals. In all, federal, state and local governments spent more than \$20 billion on the 350 miles of levees, flood walls, gates and pumps that now encircle greater New Orleans.

“I hope and pray that the money was well spent and it is a decent system,” said Mr. Cotlon, who opened the first grocery store in the still-recovering neighborhood in 2014.



This year, New Orleans celebrates its 300th birthday. Whether it will see 400 is no sure thing.

As Jean Lafitte and other vulnerable little towns that fringe the bayous plead for some small measure of salvation, New Orleans today is a fortress city, equipped with the best environmental protection it has ever had — probably the strongest, in fact, that any American city has ever had. Yet even the system's creators have conceded that it may not be strong enough.

The problem, in the argot of flood protection, is that the Army Corps of Engineers designed the new system to protect against the storms that would cause a "100-year" flood — a flood with a 1 percent chance of occurring in any given year. And that, experts say, is simply insufficient for an urban area certain to face more powerful storms.

"All along we knew that 100-year was somewhat voodoo math," said Garret Graves, a Republican congressman from Louisiana and former chairman of the state's Coastal Protection and Restoration Authority. Indeed, the corps has stopped calling its handiwork a hurricane protection system, opting instead for the more modest Hurricane & Storm Damage Risk Reduction System.

How that came to be is a story of money and politics and, perhaps, a degree of Louisiana fatalism. In simplest terms, though, it comes down to a mismatch between limited resources and limitless amounts of water.

If New Orleans is culturally and culinarily unique among American cities, it is also uniquely vulnerable: Half the city lies below sea level, and is sinking still, and the buffer of protective wetlands that can knock down the force of incoming hurricanes is eroding away.

Climate change threatens to make these problems far worse. The rising oceans will strengthen storm surges, and increased moisture in the atmosphere will add to the drenching rains that regularly overwhelm the city's aging drainage system. Scientists also suggest that a warming world will bring stronger hurricanes.

"Climate change is turning that 100-year flood, that 1 percent flood, into a 5 percent flood or a 20-year flood," said Rick Luettich, a storm surge expert and vice chairman of one of the New Orleans area's two regional levee authorities.



By that inexorable logic, the 500-year flood becomes a 100-year flood, and so on.

The corps itself has repeatedly acknowledged that the new system will not prevent future floods. “There’s still going to be a lot of people that will be inundated,” the corps’s former commander, the retired Lt. Gen. Robert L. Van Antwerp, warned as far back as 2009. In storms at 200- to 500-year levels, the corps has said, New Orleans could still suffer breaches like those experienced during Katrina.

As he ends his eight-year run at City Hall, the mayor, Mitch Landrieu, sounds as if he has a bit of the prophet about him. The combination of sea level rise, subsidence and coastal erosion, he said in an interview, poses an “existential threat” for New Orleans.

“What we should have done,” Mr. Landrieu said, “is build to a 10,000-year flood standard, which is what the Netherlands built to, and we didn’t, and that was for the country a monetary decision.”

Now, he fears, his city itself could join a variety of landmarks that, as a popular local song puts it, “ain’t dere no more.”

## A DEVIL’S BARGAIN

The Army Corps spent nearly 50 years building the old hurricane protection system for New Orleans. More than 1,400 people died in the city when it failed. So in the aftermath of Katrina, Congress thought big.

Funding measures that passed beginning in late 2005 outlined a three-stage program for restoring a shattered and sodden New Orleans. The first step was to repair the broken levees and flood walls to what they were before the storm. At the same time, the corps would develop a plan to offer “interim protection,” that 100-year level, achievable within several years. Finally, Congress called on the secretary of the Army, who oversees the corps, to “consider providing protection for a storm surge equivalent to a Category 5 hurricane — a storm, that is, more powerful than Katrina.”

A range of experts consulted by the corps called for defense of that level or



higher. Indeed, a study by Dutch engineers found that central New Orleans needed protection against the kind of storm that might show up once in 5,000 years.

In the end, though, the interim level became the benchmark. One central factor was a congressional compromise reached during the George W. Bush administration that came to be known locally as the Devil's bargain. Under the deal, New Orleanians would remain eligible for federal flood insurance if the system could be brought up to the 100-year level — the protection needed for insurance eligibility in what the government defines as a flood zone. An insurance standard became a proxy for a safety standard.

Though the corps produced a 4,000-page report with a host of alternatives, it offered no recommended course of action. That, along with the financing, largely fell to the state. By 2012, the state's Coastal Protection and Restoration Authority had already issued two versions of its own master plan, the later one calling for Katrina-level or greater protection for New Orleans. But when the third plan was released in 2017, predictions for the effects of climate change had outstripped ambition: The seas were rising so fast, the authors concluded, that with its \$50 billion price tag for greater New Orleans and the south Louisiana coast, the hoped-for protection was out of reach. What's more, that much money might never become available.

Sidney Coffee, who led the state authority from 2005 to 2008, said the state had to balance the needs of the city with those of the rest of Louisiana. "The state has always wanted the best, the highest level of protection that could be afforded for New Orleans," she said.

Knowing that the new flood walls and earthen levees weren't high enough to stop a Katrina-like surge, the corps built in features intended to keep them standing, including erosion-fighting measures like concrete "splash pads" to prevent overflow from washing away supporting soil. Deeper pilings will help the walls stay upright. Gates to keep Lake Pontchartrain from pouring in should mean less water to pump out after a storm.

Because of measures like these, "what resulted from the design was much more like a 500-year system than a 100-year system," said Ed Link, an engineering professor at the University of Maryland who led the corps-sponsored investigation of the levee failures in Katrina. With an emphasis on improving evacuation protocols, even supplying transportation for pets, fewer deaths are



expected during the next Katrina.

But the flooding could still be severe — during a 500-year flood, as much as five feet deep in the half of the city that sits below sea level. In August, a thunderstorm dumped between six and nine inches of rain over parts of the city within a three-hour period, overwhelming antiquated pumps — some dating to 1912 — and causing extensive flooding. Updating the drainage system will cost at least \$1 billion through 2026, and perhaps much more.

## CHALLENGES AHEAD

One of the most spectacular features of the city's new defenses is a 1.8-mile-long wall that cuts across wetlands at a corner of Lake Borgne, east of the city. It stands 26 feet above the water line and cost \$1.1 billion. Its support piles reach more than 100 feet into the muck of the lake. Its top is crenelated like a castle wall.

And it illustrates how, in many parts of New Orleans, upgrading further is not feasible.

The wall was designed for a 100-year storm, with some extra height to compensate for subsidence and estimated sea level rise over 50 years. But at this location, Katrina sent a far stronger surge.

There is no easy fix. While earthen levees can be raised by adding dirt, raising the wall even higher would be impractical, said Robert Turner, director of engineering and operations for the regional levee authority that operates the barrier. A cap of an additional foot could be built, he said, but “if you try to go higher than that over time, you can stress the pile foundations that hold this barrier in place.”

To many local officials, 500-year protection is a fantasy. Susan Maclay, the head of the levee authority for the New Orleans-area communities on the west bank of the Mississippi River, said that finding the money to maintain the current system was daunting. The financially squeezed state government, too, is searching for a way to pay its share of the hurricane protection system — \$100 million a year for the next 30.



“You’re so focused on killing the snakes right in front of you that you can’t, it’s just not feasible, to think beyond the immediate problem,” Ms. Maclay said.

All the while, the rest of the state is waiting for its own 100-year protection.

“It’s difficult to sell, on the state level, elevating New Orleans protection to 500 when you have places such as Jean Lafitte, Terrebonne Parish, Houma, New Iberia and other places that have zero level of protection, or at best 10-year protection,” said Jerome Zeringue, a state representative. New Orleanians, he said, “should lessen their expectations.”

The rest of the nation, too, awaits a higher level of protection from the effects of climate change: Major cities like New York and Miami, but also smaller communities like Galveston, Tex., want costly projects of their own. “The rest of the coast, and the rest of the country, needs help,” said Col. Michael Clancy, commander of the New Orleans district of the corps.

Still, more must be done, said Mr. Graves, the Louisiana congressman. The projects to protect the state so far are tremendous, but what is to come will have to be “tremendouser,” he said, adding, “People say we can’t afford to do this — I would say we can’t afford not to.”

Repairing hurricane damage is always far more expensive than providing protection. Katrina cost between \$120 billion and \$150 billion, Mr. Graves noted. The new system has already saved hundreds of millions of dollars in smaller storms like Hurricane Isaac in 2012. “When a big one comes,” he said, “that project will pay off multiple times over.”

New Orleans residents like Artie Folse hope that is true. But Mr. Folse is also wary. His house near Lake Pontchartrain had to be rebuilt from the studs up after Katrina. If the next storm overwhelms the city’s defenses, he said, “I can’t do it again.”

Follow John Schwartz and Mark Schleifstein on Twitter: @jswatz and @MSchleifstein.

Sara Sneath of NOLA.com | The Times-Picayune contributed reporting.

Designed and produced by Danny DeBelius.



■

■



4

[SEE MY OPTIONS](#)

[Subscriber login](#)

ARTICLES REMAINING

© 2018 THE NEW YORK TIMES COMPANY

## **EXHIBIT E**



Leave a  
COMMENT

12.07.17

## SCHUMER, GILLIBRAND, ENGEL: MAMARONECK RESIDENTS ARE AT SEVERE RISK OF THEIR HOMES & BUSINESSES BEING FLOODED YET AGAIN; AS REPORT SITS ON ARMY CORPS' DESK, REPS URGE IMMEDIATE REVIEW AND APPROVAL TO REDUCE FLOODING RISK FROM THE MAMARONECK AND SHELDRAKE RIVER BASINS

*In 2007, A Nor'easter Storm Produced Record Flooding In and Near The Village Of Mamaroneck, Causing Loss of Life, Costing Millions In Damages And Forcing Close To 40% Of Residents To Seek Evacuation Assistance; Reps Say Residents In Mamaroneck And Sheldrake River Basins Remain At Risk To Severe Flooding*

*Approving Army Corps "Chief's Report" On The Flood Risk Management Is A Key Step In Addressing Flooding, But Is Being Held Up By Bureaucratic Red Tape; Reps Call On Army Corps To Do Its Part And Review And Sign The Report To*



## *Move Project Forward Quickly For The Village Of Mamaroneck*

### *Schumer, Gillibrand, Engel: Red Tape Delaying Protection of Mamaroneck Homeowners From Future Floods*

U.S. Senate Minority Leader Charles E. Schumer, U.S. Senator Kirsten Gillibrand, and U.S. Representative Eliot Engel today urged the U.S. Army Corps of Engineers (USACE) to swiftly review the Chief's Report on the flood risk management for the Mamaroneck and Sheldrake River Basins in the Village of Mamaroneck, New York. The federal representatives said that without progress on this project residents and business owners in the area remain at risk to severe flooding. The federal representatives said the area has already suffered loss of life and serious damage due to floodwaters from the Mamaroneck and Sheldrake River Basins. In 2007, over \$50 million worth of damage was done by a nor'easter storm floods. The storm resulted in loss of life, displaced thousands of residents and caused severe damage to the Village's infrastructure. Senators Schumer and Gillibrand and Representative Engel said the Chief's Report must be promptly reviewed and signed so the project may move to the authorization phase. Schumer, Engel, and Gillibrand said a swift review of this project will help ensure continued commitment to the lives and safety of the residents of the Village of Mamaroneck, New York.

"Making sure the Village of Mamaroneck is protected from future flooding is critical for public safety and property preservation of homes and businesses," said **Senator Schumer**. "Floods have hammered this area before and we can't wait another year before we implement a better flood protection plan for the whole community, which is why we need Army Corps to promptly review and approve this plan. The Army Corps signing this report is essential to saving lives and protecting the Village of Mamaroneck from the storms of the future."

"It is critical that the Army Corps of Engineers immediately approve the report that will allow Congress to authorize the flood risk management project for the Village of Mamaroneck," said **Senator Gillibrand, a member of the Senate Environment and Public Works Committee, which oversees the Army Corps of Engineers**. "The lives and livelihoods of New Yorkers are at stake, and we must be proactive in ensuring that these heavy storms do not create yet another disaster. The Village Of Mamaroneck has suffered enough loss, and it is unacceptable to wait any longer to take action. I will continue to urge the Army



Corps of Engineers to take this first step in ensuring that the Mamaroneck and Sheldrake River Basins are guarded against future flooding, and will work to ensure that this project is authorized by Congress in the next Water Resources Development Act."

"Flooding in Mamaroneck has caused hundreds of millions of dollars in damages and tragically taken the lives of two of our citizens. I have seen the heartbreak and loss experienced by residents of the community, and I have witnessed their hard work to recover and rebuild," said **Rep. Engel**. "After I testified before the Army Corps in March, I was pleased to see that its Civil Works Review Board advanced the Mamaroneck and Sheldrake Flood Risk Management Study, and now it's time for the Army Corps to approve the final Chief's Report to enable this project to move forward. This plan is technically feasible, environmentally appropriate, economically justified, and absolutely necessary."

Senators Schumer, Gillibrand, and Representative Engel said the vital project which seeks to reduce flood risk for the Mamaroneck and Sheldrake River Basins and thus protect residents and business owners will include the construction of retaining walls and a diversion culvert. The project would also enable the deepening and widening of river channels, structure elevation, and the removal/replacement of 2 vehicular bridges that constrict flood flow. The recommended plan is estimated to reduce average annual damages by approximately 87 percent and will help reduce the risk of loss of life. Schumer, Gillibrand, and Engel said it is vital that once the report has been reviewed, it is promptly signed so that it can go to the next step wherein Congress can act to authorize and fund this project.

Senators Schumer, Gillibrand, and Representative Engel explained in April 2007, a nor'easter storm produced record flooding in the Village of Mamaroneck, equivalent to the one percent flood event. The 2007 event caused over \$50 million in damages and impacted over 50 percent of total structures within the study area. The storm resulted in floodwaters peaking on the Mamaroneck River in approximately four hours and in approximately six hours on the Sheldrake River. As such, the evacuation time for approximately 19,000 residents in the Village of Mamaroneck was severely restricted and created a high-risk situation. Over 40 percent of Mamaroneck residents required evacuation assistance prior to floodwaters peaking including a large population of children that attended a school located within the epicenter of the severe flooding. However, this was not the only flood event in the basin. Additionally, two deaths have occurred as a result of flooding in the project area in the last 25 years, most recently in 2007.



## A Copy of Schumer, Gillibrand, and Engel's Letter Appears Below

Dear Lt. Gen. Semonite:

We write to urge you to promptly review the U.S. Army Corps of Engineer's Chief's Report on the flood risk management for the Mamaroneck and Sheldrake River Basins in the Village of Mamaroneck, New York. As you know, it has been recommended to authorize a plan to reduce flood risk through the construction of retaining walls and a diversion culvert, the deepening, and widening of river channels, structure elevation, and the removal/replacement of 2 vehicular bridges that constrict flood flow. The recommended plan is estimated to reduce average annual damages by approximately 87% and will help reduce the risk of loss of life. It is our hope that once the report has been reviewed, you will promptly sign and recommend the plan to reduce flood damage in the Village of Mamaroneck for Congress to authorize and fund the project.

In April 2007, a Nor'easter storm produced the flood of record for the Village of Mamaroneck, equivalent to the one percent flood event. The 2007 event caused over \$50 million in damages and impacted over 50 percent of total structures within the study area. A one percent flood event, the storm's resulted in floodwaters peaking on the Mamaroneck River in approximately four hours and in approximately six hours on the Sheldrake River. As such, the evacuation time for approximately 19,000 residents in the Village of Mamaroneck was severely restricted and created a high risk to life safety. Over forty percent of residents required evacuation assistance prior to floodwaters peaking including a large population of children that attend a school located within the area of the most severe flooding. However, this was not the only flood event in the basin. Two deaths have occurred as a result of flooding in the project area in the last 25 years, most recently in 2007.

We urge you to ensure the Chief's Report on the flood risk management for the Mamaroneck and Sheldrake River Basins is promptly reviewed and signed so the project may move to the phase where Congress can act to authorize and fund this project. As you know, a final Chief's Report must be approved in order for this project to move forward. A swift review of this project will help ensure continued commitment to the life safety of the residents of the Village of Mamaroneck, New York. Should you have any additional questions, please do not hesitate to contact our offices.

Sincerely,

Charles E. Schumer  
United States Senator  
Kirsten Gillibrand  
United States Senator  
Eliot L. Engel  
Member of Congress

###

Print

Email

[Previous Article](#)

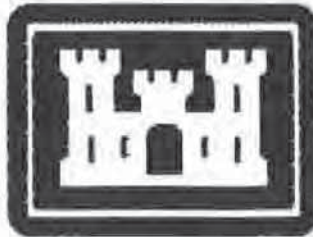
[Next Article](#)

## EXHIBIT F



**FLOOD RISK MANAGEMENT**  
**GENERAL REEVALUATION REPORT**  
**&**  
**ENVIRONMENTAL IMPACT STATEMENT**  
**FOR**  
**THE VILLAGE OF MAMARONECK**  
**MAMARONECK & SHELDRAKE RIVER BASINS**  
**NEW YORK**

**FINAL REPORT**



**US Army Corps of Engineers**  
**New York District**

**APRIL 2017**

*(This page intentionally left blank)*





DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT  
JACOB K. JAVITS FEDERAL BUILDING  
26 FEDERAL PLAZA  
NEW YORK NY 10278-0090

## EXECUTIVE SUMMARY

A severe flood risk persists in the Village of Mamaroneck based on the frequent recurrence of flood events and the associated damages sustained. The largest floods of record resulted from the storms of October 1955, June 1972, September 1975 and April 2007. In addition, there have been 19 other significant flood events from July 1889 to present. Extensive damages and loss of life have occurred during these major flood events. Damages within the Mamaroneck and Sheldrake River Basins for the June 1972 and September 1975 floods alone amounted to approximately \$18,000,000 and \$92,000,000, respectively, based on conditions of development at the time and October 2016 price levels. The flood waters from these storms inundated large areas of industrial, commercial and residential property in the Village of Mamaroneck.

There are over 700 structures in the study area, of which approximately 75% are residential. The area is fully developed and urbanized and because of its close proximity to NYC, is a commuting hub for the workforce in the region. Both rivers run along the two major transportation corridors that cross the Village of Mamaroneck: I-95 and the Metro-North Railroad, operated by the Metropolitan Transportation Authority (MTA). I-95, also known as the "New England Thruway," is the major highway between New York City and Boston and is the busiest transportation corridor in the Northeast. Regional access is provided by Metro-North Railroad commuter rail service and is a major commuter rail line, which is located near the confluence at Columbus Park. This line is known as the busiest commuter line in the nation. Access to the train station and I-95 is cut-off during storm events.

The April 2007 storm was a nor'easter that caused flood damage to over 300 residential and 100 commercial structures and disrupted the lives of thousands of people and was equivalent to the 1% flood event with estimated damages of well over \$50,000,000. Floodwaters peak on the Mamaroneck River in approximately 4 hours and in approximately 6 hours on the Sheldrake River during the 1% flood event. The resident's evacuation time is severely restricted leading to high risk to life safety. Four hundred fifteen (415) repetitive FEMA Flood Insurance Claims in the Village of Mamaroneck have been recorded prior to the April 2007 flood. Repetitive claims are the result of long-time residents being unable or unwilling to move out of the flood risk area due to lack of real estate opportunities that are affordable. During the September 1992 flood, one person drowned when the car he was traveling in was swept away in the floodwaters while attempting to evacuate. Additionally, during the April 2007 flood, a person died in a house fire because flood waters prohibited emergency vehicles from responding to the person's home to provide emergency and medical care.

The Red Cross estimates indicated that more than 200 people were evacuated in the Village of Mamaroneck during the September 1975 flood. Additionally, several police, fire, schools, daycare, and senior care facilities are located within the 1% floodplain. With the rapid rate of rise of floodwaters, warning and evacuation activities are severely limited adding to the already high risk to life safety to residents and emergency responders. Flooded roadways pose significant life safety risks by impeding access for emergency vehicles and impeding travel to safety. Flood waters can elevate up to a depth of 8-10 feet, as recorded during the April 2007 flood, within 4-6 hours which leave evacuation, transportation, and





emergency services extremely limited, if not impossible. This is well represented by the two deaths that have already occurred. Based on the rapidness that disruptions occur, transportation and business disruptions are also devastating. Evacuation of schools, daycares, hospitals and senior care centers are at the greatest risk to an already vulnerable population because of impacted transportation that is located within the impacted area. The threat to life safety is realized while attempting to evacuate or during the height of the flood event because of the rapidness that the damaging flood waters rise.

### **Study Background**

Originally, on November 17, 1986, a plan for flood risk management in the Village of Mamaroneck was authorized for construction in Section 401(a) of the Water Resources Development Act (WRDA) (PL 99-662, 99<sup>th</sup> Congress, 2<sup>nd</sup> Session). The 1989 GRR which recommended channel modification, constructing retaining walls, replacing six bridges, removing one bridge, and a diversion tunnel from Fenimore Road to the west basin of Mamaroneck Harbor. The 1989 GRR was recommended at an authorized cost of approximately \$68,500,000 (\$160,000,000 at October 2016 price level) but was never constructed. The 2017 GRR NED plan first cost is approximately half of the cost of the plan authorized in WRDA 1986 recommended in the 1989 GRR while providing the same project purpose and environmental outputs. The NED plan would save the federal government, non-federal partners and the local taxpayer appreciable funds for project implementation while producing the same outputs.

### **Recommendations**

The plan recommended for construction in the 2017 Final GRR is the National Economic Development plan (NED plan) which consists of over 7,500 linear feet of channel modification work along the Mamaroneck and Sheldrake Rivers, with various channel widths and depths within the Village of Mamaroneck.

The river would be realigned at the confluence with a 25 foot wide by 8 foot high, 390 foot long culvert that would be located under the railroad station parking lot to alleviate the poor channel alignment. Trapezoidal channel improvements would consist of a natural bed channel of sloped or pitched vegetated banks. Retaining walls would be constructed in those areas where the trapezoidal channel cannot be constructed, typically where buildings, roads or other features may be affected. The channel bottom would remain natural except in the location of the Station Plaza Bridge, which currently has a concrete bottom where it crosses the Mamaroneck, and the Halstead Avenue Bridge.

Removal and replacement of existing retaining walls and utilities would be necessary along the length of the channel including Waverly Avenue Bridge and Ward Avenue Bridge. Several small bridges would be removed, including Center Avenue Bridge and two footbridges in Columbus Park, which would be replaced. In addition to channel modification along both rivers, the NED plan would have a nonstructural component along the Mamaroneck and Sheldrake rivers that includes structure elevation, ringwall levees, and/or floodproofing.





### Summary of the NED Plan

#### NED Plan Costs and Benefits

The first cost (the present value of implementation not including inflation) for the NED plan proposed in this reevaluation totals **\$82,252,000** (October 2016 price level). The fully funded cost of **\$93,739,000** is calculated at October 2016 price level and escalated to the midpoint of construction (March 2023), at a 2.875% interest rate and is the basis of the cost share in the Project Partnership Agreement (PPA). The cost share analysis for this project is 65 percent Federal and 35 percent non-federal. The non-federal cost share includes 100% of the cost of the estimated lands, easements, right-of-way, relocations, and disposal





(LERRD) requirements. The non-federal sponsor is the New York State Department of Environmental Conservation (NYSDEC). The Federal share of the project's first cost is **\$53,464,000** the non-Federal share is **\$28,788,000**.

The federal government would design the project, prepare detailed plans/specifications and construct the project, exclusive of those items specifically required of the non-federal sponsor. The non-federal sponsor is responsible for all lands, easements, right-of-ways, and relocations and disposal areas (LERRD) costs and all operation, maintenance, replacement, repair and rehabilitation (OMRR&R) costs. The LERRD costs are applicable to the non-federal share of the initial project costs. For example, the approximate LERRD costs of **\$19,145,000** borne by the non-federal sponsor are applicable to the **\$28,788,000** share of non-federal project costs. The 5% minimum cash requirement by the non-federal sponsor is calculated from structural plan costs only.

#### Cost Apportionment

|                                                         |                     |
|---------------------------------------------------------|---------------------|
| <b>Federal Project Cost (65%)</b>                       | <b>\$53,464,000</b> |
| <b>Non-Federal Project Cost (35%)</b>                   | <b>\$28,788,000</b> |
| Lands & Damages                                         | \$5,001,000         |
| Relocations                                             | \$14,144,000        |
| 5% Cash Requirement                                     | \$3,976,000         |
| Cash or In-Kind Service balance                         | \$5,667,000         |
| <b>Project First Cost*</b>                              | <b>\$82,252,000</b> |
| <b>*Does not include OMRR&amp;R and IDC<sup>1</sup></b> |                     |

*Calculated at October 2016 price level 2.875% interest rate*

#### Financial Analysis

The October 2016 first cost as noted above is \$82,252,000. The fully funded cost is \$93,739,000 (escalated to the midpoint of construction – March 2023). Annual costs are approximately \$3,646,500 and annual benefits are \$3,820,500 with a benefit to cost ratio (BCR) of approximately 1.05 which yields total annual net benefits of about \$174,000 for the NED plan.

#### NED Plan Economic Summary

|                              | NED Plan           |
|------------------------------|--------------------|
| <b>Total Annual Benefits</b> | <b>\$3,820,500</b> |
| <b>Total Annual Costs</b>    | <b>\$3,646,500</b> |
| <b>Net Benefits</b>          | <b>\$174,000</b>   |
| <b>BCR</b>                   | <b>1.05</b>        |

*Calculated at October 2016 price level and 2.875% interest rate*

<sup>1</sup> Interest during construction





### **Non-Federal Responsibility**

The non-federal sponsor is the cost share partner for design and construction. During the construction phase of the project, the non-federal sponsor would acquire all LERRD detailed herein. Upon construction completion the non-federal sponsor would be responsible for the operation, maintenance, replacement, repair and rehabilitation (OMRR&R) of the project.

Consideration of future work after construction that may be proposed by the non-federal sponsor on or near the Mamaroneck River and Sheldrake River, must comply with the intent, goals and objectives of the NED plan. Modification to structures by others (such as bridges) that currently exist within the project alignment must be submitted for approval to USACE to ensure that the functionality of the project is not compromised. Further, the functionality of the project due to modifications may affect the non-federal sponsor's ability to submit a request to FEMA for revisions to the Floodplain Maps for the study area.

### **Environmental Analysis**

The GRR report includes an environmental analysis documented in detail in an accompanying Environmental Impact Statement (EIS) conducted under the National Environmental Policy Act (NEPA). The NED plan, based on the optimal plan for flood risk management in the Mamaroneck and Sheldrake River Basins as detailed in the GRR and based on NED plan criteria, will result in an overall long-term benefit to natural resources and inhabitants of the area and region due to the substantial reduction in flood risk that will be realized.

The impacts, which are expected to have negligible cumulative effects overall, are primarily associated with sedimentation, dust and waste generated by rock excavation, the clearing and grading of construction and staging sites, and other channel modifications. In addition, the channel improvements will have long-term beneficial effects on flood-induced stream channel erosion and streambed scour.

Short-term impacts to native fish and wildlife populations within the area will be limited to the construction period. No rare, threatened, or endangered species or their critical habitat will be adversely affected by the NED plan. Impacts to vegetation resulting will be minimized and mitigated by replanting of the riparian areas to pre-construction conditions, to the maximum extent feasible.

Mitigation for adverse effects to historic properties, the Ward Avenue Bridge, Metro-North Railroad Bridge, and the stone retaining walls thematic district, will include consideration of incorporation of these elements into the NED Plan and the documentation of these resources.

### **Summary**

The primary opportunity presented in the 2017 GRR is the potential to reduce future damages to property and to decrease risks to life safety. Damages to property from such storm events present a significant risk to public health and life-safety. If storm risk management measures can be incorporated, then damage to property and loss of life may be effectively reduced and even avoided. This GRR reevaluates the studies performed for the 1977 Feasibility Report and the 1989 General Design Memorandum (1989 GDM) as well as identifies and affirms federal interest in a solution for flooding in the Village of Mamaroneck.



## EXHIBIT G



# Sea Level Rise and Flooding Village of Mamaroneck



## Village of Mamaroneck Planning Department

Assistance provided by Westchester  
County GIS

February 2017

[Planning.VillageofMamaroneck.org](http://Planning.VillageofMamaroneck.org)

Prepared by Greg Cutler, Assistant Village Planner



## Introduction

The Village of Mamaroneck is a coastal village with approximately 9 miles of coastline along the Long Island Sound, the majority of which is developed. As global warming occurs and arctic ice sheets continue to melt, our oceans will continue to rise. This will be disruptive to coastlines throughout the globe, including the coastline in Mamaroneck.

The Village has a diverse mix of uses along its coastline, including water-dependent uses such as boatyards and water-enhanced uses such as recreational facilities to residential and private club facilities. As sea level rises the Village will face ever-increasing economic risks to these vital assets. As a community with a Local Waterfront Revitalization Plan (LWRP), the Village has made its coastal character a priority by implementing long-term policies that preserve and enhance the quality of Mamaroneck as a waterfront community.

This report will act to supplement the Village in its long-range planning framework with respect to sea level rise by outlining several probable scenarios. Scenarios that will be assessed include expected impacts related to strictly sea level rise as well as expected impacts from sea level rise coupled with 100 year and 500 year flood events. These scenarios will look at properties that will be impacted at 1, 3, and 6 feet of sea level rise. In each scenario the economic risks will be outlined in 2017 dollars based on the most recent assessment numbers by the Town of Mamaroneck and Town of Rye. This report will also consider the most recent scientific modeling with respect to projected time frames. Lastly, this report will outline several recommendations to increase coastal resiliency and mitigate the expected impacts of sea level rise.



## Sea Level Rise Scenarios

Utilizing NOAA sea level rise data the Planning Department assessed impacts on buildings and sewer infrastructure at 1, 3, and 6 feet of sea level rise. The map below details the locations of buildings that will be directly impacted by sea level rise. Utilizing the most recent assessment data provided by the Town of Mamaroneck and Town of Rye the total economic impact sea level rise is outlined in the table below.

| Sea Level Rise | Total Buildings Value | # of Structures | Acres | % of Total Landmass Lost | Timeline                                          |
|----------------|-----------------------|-----------------|-------|--------------------------|---------------------------------------------------|
| 1 Foot         | \$5,613,900           | 8               | 42    | 2%                       | NYSERDA Model: 2050s<br>Rapid Ice Melt: 2030s     |
| 3 Feet         | \$26,791,100          | 34              | 96    | 5%                       | NYSERDA Model: 2080s<br>Rapid Ice Melt: 2060s     |
| 6 Feet         | \$181,059,050         | 248             | 330   | 17%                      | NYSERDA Model: Past 2100<br>Rapid Ice Melt: 2090s |

\*Buildings were joined to assessment data for entire property, value represents amalgamated value of buildings on a lot. Value of tax exempt structures not represented.

Even at just one foot of sea level rise the Village faces a substantial risk to \$5.6 million in residential and commercial assets. At three feet of sea level rise the Village faces a potential loss of up to \$26.8 million and 5% of total landmass as early as the 2060s. At six feet of sea level rise the Village faces a total risk of up to \$181 million in residential and commercial assets, as early as the 2090s according the rapid ice melt scenario. This represents a loss of 17% of the Village's landmass and over 30% of the landmass below Boston Post Road. Loss of property of this magnitude will certainly impact the Village's overall budgeting over the long term. While sea level rise is a slow moving phenomenon the Village should consider implementing policies and capital improvements that will begin to address sea level rise now in an effort to protect property and quality of life. The investment in protective measures is justified in light of the potential costs. Further analysis is warranted to assess the costs and benefits of raising or replacing seawalls along Village owned properties. As noted in the LWRP the Village should also explore options for implementing native plantings and restored wetlands adjacent to or in place of new seawalls. This could be beneficial to both water quality and as a mitigating factor against wave action during storm events. The Village has worked with Westchester County Planning to restore a natural habitat and remove a portion of the seawall along the West Basin of Harbor Island Park and could continue this work up the coastline.



## Recommendations

1. Repair and replace failing seawalls with new higher walls. The useful life of the seawall should incorporate accepted NYS sea level rise projections and build to them. For instance if the useful life of a new seawall is 60 years it should be built to accommodate three feet of sea level rise. Given the historic nature of the Village's seawalls, particularly those along the shore in Harbor Island



Coastal Flooding in Harbor Island Park

Park, efforts should be made to reinforce and raise seawalls rather than replace entirely. This approach may have the added benefit of reduced costs. Repair and reinforcement of sea walls will not only benefit Village parkland but also serve to protect the Westchester County Treatment Plant located adjacent to Harbor Island Park. The treatment plant will be subject to inundation at 6 feet of sea level rise. To that end the Village may consider a partnership with Westchester County to improve resiliency near the treatment plant.

**Precedent:** Seawalls are used in the Netherlands to protect inland areas from flooding and sea level rise.

2. Plant native plantings and restore wetlands where possible. Wetlands serve not only as vital habitats for the diverse ecology of the Long Island Sound, but also serve to lessen wave action during coastal storm events. Native plantings work to stabilize the shoreline by preventing and slowing erosion while also filtering pollutants out of the water.
3. Begin tracking sea level rise at Harbor Island Park to inform future projections using high-accuracy locally derived data.
4. Reduce local contributions to carbon emissions through energy reduction programs.





Harbor Island Wetland Restoration

5. Explore ways to address sea level rise along privately owned areas of the shoreline, through either code requirements or incentives.
6. Permit the raising of homes to heights that incorporate expected sea level rise. Current freeboard requirements of two feet above base flood elevation work towards that goal, but may need to be revisited as the sea rises. Concurrently, the Village should consider revising height limits to measure height from the base flood elevation.
7. Consider installation of vegetated berms to protect from both storm surge and sea level rise. Berms may also serve a secondary purpose of increasing public access to the waterfront.
8. Explore the use of other structural interventions including automated flood walls that retract to maintain view sheds.

**Precedent:** Both berms and automated flood walls are proposed under New York City's Big U project to mitigate flooding and sea level rise impacts on Lower Manhattan.



9. Raise or relocate critical infrastructure such as pump stations and force mains in areas that are expected to be inundated.
10. Raise or relocate facilities (managed retreat).

**Precedent:** The City of Beacon recently moved a proposed project on city-owned properties further uphill in recognition of SLR.

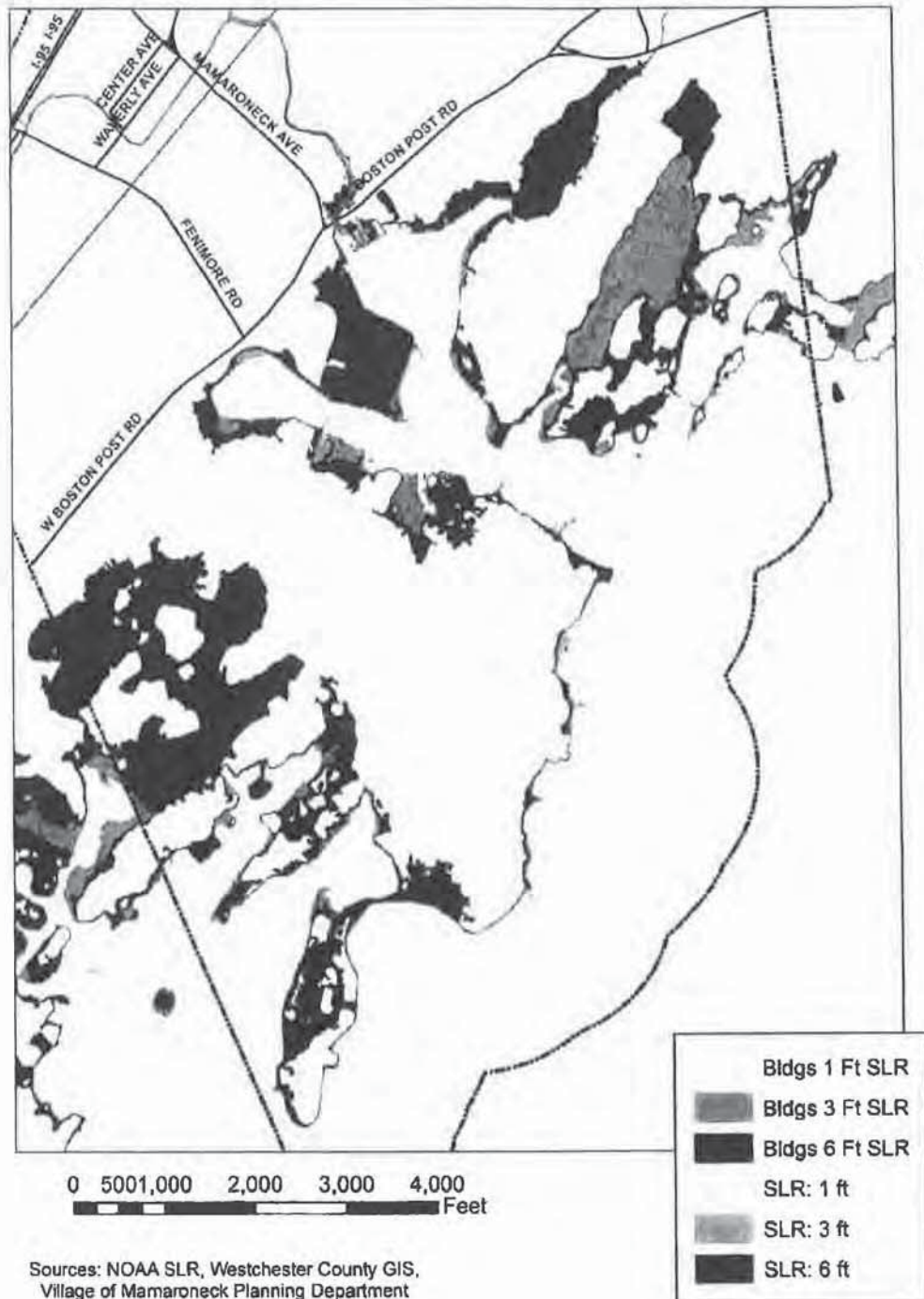
**NYSDA SLR Model Use Disclaimer:** This electronic tool provides estimated projections of the potential impact of future sea-level rise and storm surge on inundation and coastal flooding that could occur in portions of New York State. The estimated projections of future sea level are based on the best available scientific information but have large uncertainties and are subject to change as the state of the science evolves. The values do not reflect the likelihood of changes in climate or sea level.

This tool is intended to be used only as a screening-level tool to consider potential policy responses to sea-level rise and coastal flooding. It is not intended for, nor suitable for, navigation, site-specific analysis for permitting or other legal purposes. The data and maps in this tool are provided "as is," without warranty to their performance, merchantable state, or fitness for any particular purpose. There is no warranty that access to content will be uninterrupted or error-free; that content will be virus-free; or that content will be complete, accurate, or timely. The entire risk associated with the results and use of these data is assumed by the user. Under no circumstances, including but not limited to negligence, shall the creators of this mapping tool be liable for any direct, indirect, incidental, special, or consequential damages.

**NOAA SLR Mapper Use Purpose & Disclaimer:** The purpose of this data viewer is to provide coastal managers and scientists with a preliminary look at sea level rise and coastal flooding impacts. The viewer is a screening-level tool that uses nationally consistent data sets and analyses. Data and maps provided can be used at several scales to help gauge trends and prioritize actions for different scenarios.

The data and maps in this tool illustrate the scale of potential flooding, not the exact location, and do not account for erosion, subsidence, or future construction. Water levels are shown as they would appear during the highest high tides (excludes wind driven tides). The data, maps, and information provided should be used only as a screening-level tool for management decisions. As with all remotely sensed data, all features should be verified with a site visit. The data and maps in this tool are provided "as is," without warranty to their performance, merchantable state, or fitness for any particular purpose. The entire risk associated with the results and performance of these data is assumed by the user. This tool should be used strictly as a planning reference tool and not for navigation, permitting, or other legal purposes.

## Sea Level Rise



\*Data portrayed above are not suitable for site-specific analysis. Data is provided by NOAA and is subject to their use disclaimer located at the end of this report.

January 2017



## Commerce & Infrastructure

### Commerce

The Village has a number of vital marine businesses located in areas that will be inundated due to sea level rise. During the first iteration of the LWRP in the mid-1980s the Village made the preservation of these water-dependent uses a major priority by adopting new marine commercial zones and marine recreational zones.

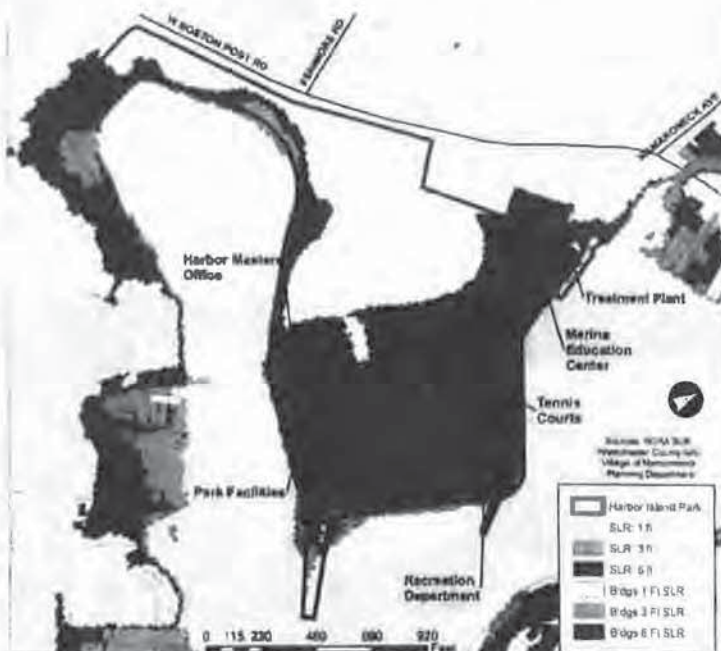
Many of the business in these zones face economic risk related to sea level rise. Appropriate action to improve resiliency along the shorelines within marine commercial and recreational zones is necessary for the long-term economic success of these businesses.



Mamaroneck Water Treatment Plant (Westchester County) and commercial boatyards

### Infrastructure & Facilities

As a coastal community, the Village faces unique risks to its infrastructure as a result of sea level rise. The Village recognizes that the sanitary sewer system is aging and as a result may be prone to issues of inflow and infiltration, where ground water enters the system through cracks in the pipes. This issue may be further irritated by sea level rise as inundation and a heightened water table will lead to increased levels of inflow. Other critical infrastructure at risk include sanitary sewer pump stations and force mains, sewer and drainage manholes and outfalls, and Village-owned roadways and buildings. Harbor Island Park is the most at risk Village property as it is low lying and hosts the recreation department offices, the pavilion recreational space, the Harbor Master's office, the Marine Education Center, and the entire parks department facilities. All of these locations are at risk of inundation due to sea level rise.

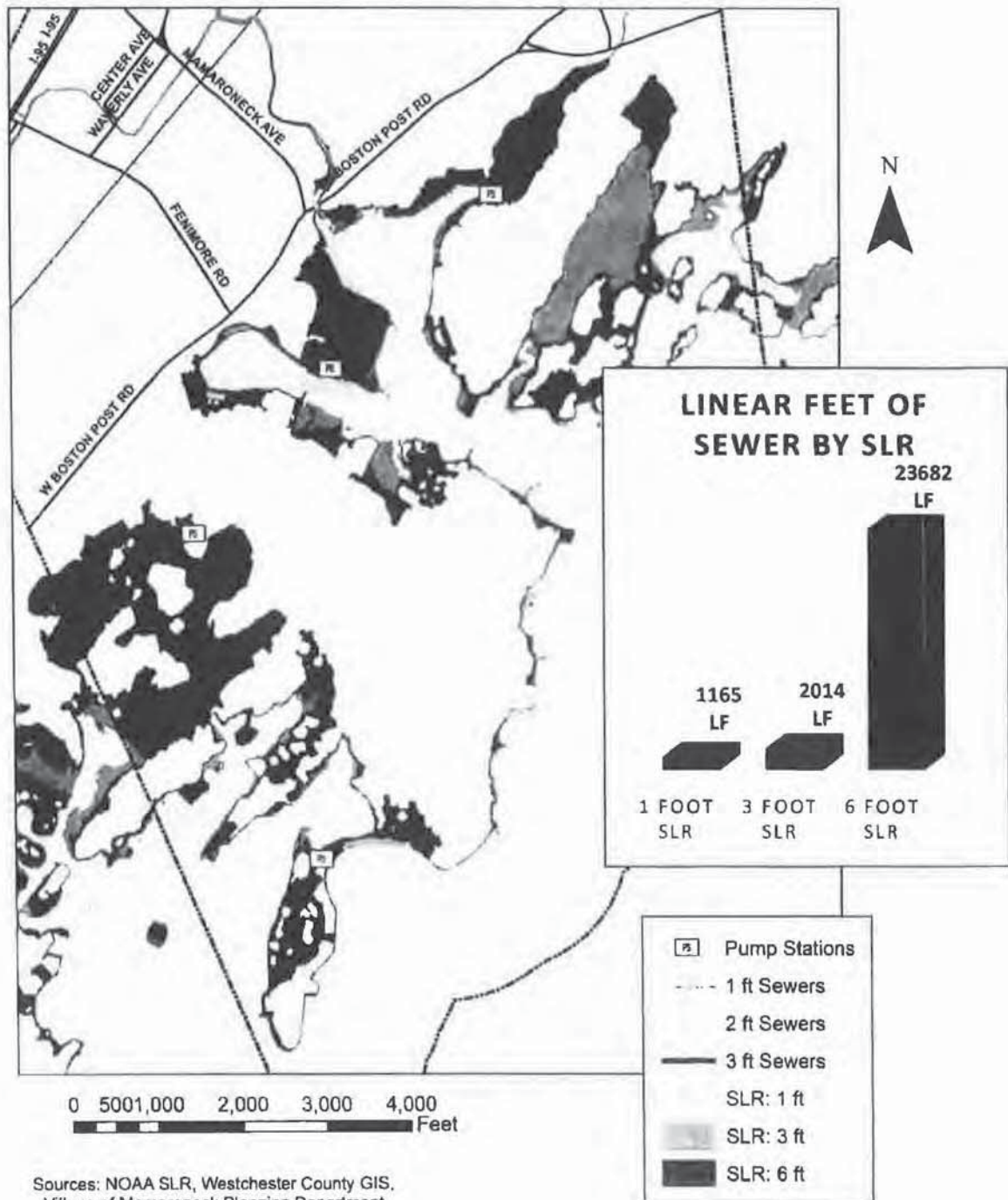




\*Data portrayed above are not suitable for site-specific analysis. Data is provided by NOAA and is subject to their use disclaimer located at the end of this report.



## Pump Stations & Sewers Impacted by SLR



\*Data portrayed above are not suitable for site-specific analysis. Data is provided by NOAA and is subject to their use disclaimer located at the end of this report.

January 2017



## Flood Event Scenarios

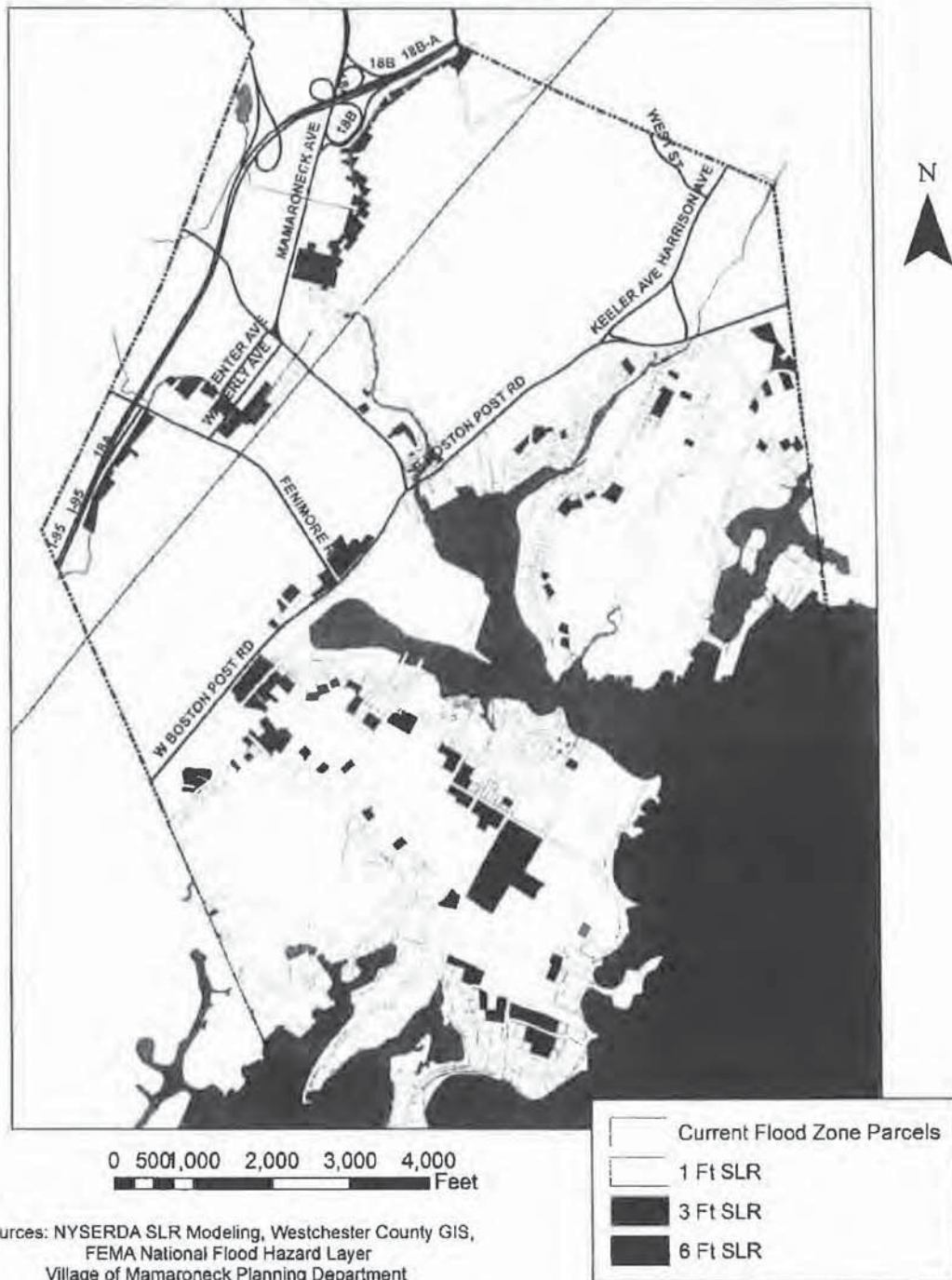
In an effort to understand the expected economic impacts of sea level rise a closer look at the compounding effects on coastal flooding was performed. The Village Planning Department utilized information provided by NYSERDA and Westchester County GIS to inform the scenarios outlined below. The first scenario reviews a 100 year interval storm as applied to 1, 3, and 6 feet of sea level rise. The second scenario reviews a 500 year interval storm as applied to 1, 3, and 6 feet of sea level rise.

### 100 Year Flood Scenario

| Sea Level Rise | Total Value Building Only (in 2017 dollars) | 25%-75% Damage (in 2017 dollars) | # of Additional Properties | Timeline                                          |
|----------------|---------------------------------------------|----------------------------------|----------------------------|---------------------------------------------------|
| 1 Foot         | \$30,456,200                                | \$7,614,050-\$22,842,150         | 56                         | NYSERDA Model: 2050s<br>Rapid Ice Melt: 2030s     |
| 3 Feet         | \$79,656,146                                | \$19,914,037-\$59,742,110        | 164                        | NYSERDA Model: 2080s<br>Rapid Ice Melt: 2060s     |
| 6 Feet         | \$166,610,419                               | \$41,652,605-\$124,957,814       | 327                        | NYSERDA Model: Past 2100<br>Rapid Ice Melt: 2090s |

With just a one foot rise in sea level an additional 56 properties are added to the 100 year flood zone, representing a value of over \$30 million. Since the timeline for a one foot scenario is anywhere from 13 to 33 years it is important for the Village to integrate adaptation and resiliency measures into its planning framework as expeditiously as possible. As sea levels rise the Village may expect even greater coastal flooding and higher levels of damage with up to 327 additional properties being added to the 100 year flood zone at 6 feet of sea level rise, which could occur as soon as the 2090s. If feasible and economically sound measures are taken now the Village will be better equipped to handle the increasing sea level rise later on. It is important to note that these scenarios describe only the difference between the existing conditions and expected conditions, not the overall expected damages.

## Sea Level Rise + 100 Year Storm



\*Data portrayed above are not suitable for site-specific analysis. Data is provided by NYSERDA and is subject to their use disclaimer located at the end of this report.

January 2017



### 500 Year Flood Scenario

| Sea Level Rise | Total Value Building Only (in 2017 dollars) | 25%-75% Damage (in 2017 dollars) | # of Additional Properties | Timeline                                          |
|----------------|---------------------------------------------|----------------------------------|----------------------------|---------------------------------------------------|
| 1 Foot         | \$50,131,096                                | \$12,532,774-\$37,598,322        | 144                        | NYSERDA Model: 2050s<br>Rapid Ice Melt: 2030s     |
| 3 Feet         | \$99,636,119                                | \$24,909,030-\$74,727,089        | 227                        | NYSERDA Model: 2080s<br>Rapid Ice Melt: 2060s     |
| 6 Feet         | \$189,636,918                               | \$47,409,230-\$142,227,689       | 404                        | NYSERDA Model: Past 2100<br>Rapid Ice Melt: 2090s |

In the event of a 500 year flood the Village could face the most significant loss of property. With just a one foot rise in seal level an additional 144 properties are added to the 500 year flood zone, representing a value of over \$50 million. The risk to property grows as sea level rises with a total value near \$100 million at three feet, and near \$190 million at 6 feet. A 500 year flood occuance has a 0.2% chance of occuring in any given year. However as climate change progresses there is a consensus among multiple climate models for this region that the interval between storms will continue to decrease while the intensity of storms increases.<sup>1</sup> The compounding effect of sea level rise, flooding, and growing intensity and frequency of storms, may increase the total risk to life and property in the Village of Mamaroneck and warrants investments in resiliency measures to lessen these risks.

---

<sup>1</sup> Melillo, Jerry M., Terese (T.C.) Richmond, and Gary W. Yohe, Eds., 2014: Climate Change Impacts in the United States: The Third National Climate Assessment. U.S. Global Change Research Program, 841 pp. doi:10.7930/J0Z31WJ2.



## Sea Level Rise + 500 Year Storm



\*Data portrayed above are not suitable for site-specific analysis. Data is provided by NYSDERDA and is subject to their use disclaimer located at the end of this report.

January 2017

## EXHIBIT H

Cornell University Law School (<http://www.lawschool.cornell.edu/>)(<https://www.cornell.edu>)Search Cornell (<https://www.cornell.edu/search/>)

Toolbox

2

## BONNIE BRIAR SYNDICATE, INC., APPELLANT, v. TOWN OF MAMARONECK, ET AL., RESPONDENTS.

94 N.Y.2d 96 (1999).  
November 23, 1999

1 No. 176

[99 NY Int. 0155]

Decided November 23, 1999

*This opinion is uncorrected and subject to revision before publication in the New York Reports.*

Stuart R. Shamberg, for appellant.

Robert S. Davis, for respondents.

American Planning Association; Natural Resources

Defense Council, et al.; State of New York, *amici curiae***LEVINE, J.:**

Plaintiff owns a 150-acre tract of land in the Town of Mamaroneck which, since 1921, has been used as a private golf course. This appeal addresses whether the change in zoning of plaintiff's property in 1994, from residential to solely recreational use, constituted a regulatory taking under the Fifth and Fourteenth Amendment (<http://www.law.cornell.edu/constitution/constitution.amendmentxiv.html>) to the United States Constitution. Resolution of this question requires us to ascertain the appropriate standard to be applied in reviewing the sufficiency of the relationship between the Town's interests and the rezoning determination on this purely regulatory taking claim.

The Bonnie Briar Country Club has leased the land from plaintiff since 1921. The following year, the area in which the Club is located for the first time became subject to a zoning ordinance. The land was zoned for residential use, permitting single family detached homes on lots of at least 15,000 and, in some areas, 30,000 square feet. The area surrounding Bonnie Briar was similarly zoned, and over the years has been developed in accordance with those zoning restrictions.

In the 1960's, the Town of Mamaroneck began to focus on its diminishing open spaces and in 1966 developed a "Master Plan" in order to address the issue in a comprehensive manner. This Master Plan recommended that Bonnie Briar remain a golf course. A Master Plan "Update" in 1976 recommended that another neighboring golf course -- the Winged Foot -- also affected by the rezoning in Local Law 6, remain a golf course. In 1985, the two golf course properties were included in a land use study, "Westchester 2000." That study also recommended the

Stay Involved

[LII Announce Blog](#)<http://lii.law.cornell.edu/lii-supreme-court>[Bulletin](#)[MAKE A DONATION](#)<http://www.law.cornell.edu/estates/LAW.CORNEL>[BECOME A SPONSOR](#)<http://www.law.cornell.edu/estates/LAW.CORNEL><http://www.law.cornell.edu/estates/LAW.CORNEL>[All lawyers](#)<https://lawyers.law.cornell.edu/lawyer>



retention of the golf course properties as recreational areas and open spaces, concluding that development of these properties would increase the risk of flooding from the Sheldrake River. A portion of plaintiff's property is within the flood plain of the Sheldrake River. In its current non-developed state, the land helps control flooding by acting as a natural detention basin for rising river waters due to storms.

In 1986, the Towns of Mamaroneck and Larchmont together adopted a "Local Waterfront Revitalization Program" (LWRP) for a comprehensive examination of land-use policies. The LWRP was primarily concerned with, and sought effectively to protect against, the flooding potential in both the flood plain and coastal areas. The LWRP identified flood damage to the Town's wetlands, fish and other wildlife habitats and streams, cautioning the Town to prepare itself for further adverse effects that would result from future changes in land use.

The LWRP found that the Town golf clubs were "appropriate uses which, in addition to their ecological, recreational, architectural and scenic value, provide open space and natural water retention. They should remain in their present use if possible."

In 1988 the Town retained Shuster Associates, a private planning firm, to assist in formulating its comprehensive plan to address and best implement the goals stated in the LWRP. Shuster examined a number of varying development options and issued a report and addendum considering three alternative developmentschemes. These development schemes did contemplate some residential development, not unlike that subsequently proposed by plaintiff.

Because rezoning these golf course properties required a review pursuant to the State Environmental Quality Review Act ("SEQRA"), on May 30, 1990, defendant Town Board declared its intention to serve as lead agency for the purpose of conducting the SEQRA review and retained yet another planning firm to assist in the review process. After preparation of a Generic Environmental Impact Statement in 1991, the Board issued a Findings Statement in completion of its SEQRA review in 1994. The Findings Statement described in great detail how the various proposed development and rezoning schemes would impact this environmentally sensitive area.

Specifically, the Findings Statement noted that the area was facing "long-term pressure toward continuing urbanization in an already over-developed landscape," noting that "less than 5% of the Westchester County watershed of the Long Island Sound remains open space." In response to these concerns over dwindling existing open spaces and to ensure their retention, the Board determined that zoning the Winged Foot and Bonnie Briar club properties solely for recreational uses was the best alternative.

In addition, the Findings Statement explained that further residential development would frustrate the Town's goal of preserving recreational opportunities for Town and area residents, noting that 70% of Bonnie Briar's membership resided within a five-mile radius of the property.

Finally, in connection with concerns over flooding, the SEQRA Findings Statement noted that, without even considering further development beyond the Town's control, residential development within the Town could increase the flooding already experienced by many area homeowners. Furthermore, the Board was not adequately persuaded that proposed measures to mitigate the increased flooding associated with residential development would be effective.

Based upon all of the foregoing considerations, the Findings Statement concluded that the "Recreation Zone best achieves the objectives of the Town, State, regional and federal policies that have guided the Town's comprehensive planning process for almost three decades." The Town Board rezoned accordingly, enacting Local Law 6.

Just months prior to the passage of that law, plaintiff retained its own planning firm and submitted a Preliminary Subdivision Plan for the golf club property to the Town Board. This plan provided for the construction of 71 residential lots, leaving approximately 112 acres of standing open space on the existing 18-hole golf course site. Upon receipt of this plan submitted by plaintiff, the Town Board requested certain revisions with which the plaintiff complied. The final plan submitted by plaintiff comported with the various possible development schemes recommended to the Board by the Shuster planning firm. In the end, however, as previously discussed, the Board chose to implement a rezoning of the property for exclusively recreational use to achieve its stated goals and interests of (1) preserving open space, (2) providing recreational opportunities for Town and other area residents and (3) mitigating flooding of both coastal and flood plain areas.

Plaintiff subsequently commenced this action, the main thrust of which was that Local Law 6 effected an unconstitutional taking of its property without just compensation. Plaintiff averred that Local Law 6 was not sufficiently related to the three stated purposes and that the application of the zoning ordinance deprived them of all economically viable uses of their land. Plaintiff moved for summary judgment on a number of its various causes of action; defendant opposed the motion and cross-moved for summary judgment dismissing the same claims.

Supreme Court granted defendant partial summary judgment, dismissing plaintiff's cause of action in which it alleged that there was an insufficiently close relationship between the Town's goals and its zoning ordinance. That holding was affirmed by the Appellate Division (242 AD2d 356). Subsequently, defendants moved for summary judgment on the remaining causes of action concerning the alleged economic taking of plaintiff's property brought about by the enactment of Local Law 6. This motion was denied by Supreme Court. The Appellate Division reversed, granting defendant's motion and remitting to Supreme Court for the entry of judgment declaring the law constitutional as applied in this case (\_\_\_AD2d\_\_\_). This appeal is before us as of right (CPLR 5601 (/nyctap/cgi/ez-nylaw?CVP+5601)(b)[1])). We now affirm.

#### DISCUSSION



In *Agins v. Tiburon* (447 US 255 ([/supct-cgi/get-us-cite?447+255](#))), the United States Supreme Court articulated the general test for determining whether "[t]he application of a general zoning law to particular property effects a taking" ( *id.*, at 260). *Agins* held that a zoning law effects a regulatory taking if either: (1) "the ordinance does not substantially advance legitimate state interests" or (2) the ordinance "denies an owner economically viable use of his land" ( *id.*). Plaintiff has abandoned its claim that it has been denied all economically viable uses of its land. Thus, its only remaining claim is that the "substantially advance" alternative regulatory taking-prong of *Agins* is not met here because there is an insufficiently "close causal nexus" ( *Manocherian v. Lenox Hill Hosp.*, 84 NY2d 385 ([/nyctap-cgi/nyctap.cgi?84+385](#)), 392; *Rent Stabilization Assoc. of New York City v. Higgins*, 83 NY2d 156 ([/nyctap-cgi/nyctap.cgi?83+156](#)), 174; see, *Nollan v. California Coastal Commn.*, 483 US 825 ([/supct-cgi/get-us-cite?483+825](#))). between the rezoning measure and the legitimate public interests defendants sought to achieve.

Relying on this Court's decisions in *Seawall Assocs. v. City of New York* (74 NY2d 92 ([/nyctap-cgi/nyctap.cgi?74+92](#))) and *Manocherian v. Lenox Hill Hosp.* ( *supra*), plaintiff claims that Local Law 6 fails to meet the *Agins* standard because there is not a "close causal nexus" between the Town's objectives and Local Law 6. Plaintiff argues that this was demonstrated as a matter of law, because in the opinion of the Shuster planning firm the same three objectives could be accomplished by less restrictive land control, permitting some residential development. We disagree with plaintiff's analysis and reject its proposed standard of review.

The close causal nexus standard urged by plaintiffs was derived from two United States Supreme Court cases, *Nollan v. California Coastal Commn.* ( *supra*) and *Dolan v. Tigard* (512 US 374 ([/supct-cgi/get-us-cite?512+374](#))). In *Nollan*, the Supreme Court applied the "substantially advances" prong of the *Agins* standard for a regulatory taking in the context of an exaction. In that case, the State had conditioned the granting of a permit to build a larger residence upon the owners' conveyance of a public easement across the property. In that specific circumstance, the Supreme Court applied the *Agins* standard to require an "essential nexus" between the property interest exacted from the owner and the identified legitimate governmental objective.

Seven years later, the Supreme Court decided *Dolan v. Tigard* ( *supra*), another exaction case, in which the municipality conditioned a permit for an expansion of a commercial establishment upon a dedication of portions of the owner's property for recreational and flood-control uses. In *Dolan*, the Court elucidated its "essential nexus" requirement in such cases. The Court explained that the essential connection is more than merely some relationship, but, on the other hand, the municipality need not "demonstrate that its exaction is directly proportional to the specifically created need" ( *id.*, at 388-390). The Court adopted an intermediate position, i.e., that the essential nexus is a "rough proportionality" between the required exaction and the governmental interests involved ( *id.*, at 391).



Following the Supreme Court's *Nollan* and *Dolan* decisions, there was considerable disagreement as to the reach of those holdings. There were takings scholars who read the cases as creating a new standard for all regulatory takings ( see, Peterson, *Land Use Regulatory "Takings" Revisited: The New Supreme Court Approaches*, 39 Hastings LJ 335, 351; Kmiec, *The Original Understanding of the Takings Clause is Neither Weak Nor Obtuse*, 88 Colum L Rev 1630, 1648-1654). Indeed, even Justice Brennan, in his dissent in *Nollan*, expressed concern over the heightened level of scrutiny, predicting its general application in takings cases: "the Court demands a degree of exactitude that is inconsistent with our standard for reviewing the rationality of a State's exercise of its police power for the welfare of its citizens" ( *Nollan v California Coastal Commn.*, *supra*, at 842-843).

Other takings scholars opined that the heightened level of judicial scrutiny was applicable only in the specific context of an exaction ( see, Michelman, *Takings*, 1987, 88 Colum L Rev 1600, 1608-1609; Manheim, *Tenant Eviction Protection and the Takings Clause*, 1989 Wis L Rev 925, 949-950, nn 146, 149; Tribe, *American Constitutional Law* § 9-4, at 599, n 20 [2d ed]). Judges on this Court likewise differed in interpreting this line of cases ( compare, *Seawall Assocs. v City of New York*, 74 NY2d 92 (/nyctap-cgi/nyctap.cgi?74+92) , with *id.*, at 117 [Bellacosa, J., dissenting]; compare, *Manocherian v Lenox Hill Hosp.*, 84 NY2d 385 (/nyctap-cgi/nyctap.cgi?84+385), with *id.*, at 400 [Levine, J., dissenting] ).

The issue was finally resolved by the United States Supreme Court in *City of Monterey v Del Monte Dunes* (526 US \_\_, 143 L Ed 2d 882), [n1] in which the Court reaffirmed the continued viability of the *Agins* standard in regulatory takings that do not involve an exaction. In *Del Monte*, the Court expressly held that where, as here, "the landowner's challenge is based not on excessive exactions but on a denial of development \* \* \* the rough proportionality test of *Dolan* is inapposite" ( *id.*, 143 L Ed 2d, at 900).

Plaintiff concedes that *Del Monte* clearly removed *Dolan*'s "rough proportionality" inquiry from a general regulatory takings analysis. It asserts, instead, that because the Supreme Court failed expressly to declare as inapplicable *Nollan*'s "essential nexus" test, a reviewing court is still bound to determine if a generally applicable zoning regulation has a close nexus with the interests sought to be furthered. We disagree.

Two reasons persuade us to reject plaintiff's contention that *Del Monte* has left *Nollan*'s "essential nexus" test applicable in all takings cases. First, as we have previously demonstrated, the "rough proportionality" test articulated in *Dolan* was nothing more than the Court's explication of the required closeness of the connection between the condition of development and the governmental objective under the essential nexus standard in an exaction case. Thus, in explicitly rejecting the application of the "rough proportionality" test when, as here, the zoning law merely "den[ies] \* \* \* development" ( *City of Monterey v Del Monte Dunes*, *supra*, 143 L Ed 2d, at 900), limiting its application to those cases involving exactions, the Supreme

Court necessarily rejected the applicability of the "essential nexus" inquiry to general zoning regulations as well. Second, our disagreement with the plaintiff's reading of *Del Monte* is confirmed by the Court's treatment of the other major issue before it in that case : whether, in a 42 USC § 1983 (</uscode/42/1983.html>) damage action for an unconstitutional taking, the plaintiff was entitled to have a jury consider the validity of that alleged taking. Although the *Del Monte* Court was divided over the issue of the availability of a jury trial, all concurring and dissenting Justices agreed upon the applicable standard and that the charge given by the trial court accurately reflected the current standard for regulatory takings analysis when no exaction is involved. The trial court in *Del Monte* instructed the jury that

"one of your jobs as jurors is to decide if the city's decision here *substantially advanced* any such legitimate public purpose.

"The regulatory actions of the city or any agency *substantially advanc[e] a legitimate public purpose* if the action bears a *reasonable relationship* to that objective" ( *City of Monterey v Del Monte Dunes, supra*, 143 L Ed 2d, at 899 [emphasis supplied] [alterations in the original]).

Importantly, this charge makes no reference at all to a necessary *essential nexus* between the regulation at issue and the governmental interests at stake.

Here, Local Law 6 easily qualifies as a valid regulatory denial of development pursuant to a generally applicable zoning law. Because zoning plaintiff's property for solely recreational use bears a reasonable relation to the legitimate objectives stated within that law (to further open space, recreational opportunities and flood control), the regulatory action here substantially advances those purposes ( *see, City of Monterey v Del Monte Dunes, supra*, 143 L Ed 2d, at 899).

As we have already described in detail, this shift in the zoning districts was in response to years of study and documentation regarding the recurrent flooding problems and concerns. The LWRP concluded that "in addition to their ecological, recreational, architectural and scenic value, [the properties' exclusive use as golf courses] provide[s] open space and natural water retention." Consequently, the LWRP recommended that the golf courses "should remain in their present use if possible."

That defendant Board had before it other less restrictive options to choose from in arriving at its ultimate conclusion with respect to zoning is irrelevant. So long as the method and solution the Board eventually chose substantially advances the public interest, it is not this Court's place to substitute its own judgment for that of the Zoning Board ( *see, Rent Stabilization Assoc. of New York City, Inc. v Higgins*, 83 NY2d 156 (</nyctap/cgi/nyctap.cgi?83+156>), 174 ["The question before us, however, is not the general wisdom or desirability of \* \* \* [the regulation]— that is a question for the legislature"]). It is similarly not for this Court to determine if, in regulating land use, the rezoning determination was more stringent than one might reasonably conclude was necessary to further public objectives ( *see, Keystone Bituminous Coal Assoc.*, 480 US 470



([/supct/cgi/get-us-cite?480+470](#)), 487 n. 16 ["That a land use regulation may be somewhat overinclusive or underinclusive is, of course, no justification for rejecting it"].

We have considered plaintiff's remaining claims and find them to be without merit.

Accordingly, the order of the Appellate Division should be affirmed, with costs.

Order affirmed, with costs. Opinion by Judge Levine. Chief Judge Kaye and Judges Bellacosa, Smith, Ciparick and Wesley concur. Judge Rosenblatt took no part.

Decided November 23, 1999

## Notes

<sup>1</sup> As shown in both *Del Monte Dunes* and *Eastern Enterprises v Apfel* (524 US 498 ([/supct/cgi/get-us-cite?524+498](#))), no majority has accepted the invitation to rework the *Agin* standard ( see, the response of the Court to the contentions of the amici in *Del Monte*, *supra*, 143 L Ed 2d, at 901). We similarly decline to address or revisit that standard.

**ABOUT LII**  
([/LII/ABOUT/ABOUT\\_LII](#))

**CONTACT US**  
([/LII/ABOUT/CONTACT\\_US](#))

**ADVERTISE HERE** ([/LII/HELP\\_OUT/SPONSOR](#))

**HELP**  
([/LII/HELP](#))

**TERMS OF USE**  
([/LII/TERMS/DOCUMENTATION](#))

**PRIVACY**  
([/LII/TERMS/PRIVACY\\_POLICY](#))

[  
(/)]



## EXHIBIT I

# Recreation Districts and the Legacy of 'Bonnie Briar'

In his Zoning and Land Use Planning column, Anthony S. Guardino discusses how more and more local governments throughout the state are relying on a 1999 Court of Appeals decision to enact zoning changes that preserve open space and other natural resources.

By **Anthony S. Guardino** | UPDATED NOV 21, 2017 at 01:47 PM

f

in

✈

G+

📄

📄(t)



**Anthony Guardino**

Many, and perhaps even most, court decisions simply resolve a legal dispute between the litigants and are never heard of again. They are not cited in briefs or memoranda of law or by any other court. This is as true in the zoning and land use planning context as it is with other areas of law.

Then there is the decision that not only ends a legal fight but that influences and affects future behavior. The decision that has significant practical implications for people and businesses, and for their communities.

## Trending Stories

- 1 **[Meet The American Lawyer's Young Lawyer Editorial Board \(/americanlawyer/sites/american-the-american-lawyers-editorial-board/\)](#)**  
THE AMERICAN LAWYER  
(/AMERICANLAWYER/)
- 2 **[Why Elite Law Should Raise Rates \(/americanlawyer/sites/american-elite-law-should-raise-rates/\)](#)**

The New York Court of Appeals issued such a decision in late November 1999. Thoughts then primarily were focused on Thanksgiving (two days later), the coming calendar change from 1999 to 2000, and what some in the media and elsewhere characterized as the Y2K problem, and many probably missed the court's opinion when it came down. Yet it has profoundly influenced many New York towns and villages, and their residents.

In *Bonnie Briar Syndicate, v. Town of Mamaroneck* (<http://94 N.Y.2d 96>), 94 N.Y.2d 96 (1999), the court upheld a change to the zoning of certain real property in the town of Mamaroneck from residential to solely recreational use. In the nearly two decades that have passed since the court issued its decision, *Bonnie Briar* has been relied on by local governments across the state as the basis for their ability to create recreation districts limiting permitted uses in those areas to those that preserve open space and other natural resources.

### The Rezoning Process

The *Bonnie Briar* case involved a 150-acre tract of land in the town of Mamaroneck that was owned by the Bonnie Briar Syndicate Inc. (the Syndicate) and that, beginning in 1921, was leased to the Bonnie Briar Country Club for use as a private golf course.

In 1922, the land for the first time became subject to a zoning ordinance when it was zoned for residential use, permitting single-family detached homes, some on parcels having a minimum lot area of 15,000 square feet. The area surrounding the golf course was similarly zoned, and over the years was developed in accordance with those zoning restrictions.

In the 1960s, the town began to focus on its diminishing open spaces. In 1966, it developed a "master plan" that recommended that Bonnie Briar remain a golf course.

A 1976 update to the master plan recommended that another neighboring golf course – Winged Foot Golf Club – also remain a golf course.

Then, in 1985, the two golf course properties were included in a land use study that also recommended their retention as recreational areas and open spaces, concluding that development of these properties would increase the risk of flooding from the Sheldrake River. While undeveloped, the land helped control flooding by acting as a natural detention basin for rising river waters due to storms.

In 1986, the town of Mamaroneck along with the neighboring town of Larchmont together adopted a local waterfront revitalization program (LWRP). The LWRP found that the two golf clubs were "appropriate uses" that, in addition to their ecological, recreational, architectural, and scenic value, provided "open space and natural water retention." It said that they "should remain in their present use if possible."

In 1988, Mamaroneck retained a private planning firm to assist in formulating a comprehensive plan to address and best implement the goals stated in the LWRP. The planner examined a number of options and issued a report considering three

THE AMERICAN LAWYER  
(/AMERICANLAWYER/)

- 3 **The Death of the Law Firm Partnership Vote?**  
(/americanlawyer/sites/american-death-of-the-law-firm-partnership-vote/)

THE AMERICAN LAWYER  
(/AMERICANLAWYER/)

- 4 **Meet the Broward Judge at the Helm of the Parkland School Shooting Case**  
(/dailybusinessreview/sites/daily-the-broward-judge-at-the-helm-of-the-parkland-school-shooting-case/)

DAILY BUSINESS REVIEW  
(/DAILYBUSINESSREVIEW/)

- 5 **YL Board: This Is What Sexual Harassment in the Legal Industry Looks Like**  
(/americanlawyer/sites/american-board-this-is-what-sexual-harassment-in-the-legal-industry-looks-like/)

THE AMERICAN LAWYER  
(/AMERICANLAWYER/)



development schemes. The development schemes contemplated some residential development.

Rezoning the golf course properties required a review pursuant to the State Environmental Quality Review Act (SEQRA) and, on May 30, 1990, the town board of Mamaroneck declared its intention to serve as lead agency for the purpose of conducting the SEQRA review. After preparation of a generic environmental impact statement in 1991, the town board issued a findings statement to complete its SEQRA review in 1994.

The findings statement noted that the area was facing "long-term pressure toward continuing urbanization in an already over-developed landscape," observing that "less than 5 percent of the Westchester County watershed of the Long Island Sound remains open space."

In addition, the findings statement explained that further residential development would frustrate Mamaroneck's goal of preserving recreational opportunities for town and area residents, pointing out that 70 percent of Bonnie Briar's membership resided within a five-mile radius of the property.

Finally, in connection with concerns over flooding, the findings statement said that, without even considering further development beyond Mamaroneck's control, residential development within the town could increase the flooding already experienced by many area homeowners.

Based on all of these considerations, the findings statement concluded that a recreation zone best achieved the objectives of town, state, regional, and federal policies that guided the town's comprehensive planning process.

Accordingly, the town board decided to rezone the Bonnie Briar and Winged Foot club properties exclusively for recreational use to achieve the goals of (1) preserving open space, (2) providing recreational opportunities for town and other area residents, and (3) mitigating flooding of both coastal and flood plain areas. Toward that end, it enacted Local Laws, 1994, No. 6.

### **The Challenge**

Just months prior to the passage of Local Law No. 6, the Syndicate retained its own planning firm and submitted a preliminary subdivision plan for the golf club property to the Mamaroneck town board. The Syndicate's plan provided for the construction of 71 residential lots, leaving approximately 112 acres of standing open space on the existing 18-hole golf course site.

Then, after the town board enacted the zoning change, the Syndicate sued, contending that Local Law No. 6 effected an unconstitutional taking of its property without just compensation. The town board moved for summary judgment with respect to the Syndicate's taking claims. The Supreme Court denied this motion, but the Appellate Division reversed, granting the town board's motion and remitting to Supreme Court for the entry of judgment declaring the law constitutional as applied.

The case reached the Court of Appeals.



## The Court of Appeals Decision

The Court affirmed.

In its decision, the court explained that a zoning law effected a regulatory taking if either the ordinance did not “substantially advance” legitimate state interests or the ordinance denied an owner economically viable use of the owner’s land. The Syndicate had abandoned any claim that it had been denied all economically viable uses of its land, so the Syndicate’s only remaining claim before the court was that Mamaroneck had not met the “substantially advance” regulatory taking prong. The Syndicate contended that there was an insufficiently “close causal nexus” between the rezoning measure (Local Law No. 6) and the legitimate public interests the town board sought to achieve. The Syndicate argued that this had been demonstrated as a matter of law because, in the opinion of the planning firm retained by the Mamaroneck town board, the same objectives the town sought to achieve (that is, to further open space, recreational opportunities and flood control) could be accomplished with some residential development permitted.

The court rejected the Syndicate’s arguments, holding that Local Law No. 6 “easily” qualified as a valid regulatory denial of development pursuant to a generally applicable zoning law. It explained that because zoning the Syndicate’s property for solely recreational use bore “a reasonable relation to the legitimate objectives stated within that law,” the regulatory action substantially advanced those purposes.

The court acknowledged that the Mamaroneck town board had other less restrictive options to choose from in arriving at its ultimate conclusion with respect to zoning, but ruled that that was “irrelevant.” It concluded, however, that as long as the method and solution the town board eventually chose “substantially advance[d] the public interest,” the court could not substitute its own judgment for that of the town board – nor could it determine if, in regulating land use, the rezoning determination “was more stringent than one might reasonably conclude was necessary to further public objectives.”

## Districts Created

Many local governments have authorized recreation districts since *Bonnie Blair*. For example, the town of New Paltz created the “Town of New Paltz Wallkill River Recreation Overlay District” to serve the combined purposes of “recreation, open space preservation, floodplain management, wildlife protection and scenic resource preservation.” The town of Big Flats amended its zoning law to permit recreation conservation districts to keep open areas “in their natural, undeveloped, or unbuilt condition.”

Most recently, the Long Island town of Brookhaven amended its zoning laws to create a recreation district “to permit golf courses including accessory uses and activities that recognize the unique relationship such courses have within a community, allowing commercial recreational opportunities while providing a desirable amenity.”

Menu

Q Search

[Publications \(Publications\)](#)
[Law Topics \(Topics\)](#)
[Cases \(newyorklawjournal/case-analysis/\)](#)
[Business of Law \(newyorklawjournal/business-of-law/\)](#)

New York Law Journal

[newyorklawjournal.com](#)
[promoCode=NY&source=https%3A%2F%2F](#)
[PROMOCODE=NY&SOURCE=HTTPS://WWW](#)

The amended Brookhaven zoning law lists the permitted uses in the district – public or private golf courses and country clubs – as well as customary accessory uses, structures, and buildings including catering halls, clubhouses, driving ranges, health clubs, and spas. The amendment also includes provisions regarding lot size, setbacks, structure height, required netting, and outdoor storage.

### Conclusion

Since *Bonnie Blair*, there has been a growing trend of local governments adopting recreation districts. The court's decision on the Syndicate's regulatory taking claim under the Fifth and Fourteenth Amendments has, for all practical purposes, eliminated that as an objection to recreational districts. Although other avenues of attack are available for property owners, it is clear that local governments that carefully study, plan, and create recreation districts to achieve legitimate environmental and planning goals should be able to withstand court challenges to those decisions.

Anthony S. Guardino is a partner with Farrell Fritz in Hauppauge. He can be reached at [aguardino@farrellfritz.com](mailto:aguardino@farrellfritz.com).

[f SHARE ON FACEBOOK](#) [t SHARE ON TWITTER](#)

### Dig Deeper

[Energy and Natural Resources \(/topics/energy-and-natural-resources/\)](#)

[Land Use and Planning \(/topics/land-use-and-planning/\)](#)

[Real Estate \(/topics/real-estate/\)](#)

### Recommended Stories

[NEW YORK LAW JOURNAL \(/NEWYORKLAWJOURNAL/\)](#)

**2nd Circuit Upholds Northrop Grumman Win in Pollution Suit**  
(<https://www.law.com/newyorklawjournal/circuit-upholds-northrop-grumman-win-in-pollution-suit/>)

[COLBY HAMILTON \(/AUTHOR/PROFILE/COLBY-HAMILTON/\)](#) | MARCH 02, 2018



([2018/03/02/2nd-circuit-upholds-northrop-grumman-win-in-pollution-suit/](#))

### Featured Firms

#### Law Offices of Mark E. Salomone

2 OLIVER ST #608  
BOSTON, MA 02109  
857-444-6468 [www.marksalomone.com](http://www.marksalomone.com)

#### Gary Martin Hays & Associates P.C.

235 PEACHTREE ST NE #400  
ATLANTA, GA 30303



The panel agreed that the Bethpage Water District had waited too long to file suit to, in part, force the defense company to pay for recent water contamination cleanup.

800-898-4297 [www.garymartinhays.com](http://www.garymartinhays.com)

NEW YORK LAW JOURNAL (/NEWYORKLAW/JOURNAL/)

**Know Your Cryptocurrency: Traditional Due Diligence in a Disrupted World**  
(<https://www.law.com/newyorklawjournal/your-cryptocurrency-traditional-due-diligence-in-a-disrupted-world/>)

DAVID BITKOWER, MICHAEL ROSS, AND EMILY BRUEMMER | MARCH 02, 2018

That enthusiasm for cutting-edge currencies has been rivaled only by the frequent reports of fraud and abuse besetting those drawn to the new technology. Regulators including the Securities and Exchange Commission and the Commodity Futures Trading Commission have sounded the alarm that the virtual currency frontier is a digital Wild West.



(/2018/03/02/know-your-cryptocurrency-traditional-due-diligence-in-a-disrupted-world/)

**Smith & Hassler**

225 N LOOP W #525  
HOUSTON, TX 77008  
(877) 777-1529 [www.smithandhassler.com](http://www.smithandhassler.com)

Presented by BigVoodoc

NEW YORK LAW JOURNAL (/NEWYORKLAW/JOURNAL/)

**More on Difficult Clients, and an Update on Border Searches**  
(<https://www.law.com/newyorklawjournal/on-difficult-clients-and-an-update-on-border-searches/>)

ANTHONY E. DAVIS | MARCH 02, 2018

Professional Responsibility columnist Anthony E. Davis addresses interesting developments on the topics he addressed in two prior articles—one on withdrawing from problem clients, and another on traveling internationally while carrying electronic devices containing client confidential information.



(/2018/03/02/more-on-difficult-clients-and-an-update-on-border-searches/)

## More from ALM

CLE Center

Legal Compass

Events

Webcasts

LawJobs

Professional Announcements

### Premium Subscription

With this subscription you will receive unlimited access to high quality, online, on-demand premium content from well-respected faculty in the legal industry. This is perfect for attorneys licensed in multiple jurisdictions or for attorneys that have fulfilled their CLE requirement but need to access resourceful information for their practice areas.

View Now  
(<https://clecenter.com/Program/Premium.aspx>)

### Team Accounts

Our Team Account subscription service are for legal teams of four or more attorneys. Each attorney is granted unlimited access to high quality, on-demand premium content from well-respected faculty in the legal industry along with administrative access to easily manage CLE for the entire team.

View Now  
(<https://clecenter.com/CleForFirm/Default.aspx>)

### Bundle Subscriptions

Gain access to some of the most knowledgeable and experienced attorneys with our 2 bundle options! Our Compliance bundles are curated by CLE Counselors and include current legal topics and challenges within the industry. Our second option allows you to build your bundle and strategically select the content that pertains to your needs. Both option are priced the same.

View Now (<https://clecenter.com/Default.aspx>)



**Marc Karell, PE  
1506 Henry Avenue  
Mamaroneck, NY 10543**

March 19, 2018

Village of Mamaroneck Planning Board  
Mamaroneck, NY 10543  
Email: [bsherer@vomny.org](mailto:bsherer@vomny.org)

**Re: Hampshire Country Club**

Dear Messrs. Verni, Mendes, Litman, Sjunnemark and Ms. Savolt:

I have lived in the community for nearly 30 years, raised my children here, and am a professional engineer with a sub-specialty in environmental engineering. I serve on the Village of Mamaroneck Committee for the Environment; however, please note the thoughts in this letter comes from me personally and are not necessarily the opinions of the Committee or any of its individual members.

I am aware of the controversy over proposed development plans on the Hampshire site and wish to express my opinion regarding certain aspects of the DEIS currently being reviewed and discussed at public hearings. I have 30 years of experience working on projects involving toxic and other airborne pollution at industrial and other sites. I am an adjunct professor at New York Medical College, teaching a course on air pollution. Reviewing the DEIS, I believe that the subject is adequately described and mitigated.

In addition, having lived in this community for a long time and observed the numerous development battles that have resulted in millions of dollars of litigation expenses borne by the taxpayers, I am fearful that this current controversy will end up in a similar manner. I understand the concern that the Village and some residents have with the site's redevelopment; however, the current situation of the property not being utilized as originally designed is not sustainable. I would like to push both sides to look for a compromise solution that will allow the site to be re-developed in an intelligent way with minimal environmental and other impacts.

I am also a volunteer who works for At Home on the Sound, and understand the importance of addressing the needs of seniors and "empty nesters". We need to provide adequate housing that caters to these groups to make the Village a vibrant, diverse place.

While I appreciate the concerns of some Village residents regarding traffic, flooding and the environment, I believe you as a board are responsible to use science and facts in making final decisions concerning any redevelopment, and not emotion. If the current DEIS is shown to be inadequate from a scientific point of view or if the document shows that the redevelopment will result in significant adverse impacts, then the board should provide specific comments concerning those issues. If the DEIS is complete and demonstrates that the proposed project will result in no significant adverse impacts, then it should be approved and redevelopment proceed in a timely fashion. It is likely that the lower impact condominium alternative, if restricted to 55+, would provide a greater net tax benefit which would benefit all taxpayers in the Village.

I implore the board to evaluate the DEIS and approve it or provide specific comments to ensure that the proposed project will have no significant adverse effects on traffic, the environment, and the school system. We also need a respectful discourse among the members of the community. Not moving forward on a project simply because one is fearful of an effect unlikely to occur, is against development of any kind, or because of "NIMBY" is not a smart approach for the Village, and will discourage good projects in the future. I am sure there is a solution that can successfully address the concerns of neighbors as well as prospective 55+ community residents who wish to remain here as well as the members of Hampshire who support its ongoing operation as a membership club with a golf course.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Marc Karell", written in a cursive style.

Marc Karell



**Betty-Ann Sherer**

---

**From:** Meara, Karen E. <Meara@clm.com>  
**Sent:** Monday, March 19, 2018 4:34 PM  
**To:** Betty-Ann Sherer  
**Cc:** lsteinman@MccarthyFingar.com; Kass, Stephen  
**Subject:** Materials for submission to Planning Board from Mamaroneck Coastal Environment Coalition  
**Attachments:** 1) Statement of Stephen L. Kass-c.pdf; 2) Pro Forma Advisors, Hampshire Country Club Nine Hole Golf Course-c.pdf; 4) TYLI Hampshire DEIS Findings Memo\_8241889\_1-c.PDF; 5) CA Rich Consultants, Memo on Environmental Contamination, Geology and Groundwater-c.pdf; 6) Statement of Christine Fazio-c.pdf; 8) Statement of Celia Felsher with Exhibit A-c.PDF

Dear Ms. Sherer,

Attached please find copies of (or links to) eight written statements and reports upon which the Feb. 14, 2018 oral testimony of representatives of Mamaroneck Coastal Environment Coalition was based. We would be grateful if you could forward them to members of the Village Planning Board. Two of the reports (#3 and #7) are too large to email, so we have attached a link below. To access those two reports, recipients will need to enter their names and email addresses. No password is required. Do not hesitate to contact me should you have questions. Thank you

<https://carterledyard.sharefile.com/d-s80fcb1123ab4e66a>

Best,

Karen

Karen E. Meara, Esq.  
CARTER LEDYARD & MILBURN LLP | [www.clm.com](http://www.clm.com)  
Two Wall Street  
New York, NY 10005  
212 238-8757  
[meara@clm.com](mailto:meara@clm.com)

\*\*\*\*\*

This e-mail message and its attachments are confidential, intended only for the addressee(s) named above and may contain information that is proprietary, privileged, attorney work product or otherwise exempt from disclosure. If you receive this message in error please notify us at [postmaster@clm.com](mailto:postmaster@clm.com) and immediately delete this message and its attachments from your system.

\*\*\*\*\*





**STATEMENT OF STEPHEN L. KASS  
ON BEHALF OF  
MAMARONECK COASTAL ENVIRONMENT COALITION  
to the  
PLANNING BOARD, VILLAGE OF MAMARONECK**

**February 14, 2018**

As the Chairman noted, tonight's hearing is on DEIS, not the applicant's proposed subdivision; however, as we will show, the DEIS fails to meet the requirements of SEQRA that it identify and take a "hard look" at the proposed project's foreseeable environmental impacts and compare those impacts to a range of reasonable alternatives. We will also show that the DEIS and the project itself (1) are based on false – indeed contradictory – economic assumptions; (2) are inconsistent with the Village's Comprehensive Plan and Zoning expectations; (3) are environmentally irresponsible; and (4) are unlawful under both New York State and Village law.

Specifically, we submit and intend to show that:

**First**, contrary to DEIS, the existing Hampshire club with its 18-hole golf course IS financially viable, and the club with a 9-hole course is NOT viable;

**Second**, contrary to the DEIS, the Village's Comprehensive Plan contemplates either recreational open space or low-density development for this CEA, not high-density development of the sort proposed by the applicant;

**Third**, contrary to the DEIS, the project would:

- (1) require massive amounts of fill to be imported to this flood plain site, far more than even the 84,000 cubic yards conceded by the applicant;
- (2) require the disturbance of soil and groundwater that is likely already contaminated from many years of golf course treatment;
- (3) present risks of exposure to those contaminants (including arsenic, pesticides and methane) to homeowners and their families when the project is completed and to neighbors and school children during construction;
- (4) require up to 280 truck trips a day for almost a year immediately past the Hommocks School playgrounds and the already congested Weaver Street/Boston Post Road intersection, with potentially significant traffic, air quality and noise impacts during construction that the DEIS completely fails to analyze;
- (5) expose a large number of new residents to the risk that they will be unable to leave their neighborhood (or be accessible to emergency vehicles) in the event of another coastal storm surge like Sandy; and
- (6) exacerbate the overcrowding of the Mamaroneck School District, which is already facing severe capacity challenges.

**Fourth**, contrary to the DEIS, the applicant's proposed project is unlawful and may not be constructed because:

- (1) The project is in blatant and gross violation of Village Code Section 186-5(c), which unambiguously prohibits placement of fill below the flood plain where that would reduce the hydrological storage capacity of the site --- precisely what the applicant is proposing. In fact, the applicant here is seeking to



deposit almost 239,000 cubic yards of fill below the flood plain of this CEA, which when compacted would reduce the storage capacity of the site by more than 45 million gallons, a figure that is more than twice the entire capacity of the Harbor Island sewage treatment plant.

- (2) As my colleague Karen Meara will explain in detail, the project's proposed density far exceeds both the density permissible under New York State law and the density contemplated by Village law. When corrected to comply with those laws, the permissible number of units that could lawfully and practically be built on this CEA is far less than claimed by the applicant for both its proposed project and the "No-Fill" Alternative F included in the DEIS. When further corrected to comply with Section 186-5's ban on the reduction of hydrological storage capacity, we believe the total number of homes that could realistically be built on this site is approximately 21 homes, not the 105 proposed by the applicant.
- (3) The project's ingress and egress is entirely dependent on three private roads (Cove, Cooper and Eagle Knolls) for which the Hampshire Club has, at best, only an implied easement for its country club use. Any change of use for those roads to service a large-scale residential subdivision requires the consent of the adjacent owners of those roads, which the applicant has not, and will not, secure.
- (4) The amendment or replacement of the existing Hampshire Club lease for the entire site requires the consent of the Club's separate not-for-profit corporation, so that that corporation can continue to operate the clubhouse and truncated 9-hole golf course. That consent is not possible under New York State law so long as all the directors of that corporation are affiliated with the applicant, as we believe they are. Independent directors with fiduciary duties to the Club's membership are hardly likely to approve a new lease that, as we will show, will almost certainly destroy the Club.

**In view of these serious --we believe fatal -- problems with the applicant's proposal, the Planning Board not only should but must deny the present application. Apart from its clear violations of State and Village law and its conflicts with the Village Comprehensive Plan and Zoning Code, the Planning Board could not possibly make the statutory finding required by SEQRA that, among the reasonable alternatives, the proposed action avoids or minimizes adverse environmental impacts to the maximum degree feasible.**

**A word about alternatives: the so-called "As of Right" Alternative B in the DEIS both destroys the site's open space and violates Section 186-5, while the so-called "No-Fill" Alternative F grossly overstates any conceivably permitted density on that alternative's reduced building area, which we believe is approximately 21 units even under the current R-20 zoning. Similarly, Alternative G, the applicant's wished-for condominium plan, has a density five or six times that actually feasible and permissible on the R-20 portion of the site (and depicts an alternative that the Village Board of Trustees has already declined to entertain). In the supplemental DEIS that we believe is required here, any such condominium alternative should be**



scaled at the same density, approximately 21 units, as the number of single family homes actually permitted and feasible on this site.

In short, the Planning Board could not reasonably or responsibly make the findings required by SEQRA for this application. The Board can, and must, deny the present application and require the applicant, if it wishes, to resubmit a legally permissible proposal with a supplemental or revised DEIS that more accurately discloses the impacts of its project and compares those impacts to reasonable and lawful alternatives with a density comparable to that actually feasible on this CEA.

With this overview, the other members of our team who will address this proposed action in the attached statements are:

1. Gene Krekorian, a noted expert on golf course economics, who will discuss the feasibility of both the existing 18-hole Hampshire golf course and the 9-hole golf course proposed by the applicant;
2. Lisa Liquori, an experienced land-use planner from Fine Arts & Sciences, Inc., who will discuss the consistency of the applicant's proposal with the Village's Comprehensive Plan, Zoning Code and LWRP;
3. Neil Porto, an experienced engineer with T.Y. Lin International, who will explain that the applicant's cut and fill projections substantially understate both the extent of fill required to be imported to the site and the resulting traffic, slope stability and related impacts of the applicant's regarding plans for the site;
4. Charles Rich, from C.A. Rich , Inc., who will discuss the environmental risks associated with soil, groundwater and airborne contaminants as a result of the applicant's site disturbance activities;
5. Christine Fazio, a colleague with Carter Ledyard & Milburn with substantial experience in air quality analysis and permitting, who will discuss the need for quantitative air quality and noise analysis during the proposed project's construction period;
6. Karen Meara, a Carter Ledyard & Milburn colleague with extensive land use expertise, who will explain how the applicant's proposal violates both New York State and Village density requirements; and
7. Celia Felsher, the President of MCEC, who will explain how the applicant's project, as well as its condominium alternative, fail to provide safe and adequate egress for residents and access for emergency service vehicles under foreseeable flooding conditions and

why that condominium alternative is otherwise inappropriate for this  
Critical environmental area.

Thank you for your consideration of these comments.





**Pro Forma**  
Advisors LLC

Summary Report:

# **Hampshire Country Club Nine Hole Golf Course Economic Viability Assessment**

Mamaroneck, Westchester County, NY

Prepared for: **Village of Mamaroneck Planning Board**

Prepared by: **Pro Forma Advisors, LLC**

February 2018

PFAID: 11-098

Version: 1.2



**Pro Forma**  
Advisors LLC

## **Introduction**

Hampshire Country Club is a non-proprietary (non-equity) country club located in the Town of Mamaroneck, Westchester County, New York. A non-proprietary club is one in which the members have no equity interests. The Hampshire Country Club facilities include an 18-hole regulation length golf course, 35,000 square foot clubhouse, seven Har-Tru (clay) tennis courts, a Junior Olympic (25-meter) outdoor swimming pool, wading pool, and other support facilities. Formerly, the country club was member-owned and operated as a proprietary (full-equity) club until its acquisition in 2010 by the current owner, which leased the club to a non-profit operating company controlled by the same owner.

The owner of the club is proposing conversion of the club's golf course from an 18-hole regulation length to a 9-hole regulation layout, freeing-up property for development of 105 residential units. The clubhouse, non-golf club amenities and support facilities would be retained.

Pro Forma Advisors was retained to conduct an evaluation of both the viability of the existing Hampshire Country Club with its 18-hole golf course and the viability of the proposed 9-hole configuration, with particular focus on the potential operating performance of the club with a scaled down golf amenity. The analysis considers the role and operating characteristics of nine hole golf courses/clubs, experience of private 9-hole clubs in the New York Metro region, and projected economics of Hampshire Country Club with both its current 18-hole golf course and the proposed 9-hole golf course configuration.

A brief summary of findings is presented below, with documentation and analysis presented in subsequent sections of the report.





## Summary of Findings

Key findings and conclusions regarding the economic viability of converting Hampshire Country Club's golf course from 18- to 9-holes are summarized as follows:

- ▶ Hampshire Country Club competes in the mid-segment of the Westchester County family country club market. It is one of only a few non-equity clubs serving this market, with the vast majority organized as proprietary non-profit 501 (C-7) clubs. The club's facilities are consistent and competitive with other clubs serving this market segment.
- ▶ The national and regional golf markets have experienced soft conditions over the last 10-15 years due to a series of factors including substantial overbuilding during the late 1990s and early part of the new century, an overall decline in golf participation, lingering effects of the 2008 major recession, and increasing operating expenses. The decline has been widespread, and affected virtually all segments of the industry. The market has shown signs of stabilizing over the last several years, although there continues to be market correction. Importantly, the regional golf market, although also affected by overbuilding of golf courses and decline in golf participation, has fared relatively better than the national market as play levels have been much less adversely affected and there has been fewer golf course closures compared to national trends.
- ▶ An analysis of Hampshire Country Club conducted by Pro Forma Advisors in April 2014 concluded that the country club is capable of producing positive net operating income (earnings before interest, income taxes, depreciation and amortization--EBITDA), although not at a level sufficient to justify the \$12.1 million purchase price of the club in 2010. Current analysis indicates that this conclusion remains valid, with projected net operating income supporting a golf club value in the \$5 million range.
- ▶ Nine-hole golf courses are an integral part of the overall golf industry. There are 4,100 nine-hole courses in the U.S., accounting for just over 25 percent of the nation's total golf course inventory. These nine-hole golf courses largely serve beginner, junior and senior golfers.
- ▶ Most nine-hole golf courses operate as public access facilities. There are relatively few private clubs with nine hole golf courses. In general, both public access and private clubs with only a nine-hole golf course draw from a much narrower market area, and have more limited appeal, compared with facilities with 18-hole courses.
- ▶ Despite the theory that golfers, in the current environment, increasingly prefer shorter courses since they require less time to play, these shorter courses have experienced a much more acute decline in utilization than regulation length 18-hole golf courses. Moreover, although nine-hole courses represent 25 percent of the total golf course inventory, 54 percent of the golf courses that closed in 2016 across the country are nine-hole courses.



## Pro Forma Advisors LLC

- ▶ Of the 42 private country clubs located in Westchester County, only one club (Pleasantville Country Club) offers a nine-hole course. The other 41 include an 18-hole golf course, as well as tennis and swim amenities.
- ▶ In addition to the one private country club in Westchester County offering 9 holes of golf, there is a small number of similar clubs in other areas of the New York Metro offering only 9-hole golf courses. These clubs vary considerably in orientation, quality, amenity packages, and cost. Many of the 9-hole golf courses serve as community amenities rather than free-standing private country clubs.
- ▶ The private country clubs in the region which operate with a nine-hole golf course generally are more focused on tennis and swim recreation, and command a lower full membership dues structure than those clubs offering an 18-hole golf course.
- ▶ An analysis of Hampshire Country Club with a nine-hole golf course, versus the existing club with an 18-hole layout, indicates that the club with a nine-hole course cannot be operated at the same level without a significant subsidy. Assuming the same country club experience (club conditions and level of service), the economics of Hampshire Country Club are indicated as follows:

| Hampshire Country Club Stable Year<br>Comparative Economics<br>(thousands of constant 2018 dollars) |         |         |
|-----------------------------------------------------------------------------------------------------|---------|---------|
|                                                                                                     | 18-Hole | 9-Hole  |
| Gross Revenue                                                                                       | \$6,593 | \$4,505 |
| Less: Cost of Sales                                                                                 | 785     | 699     |
| Gross Profit                                                                                        | \$5,808 | \$3,806 |
| Less: Operating Expenses                                                                            | \$5,320 | \$4,425 |
| Net Operating Income (EBITDA)                                                                       | \$488   | (\$619) |

- ▶ Operating with an 18-hole golf course, and organized as a not-for-profit non-equity club, at a stabilized operating level with 250 golfing members and a small complement of tennis/sports and social/house members, Hampshire Country Club is projected to generate just under \$500,000 in annual net operating income (EBITDA--earnings before interest, taxes other than real property taxes, depreciation and amortization) on annual gross revenue of about \$6.6 million.
- ▶ With a 9-hole regulation length golf course, the club would operate at an annual deficit of over \$600,000, thus requiring a subsidy/member assessment.
- ▶ Projections for Hampshire Country Club with a 9-hole course assume a standard and safe golf course layout, routed to accommodate walking golfers. As the proposed golf course layout is disjointed, with





## Pro Forma Advisors LLC

three separate blocks of golf holes scattered around residential areas, thus creating a less than desirable golf course experience, the projections for the 9-hole option may be overly optimistic.

- ▶ Development of moderate density residential housing in close proximity to Hampshire Country Club potentially would result in modest additional support for club memberships. Based on typical membership to residential unit ratios and a series of other factors and assumptions, it is estimated that addition of 105 residential units might generate 8-12 full golf memberships and a complement of tennis/sports and social/house memberships. Even if all of these memberships were in addition to the membership otherwise projected, that would still not result in stable year positive net operating income.



## **Golf Market Conditions**

The following contains a brief overview of the national and regional golf markets as a basis for evaluating demand for the subject golf facility.

### **National Golf Market Trends**

Nationwide, golf play increased steadily between the mid-1980s and 2000. As shown in Exhibit 1, during this period, the total number of annual rounds played nationally increased at an average rate of 2.4 percent per year. This unprecedented growth in golf play during this period was due to a number of factors including:

- An increase in the number of golfers;
- The increasing importance of golf-oriented real estate;
- Expansion of the golf tourism industry;
- One of the longest economic expansions in the nation's history.

The increase in golf demand and the popularity of golf-related housing development during the 1990s stimulated extraordinary expansion of the national golf course inventory, primarily between 1995 and 2002, as summarized in Exhibit 2. Over the 1990-2010 period, the inventory of golf courses in the United States increased by 34 percent, while the U.S. population registered only a 24 percent gain, and golf demand (play) increased only 12 percent over this same period.

Right after the new century started, the first signs of industry problems surfaced, and have persisted for the past 10-15 years. The National Golf Foundation (NGF) reports that since 2001, annual golf play in the United States declined from 518 million to 468 million rounds in 2016, or about 10 percent. The golf participation rate, after rising steadily through 2003, has fallen steadily from 12.4 percent in 2004 to a current level estimated at only 8.2 percent. The golf market also was significantly impacted by the 2008 national economic recession, which has had lingering effects on golf demand.

Since 2002, the construction of new courses has declined sharply, and the rate at which courses have closed has accelerated. Between 2006 and 2016, for example, the number of courses closed exceeded new course openings. New courses have been added to the inventory since 2006 at an annual rate of 70-75 courses per year, while course closings have averaged about 145 per year over this period. Nearly 1,500 golf courses have closed over the past 10 years. The rate at which golf courses are closing is expected to decline as the market continues its correction and moves toward equilibrium. As described below under the "regional" golf market review, the regional market has fared much better than the national market, with a more modest decline in play levels over the past 10 years compared with national trends.





Exhibit 1: Indicators of U.S. Golf Demand (1985-2016)

| Year                  | Rounds<br>(millions) | # of Golfers <sup>1</sup><br>(millions) | Participation<br>Rate <sup>2</sup> | Golf Ball Sales <sup>3</sup><br>(millions of dozens) |
|-----------------------|----------------------|-----------------------------------------|------------------------------------|------------------------------------------------------|
| 1985                  | 365                  | 17.5                                    | 10.2                               | 36.0                                                 |
| 1990                  | 400                  | 27.8                                    | 13.5                               | 42.0                                                 |
| 1995                  | 420                  | 25.0                                    | 11.6                               | 46.0                                                 |
| 2000                  | 518                  | 28.8                                    | 11.7                               | 52.2                                                 |
| 2001                  | 518                  | 29.5                                    | 11.9                               | 50.0                                                 |
| 2002                  | 502                  | 29.5                                    | 12                                 | 46.7                                                 |
| 2003                  | 495                  | 30.4                                    | 12.4                               | 43.4                                                 |
| 2004                  | 499                  | 29.5                                    | 11.5                               | 43.4                                                 |
| 2005                  | 489                  | 29.3                                    | 11.2                               | 43.6                                                 |
| 2006                  | 493                  | 29.4                                    | 11.2                               | 44.0                                                 |
| 2007                  | 490                  | 29.5                                    | 11.1                               | 43.5                                                 |
| 2008                  | 431                  | 28.6                                    | 10.7                               | 42.2                                                 |
| 2009                  | 477                  | 27.1                                    | 10                                 | 40.1                                                 |
| 2010                  | 475                  | 26.1                                    | 9.6                                | 38.5 <sup>4</sup>                                    |
| 2011                  | 463                  | 25.7                                    | 9.2                                | 38.5 <sup>4</sup>                                    |
| 2012                  | 490                  | 25.3                                    | 9.0                                | 38.5 <sup>4</sup>                                    |
| 2013                  | 465                  | 24.7                                    | 8.9                                | 38.5 <sup>4</sup>                                    |
| 2014                  | 457                  | 24.7                                    | 8.5                                | 38.5 <sup>4</sup>                                    |
| 2015                  | 465                  | 24.1                                    | 8.2                                | 38.5 <sup>4</sup>                                    |
| 2016                  | 468                  | 23.8                                    | 8.0                                | 38.5 <sup>4</sup>                                    |
| Average Annual Growth |                      |                                         |                                    |                                                      |
| 1985-1990             | 1.8%                 | 9.7%                                    | -----                              | 3.1%                                                 |
| 1990-1995             | 1.0%                 | (2.1)%                                  | -----                              | 1.8%                                                 |
| 1995-2000             | 4.3%                 | 2.9%                                    | -----                              | 2.6%                                                 |
| Subtotal              | 2.4%                 | 3.4%                                    | -----                              | 2.5%                                                 |
| 2000-2005             | (1.1%)               | 0.3%                                    | -----                              | (3.5%)                                               |
| 2005-2010             | (1.0%)               | (2.3%)                                  | -----                              | (2.1%) <sup>4/</sup>                                 |
| 2010-2016             | (0.4%)               | (1.6%)                                  | -----                              | 38.5 <sup>4</sup>                                    |

1/ Represents golfers over 12 years of age. 2/ Estimated by PFA. 3/ Estimated by PFA based on "soft goods" sales recorded by Data Tech and golf ball manufacture sales. 4/ For period 2005-2009. 5/ Data for 2010-2015 not available in comparable format.  
Source: National Golf Foundation; Golf Data Tech; and Pro Forma Advisors LLC.



# Pro Forma Advisors LLC

Exhibit 2: Number of Golf Courses<sup>a</sup> - U.S.

| Year                                                                                                                                                                  | Annual Courses Added | Annual Courses Closed | Total Golf Courses <sup>b</sup> | Average Annual Percent Change |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------|---------------------------------|-------------------------------|
| 1990                                                                                                                                                                  | ---                  | ---                   | 11,105                          | ---                           |
| 2002                                                                                                                                                                  | 315                  | 15                    | 14,725                          | 2.96%                         |
| 2006                                                                                                                                                                  | 120                  | 60                    | 14,968                          | 0.8%                          |
| 2007                                                                                                                                                                  | 115                  | 95                    | 14,988                          | 0.13%                         |
| 2008                                                                                                                                                                  | 70                   | 105                   | 14,953                          | (0.23%)                       |
| 2009                                                                                                                                                                  | 50                   | 100                   | 14,903                          | (0.33%)                       |
| 2010                                                                                                                                                                  | 45                   | 110                   | 14,838                          | (0.44%)                       |
| 2011                                                                                                                                                                  | 35                   | 140                   | 14,733                          | (0.71%)                       |
| 2012                                                                                                                                                                  | 14                   | 155                   | 14,592                          | (0.96%)                       |
| 2013                                                                                                                                                                  | 14                   | 157                   | 14,449                          | (0.98%)                       |
| 2014                                                                                                                                                                  | 11                   | 174                   | 14,289                          | (1.13%)                       |
| 2015                                                                                                                                                                  | 17                   | 177                   | 14,129                          | (1.12%)                       |
| 2016                                                                                                                                                                  | 15                   | 211                   | 13,933                          | (1.39%)                       |
| <sup>a</sup> 18-hole equivalents.<br><sup>b</sup> Includes courses added, less courses closed., 2006-2016<br>Source: National Golf Foundation; and Pro Forma Advisors |                      |                       |                                 |                               |





## Pro Forma Advisors LLC

The mid- to long-term outlook for the regional golf market is uncertain at this time. Most golf markets, weather adjusted, have stabilized over the last several years. Some analysts believe that the aging baby boomer population (participation and frequency of play increase with age), few if any additions to the golf course inventory, and an improvement in overall economic conditions suggest continued stabilization or possible marginal industry growth. Others suggest that continued market correction over the near-term, largely achieved through further reduction in the inventory of golf courses, will be necessary to reach equilibrium and long-term stability.

### Regional Market Trends

The regional golf market, although affected by overbuilding of golf courses and decline in golf participation, has fared relatively better than the national market. Exhibit 3 presents trends in golf rounds, comparing the State of New York and New York Metro area with national statistics. The exhibit shows the number of golf rounds, expressed as an index based on annual change in play for the period shown (2006=100).

Compared to the U.S. average shown, the State of New York, and in particular the New York Metro, have produced markedly superior performance. While the national number of rounds has declined 13 percent over the 2006-2013 period, the New York Metro has experienced relative stability over this same period, with rounds down much more modestly.

The rate of golf course closures in the New York Metro also has been much lower than experienced in other areas of the U.S. In Westchester County, two golf courses have closed since 2010. Ridgeway Country Club in White Plains closed in 2011 after being purchased by the French-American School of New York for a reported \$8.5 million. Interestingly, at that time, a feasibility study was conducted by Greenwich Golf Partners for the City of White Plains regarding potential City acquisition. The study projected annual net operating income, before debt service, at \$1.2 million, about \$100,000 more than estimated debt service based on the purchase price of the club and needed capital improvements. The City elected not to proceed with the acquisition.

More recently, in August 2017, Elmwood Country Club in White Plains, was sold and closed. A development group acquired the club for \$13 million, with plans for residential development of the property. The underlying property was zoned for residential land uses.



| Exhibit 3: Trends in Golf Rounds Played*                                                                                                                                                          |               |         |       |                   |                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------|-------|-------------------|----------------|
| Year                                                                                                                                                                                              | United States |         |       | State of New York | New York Metro |
|                                                                                                                                                                                                   | Public        | Private | Total |                   |                |
| 2006                                                                                                                                                                                              | 100.0         | 100.0   | 100.0 | 100.0             | 100.0          |
| 2007                                                                                                                                                                                              | 99.7          | 98.4    | 99.5  | 101.7             | 97.9           |
| 2008                                                                                                                                                                                              | 97.7          | 96.7    | 97.7  | 102.2             | 97.8           |
| 2009                                                                                                                                                                                              | 97.4          | 95.0    | 97.1  | 5.7               | 95.7           |
| 2010                                                                                                                                                                                              | 95.5          | 91.9    | 94.9  | 108.3             | 98.4           |
| 2011                                                                                                                                                                                              | 93.1          | 89.4    | 92.5  | 98.9              | 91.8           |
| 2012                                                                                                                                                                                              | 99.2          | 91.9    | 97.8  | 107.2             | 98.6           |
| 2013                                                                                                                                                                                              | 90.6          | 79.3    | 88.2  | 101.5             | 93.9           |
| 2014                                                                                                                                                                                              | 88.6          | 79.4    | 86.7  | 99.9              | 93.8           |
| 2015                                                                                                                                                                                              | 90.7          | 79.1    | 88.2  | 104.3             | 99.5           |
| 2016                                                                                                                                                                                              | 91.5          | 78.6    | 88.8  | 107.1             | 105.3          |
| 2017 <sup>1/</sup>                                                                                                                                                                                | 89.0          | 79.4    | 87.0  | 95.3              | 100.8          |
| * Index of golf rounds played, based on reported percentage annual changes (2006=100).<br>Source: Golf Data Tech, "Rounds Played Report," ; National Golf Foundation; and Pro Forma Advisors LLC. |               |         |       |                   |                |



## Competitive Clubs

There are 42 private golf and country clubs in Westchester County, of which only one features a nine-hole golf course. This is an extremely low ratio, even given that there are many Westchester County club members who reside outside the County. Most of the clubs are proprietary equity clubs (member-owned) operated as non-profit 501 C-7 organizations. There are a limited number of non-proprietary (non-equity) clubs which are operated as for-profit entities and privately owned. Hampshire Country Club is unusual in that it is a non-proprietary club that is required to operate on a not-for-profit basis.

Based on a 2014 survey, selected characteristics of a number of mid-market, family oriented country clubs with 18-hole golf courses in Westchester County are presented in Exhibit 4. The surveyed clubs include:

- ▶ Brynwood Country Club, Armonk
- ▶ Knollwood Country Club, Elmsford
- ▶ Westchester Hills Country Club, White Plains
- ▶ Pelham Country Club, Pelham
- ▶ Elmwood Country Club, White Plains (closed in late-2017)

Key findings from the survey of private clubs with 18-hole golf courses is summarized below.

- ▶ All but one of the country clubs surveyed are proprietary equity (member-owned) clubs. The facilities offered at the clubs are generally very similar, comprised of an 18-hole regulation length golf course (par 70-72), extensive clubhouse, outdoor tennis complex with 6-8 courts, and a swim complex. Most clubs have added a fitness component in recent years.
- ▶ The maximum number of memberships with golf privileges is about 300-350. Most of the clubs have current full golf memberships of between 250 and 300.
- ▶ The clubs typically offer a tennis/sports membership and a social/house membership. The tennis/sports membership allows access to all club facilities other than the golf course, and the social/house membership to all club facilities except the golf and tennis facilities. The number of non-golf members generally totals between 75 and 150.
- ▶ Initiation fees or deposits for full golf memberships at the surveyed equity clubs ranges from \$8,000 to \$25,000, although there are a number of clubs in the market which offer incentive programs with no initiation fees. The initiation fee is forfeited when the member resigns. The one non-equity club does not have an initiation fee.
- ▶ The annual cost of full golf membership (dues, locker, capital assessment, food and beverage minimum) ranges from about \$14,000 to \$20,000, with tennis/sports and social/house annual membership costs reduced by \$5,000 to \$10,000.



## Pro Forma Advisors LLC

- ▶ The annual membership turnover rate typically ranges from 6 to 8 percent per year, although in recent years the rate has been as high as 10 percent at some clubs.
- ▶ The source of market varies considerably by course. Most of the mid-market courses derive 70-90 percent of members residing within 5- to 10-miles of the club, although some clubs only draw about one-half of their members from the local market. The balance of members reside outside the local market, including many from Manhattan. The extent of non-local membership depends primarily on the positioning of the club, quality of facilities, and ease of access.
- ▶ Annual rounds typically range from 15,000 to 20,000, comprised of member play, member guest play, and outside tournament play. Member play normally averages in the range of 60 rounds per membership per year. Guest play generally accounts for about 10 percent of total play.
- ▶ Members at all of the surveyed clubs have the option to walk, use a cart, or play with a caddy. Cart fees range widely from \$23 to \$35 per player. Cart utilization typically ranges from 60 to 70 percent.
- ▶ Guest greens fees are in the range of \$70 to \$80 on weekdays, and \$80 to \$100 on weekends, plus cart/caddy. Outside tournament greens fees tend to be somewhat higher than guest greens fees. Tournament play generally is limited to Mondays when the course is closed to members.





| Exhibit 4: Characteristics of Selected Private 18-Hole Golf Clubs |                                                                             |                                                                     |                                                |
|-------------------------------------------------------------------|-----------------------------------------------------------------------------|---------------------------------------------------------------------|------------------------------------------------|
| Club                                                              | Brynwood Country Club                                                       | Knollwood Country Club                                              | Westchester Hills CC                           |
| Location                                                          | Armonk                                                                      | Elmsford                                                            | White Plains                                   |
| Equity/Non-Equity                                                 | Non-Equity                                                                  | Equity                                                              | Equity                                         |
| Year Opened                                                       | 1974                                                                        | 1894                                                                | 1919                                           |
| Facilities                                                        | 18-hole golf (par 70); 7 tennis courts; Junior Olympic pool; fitness center | 18-hole golf (par 71); four tennis courts (proposed); pool; fitness | 18-hole golf (par 70); two tennis courts; pool |
| Golf Course Architect                                             | Al Zikorus                                                                  | Lawrence Van Etten/Tillinghast                                      | Walter Travis                                  |
| Current Golf Members                                              | 350                                                                         | 260                                                                 | 270                                            |
| Current Sports/Social Members                                     | 100                                                                         | 40                                                                  | 75                                             |
| Initiation Fee (family)                                           |                                                                             |                                                                     |                                                |
| Golf                                                              | ---                                                                         | \$12,500                                                            | \$8,000                                        |
| Tennis/Sports                                                     | ---                                                                         | \$10,000                                                            | ---                                            |
| Social                                                            | ---                                                                         | \$5,000                                                             | ---                                            |
| Transfer Fee (golf)                                               | ---                                                                         | 100%                                                                | 100%                                           |
| Annual Dues (family)                                              |                                                                             |                                                                     |                                                |
| Golf                                                              | \$20,000                                                                    | \$13,000                                                            | \$15,000                                       |
| Tennis/Sports                                                     | \$9,000                                                                     | \$9,700                                                             | \$5,000                                        |
| Social                                                            | ---                                                                         | \$4,500                                                             | \$4,500                                        |
| Source of Members                                                 |                                                                             |                                                                     |                                                |
| Local                                                             | 60%                                                                         | 90%                                                                 | 85%                                            |
| Non-local                                                         | 40%                                                                         | 10%                                                                 | 15%                                            |
| Annual Membership Turnover                                        | 8%                                                                          | 7%                                                                  | 8%                                             |
| Guest Greens Fees (accom.)                                        |                                                                             |                                                                     |                                                |
| Weekday                                                           | \$100 (incl. cart)                                                          | \$75                                                                | \$85                                           |
| Weekend                                                           | \$125 (incl. cart)                                                          | \$95                                                                | \$85                                           |
| Cart Fee Per Player                                               | \$30                                                                        | \$27                                                                | \$25                                           |
| Annual Capital Contribution                                       | no assessment                                                               |                                                                     | included in dues                               |
| Annual Food & Beverage Min.                                       | \$1,500                                                                     | \$2,000                                                             | included in dues                               |
| Annual Play                                                       | 15,000                                                                      | 20,000                                                              | 20,000                                         |



# Pro Forma Advisors LLC

| Exhibit 4 (continued): Characteristics of Selected Private 18-Hole Golf Clubs |                                                                                   |                                                                                 |
|-------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| Club                                                                          | Elmwood Country Club                                                              | Pelham Country Club                                                             |
| Location                                                                      | White Plains                                                                      | Pelham                                                                          |
| Equity/Non-Equity                                                             | Equity                                                                            | Equity                                                                          |
| Year Opened                                                                   | 1930                                                                              | 1921                                                                            |
| Facilities                                                                    | 18-hole golf (par 71); 6 tennis courts; Olympic pool; wading pool; fitness center | 18-hole golf (par 71); 11 tennis courts; main pool; wading pool; fitness center |
| Golf Course Architect                                                         | A.J. Tillinghast                                                                  | Devereaux Emmet                                                                 |
| Current Golf Members                                                          | 220                                                                               | 300                                                                             |
| Current Sports/Social Members                                                 | 75                                                                                | 150                                                                             |
| Initiation Fee (family)                                                       |                                                                                   |                                                                                 |
| Golf                                                                          | \$7,500                                                                           | \$25,000+\$10,000 bond                                                          |
| Tennis/Sports                                                                 | ---                                                                               | ---                                                                             |
| Social                                                                        | ---                                                                               | \$5,000                                                                         |
| Transfer Fee (golf)                                                           | 100%                                                                              | \$25,000                                                                        |
| Annual Dues (family)                                                          |                                                                                   |                                                                                 |
| Golf                                                                          | \$20,000                                                                          | \$9,400                                                                         |
| Tennis/Sports                                                                 | \$15,000                                                                          | ---                                                                             |
| Social                                                                        | \$9,000                                                                           | \$6,100                                                                         |
| Source of Members                                                             |                                                                                   |                                                                                 |
| Local                                                                         | 50%                                                                               | 85%                                                                             |
| Non-local                                                                     | 50%                                                                               | 15%                                                                             |
| Annual Membership Turnover                                                    | 7%                                                                                | 7%                                                                              |
| Guest Greens Fees (accom.)                                                    |                                                                                   |                                                                                 |
| Weekday                                                                       | \$75                                                                              | \$75                                                                            |
| Weekend                                                                       | \$90                                                                              | \$95                                                                            |
| Cart Fee Per Player                                                           | \$35                                                                              | \$23                                                                            |
| Annual Capital Contribution                                                   | included in dues                                                                  | \$2,150                                                                         |
| Annual Food & Beverage Min.                                                   | included in dues                                                                  | \$1,350                                                                         |
| Annual Play                                                                   | 14,000                                                                            | 20,000                                                                          |





## Pro Forma Advisors LLC

A financial profile for a number of non-profit Westchester County country clubs, featuring an 18-hole golf course along with tennis, aquatic and other recreational amenities, is presented in Exhibit 5. The data is derived from IRS Form 990 filings by the non-profits for FY2015, the latest year available. The operating expenses shown in the exhibit exclude interest and depreciation.



**Exhibit 5: Selected 18-Hole Westchester County Private Country Club Financial Reporting**  
(thousands of dollars)

|                              | Knollwood<br>Country Club | Westchester<br>Hills | Elmwood<br>Country Club | Pelham Country<br>Club |
|------------------------------|---------------------------|----------------------|-------------------------|------------------------|
|                              | Elmsford                  | White Plains         | White Plains            | Pelham                 |
| <b>Revenue</b>               |                           |                      |                         |                        |
| Initiation Fees              | \$116                     | \$487                | ---                     | \$210                  |
| Dues/Assessments             | 2,789                     | 3,213                | \$5,421                 | 5,204                  |
| Golf Fees                    | ---                       | 617                  | 368                     | ---                    |
| Other Sports Fees            | ---                       | ---                  | 12                      | ---                    |
| Food & Beverage/Retail       | 2,925                     | 2,584                | 1,808                   | 3,203                  |
| Other                        | ---                       | 65                   | 160                     | ---                    |
| Total                        | \$5,230                   | \$6,966              | \$7,769                 | \$8,617                |
| <b>Less: Cost of Sales</b>   | <u>597</u>                | <u>934</u>           | <u>2,213</u>            | <u>679</u>             |
| <b>Gross Profit</b>          | \$5,233                   | \$6,032              | \$5,556                 | \$7,938                |
| <b>Expenses<sup>1/</sup></b> |                           |                      |                         |                        |
| Payroll & Benefits           | \$2,312                   | \$3,673              | \$2,436                 | \$4,194                |
| Legal & Accounting           | 88                        | 139                  | 23                      | 137                    |
| Golf Course R & M            | 810                       | 183                  | 574                     | 664                    |
| Food & Beverage              | 439                       | ---                  | ---                     | 256                    |
| General & Administrative     | 527                       | 1,394                | 1,367                   | 1,276                  |
| Other Expenses               | <u>700</u>                | <u>435</u>           | <u>695</u>              | <u>204</u>             |
| Total <sup>1/</sup>          | \$4,876                   | \$5,824              | \$5,095                 | \$6,731                |
| <b>Net Operating Income</b>  | \$354                     | \$208                | \$461                   | \$1,207                |

<sup>1/</sup> Excludes interest and depreciation.

Source: IRS Form 990 filings for individual clubs; and Pro Forma Advisors, LLC



## **Nine-Hole Golf Courses**

The national golf course inventory is comprised of public access and private golf facilities. The majority of U.S. golf facilities (71 percent) allow public access (municipal, privately-owned daily fee and semi-private), while 29 percent are designated as private. Nationally, there are about 4,100 nine-hole golf courses of the current total inventory of just over 16,000 golf courses, or about 24 percent of the total. The large majority of 9-hole courses are public, while a very small percentage are private. That is the vast majority of private golf facilities feature 18-hole regulation length golf courses.

In Westchester County, for example, only one of the 42 private clubs has a 9-hole course, with the other 41 offering one or more 18-hole course. Of the 13 public access golf courses in the county, two are 9-hole layouts, with the balance 18-hole configurations.

One important manifestation of the relative viability of 9- versus 18-hole golf courses is illustrated by the rate of golf facility closures across the country. In 2016, 54 percent of the 289 golf facilities closed in the United States were 9-hole courses (155 facilities), despite only accounting for 24 percent of the inventory. The other 46 percent of the closures during 2016 (135 facilities) were 18-hole courses. Clearly, 9-hole golf courses are much more vulnerable than 18-hole facilities due, in large part, to weaker operating economics.

There are a number of reasons which are proffered by golf industry observers in an attempt to explain the decline in golf participation, including competing recreational opportunities, rising cost, dissipation of the "Tiger Woods" effect, and more limited recreational time. With regard to the last factor, some analysts have suggested that many golfers are seeking a more abbreviated golf experience which should translate into greater demand for 9-hole golf courses. While this is an interesting theory, the data does not support this assertion. Specifically, the decline in play on 9-hole and shorter (executive and par-3) 18-hole golf courses has been much more precipitous compared with the decline in play on 18-hole regulation length courses.

The experience of the nation's largest municipal golf course system--the 17-course Los Angeles County municipal golf system--is illustrative of this point. For example, play on the County's six short courses (9-hole and 18-hole executive) is reported to have declined 41.4 percent over the 2007-2017 period compared with a 21.8 percent decline on its 13 regulation length 18-hole courses (see Exhibit 6). Similar experience has been observed in other major markets across the country.





| Exhibit 6: Los Angeles County Golf System Golf Rounds Trends |                     |                |                |                   |                |                |
|--------------------------------------------------------------|---------------------|----------------|----------------|-------------------|----------------|----------------|
| Type of Golf Course                                          | Annual Rounds (000) |                |                | Percentage Change |                |                |
|                                                              | FY2007              | FY2012         | FY2017         | FY2007-FY2012     | FY2012-FY2017  | FY2007-FY2017  |
| <b>Regulation</b>                                            |                     |                |                |                   |                |                |
| 18-Hole Reg                                                  | 1,296.1             | 1,116.0        | 1,013.7        | (13.9%)           | (9.2%)         | (21.8%)        |
| <b>Short Courses</b>                                         |                     |                |                |                   |                |                |
| 9-Hole Reg                                                   | 183.1               | 143.3          | 97.3           | (21.7%)           | (32.1%)        | (46.9%)        |
| 18-Hole Exec                                                 | 111.5               | 84.8           | 75.4           | (24.0%)           | (11.1%)        | (32.4%)        |
| Subtotal                                                     | 294.6               | 228.1          | 172.7          | (22.6%)           | (24.3%)        | (41.4%)        |
| <b>Total</b>                                                 | <b>1,590.7</b>      | <b>1,344.1</b> | <b>1,186.4</b> | <b>(15.5%)</b>    | <b>(11.7%)</b> | <b>(25.4%)</b> |

There is clearly a role for 9-hole and short 18-hole courses in the golf industry. In virtually all cases, the decision to build a short golf course is based on land availability. That is, these 9-hole and short 18-hole courses arise primarily because the land available for the golf course is constrained to less than the 120-150 acres generally required to construct a regulation length 18-hole golf course.

Nine-hole and short 18-hole golf courses generally serve a specific market niche, primarily seniors and beginner golfers. Clearly, this is a more limited subset of the overall golf market, and the disproportionate decline in new/beginner golfers in recent years portends further erosion of the demand for these shorter golfer courses.

Economists generally relate a recreation/entertainment facility's market draw to the length of the recreational experience. For example, a theme park offering a full day experience will derive attendance from a much broader market than a movie theatre offering a 2-hour experience. That is, the willingness of patrons to travel longer distances is directly related to the length of the recreational experience. As such, 9-hole golf courses, which offer a two hour recreational experience, draw from a narrower market than 18-hole regulation length courses which feature a 4-hour experience.

As noted, there is only one private country club in Westchester County (Pleasantville Country Club in Pleasantville) which offers only a 9-hole golf course. Pleasantville Country Club offers a 9-hole par-32 (2,173 yards) golf course designed by noted golf course architect A.J. Tillinghast, clubhouse/restaurant, two tennis courts and pool. The club is owned by the Pleasantville Country Club Homeowners Association, comprised of 72 homeowners. In addition to the 72 homeowners which have access to the club facilities, there are 150



members from the community. Full family golf memberships require annual dues of \$4,600 (no initiation fee). Annual play is reported at only 7,000 rounds, less than one-half generated at most 18-hole private clubs.

In addition to the one private course in Westchester County with a nine-hole course, there are a limited number of other private country clubs in the New York Metro region which operate with only nine golf holes. A financial profile for several of these courses, based on their IRS 990 filing, are shown in Exhibit 6.

The basic characteristics of the regional private golf clubs featuring nine-hole golf courses are summarized below:

- Country clubs with 9-hole golf courses draw support from a more limited market than clubs offering an 18-hole golf course. There are many prospective country club members who are only interested in a regulation length 18-hole golf course.
- Most of these clubs were established more than 40 years ago. No private clubs with a nine-hole golf course have opened since 1976. Several of these clubs serve as an amenity to residential planned communities, with funding from the homeowners association.
- There is greater interest in the tennis and aquatics recreation facilities, and less on golf, at these clubs compared to similar country clubs offering 18-hole golf courses.
- Annual full family membership dues generally are substantially lower at regional country clubs with only nine golf holes compared to comparable clubs with 18 golf holes, which translates into lower club revenues and often the need for significant member assessments.
- Compared to 18-hole private clubs, the mix of memberships at clubs with only 9-hole courses is more weighted toward tennis and social categories than full membership (which allows use of the golf course and all other facilities).
- Clubs with only 9-hole golf courses are at a major disadvantage in competing for highly profitable outside golf tournaments.
- Guest greens fees at clubs with 9-hole golf courses are substantially below those at clubs with 18-hole courses.

In response to the premise that one of the reasons that golf demand has diminished relates to the length of time necessary to play golf, some golf professionals have suggested that the concept of reducing golf courses from 18-hole to 9-hole may have merit. While this discussion has occurred over a number of years, and a number of golf course owners have considered such a strategy, there are only a few instances across the country where this has been implemented, and where this has happened, it is driven by motivation to redevelop the surplus land to a more profitable commercial/residential use. The direct economics of reducing a golf course from 18- to 9-holes are not favorable.





**Exhibit 7: Financial Reporting at Selected New York Metro Private Country Club  
With 9-Hole Golf Courses  
(thousands of dollars)**

|                              | <b>Hay Harbor<br/>Country Club</b> | <b>Bridgehampton<br/>Club</b> | <b>Birchwood<br/>Country Club</b> |
|------------------------------|------------------------------------|-------------------------------|-----------------------------------|
|                              | <b>Fishers Island, NY</b>          | <b>Bridgehampton, NY</b>      | <b>Westport, CT</b>               |
| <b>Revenue</b>               |                                    |                               |                                   |
| Initiation Fees              | \$210                              | ---                           | \$19                              |
| Dues/Assessments             | 1,367                              | \$2,228                       | 3,113                             |
| Golf Fees                    | ---                                | 43                            | ---                               |
| Other Sports Fees            | ---                                | 84                            | ---                               |
| Food & Beverage/Retail       | 514                                | ---                           | 1,599                             |
| Other                        | ---                                | 61                            | 4                                 |
| Total                        | \$2,091                            | \$2,416                       | \$4,865                           |
| <b>Less: Cost of Sales</b>   | <u>91</u>                          | <u>4</u>                      | <u>451</u>                        |
| <b>Gross Profit</b>          | \$2,000                            | \$2,412                       | \$4,414                           |
| <b>Expenses<sup>1/</sup></b> |                                    |                               |                                   |
| Payroll & Benefits           | \$1,067                            | \$1,071                       | \$2,507                           |
| Legal & Accounting           | 15                                 | 17                            | 17                                |
| Golf Course R & M            | ---                                | 92                            | 237                               |
| Food & Beverage              | ---                                | ---                           | 129                               |
| General & Administrative     | 512                                | 172                           | 562                               |
| Other Expenses               | <u>187</u>                         | <u>365</u>                    | <u>380</u>                        |
| Total <sup>1/</sup>          | \$1,780                            | \$1,717                       | \$3,832                           |
| <b>Net Operating Income</b>  | \$220                              | \$699                         | \$819                             |

<sup>1/</sup> Excludes interest and depreciation.

Source: IRS Form 990 for individual clubs; and Pro Forma Advisors, LLC



## Hampshire Country Club Projected Performance

Projected stable year operating performance for Hampshire Country Club has been prepared for continuation of the club with an 18-hole golf course and an alternative where the golf course is scaled down to a 9-hole layout. The primary overriding assumptions are indicated as follows:

- ▶ The country club, under both alternatives, would be operated as a non-proprietary (non-equity) private facility. A limited number of outside tournaments would be hosted.
- ▶ The course maintenance quality and customer service would be comparable to the family-oriented private clubs in the region.
- ▶ Golf course maintenance would be provided by unionized employees.
- ▶ The club would be managed by a qualified professional golf course management company.
- ▶ Use of golf carts would be optional. The cart fee would be included in the guest greens fees for member guests, and tournament play. The club fleet of carts is assumed to be leased.
- ▶ A full complement of maintenance equipment is assumed to be leased. An allowance for the lease payment is included in the operating income statement as an expense item.
- ▶ The club would not be encumbered by any debt or facility lease payments.
- ▶ Projections for the 9-hole option assume a standard, or typical, golf course layout. The proposed 9-hole layout is inconsistent with this assumption (see golf course design discussion).
- ▶ All values are expressed in constant 2018 dollars.

## Revenue Factors

The basic revenue and expense factors and assumptions employed in the analysis are indicated below.

### Membership Fees and Dues

Three basic types of memberships are offered:

| Membership    | 18-Hole Course    |                |             | 9-Hole Course     |                |             |
|---------------|-------------------|----------------|-------------|-------------------|----------------|-------------|
|               | Number of Members | Initiation Fee | Annual Dues | Number of Members | Initiation Fee | Annual Dues |
| Full Golf     | 250               | ---            | \$14,000    | 200               | ---            | \$10,000    |
| Sports/Tennis | 50                | ---            | 6,000       | 50                | ---            | 6,000       |
| House/Social  | 50                | ---            | 4,000       | 50                | ---            | 4,000       |
| Total         | 350               | ---            | ---         | 300               | ---            | ---         |

As noted, it is assumed that there are no initiation fees or deposits for any of the membership categories.



# Pro Forma Advisors LLC

## Course Utilization

Annual play would derive from members, member guests, and a limited number of outside tournaments.

| Source             | 18-Hole Course |                      | 9-Hole Course |                      |
|--------------------|----------------|----------------------|---------------|----------------------|
|                    | Annual Rounds  | Percent Distribution | Annual Rounds | Percent Distribution |
| Members            | 16,250         | 87.8%                | 15,000        | 93.8%                |
| Member Guests      | 1,750          | 9.5%                 | 1,000         | 6.2%                 |
| Outside Tournament | 500            | 2.7%                 | ---           | ---                  |
| Total              | 18,500         | 100.0%               | 16,000        | 100.0%               |

## Guest/Tournament Greens/Cart Fees

Average Fee per Round (including cart)

|                     |          |
|---------------------|----------|
| 18-Hole Golf Course | \$100.00 |
| 9-Hole Golf Course  | \$60.00  |

## Member Cart Fees

Use of carts would be optional.

Cart Utilization

|                     |     |
|---------------------|-----|
| 18-Hole Golf Course | 75% |
| 9-Hole Golf Course  | 50% |

Cart Fee Per Player

|                     |         |
|---------------------|---------|
| 18-Hole Golf Course | \$25.00 |
| 9-Hole Golf Course  | \$15.00 |

## Merchandise

|                                      |                             |
|--------------------------------------|-----------------------------|
| Average Annual Expenditures/Member   | \$750 (both alternatives)   |
| Average Expenditure Guest/Tournament | \$10.00 (both alternatives) |

## Food & Beverage (both alternatives)

|                                        |         |
|----------------------------------------|---------|
| Members (average annual amount/member) | \$2,500 |
| Guests/Tournament (average per round)  | \$25.00 |



## Pro Forma Advisors LLC

Outside Banquets/Special Events (annual) \$750,000

### Other

Miscellaneous (annual)<sup>1/</sup>

18-Hole Golf Course \$100,000

9-Hole Golf Course \$80,000

1/ Club rental, equipment repair, tennis and swim guest fees, food and beverage minimum forfeiture, other member services, facility/equipment rental, and other miscellaneous revenue.

### Cost of Goods Sold

The direct cost of goods sold is indicated as follows (both alternatives):

Merchandise: 70 percent of gross merchandise revenue

Food & Beverage: 35 percent of gross food and beverage revenue

### Projected Gross Profit

Based on the factors and assumptions presented above, projected annual gross profit for both alternatives, at stabilization, is presented in Exhibit 8. Gross profit is defined as gross revenue less direct costs of goods sold. Annual gross revenue is estimated at \$6.59 million for the 18-hole club and \$4.5 million for the 9-hole club. Most of the upper-mid-market clubs in Westchester County with 18-hole golf courses generate \$6 to \$8 million annually in gross revenue, while the clubs with 9-hole courses generally produce gross revenue in the \$2-\$4 million range. As such, the gross revenue projection for the 9-hole golf course alternative may be somewhat generous.

Deducting cost of sales from gross revenue yields gross profit of \$5.81 million for the 18-hole club and \$3.81 million for the 9-hole club.

### Operating Expenses

Annual operating expenses at stabilization are projected in Exhibit 9. The expenses are expressed in constant 2018 dollars. Reduction of the Club's golf course from 18- to 9-holes, while retaining the clubhouse and all other amenities, would result in a reduction in club operating expenses. Golf course maintenance expenses would be reduced by nearly one-half, but there would be only very modest reductions in golf operations, and all other expenses would remain at roughly the same level regardless of the number of golf holes. This is a result of the relatively fixed operating expenses associated with most of the functions at Hampshire Country Club.





**Pro Forma**  
Advisors LLC

For the 18-hole alternative, the analysis assumes property taxes are based on an approximate \$5 million market value of the property, as affirmed by the Supreme Court of the State of New York, Appellate Division, in March 2016. For the 9-hole alternative, the analysis assumes property taxes are based on a \$3.8 million property value assessment.



# Pro Forma Advisors LLC

| Exhibit 8: Projected Hampshire Country Club Stable Year Gross Profit<br>(thousands of constant 2018 dollars) |         |         |
|--------------------------------------------------------------------------------------------------------------|---------|---------|
|                                                                                                              | 18-Hole | 9-Hole  |
| <b>Revenue</b>                                                                                               |         |         |
| Member Dues                                                                                                  |         |         |
| Full Golf                                                                                                    | \$3,500 | \$2,000 |
| Sports/Tennis                                                                                                | 300     | 300     |
| House/Swim                                                                                                   | 200     | 200     |
| Subtotal                                                                                                     | \$4,000 | \$2,500 |
| Guest/Tournament Greens/Cart Fees                                                                            | \$225   | 60      |
| Member Cart Fees                                                                                             | 305     | 105     |
| Merchandise                                                                                                  |         |         |
| Members                                                                                                      | \$262   | \$225   |
| Guest/Tournament                                                                                             | 20      | 10      |
| Subtotal                                                                                                     | 282     | \$235   |
| Food & Beverage                                                                                              |         |         |
| Members                                                                                                      | \$875   | \$750   |
| Guest/Tournament                                                                                             | 56      | 25      |
| Banquet/Special Events                                                                                       | 750     | 750     |
| Subtotal                                                                                                     | \$1,681 | \$1,525 |
| Other/Miscellaneous                                                                                          | \$100   | \$80    |
| Total                                                                                                        | \$6,593 | \$4,505 |
| <b>Cost of Sales</b>                                                                                         |         |         |
| Merchandise                                                                                                  | \$197   | \$165   |
| Food & Beverage                                                                                              | 588     | 534     |
| Total                                                                                                        | \$785   | \$699   |
| <b>Gross Profit</b>                                                                                          | \$5,808 | \$3,806 |



# Pro Forma Advisors LLC

## Exhibit 10: Hampshire Country Club Projected Operating Expenses (thousands of 2018 dollars)

|                              | 18-Hole | 9-Hole  |
|------------------------------|---------|---------|
| Course Maintenance           |         |         |
| Salaries & Benefits          | \$700   | \$400   |
| Services & Supplies          | 350     | 200     |
| Water & Utilities            | 200     | 100     |
| Maintenance Equipment        | 100     | 75      |
| Subtotal                     | \$1,350 | \$775   |
| Golf Operations              |         |         |
| Pro Shop Salaries & Benefits | \$300   | \$300   |
| Cart Lease                   | 80      | 45      |
| Outside Staff/Services       | 100     | 80      |
| Services & Supplies          | 50      | 40      |
| Subtotal                     | \$530   | \$465   |
| Tennis/Swim Club             | \$150   | \$150   |
| Food & Beverage              | \$840   | \$780   |
| Clubhouse Undistributed      | \$700   | \$700   |
| Member Services              | \$250   | \$250   |
| General & Administrative     |         |         |
| Salaries & Benefits          | \$450   | 450     |
| Insurance                    | 75      | 60      |
| Property Tax                 | 125     | 95      |
| Membership                   | 100     | 100     |
| Services & Supplies          | 250     | 225     |
| Management Fees              | 200     | 150     |
| Subtotal                     | \$1,200 | \$1,080 |
| Capital Improvement Reserve  | \$300   | \$225   |
| Total                        | \$5,320 | \$4,425 |





## Pro Forma Advisors LLC

### Net Operating Income

Projected net operating income at stabilization is based on deducting operating expenses from gross profit. Net operating income is defined as "earnings before interest, taxes (other than real property taxes), depreciation and amortization" (EBITDA). At membership stabilization, Hampshire Country Club net operating income, expressed in constant 2018 dollars, is projected as follows:

| Exhibit 10: Hampshire Country Club Stable Year<br>Projected Net Operating Income<br>(thousands of 2018 dollars) |                |                |
|-----------------------------------------------------------------------------------------------------------------|----------------|----------------|
|                                                                                                                 | 18-Hole        | 9-Hole         |
| Gross Revenue                                                                                                   | \$6,593        | \$4,505        |
| Less: Cost of Sales                                                                                             | <u>785</u>     | <u>699</u>     |
| Gross Profit                                                                                                    | \$5,808        | \$3,806        |
| Less: Operating Expenses                                                                                        | <u>\$5,320</u> | <u>\$4,425</u> |
| Net Operating Income (EBITDA)                                                                                   | \$488          | <b>(\$619)</b> |



## **Golf Course Design**

The proposed 9-hole golf course routing plan is comprised of three separate blocks of holes, separated by street crossings and significant distances between these blocks. The design appears to be dictated by the residential development site planning rather than to meet high quality design standards. The long distances between greens and tees on many of the holes makes the proposed layout difficult for walking golfers. One of the key advantages of 9-hole courses is that they satisfy golfer preferences to walk the course rather than use power carts.

Further, there also are several holes which require the golfer to "backtrack" from a green to the next tee. This design feature may expose golfers to unsafe conditions as that golfers on the tee may not be sufficiently buffered from approaching golf shots from golfers on the prior hole.

The financial projections for the 9-hole option assume that the course is designed with a standard, or typical, routing plan which accommodates walking golfers. Under the proposed routing plan, projections may be optimistic.

## **Impact of Residential Development**

Residential housing in close proximity to Hampshire Country Club would represent a potential source of market support for the Club. There are many factors which influence the propensity of families to join a community oriented golf or country club including the club characteristics (type and quality of facilities and amenities offered, membership pricing, positioning/orientation of the club, and the like), propensity to play golf, type and value of residential housing, competitive club options, among others.

In golf-course oriented recreationally communities, the ratio of club golf membership to residential units can be as high as .2, while in more diverse suburban communities the ratio is much lower, typically in the range of .05 to .10. Thus, a 105-unit residential project in close proximity to Hampshire Country Club would likely generate demand for 5-10 full golf memberships, plus a small complement of tennis and social members.

An alternative method of measuring the impact is to apply ratios of income qualified households to private country club memberships. In most communities, there is one membership supportable for every 15 income qualified households. Based on this ratio, and assuming that each residential unit in a project at Hampshire Country Club was income qualified, a 105-unit project would produce demand for about 8 full golf memberships. Even if all of these memberships were in addition to the membership otherwise projected, that would still not result in stable year positive net operating income.

Lisa Liquori, President  
Fine Arts & Sciences, LLC  
27 Deepwater Way  
City Island, NY 10464  
(917)656-8363

Memorandum

Fine Arts & Sciences, LLC

**To:** Village of Mamaroneck Planning Board  
**From:** Lisa Liquori  
**Subject:** Hampshire Country Club PRD preliminary DEIS  
**Date:** February 14, 2018

Thank you for the opportunity to submit these written comments in connection with your February 14, 2018 public hearing on the preliminary Draft Environmental Impact Statement for the Hampshire Country Club Planned Residential Development.

**Introduction**

**The Hampshire Country Club Property is defined by its unique and special qualities. Several Village planning studies recognize the fragile and inherently vulnerable environmental conditions of the site and have formally designated the property as one requiring a more rigorous review of development than other areas in the Village. In brief the property is:**

- **The largest tract of open space within the Village and makes an important contribution to the open space character of the Village and the region.<sup>1</sup>**
- **A Special Flood Hazard Area subject to frequent flooding and storm surge from the Long Island Sound.** During 100-year base flood conditions, which have been occurred many times in recent years, most of the property is underwater and the roads leading to the property become flooded and impassable.<sup>2</sup>
- **A Critical Environmental Area, one of 7 in the Village.** In addition to serving as a flood storage area during storm conditions, the site is riddled

<sup>1</sup> See Exhibit A: Major Parks and Open Space Mamaroneck Comprehensive Plan Update Figure 10-1

<sup>2</sup> See Exhibit B: Hampshire Country Club "100 Yr. Flood" (approx. 12' elev) Existing Conditions Map



with sensitive National Inventory Wetlands, waterbodies, streams and drainage courses. Approximately 80% of the soils are characterized as unsuitable for residential development having high ground water table, rock outcroppings, shallow depth to bedrock and other limitations. The site supports a large number of mature trees, which, together with the open space and wetlands, contribute to the high quality Hommocks Conservation wildlife habitat.<sup>3</sup>

**The proposed development involves clear cutting, blasting, earthmoving, digging, regrading and filling 55 acres of land- an area larger than the largest Park in the Village. The proposal will strip the property of its essence and transform the low lying, open space into an unnatural, potentially unstable landform with a 16 foot high berm topped with 105 dwelling units. As explained below, the development project is contrary to the Village Comprehensive Plan, fails to meet the minimum Special Permit, subdivision and site plan standards for development, is inconsistent with Local Waterfront Revitalization Policies and recommendations, is at odds with the designation of the property as a Critical Environmental Area and will increase pressure on schools.**

**1. The Project fails to comply with the Village Comprehensive Plan**

- a. The Comprehensive Plan articulates the vision or overall image of what the community would like to be in the future and serves as the foundation for zoning. The Hampshire Country Club is the largest open space property within the Village and by virtue of its size alone, it substantially contributes to the special beauty, natural environment and diverse open space character articulated in the Comprehensive Plan 2025 Vision for the Village of Mamaroneck. But also, the Comprehensive Plan specifically singles out the Hampshire Country Club for adding to the Village's cherished open space character, scenic quality and recreational opportunities.<sup>4</sup>
- b. The Comprehensive Plan recommends preservation of the entire property and found that the existing R-20 Residential zoning would not accomplish this goal. The Comprehensive Plan explains that the zoning for the parcel is out-of-date, a classification that the original zoning code applied to parks and golf courses as a default position or holding zone. Applying updated zoning tools developed over the years, the Comprehensive Plan recommends rezoning the property to a recreation/open space classification. The Town of Mamaroneck zoning of the Bonnie Briar Club is offered as an example of the successful implementation of this zoning technique.<sup>5</sup>

---

<sup>3</sup> See Exhibit C: Hampshire Country Club Development Constraints, Mamaroneck, NY

<sup>4</sup> See Exhibit D: Village of Mamaroneck Comprehensive Plan Chapter 10: Open Space and Recreation P. 148

<sup>5</sup> See Exhibit E: Village of Mamaroneck Comprehensive Plan Chapter 6: Environmental Protection Mamaroneck Harbor/Long Island Sound PP 63-64



- c. The Preliminary DEIS (PDEIS) asserts that the project complies with these Comprehensive Plan recommendations, but it does not. Instead, the project will replace the existing recreational open space with a 105 unit residential subdivision without a functioning golf course. The independent site specific financial assessment conducted by Pro Forma Advisors, Gene Krekorian, found that the economic viability of the proposed 9 hole golf course would not be viable and the golf course would likely fail.
- d. Alternatively, to allow some development of the property, the Comprehensive Plan recommends a cluster/open space subdivision, with permanently dedicated open space and the number of lots determined by a standards subdivision. To reduce the impacts from development, the Comprehensive Plan recommends lessening the intensity of development through rezoning the property to R-30 Residential, consistent with the zoning for the Town of Mamaroneck portion of the property.<sup>6</sup>
- e. The project does not comply with this alternative Comprehensive Plan recommendation either. The proposed 105 unit residential density greatly exceeds the number of lots depicted on a standard yield plan meeting all applicable zoning and other standards in either an R-30 or R-20 zoning district. The 9-hole golf course acreage is not offered for permanent preservation and the area discussed in the PDEIS for preservation is not delineated on the maps submitted for approval.

**In sum, the PRD proposal is not consistent with the Comprehensive Plan recommendations, goals and implementation measures.**

**2. The Project fails to meet the required Planned Residential Development Special Permit, Site Plan or Subdivision Village standards established to minimize or avoid adverse environmental impacts to the maximum extent and protect the health, safety and welfare of the community.**

**A. Subdivision Plat Requirements Village of Mamaroneck Code §A348-20A** -The most fundamental requirements for subdivision approval, a map depicting the location and dimensions of all proposed property lines, not been met. The preliminary subdivision map does not show the boundary between the golf course and the proposed homeowner's association open space. Not only does this fail to meet minimum standards, this is a significant omission for the following reasons:

- (1) All the environmental analyses, alternatives and project description in the PDEIS have been based on a 36 acre Homeowner Association reserved area, which has

---

<sup>6</sup> Ibid



not been and most likely cannot be identified on a map. Based on the professional judgement of my firm together with Dodson & Associates, the potential acreage available for the HOA open space, after the area mapped for the fairways and golf course related improvements have been divided out, is significantly less than 36 acres.

- (2) There has been no offer to permanently preserve the golf course which is the only open space provided on the maps submitted.
- (3) The delineation of the golf course is required for the determination of residential yield. A 65 acre area was assumed to be the acreage available for determining yield (102 acres minus 36 acres golf course). However, the area available for residential development, after subtracting for the golf course, is likely to be closer to 50 acres. A 105 unit residential yield cannot not be achieved based on a map developed using the configuration and area available for residential development. A significantly lower number of units will be the maximum achievable on the property (refer to memo by K. Meara).

**b. Subdivision Standards of Consideration-Public Safety: Village of Mamaroneck Code §A348-21A (3) and §A348-21A (5)** Due to the occurrence of flooding, most of the property cannot be safely occupied in its existing condition without endangering human health and safety. Experience after Sandy and across the country with catastrophic and costly storm damage have led to the conclusion that one of the most effective means to reduce risk is to redirect development away from flood hazard areas altogether. But the project does not adhere to these emerging environmental planning principles. Whereas the proposed regrading and importation of fill may keep new buildings above 100 year flood elevations, the residential development complex will virtually become an island surrounded by water in certain storm conditions. The proposal will move new residents into a flood hazard area, a location where residents will not be able to get in or out of their homes during storms. Eagle Knolls Road, Hommocks Road, Cove Road and Cooper Avenue will all be inundated with floodwaters and unsafe for passage by new residents and first aid responders.<sup>7</sup>

**c. Site Plan Ecological Considerations- Avoid Steep Slopes: Village of Mamaroneck Code § 342-76A(1) and §342-76A(2)** The site contains large elevation changes ranging from ½ foot to 30 feet above sea level and areas of steep slopes ranging between 15% and 25%. According the LWRP Update: "Sloping topography typically has a greater propensity to erode and recommendations in our Comprehensive Plan include that steep slopes should be added as development constraints for the Planning

---

<sup>7</sup> See Exhibit F Hampshire Country Club "100 Yr. Flood"(approx. 13' elev) Proposed Conditions Map



Board to consider under the Village's site plan and subdivision controls.”<sup>8</sup> The project design does not attempt to preserve or avoid these areas, but proposes extensive earthmoving, cut and fill regardless of steep slopes for the residential development portion of the property.

- d. **Site Plan Ecological Considerations- Avoid areas of highly erodible soils, high ground water table, unique topographical and geological features: Village of Mamaroneck Code § 342-76A(1) and §342-76A(2)** Extensive areas of the site with high groundwater table conditions, extremely vulnerable to contamination, are proposed for disturbance, earthmoving and grading activities. There are also rock outcrops and shallow depth to bedrock conditions within areas proposed for residential development and utilities, not proposed to be avoided, but which will require blasting and removal. Soils rated by the Westchester County USGS as unsuitable for residential development in their existing form due to slow infiltration rates, wet substratum and rock outcrops cover approximately 80% of the entire site. Instead of developing a plan which avoids these unsuitable areas, the PDEIS suggests that constrained areas “may require structural fill” without providing an estimate of the amount or impacts of trucking and storing fill in a floodplain. The development does not work with the existing low lying bucolic terrain, but completely transforms the landscape and floodplains with an artificial, raised berm.
- e. **Site Plan Ecological Considerations- Avoid Stands of Mature Vegetation: Village of Mamaroneck Code § 342-76A(1) and § 342-76B** - The proposal calls for the clear cutting and destruction of all the vegetation within a 55 acre block of open space including the removal of 432 trees having a 25 inch or larger circumference (8” diameter). This extensive disturbance will have negative impacts on the site’s habitat, bucolic setting, soils, and noise.

As mitigation for the removal of the mature trees, the landscape plan proposes the planting of 432 trees, which is described in as a “one for one” replacement. But the proposed 2 to 2 ½ inch diameter replacement trees represents a significant reduction in the size and habitat value compared to the existing trees- 8” diameter trees cover 16 times the area as 2” diameter trees. The proposed vegetation is significantly less than typical one for one replacement standards.

- f. **Site Plan Ecological Considerations- Avoid Streams: Village of Mamaroneck Code § 342-76A(1)** No permit or evidence of consultation with the Army Corp of

---

<sup>8</sup> Draft Village of Mamaroneck Local Waterfront Revitalization Program 2017 P. 36



Engineers is provided for the destruction, filling, grading and relocation of one of the streams traversing the site, identified on the Village LWRP map<sup>9</sup> and the PDEIS.

- g. **Site Plan Noise Standards Village of Mamaroneck Code § 342-76L** Due to the complexity of the project, the amount and type of earthmoving required and the sensitive noise receptors in the project vicinity, a detailed noise mitigation plan is needed to evaluate the project, but has not been submitted (refer to memo from C. Fazio). Adverse noise impacts are anticipated from the blasting or rock ripping of bedrock and rock outcroppings, the estimated 280 truck trips per day required to transport fill to the site over the construction period, the cutting, chipping, grinding and removal of 432 large trees, and other construction activities.

**In sum, the project fails to meet minimum Site Plan, Subdivision and Special Permit conditions required to approve a Planned Residential Development.**

**3. Project does not comply with and is inconsistent with the Village of Mamaroneck Local Waterfront Revitalization Plan Policies and recommendations**

- a. **LWRP Section IV Proposed Land Uses and Projects and Alternatives-**The LWRP identifies the Hampshire Country Club as one of the Village's seven Critical Environmental Areas located largely within a floodplain, and containing several small ponds, tidal and fresh water streams and wetlands in proximity to the Long Island Sound and Hommocks Conservation Area. The adopted LWRP and the draft 2016 update support the Comprehensive Plan recommendations for preserving the entire property and rezoning to a public recreation zone or a lower density residential zone to preserve the open space to the greatest extent possible.<sup>10</sup> As mentioned, the Project does not comply with either of these recommendations.
- b. **Public Access Policies 19, 20, 9-** A major thrust of the LWRP is public access to the waterfront for recreational, aesthetic and economic purposes. The objectives of Public Access Policies 19 -20 are to preserve and maintain existing public access to the waterfront, to prevent physical and visual loss of access, and to increase or expand public access where practical. Policy 9 also recommends increasing waterfront access in order to improve or expand recreational uses of coastal fish and wildlife resources. Reducing the possibility of increasing public access in the future is to be avoided.

<sup>9</sup> Draft Village of Mamaroneck Local Waterfront Revitalization Program 2017 Figure 7- Riverine Buffers Map P. 25

<sup>10</sup> See Exhibit G: Draft Local Waterfront Revitalization Program 2017 P. 88



- i. Under existing conditions, the private roads traversing the property provide scenic vistas, passive waterfront access and recreational opportunities. People walk, jog, bike and drive through the property and experience a remarkable open space landscape with views across ponds, wetlands and Delancey Cove.
- ii. Portions of Eagle Knolls and Cove roads are proposed for relocation and will eliminate many of the existing scenic waterfront and access opportunities. Although privately owned, the PDEIS acknowledges that the adjacent homeowners possess an implied easement to use these roads for access and thoroughfare to other roadways (PDEIS page 2-20). Under the proposal, the unique bucolic, scenic, open space and water views afforded by the existing roads will be lost and replaced by roadways framed with houses. The new road configuration will no longer connect in any direct way to the part of Cove Road offering water views and passive waterfront recreation opportunities. As noted in the LWRP Update,

“In the years since the original LWRP was enacted there has been an increased interest in passive waterfront recreation including but not limited to: kayaking, bird watching, canoeing, wind surfing, paddle boarding and fishing.”<sup>11</sup>

The development will physically block the existing access and frustrate the potential to increase passive waterfront access and recreation in the future. In short, the project is not consistent with LWRP Policies 9, 19 and 20.

- c. **Scenic Resources Policies 24 & 25-** LWRP Policies 24 and 25 recognize the scenic values of the coast and recommends protection of these significant resources. While no scenic resources of statewide significance have been identified, the Village LWRP identifies all shorelines of Long Island Sound, harbors, brooks, marshes, streams, wetlands, large open spaces, parks and recreation areas as having local significance. Natural and man-made resources contribute to the scenic quality. Views both from and to the water and open space areas and within neighborhoods are to be considered and impairment of these scenic resources should be prevented.

- (1) As the largest tract of recreation and open space remaining in the Village, with an open green rolling landscape, dramatic rock outcroppings, stands of mature trees, wetlands and ponds, Hampshire Golf Course has scenic

---

<sup>11</sup> Draft Village of Mamaroneck Local Waterfront Revitalization Program 2016 P. 37



qualities of local significance and interest. The earthmoving, digging, regrading and filling will irreversibly modify the unique geologic character. The destruction and removal of 432 mature trees will impair the scenic resources. The amount of open space will be reduced and without a viable golf course, the maintenance of the landscape will likely be compromised.

- (2) The PDEIS analysis acknowledges but dismisses the importance of the project's visual impacts to scenic resources in local neighborhoods and views available from public roads and private properties surrounding the site including those from Hommocks Rd. Eagle Knolls Road, Cove Road, Fairway Green, and the dead ends of Protano Lane, Sylvan Lane, Fairway Lane, and a portion of Delancey Cove and Greacen Point Roads.
- (3) In addition to the impacts noted, protecting the open space and scenic beauty of the site encompasses more than just viewing the property from a few points along the perimeter of the property. The experience traveling through the property offers unobstructed views of locally significant scenic resources and visual waterfront access, which will be destroyed by the proposed road reconfiguration and residential development.

**d. Development Policies 1, 2 & 5 –** The development policies address coastal zone development, redevelopment and land uses.

- (1) Policy 1 recommends revitalization and restoration of coastal areas. In evaluating how this policy applies to the Village, the 2016 Update reinforces the recommendations of Scenic Resource Policies 24 & 25 to enhance scenic vistas, improve views of the water and not adversely affect views in an insensitive manner. As described, the project will not enhance but will adversely affect existing scenic views and vistas of significance.
- (2) Another focus of concern of Policy 1 is the preservation of the low-rise, low density character of the Village and the views of and to the water. As part of the PDEIS environmental evaluation of alternatives, the applicant has submitted, as Alternative G, a plan for a 5 story multi-family 121 unit waterfront condominium development with a 200 to 250 car subsurface garage project. This proposed development complex would be larger than the Post Road High School and as high as the Avalon complex. It would be out of

scale with the low-rise, low density character of the neighborhood and is inconsistent with LWRP Policy 1.

- (3) Policy 2 fosters the siting of water dependent uses and facilities on or adjacent to coastal waters. High rise residential structures, such as the Hampshire Country Club Alternative G proposal are not considered water dependent and are deemed to be inappropriate along the coastal waters of the Village. High rise structures would significantly alter the scenic character of the waterfront and block waterfront vistas.
- (4) Policy 5 encourages locating development in areas where there is adequate public services and facilities essential to serve development. Due to the fact that most of the Village is already developed, Policy 5 cautions that re-development, particularly proposals that increase the density of use, will be the most challenging, a statement fitting to the re-development of the Hampshire Golf Course.
- (5) Policy 5 expresses concern with the age, condition and capacity of existing infrastructure, including the sewage treatment system in the Village. In review of the Hampshire Golf Course PRD, the Village Engineer has determined that the capacity and condition of the existing sewer line that serves the existing club facilities is not adequate to serve the 105 unit residential development proposed. The engineer has recommended that sewage should be conveyed by a new pump station to the 10" line in Orienta Avenue. In response, the PDEIS states that implementation of this strategy is still under discussion and that the additional information required for assessment will be addressed during the site plan and building permit process. However, capacity of the 10" main, the capacity of Westchester County's pump station further downstream, and conditions of the existing piping need to be investigated as part of the PDEIS and LWRP consistency review process in order to determine whether utilities are adequate to serve additional flow from the proposed development.
- (6) Another concern expressed in LWRP Policy 5 is the impact from new development on the existing narrow streets in the Village. Truck traffic and increased vehicular movement can create bottlenecks and unacceptable conditions. Existing low lying roads and bridges are



subject to flooding and new development can exacerbate hazards to first responders, emergency vehicles and residents. The applicant proposes new roads within the development to meet modern day standards for width, condition and elevation above storm conditions, but all the access roads to the proposed new residential development- Eagle Knolls Road, Cooper Road and Cove Road- are narrow private roads which are underwater during various storm conditions.

- (7) During the 9 month construction period, all truck traffic is proposed to be funneled through the Hommocks Road access to the property. At a minimum construction will result in an estimated 280 truck trips per day for just the importation of fill (refer to Ty-lin memo). Not only will this stress the traffic circulation at Hommocks School, the community recreation facilities and the surrounding neighborhood all served by a narrow winding road, it will increase traffic backups at the failing Hommocks/Boston Post Road intersection.

- e. **Fish and Wildlife Policies 7, 7a, 8-** There are no State-designated Significant Fish and Wildlife Habitats in Mamaroneck (Policy 7). But, Policy 7a, adapted to local conditions, identifies Hommocks Conservation Area as a locally designated significant fish and wildlife habitat, meriting the same protection as a State-designated significant habitat area. Hampshire Golf Course is a locally designated Critical Environmental Area recognized as a highly sensitive drainage area with the potential for impacting the Hommocks Marsh and coastal waters. Thus, development of the Hampshire Golf Course could impact a significant fish and wildlife area and a locally designated Critical Environmental Area. Policy 8, the protection of fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants of local concern including herbicides and pesticides also applies to the proposed development.

- (1) In order to raise the building sites above the flood plain elevations, as proposed, the site will require a net import of approximately 274,000 cubic yards of fill, or three times the amount estimated in the PDEIS (refer to Ty-lin memo). Contrary to best management practices, these soils will be stockpiled and stored on-site, in flood plains during the 9 month construction period. Floodwaters have inundated the site rapidly but even under ordinary rain events, erosion, movement and transport of unstable stockpiled materials can cause sedimentation, siltation and adverse impacts to Hommocks Conservation Area.



- (2) The extremely limited testing of surficial soils conducted as part of the PDEIS analysis revealed pesticides, arsenic and lead contamination at levels above NYSDEC standards for unrestricted or residential use. In addition, petroleum contamination was found in 2 soil samples in locations where former fuel tanks were located. The testing needed to determine the horizontal and vertical extent of contamination has not been conducted and, with the significant amount movement and stockpiling of soils proposed, contaminants from these soils could have an adverse impact on fish and wildlife resources within the Hommocks Conservation area.
- (3) The PDEIS dismisses the existing and potential ecological value of the Hampshire site because it is a golf course. But, with easy access to food, water and cover, the Golf Course provides a refuge for migratory song birds, the bald eagle and supports the nearby Hommocks preserve. The National Audubon Society has highlighted the habitat values of golf courses and recommends preservation of mature trees and other core habitats on golf courses. With the removal of 432 mature trees and the fragmentation of the open space, this plan will diminish the habitat value of this CEA and the Hommocks preserve.
- (4) Part of the mitigation for habitat loss offered in the PDEIS is the proposal to create 36 acres of Homeowner Association Open Space consisting of grassland and brushland, not requiring chemical applications. But, as mentioned, the area of proposed non-golf course open space has been overstated and in order to establish the new landscaping proposed within HOA Open Space, application of fertilizers and other chemicals is likely. Similarly, establishing the greens for the proposed relocated fairways may increase the amount of chemical use. No reduction in the storage, use or application of harmful chemicals on golf course is offered.
- (5) Floodplains provide critical natural habitat, water quality as well as flood storage benefits. The placement of fill impairs these functions and should be avoided to the greatest extent possible. The extensive alteration of the site will eliminate natural protective features that guard against stormwater runoff, sedimentation and siltation of habitat and water quality both on and off site.

- f. **Flooding and Erosion Policy 12-** The objective of Policy 12 is to maintain natural protective features to help safeguard coastal lands and property from



damage and to reduce danger to human life resulting from flooding and erosion. Alterations to natural features which provide flood protection should be avoided.

- (1) Without massive regrading and filling, development of the Hampshire Golf would endanger human life. The property serves as a flood storage area and is largely underwater during frequent storm conditions. The floodplain areas, wetlands, large mature trees, stable soils and landforms provide natural protection against flooding and erosion impacts. The proposed clear cutting, grading, blasting and earthmoving of 55 acres of land will weaken the fragile natural features and reduce capabilities to safeguard against flood damage.
  - (2) Among the lessons learned from Superstorm Sandy is the importance of maintaining natural coastal features. One of the most effective means to reduce risk from flooding is to redirect new development away from flood hazard areas altogether. The massive regrading and fill proposed may keep buildings above the areas of 100 year storms, but won't keep residents out of harm's way. During 100 year flood plain conditions, the roadways leading to and from the proposed development are inundated with as much as 6 feet of water on Eagle Knolls Road and 2 ½ feet on Cove Road. The proposed development will create hazardous conditions for emergency responders as well as new residents.
- g. **General Policy 18-** To be consistent with Policy 18, proposed actions may only be undertaken if they minimize adverse impacts and do not significantly impair valuable waters and other resources.
- By designating the Hampshire Golf Course as a Critical Environmental Area and requiring a rigorous review of the development proposal through the preparation of a Draft Environmental Impact Statement, the Village is using tools available to evaluate the project. But, for the reasons already stated, the project does not minimize adverse impacts on the environment.
- h. **Water Resources Policy 33-** The objective of Policy 33 is to assure that best management practices will be used to control stormwater runoff and combined sewer overflows draining into coastal waters.
- Extensive regrading to create a 16 foot high ridge is proposed in order to raise the building sites above flood elevations. As mentioned, more than 270,000 cubic yards of net fill and excavation of existing soils will be stockpiled on site to accomplish this transformation. Stockpiling materials in floodplains violates best management practices because flooded and water saturated soils are unstable. The standard stormwater runoff measures proposed are not



effective to prevent stormwater runoff and water quality impacts of the large amounts of materials proposed for storage and disturbance in a flood plain.

- i. **Air Quality Policy 41-** Policy 41 prohibits development that will cause state or national air quality standards to be violated. Within the Village, the Clean Act requirements are recognized as the minimum air quality control standards.

(1) Various concentrations of arsenic, lead and pesticides (4, 4'DDD, 4, 4'DDE, 4, 4-DDT, Aldrin, alpha-Chlordane, and Dieldrin) have been detected on the Hampshire Country Club property. The extensive earthmoving and excavation of 55 acres of land with contaminated soils has a high potential to create airborne contamination, particularly hazardous to the nearby Hommocks School children and neighboring residents.

(2) Motor vehicles are a principle source of air pollution in the Village. In addition, diesel exhaust has been classified as a potential human carcinogen by the US Environmental Protection Agency and the International Agency for Research on Cancer and contributes to respiratory and cardiovascular illnesses and premature death. Children, the elderly, and individuals with pre-existing respiratory conditions are the most vulnerable but everyone is susceptible to health hazards from diesel pollution (see memo from C. Fazio).

According to the independent analysis conducted by Ty-lin, 270,000 cubic yards of clean fill will be required for the proposed grading plan, which would result in 280 truck trips per day during the construction period (see Ty-lin memo). All the construction vehicles are proposed to access the site via Hommocks Road, directly abutting the Hommocks Middle School and community recreation area.

(3) The site was formerly a wetland and was filled to create a golf course before the 1920's. The limited soil testing conducted as part of the PDEIS detected a buried peat layer either directly within or near the planned residential development. The generation and accumulation of methane gas can be anticipated to exist from these conditions and could present an environmental impact to residents in the proposed development and surrounding community.



**In short, the development proposal is not consistent Policies 1, 2, 5, 7, 7a, 8, 9, 12, 18, 19, 20, 24, 25, 33, 41 or the land use and alternatives recommendation of the Local Waterfront Revitalization Plan.**

**4- The project is at odds with the designation of the property as a Critical Environmental Area.** The Hampshire Golf Course is one of seven Critical Environmental Areas within the Village and is characterized by: "tidal and freshwater wetlands; open space and recreation; floodplains; highly sensitive drainage area with the potential to affect the Hommocks Conservation Area"<sup>12</sup>. The Hommocks Conservation Area, which is vulnerable to impacts from development of the Hampshire site, is characterized by: "marsh, woodland, meadows; shorebird, waterfowl, upland bird nesting area; open space; environmental education; passive recreation."<sup>13</sup>

- a. As discussed in the LWRP Fish and Wildlife Policy evaluation, the adverse impacts to the existing and potential ecological value of the site are largely dismissed in the PDEIS. Potentially large impacts to the natural environment and human safety will result from:
- Development of the largest tract of open space
  - Removal of 432 large trees and habitat of 55 acres
  - Siltation of wetlands and water bodies from the destabilization of 55 acres of land during construction and stockpiling of 270,000 cubic yards of materials within a flood plain
  - Fugitive dust from movement of contaminated soils
  - Groundwater contamination from movement and stockpiling of contaminated soils and substratum
  - Continued and potentially increased use of pesticides, fertilizers and herbicides to maintain and establish new fairways and open space.

#### **5- The project will increase pressures on local schools**

While the owner/developer claims that there will be significant increased tax revenues from the Project, the development may, in fact, represent a net cost to the School District or, at best, provide only modest additional tax revenue. Further, the Mamaroneck Public Schools are experiencing capacity limits and classroom space shortages. Whereas the District is exploring alternative solutions the increased student enrollment from the Project will exacerbate the problems and limit the strategies available.

- a. **PDEIS estimate of projected school aged children is inaccurate and may in fact underestimate new enrollment by 30% to 60%.**

<sup>12</sup> Draft Village of Mamaroneck Local Waterfront Revitalization Program 2017 P. 30

<sup>13</sup> Ibid



- (1) In order to evaluate fiscal impacts, the DEIS Scoping Outline required that school aged children projections be based on Mamaroneck School District data rather than generalized sources. Instead, the PDEIS applied Rutgers University Center for Urban Research multipliers based year 2000 US Census data for York State. During the February 14, 2018 public hearing, Dr. Robert Shapp, Superintendent of Mamaroneck Schools, explained that these figures are outdated and not applicable to Mamaroneck. Between 2010 and 2017, for example, the District experienced a 13% student population growth compared to a 4% prediction for the same time period. Mamaroneck Schools are highly desirable and the close proximity of the development project, within walking distance to the schools increases desirability even more. But school desirability and locally based school projections, were not considered in the PDEIS evaluation.
- (2) Based on up-to-date, locally based multipliers and considering and the desirability of the School District, the 57 new student projection asserted in the PDEIS is an unrealistic, gross underestimation. A preliminary estimate offered by Dr. Shapp during the public hearing ranged between 74 and 91 new students, or 30 % to 60% higher than the PDEIS figures.

**b. PDEIS overestimates taxes to be generated by development, not supported by local real estate and up-to-date valuations**

- i. The PDEIS asserts that the total assessed value of the proposed 105 residential units will be \$193,700,000 based on a \$2.6 million value for each of the 44 single family 4 bedroom homes and \$1.3 million for each of the 61 attached carriage house 3 bedroom units. However, based on real estate comps in the Orienta Neighborhood, 4 bedroom houses are more likely to sell at approximately \$2 million and 3 bedroom attached townhouses for approximately \$940,000, representing approximately 25% less than PDEIS projected values. Thus, school taxes anticipated to be generated by the residential development will be approximately \$1,948,045 or 25% lower than owner/developer projection of \$2,597,393.
- ii. Compounding the residential school tax revenue projection errors, golf course tax revenues have also been overestimated in the PDEIS. The golf course currently generates \$173,321 in school taxes based on an assessed value of \$12 million. Due to a Tax Certioraris proceeding, the assessed value of the golf course has been reduced to \$5.3 million. Thus, it could be anticipated that the school taxes generated from the golf course will be



reduced by approximately ½ or \$86,660 in the future. And, by reconfiguring the course from 18 to 9 holes, it is likely that the value of the golf course will be reduced further.

- iii. At best, the residential and golf course proposed development may be expected to generate between \$1,861,385 not \$2,597,393; or 28% less than projected in the PDEIS.

**c. The Mamaroneck School District will likely incur higher than typical per student costs because several schools are already filled to capacity. The PDEIS per pupil cost estimate is too low and not based on metrics appropriate for Mamaroneck School.**

- (1) Mamaroneck Schools are experiencing critical school capacity challenges including instructional space limitations. Strategies under consideration for the near term, each of which has budgetary implications, include: class size adjustments and increased staffing, re-zoning elementary schools to include flex enrollment, lease/purchase of modular classrooms, instructional space redesign (Mamaroneck UFSD Board of Education 1/23/18 Power Point Presentation).
- (2) The PDEIS discounted the \$25,389 cost per pupil expenditure (total budget divided by total enrollment) based on State Aid and other revenue streams not derived from local real estate taxes. Provided State Aid remains constant in the future, for which there is no guarantee, this projected decrease is a reasonable figure to use. However, the PDEIS further reduces this cost per pupil by 87% on the assumption that new student costs should be based on program costs only. As mentioned, Mamaroneck Schools are experiencing educational and physical space capacity problems. Whereas programmatic or marginal costs are appropriate to determine expenses to educate new students some situations across New York State, including those with declining school district enrollments, they are not accurate for the specific circumstances in the Mamaroneck School District where additional teachers, administrative staff, new facilities, debt service and other budgeting costs are projected. Thus, instead of the \$15,893 expense applied in the PDEIS, a \$22,192 per pupil cost to educate students is an appropriate projection to evaluate the Project impacts on education.

In sum, it is likely that the development project will create a school tax burden and the existing school capacity challenges will be exacerbated. There are multiple and compound errors in the fiscal impact analysis in the PDEIS. More reliable estimates



of school aged children are available from the Mamaroneck School District and must be used. Local real estate sales figures should be used to inform projected residential values. The reduction in value of the golf course must be factored into the net school tax generation figures. School capacity challenges and realistic per pupil costs must be assessed.

### **Conclusion**

Village Officials have identified and recognized the importance of the Hampshire Country Club property for protecting the character, preserving the environment and preventing public safety hazards in Mamaroneck. Both the Comprehensive Plan and the Local Waterfront Revitalization Program have singled out the property for more rigorous review of development than other properties within the Village and offer alternative tools and guidance to ensure adequate protection of the land and the surrounding community. But, the project does not comply with the Village Comprehensive Plan, is not consistent with the Local Waterfront Revitalization Plan, and fails to meet minimum standards for Site Plan, Special Permit or Subdivision approval. Alternative G, the stated preference of the applicant, is also not consistent with the LWRP.

As proposed, the 105 unit residential development PRD project will result in adverse impacts to the largest tract of open and recreation space in the Village, a flood hazard area, a Critical Environmental Area, steep slopes, ground and surface waters, mature vegetation, fish and wildlife habitat, noise, air quality, streets and infrastructure, coastal public access, scenic resources, and local schools.

### **List of Exhibits**

**EXHIBIT A-** Major Parks and Open Space Map Mamaroneck Comprehensive Plan Update Figure 10-1

**EXHIBIT B-** Hampshire Country Club "100 Yr. Flood (approx. 12'elev) Existing Conditions Map

**EXHIBIT C-** Hampshire Country Club Development Constraints Map, Mamaroneck, NY

**EXHIBIT D-** Village of Mamaroneck Comprehensive Plan Chapter 10: Open Space and Recreation P. 148

**EXHIBIT E-** Village of Mamaroneck Comprehensive Plan Chapter 6: Environmental Protection Mamaroneck Harbor/Long Island Sound PP 63-64

**EXHIBIT F-** Hampshire Country Club "100 Yr. Flood" (approx. 13'elev) Proposed Conditions Map

**EXHIBIT G-** Draft Village of Mamaroneck Local Waterfront Revitalization Program 2017 P. 88



# **EXHIBIT A**



MAJOR PARKS AND OPEN SPACE

MAMARONECK COMPREHENSIVE PLAN UPDATE

SOURCE: WESTCHESTER COUNTY GIS



0 2000 ft

BEJ Planning

FIGURE 10-1



# **EXHIBIT B**

Hampshire Country Club - "100 yr Flood" (~12' elev)  
**Existing**

 Project Site Boundary





# **EXHIBIT C**





# **EXHIBIT D**

Village of Mamaroneck Comprehensive Plan  
Chapter 10: Open Space and Recreation

---

**Private Open Spaces**

Mamaroneck has several private beach clubs that provide water-based recreation and waterfront access to their members. This includes Mamaroneck Beach and Yacht Club, Shore Acres Club, Beach Point Club and Orienta Beach Club (see Figure 10-1). While these facilities are not public, they add to the Village's open space character and the scenic qualities of the waterfront. As described below, the clubs play a role in Mamaroneck's waterfront recreational access, and the Village has policies in place to encourage such water-dependent and water-enhanced recreation. In addition to these waterfront clubs, Hampshire Country Club, located on Eagle Knoll Road in the western portion of Mamaroneck, includes an 18-hole golf course that comprises more than 80 acres of open space.

**Westchester County and Town of Mamaroneck Facilities**

In addition to the Village's network of parks and open spaces, there are several public areas within Mamaroneck that are under the jurisdiction of Westchester County, or are shared with the Town of Mamaroneck or nonprofit organizations:

- **Saxon Woods County Park:** 700-acre County park with a range of recreational facilities including a pool, picnic areas, trails and an 18-hole miniature golf course. A small portion of the park lies within the Village of Mamaroneck and largely consists of Gedney Pond and wooded areas.
- **Leatherstocking Nature Trails:** Nearly two miles long and encompassing about 30 acres, this trail system runs from New Rochelle to the Village of Mamaroneck. Maintained by the Town of Mamaroneck, the Leatherstocking Trail is accessed in the Village via Rockridge Road and Old White Plains Road. It also provides access to the Sheldrake River Trails, part of a larger Town-owned conservation area.
- **Hommocks Conservation Area:** A small portion of this 7.6-acre area maintained by the Town of Mamaroneck is located within the Village. The area, comprised of woodland, salt marsh and meadows, is located along Hommocks Road, just past the Hommocks Middle School soccer fields.
- **Otter Creek Preserve:** A 27-acre tidal marsh preserve owned by the Nature Conservancy. The area includes a half-mile trail that takes visitors past the tidal marsh and creek for which the preserve is named, through deciduous forest and along wet woodland depressions. A variety of waterfowl and other migratory birds make use of the marsh and estuary throughout the year.

**10.3 Mamaroneck Harbor**

Mamaroneck's waterfront along Long Island Sound is approximately nine miles long. The majority of this land is zoned residential and is occupied by single-family homes. Other zones along the harbor include PB Public District use, mapped on Harbor Island Park, the marine commercial zones including the commercial shipyards and the marine recreational zones accommodating the waterfront clubs.



# **EXHIBIT E**

Village of Mamaroneck Comprehensive Plan  
Chapter 6: Environmental Protection/Mamaroneck Harbor/Long Island Sound

Table 6-4: Local Comprehensive Plans and Ordinances

| Area-Wide Recommendations                                                                                                                                                                                                                                    | Village-Specific Recommendations                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>Share services among municipalities.</li> </ul>                                                                                                                                                                       | <ul style="list-style-type: none"> <li>Adopt Stormwater Management Ordinance. (completed)</li> </ul>                                                      |
| <ul style="list-style-type: none"> <li>Conduct study of total impervious surfaces, set goals for reduction: existing and anticipated impervious surfaces should be mapped.</li> </ul>                                                                        | <ul style="list-style-type: none"> <li>Amend Tree Ordinance to regulate removal on private property and provide replacement whenever possible.</li> </ul> |
| <ul style="list-style-type: none"> <li>Improve enforcement: pass burden to developer.</li> </ul>                                                                                                                                                             | <ul style="list-style-type: none"> <li>Look at permeability levels for all developments and new drainage for existing homes.</li> </ul>                   |
| <ul style="list-style-type: none"> <li>Preserve open space.</li> </ul>                                                                                                                                                                                       |                                                                                                                                                           |
| <ul style="list-style-type: none"> <li>Participate in the creation of a regional stormwater management district in conjunction with the Long Island Sound Watershed Intermunicipal Council (The Village recently passed a resolution in support).</li> </ul> |                                                                                                                                                           |
| <ul style="list-style-type: none"> <li>Practice Good Housekeeping: street sweeping and cleaning out catch basins.</li> </ul>                                                                                                                                 |                                                                                                                                                           |

Note: Taken from *Controlling Polluted Stormwater: A Management Plan for the Sheldrake and Mamaroneck Rivers and Mamaroneck Harbor (2001)*, Westchester County

**Critical Environmental Areas (see Figure 6-3)**

A Critical Environmental Area (CEA) is a State or locally designated geographic area with special or unique physical and environmental characteristics. Typically, a CEA is established by identifying fragile or threatened environmental conditions within the State Environmental Quality Review Act (SEQR). There are seven local CEAs designated in Mamaroneck: Otter Creek, Guion Creek, Magid Pond, Van Amringe Millpond, Mamaroneck Reservoir, Hampshire Country Club and the Hommocks Conservation Area.

Development proposed in a CEA is subject to a more rigorous review than other areas. Proposed development wholly or partially within or substantially contiguous to a CEA under SEQR requires the lead agency to study potential impacts on the characteristics of a CEA in an Environmental Assessment Form (long-form) or Environmental Impact Statement.

As discussed above, Hampshire Country Club is one of the Village's seven critical environmental areas. As figure 6.2 indicates, almost the entire club is located within a 100-year floodplain. The floodplain issue, several ponds and wetland systems and the club's proximity to Long Island Sound all contribute to its environmental significance. For these reasons it may be appropriate to reconsider the R-20 zoning of the club property.

The R-20 designation is essentially a "holding zone" within the Village's zoning code and 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 essentially a default provision. This was historically very common with golf courses.

With the development of more sensitive zoning techniques, it would be appropriate to consider other options for the golf course. Foremost among them is the option presented by Bonnie Briar Country Club in the adjacent Town of Mamaroneck. New York State's



Court of Appeals upheld the town's rezoning of the Bonnie Briar Country Club from residential to a recreation/open space zone a number of years ago. This represents one option for the Village to consider.

If the Village prefers to indicate some development option, then it has another example from the Town of Mamaroneck, which has rezoned a small part of Hampshire County Club that is within the Town R-30. Potentially, this zone would allow one single-family home per 30,000 square feet of land area rather than the village's current zoning of R-20, which would allow one single-family home per 20,000-square-foot lot. The R-30 zoning would work better in terms of a conservation or open space development on the Hampshire County Club. An open space or cluster development would allow the development to preserve a significant amount of the property as open space. In New York State, a cluster subdivision means that an applicant and a Planning Board must determine the lot count of a standard subdivision. Then the Planning Board may reduce the lot sizes that are required as long as the total number of lots that are allowed in the standard subdivision are not exceeded in the cluster subdivision. This allows a portion of the development to be preserved as open space. For example, if the Planning Board allowed an R-20 size lot in the R-30 zone it could preserve about a third of the area of Hampshire County Club. If it allowed a 15,000-square-foot lot it could preserve approximately half of the area of Hampshire County Club for open space. The R-20 lot size and the R-15 lot size represent adjacent areas of Orienta which are zoned R-20 and R-15, respectively. Thus a cluster subdivision could have the same lot sizes as the adjacent Orienta neighborhood but result in a 33% to 50% open space preservation of the Hampshire County Club.

Both of the above options would better preserve Hampshire County Club in the future better than the existing R-20 zoning.

Similarly, the Shore Acres Club, a community clubhouse for Shore Acres residents, is located in an R-20 district at the end of the Parkway and bordering the Harbor. It is recommended that this property be rezoned to MR (Marine Recreation) to reflect the existing use as a club facility.

It should be noted that, while not officially designated as CEAs or Village conservation areas, many portions of Mamaroneck contain significant trees and other vegetation, which provide numerous environmental benefits. In addition to clear aesthetic advantages, trees can also reduce cooling and heating costs, mitigate the urban heat island effect, decrease noise pollution, improve air quality and reduce flooding impacts through soil stabilization.

Mamaroneck's Tree Committee promotes the planting and protection of street trees throughout the Village and makes recommendations on the best types of street trees. In addition, the Village participates in the National Arbor Foundation's Tree City, USA program, which requires member communities to spend at least \$2 per capita on a Community Forest Program. Finally, the Village Planning Board makes use of a landscaping consultant to review site and subdivision plans as appropriate and make recommendations on proper plant species and tree protection measures.

# **EXHIBIT F**



## Hampshire Country Club - "100 yr Flood" (~13' elev) Proposed

- Project Site Boundary
- Limit of Grading
- Limit of Grading (Alternative F)



# **EXHIBIT G**



## Local Waterfront Revitalization Program | 2017

**SECTION IV PROPOSED LAND USES AND PROJECTS AND ALTERNATIVES**

This LWRP does not contemplate any large-scale changes to existing land uses and patterns or rezoning recommendations. The Village's Comprehensive Plan (adopted in two phases in 2008 and 2012) resulted in several significant zoning changes, and has recommended other zoning changes that should be considered, some of which are referenced below.

This section of the LWRP focuses primarily on specific projects and alternatives in the program area. These proposed projects and alternatives are intended to advance the policies contained in Section III (together with their related Explanations), including to enhance public use and enjoyment of the Village of Mamaroneck waterfront areas, strengthen the Village's ability to manage these areas in the public interest and enhance the environmental (in particular water) quality of the Village.

**1) PROPOSED LAND USES**

This LWRP does not propose any significant changes to land use patterns, and no changes to Mamaroneck's regulatory framework (e.g., zoning and subdivision regulations) are proposed, other than as noted to take into account existing recommendations under the Village's Comprehensive Plan.

Anticipated future uses within the Village are described below under six general land use categories.

**a. Parks, Open Space and Access by the Public**

Park and open space areas within the Village generally correspond with existing public and private open spaces, such as Village parks, nature preserves and trails and current private open space. Existing waterfront clubs, which constitute restricted public open space, are also indicated as marine recreational uses.

Hampshire Country Club, as described in Section II, is one of the Village's seven Critical Environmental Areas (CEAs). The property is also largely within a floodplain and contains several small ponds, tidal and fresh water streams and wetland areas. These aspects, together with Hampshire's proximity to Long Island Sound, contribute to its environmental significance. Currently, the majority of Hampshire is zoned R-20, which has traditionally functioned as a "holding zone" in the Village of Mamaroneck (the Village's parks are also zoned R-20). The 2012 Comprehensive Plan recommends rezoning the Hampshire property – potentially to a public recreation zone or a lower-density residential zone – to preserve Hampshire's open space to the greatest extent possible. The Comprehensive Plan also recommends exploring a rezoning of the Village's parks and other major open spaces from R-20 to a zone that better reflects their use.







## TECHNICAL MEMORANDUM

To: Village of Mamaroneck Planning Board

From: Neil Porto, P.E., TY Lin International

Date: February 14, 2018

Re: Hampshire County Club Planned Residential Development  
Evaluation of 12/13/17 Draft Environmental Impact Statement

---

Carter Ledyard & Milburn LLP has retained T.Y. Lin International to undertake an analysis of the Draft Environmental Impact Statement (DEIS) dated 12/13/17 prepared for the Hampshire County Club Planned Residential Development. As per our scope of work, we have focused on

- floodplain issues and associated regulations
- cut and fill volumes for the site
- sanitary sewer infrastructure assessment
- traffic analysis, especially truck traffic during construction
- soil issues

### Reviewed Documents

TYLI received, or obtained from the Village of Mamaroneck's website the following documentation that was used to perform the analysis stated above:

- A PDF of a letter dated June 26, 2015, from Zarin & Steinmets to the Honorable Stewart E. Sterk and Members of the Village of Mamaroneck Planning Board, which detailed the intent of the proposed development;
- A PDF of a plan titled "Existing Conditions Plan", prepared by Vanasse Hangen Brustlin, Inc. (VHB) of White Plains, New York;
- A PDF of a partially completed Flood Plain Development Permit Application to the Village of Mamaroneck Building Department;
- A PDF of completed Full Environmental Assessment Form (EAF);
- A PDF of a plan titled "Preliminary Plat", prepared by VHB;
- A PDF of a plan titled "Sketch Site Plan", prepared by VHB;
- PDEIS (Undated), but published on the village website in April 2017
- PDEIS dated August 29, 2017
- DEIS dated December 13, 2017

### Background

c:\n\porth\cl\mdocs\meara\8241843\_1.docx\ndepasquel.m

110 William Street, 29th Floor | New York, New York 10038 | T 212.228.0662 | F 877.431.4806 | [www.tylin.com](http://www.tylin.com)  
*An Affirmative Action / Equal Opportunity Employer M/F/D/V*

Hampshire Recreation, LLC, and its co-developer Toll Brothers, Inc., propose to develop a planned residential community on a 94.5 acre portion of the existing Hampshire County Club, located in the Village of Mamaroneck, New York.

## **1. Flood Plain Issues**

The floodplain management discussion references and utilizes the effective Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMS) from 2007, which place the flood elevation of the golf course largely at a Base Flood Elevation (BFE) of 12 NAVD 88.

It is important to note that FEMA has recently undertaken a new coastal study, which utilizes more modern data and modeling techniques, including storm surge and overland wave modeling. The results of the updated coastal study are reflected in the Preliminary FIRM, which shows an increase in BFE from 12' to 13' in large portions of the site. The Preliminary FIRM is in the process of being adopted, with the statutory appeal period having ended July 1, 2015. While the law in the Village of Mamaroneck does not require adherence to the Preliminary FIRM, both New York City and the State of New Jersey do have such requirements. The timetable for official adoption of the Preliminary FIRM was previously at the end of 2017, but that is not yet accomplished.

It should be noted that it is completely permissible for banks and other lending institutions to use preliminary data as a guide to determine whether a property may be mapped into a high risk area, allowing the borrower to be informed of any changes or requirements before finalizing the loan.

It should be noted that the Village of Mamaroneck Code, Section 186-5, Part A.3.c requires the following:

*Whenever any portion of floodplain is authorized for development, the volume of the space occupied by the authorized fill or structure below the base flood elevation shall be compensated for by a hydraulically equivalent volume of excavation taken from below the base flood elevation at or adjacent to the development site. All such excavations shall be constructed to drain freely to the watercourse. No area below the waterline of a pond or body of water can be credited as a compensating excavation".*

Thus there may be no net fill below the 100-Year floodplain elevation, unless geotechnical or hydrological studies demonstrate the hydraulic capacity of any additional soil to offset any difference between cut and fill volumes, or alternatively a hydrologic study is performed that shows that there is no impact.

We have reviewed Appendix J from the August 2017 DEIS, "Coastal Flooding Hydraulic Analysis," and we do not take issue with the study, other than to state that the ultimate



layout and elevations of the possible future development were not known at the time of the study, and the analysis should be redone when, and if the final layout and elevations are determined.

## **2. Cut and Fill Analysis**

As with previous iterations of our studies, the cut fill analysis was performed independently without the aid of the developer's CAD files, as they were not made available to TYLI staff. Using the available documents, TYLI prepared a cut and fill analysis of the Developer's preferred option and for Alternative F, the "No Net Fill" alternative, utilizing the 3D modeling software InRoads for MicroStation, which creates a digital terrain model (DTM) to perform the analysis.

The following is a summary of the methodology used for the overall cut and fill calculations:

1. TYLI inserted PDF (DEIS Exhibit 3C-2 for preferred option and DEIS Exhibit 4-6 for Alternative F) into Microstation and scaled file true size.
2. We traced existing contours assigning elevations to each contour line so a TIN surface/Digital terrain map (DTM) could be generated from this line work.
3. We reviewed the TIN Surface/DTM and add any single point spot shot as well as add any break lines to allow proper projection of triangulations.
4. We traced, created and reviewed the surfaces for the proposed contours.
5. After existing and proposed surfaces were generated Microstation tools were used to evaluate the differences between the surfaces and calculates the cut and fill.

For the cut and fill calculation for specific flood elevations (current and proposed FEMA Base Flood Elevations [BFEs]):

1. TYLI inserted PDF into Microstation and scaled file true size.
2. We created a border around area of development and assigned a single elevation and created the TIN Surface/DTM and saved file.
3. We traced proposed contours assigning elevations to each contour line so a TIN surface/DTM could be created from this line work.
4. We reviewed TIN Surface/DTM and add any single point spot shot as well as add any break lines to allow proper projection of triangulations.
5. After existing and proposed surfaces were generated, Microstation tools were used to evaluate the differences between the surfaces and calculates the cut and fill.

For the preferred alternative, the results of the analysis are as follows:

Overall Existing/Proposed Surfaces

Cut = 136,800 CY  
Fill = 410,700 CY  
Net = 273,900 CY (Fill)

Existing/Proposed Surfaces Below Elevation 12 (Current BFE)

Cut = 55,900 CY  
Fill = 304,100 CY  
Net = 248,200 CY (Fill)

Existing/Proposed Surfaces Below Elevation 13 (Preliminary BFE)

Cut = 67,500 CY  
Fill = 303,000 CY  
Net = 235,500 CY (Fill)

These values actually exceed our previous findings in 2015 of a net fill of 214,200 Cubic Yards on the alternative as it was proposed at that time.

For “Alternative F” which the developer claims is a “No net fill” alternative, our analysis of the topographic plans, conducted in a similar matter to that of the preferred alternative, shows that imported fill could indeed be expected under this scenario. Our results are as follows;

Overall Existing/Proposed Surfaces

Cut = 7,840 CY  
Fill = 30,600 CY  
Net = 22,760 CY (Fill)

Existing/Proposed Surfaces Below Elevation 12 (Current BFE)

Cut = 990 CY  
Fill = 17,330 CY  
Net = 16,340 CY (Fill)

Existing/Proposed Surfaces Below Elevation 13 (Preliminary BFE)

Cut = 1,880 CY  
Fill = 23,700 CY  
Net = 21,800 CY (Fill)

In reviewing the Developer’s existing and proposed site plans in 2015, TYLI observed that the Sketch Site Plan showed contour elevations that do not “tie in” to the existing topography throughout large portions of the site. There was no delineated Limit of Disturbance (LOD) on the plan, and no indication how the large discrepancies between existing and proposed elevations will be resolved. The current plans do rectify some of these deficiencies, but we recommend that they undergo further refinement. The LOD line seems to have no relationship to the contours, and extends out into the



reconfiguration of the golf course. To what extent is the reworking of the golf course part of the developers action? Does it engender additional cut/fill? These are questions the developer should answer.

### 3. Sanitary Sewer Assessment

The Full Environmental Assessment Form reviewed by TYLI stated that the potable water demand of the project was 39,490 gallons per day. TYLI questioned this, due to vague statements as to the actual composition of the "Carriage Homes." This has been clarified in Table 3I-1 in the DEIS where it is clearly stated that the 44 single-family houses have 4 bedrooms each while the 61 units of Carriage Houses have an average of 3 bedrooms each, leading to the figure of 39,490 GPD of sewage.

The Developer originally proposed to tap into an existing 8" gravity sewer line located on Cove Road that serves the existing golf club facilities and is discharged to the Cove Road pump station where it is propelled through a 6" pressurized pipe to another 10" gravity sewer line located on Orienta Avenue and thence to the Mamaroneck Wastewater Treatment Plant by means of an intermediary pump station. The 8" Cove Road gravity sewer line, where the tie-in is proposed, was slipform lined in 2009 due to infiltration issues and age, and as a result of slip form lining, the inner diameter and capacity of this pipe is now reduced.

The developer's engineer discussed the original is wastewater strategy with the Village Engineer, and it was determined that the 8" line in Cove Road was not an appropriate discharge point for the developments wastewater, due to maintenance issues arising from the hydraulics and perhaps the reduction in pipe diameter cited above. The Village stated that the sewage should be conveyed (apparently by a new pump station) to the 10" line in Orienta Avenue. The developer accepted this, and proposes to construct a new pump station within the development to convey the development's waste water through an additional force main pipe to Orienta Avenue, bypassing the existing pump station on Cove Road. However, DEIS Exhibit 3I-1, Grading and Utility Plan still shows the development tying in to the Cove Road Pump Station (although it does avoid the 8" gravity line) and does not show implementation of the plan described in the DEIS text. The drawing should be revised to show the developers intent for sanitary sewage disposal. The developer should also demonstrate that the 10" line in Orienta Avenue, which is owned by the Village, has enough capacity for conveying the added flow to the County-owned main on Boston Post Road.

The DEIS states that implementation of this strategy is still under discussion. The Mamaroneck Wastewater Treatment Plant will be able to accommodate the estimated 39,490 GPD effluent associated with the project, but the means of conveying it there have not yet been determined. The DEIS also acknowledges that sewer infrastructure mitigations would be required by Westchester County, which will add to the cost of the project. The developer proposes to address these issues during the "site plan and building permit process."



#### 4. Traffic Analysis

In May 2017, TYLI conducted a thorough reviewed of the traffic section of the April 2017 Pre-DEIS, as well as the Traffic Impact Study/Analysis Report prepared by VHB. The purpose of this traffic review was to identify any critical factors that would normally be considered in the analysis, to request for clarifications, as well as to request additional information/data (e.g., Synchro models) if the further review of the parameters and assumptions is deemed necessary.

The DEIS conclusion for post-construction is that the relatively low number of trips generated by the project will not have a significant traffic impact on the adjacent intersections analyzed in the DEIS. However, the report did not conduct in-depth construction traffic analysis and factors such as construction traffic (including truck traffic and construction employee traffic), the construction schedule, as well as the impact of construction traffic on ped/bike safety.

Additional comments on the traffic report that we recommend be addressed to the developer are as follows:

**A. Trip Generation and Distribution:** Trip generation analysis estimates the total number of trips that will be generated by adjacent development as well as by the project site. Trip Distribution determines how many of the aforementioned trips will pass the study corridors and intersections. Therefore, these two steps are critical in understanding the traffic impact.

It was stated in the report that *Trip Generation Manual, Ninth Edition* has been used for the analysis. Questions that need clarification:

- Pg 3M-20: The trip generation & distribution for the no-build vicinity developments should be shown in a map. The trips shown on Exhibits 3M-8 & 9 (max of 9 trips in one direction at a single intersection) seem very low given the development sizes as shown in Table 3M-8 (302 total units). Is it possible that some of the vicinity developments do not impact the studied intersections? Please explain the methodology used to estimate the trip distribution of vicinity development trips. A location map showing these vicinity developments should be provided as well.

SEE CHART, NEXT PAGE



**Table 5 - Vicinity Developments**

| Development                          | Size      |
|--------------------------------------|-----------|
| 690 Mamaroneck Avenue                | 21 units  |
| 270 Waverly Avenue                   | 96 units  |
| 620 W. Boston Post Road              | 6 units   |
| 422 E. Boston Post Road              | 13 units  |
| 151 Mamaroneck Avenue <sup>(1)</sup> | 10 units  |
| 532 W. Boston Post Road              | 7 units   |
| The Cambium (Town)                   | 149 units |

Note: (1) Subsequent to preparing the traffic analyses in this study, VHB was advised that this project is no longer going forward; however, the volumes are included in the analyses.

- Pg 3M-25: Provide more description for the townhouses to justify the use of Land Use Code 230 for “Residential Condominium/Townhouse”. Other land uses include rental, luxury, high & low rise townhomes.
- The meaning of the figure (map) on page 3M-28 is unclear. Please explain.
- Information included in Exhibit 3M-12 should be shown in two separate figures representing two access scenarios.
- Exhibits 3M-13 & 14: The trip distribution should show entering and exiting vehicles. The upstream total entering volumes and downstream total exiting volumes on several roadway links do not add up.

**B. Synchro Analysis:** Although the Synchro reports (LOS, timings, queue) have been included in appendices, the HCM LOS (not Synchro LOS) reports are needed to review the capacity analysis.

The report elaborated on base year ped/bike facility conditions, intersection volumes as well as the historical accident data in the study area. As shown in the Synchro reports the existing Ped/Bike/Truck data has been taken into consideration in the intersection LOS analysis. However, it appears the Ped/Bike/Truck volumes in the future years have not been forecasted to reflect future No-Build and Build conditions in the analysis. Growth rates should be applied to the existing Ped/Bike/Truck volumes (which should differ from vehicle traffic growth rate) and incorporated into future LOS analysis.

Additional questions that need clarification:

- Delay times – The report should be updated to reflect the “HCM” LOS and delay times. The Synchro reports they provided show they used the “Synchro” LOS and delay times, which is not standard practice. The LOS tables should be updated accordingly.
- Peak Hour Factors (PHF) should be updated to reflect values for each approach based on the existing traffic counts in lieu of one PHF for the entire intersection.



- In all the LOS analysis tables, V/C ratio values should be provided for locations with LOS “E” or worse.
- Pg 3M-33 and Tables 3M-10 & 15: The report states that future Build conditions will continue to have acceptable queue lengths. Further explanation is needed regarding the increase in queue length at Boston Post Rd & Old Boston Post Rd./Richbell Rd., as the WB left turn during peak hours exceeds the available storage length.

**C. Traffic Impact During Construction:** The main traffic concern with the proposed residential development has been the impacts of construction traffic during the build period, most crucially for the number and scheduling of trucks that would be needed to import fill to the project. The developer did not initially acknowledge these impacts, but in the 12/13/17 DEIS there is a one page section – Section 3M.3.h – devoted to this topic.

The following is the key construction traffic assumptions from the DEIS:

- Trucks would access the site from 8:15AM to 2:30PM as well as 4PM to 7PM for the stated purpose of avoiding peak school bus hours. the latter period would presumably be during months with longer daylight hours.
- Trucks are anticipated to use I-95 exiting at Exit 17 or 19 to use Boston Post Road (US Route 1) to get to Hommocks Road and Eagle Knolls Road. Trucks access will not be allowed on Orienta Avenue or East Cove Road. Trucks are not anticipated to use Old Boston Post Road/Richbell Road which has a significant number of ped accidents already.
- There will be 24 trucks in the first 9 months of the construction and the total number of trucks will then be reduced to 3 or 4 per day.
- Construction will be done in 3 stages; grading, structures and finishing.

The grading phase is estimated to bring 24 truck loads per day on a 5-day per week schedule for 9 months, a total of 4680 truck trips, assumedly for importation of fill. This would mean 24 round trips, or 48 truck trips (in and out). At 10 to 15 cubic yards of fill per truck, this represents about 47,000 to 70,000 CY of fill. However, the DEIS states that the importation of fill to the site would be 84,000 CY of fill. For the same amount of truck trips, the fill would require approximately 18 CY of fill per truck or, using standard trucks, 30 to 43 trucks rounds trips per day, 60 to 86 daily in and out, over the stated 9 month period. Following this grading phase, trucks are estimated to arrive at the site for house construction to 3 to 4 truck round trips per day, with the period of this traffic stated as “unknown.”

There are inconsistencies in the information presented in the DEIS for truck traffic associated with the fill operations;



- The developer states that trucks will bring 16 cubic yards of fill to the site with each trip, while the typical industry value is 10 to 15 CY per truck.
- The developers own fill number and number of truck trips suggests that 18 CY per truck was assumed, not the stated 16. This would require a large vehicle that would be heavier (due to both payload and truck size) that might cause additional damage to the local roads, as well as air and noise impacts.
- The purpose of the fill imported to the site is to support house foundations and serve as stable embankment, so considerable compaction in place will be required. No study was made on the effect of soil compaction on the effective soil volumes. Fifteen (15) cubic yards of soil in a truck will result in a small volume on site, once it is compacted. The developer should recalculate the number of truck trips based on “effective” cubic yards per truck or by recalculating the required fill.
- TYLI’s evaluation of the developers proposed grading plan found that the amount of imported fill is closer to 270,000 cubic yards. At 10 to 15 CY per truck this amounts to 18,000 to 27,000 truck trips. Accomplishing this over a 9 month period would lead to 90 to 140 truck round-trips per day, or 180 to 280 truck trips in and out. The impacts of these trips would greatly exceed the that identified in the DEIS.
- While the DEIS states that the roads at the site would be improved before and after the construction period, they do not state whether these roads, which would continue to be used by residents and the school complex during construction, would need interim or iterative repairs during the construction. Traffic enforcement agents may be required to maintain an organized flow in and out of the site. This should be examined by the developer.
- This limiting of hours and a pledge to repave Hommocks and Eagle Knolls Road are the only mitigation proposed for these truck trips. DEIS Section 3R.3.d. identifies Construction Noise as an impact, but there is no specific evaluation of noise at the school, and the construction duration is termed as “short.” It may not be appropriate to designate a two construction period as “short.” The construction period may also be extended depending on the sales of the new houses.

The DEIS identifies one route into this site for transportation of fill: Interstate 95 to U.S. Route 1 to Hommocks Road, location of Hommocks School, with pool and ice rink facilities. Our analysis of the additional construction truck traffic to this intersection shows that level of service could be impacted. Truck volumes could increase by approximately four additional trucks every two minutes, due to the fact that it will be impossible to meter the arrival of trucks. One truck was assumed to be added to each of the following movements per cycle: northbound right, southbound left, and westbound left and right turning movements. The overall intersection LOS could deteriorate from LOS C to D, with the Northbound right turn deteriorating from LOS C to F, and the Southbound left turn also going from C to F. Queues could increase by 85’ to 120’.



In addition to the above, the developer should address the following concerns as well as those identified above:

- Since the construction phasing is uncertain, sensitivity analysis is needed to understand the impact of construction schedule and construction demand on traffic impact and ped/bike safety.
- Pg 2-26: Truck access hours should be outside of vehicle peak hours 7AM to 9AM . Instead of starting at 8:15AM, it should be after 9:00AM.
- The developer should evaluate other uses of the school complex, including ice rink, pool, and community meetings, before committing to the 4PM to 7PM time period for truck traffic.
- Pg 3M-37, paragraph 1 & 2: Clarify the number of trips to be generated by construction employee activity. The total number of trips generated for construction should be shown and analyzed.
- Air quality effects of the truck traffic are identified as a possible impact in Section 3S.3.d, but no mitigations are proposed, besides following New York State laws and standards.

**D. Crash History/Analysis:** The DEIS provides accident data as summarized in section 3M.1.d – Accident Analysis. We anticipate that the additional truck traffic will have an impact on crash frequency during the construction period, and based on our analysis potentially increase crash frequency by 17 according to AASHTO methodology. Section 3M.3.h – Construction Traffic Impacts, should include an analysis on construction truck traffic and crash frequency.

## **5. Soil Resources**

The developers preferred plan calls for a comprehensive regrading of the site for the purpose of locating the new houses at Elevation 16.0, 3.5' above the 100-year flood level. To achieve this, soil will be excavated and reused on site and additional fill will be imported to the site, as outlined in Section 4 above. To “minimize” the redistribution and importation of fill on site, steep, narrow berms are proposed to raise the ground level of the houses.

The major issues associated with this massive site regrading include:

1. Rock removal. The DEIS states that there is a “possibility” of blasting. Given that rock removal may reach 7 to 8 feet in some areas, and be required for some utility installation, blasting is likely and use of heavy equipment is a certainty. The DEIS does state that no existing rock outcroppings would be removed in order to implement the plan.



2. Excavation and embankment. The plan includes construction of steep slopes to raise the houses out of the flood plain. (It should be noted that some steep slopes already exist in the vicinity of the clubhouse, but at a further distance away from the structures than that proposed for the new houses.) Section 3C (Geology) of the DEIS identifies only 7.2% of the project site containing soils that are suitable to support the new houses. Thus the imported fill will have to serve that structural purpose.
3. Maintenance of slopes. The slopes created to support the houses must be carefully designed to resist both the loads associated with the houses and erosion from storm run-off. The DEIS describes the need to apply well-graded soil in the top two feet of the surface of the berms. The borings do confirm that below the topsoil, the soil could be characterized as well graded but does not address what is required in the "core" of these berms to support the homes (besides "structural soil"), or from where this soil will be sourced.
4. Foundations soil. The DEIS recommends slab-on-grade foundations for the houses, which will require an iterative process of placement and compaction to build up to the level required for the houses.
5. Contaminants. Some soil samples at the site tested positive for arsenic and pesticides. It is noted in the DEIS that soil reuse for residential developments is more stringent than for other uses, so a more definitive testing and reuse plan may be necessary. Mitigation is stated to be by capping with other soils, but further Testing may lead to the need of off-site disposal of soils, not contemplated in the DEIS.
6. Erosion and sediment control. Proper control of soils during construction, including excavations, embankment, soil storage and delivery for a project of this scales so close to protected waters will be a challenge. A preliminary soil erosion control plan is presented in the DEIS which outlines the standard measures to prevent excessive soil erosion. A preliminary Storm Water Pollution Prevention Plan (SWPPP), required by NYSDEC for a project of this type, is presented in Appendix H, including a draft of the forms to be filed with DEC.

Given these issues, re-grading the Hampshire Country Club to accommodate the developer's preferred plan will require a massive, complex undertaking that will need to include soil testing, proper mixing and layering of soils, geotechnical analysis for support of houses and slope stability and careful erosion control to avoid spoiling adjacent wetlands.





**Memorandum**

**Environmental Contamination, Geology & Groundwater  
for  
Hampshire Country Club Proposed Action  
Mamaroneck, NY**

**Prepared for:**

**Village of Mamaroneck Planning Board (Lead Agency)**

**By:**

**CA RICH Consultants, Inc., Plainview, NY  
2/14/2018**

**General**

The analyses utilized in the DEIS prepared by VHB (December 2017) to develop the various findings of fact in connection with environmental contamination, geology, and groundwater conditions are inadequate to conclude that the mitigative measures described for the Proposed Action are prudent; and that the Proposed Action is even feasible and/or sufficiently protective of human health, safety, and the environment.

There is grossly insufficient information supporting the December 2017 DEIS relative to describing the nature and extent of soil contamination site-wide, the occurrence of shallow groundwater, shallow groundwater quality, and the necessary excavations into buried bedrock that will adequately provide the Planning Board with the means to ensure informed decision-making to support the proposed planning alternative: the permanent shallow burial of soil contaminated with arsenic and pesticides beneath newly-built homes.

Data is not developed to objectively evaluate the environmental impact(s) from the site preparation activities during construction (impacts from the proposed cut-&-fill, and the restorative backfilling that must occur to generate the raised soil platform), the possible impact from fugitive dust emissions during the proposed significant cut-and-fill activities to nearby receptors (Hommocks Middle School), the management and fate of potentially-degraded groundwater, the validation of the quality of imported clean fill that will comprise the 2' thick cover system proposed to thinly separate the relocated soil contamination beneath the 105 new homes; and the means and mechanism to suitably maintain various aspects of the cover system and cap during build-out and post-construction occupancy.



The absence of sufficient site investigation, specifically with reference to the significance of the soil contamination that has already been revealed on-site, is important, and arguably admitted in the DEIS - given that additional investigations and soil management plans subject to NYSDEC's applicable DER-10 Guidance are proposed to be prepared. However, simply saying that further study is promised subject to DER-10 Guidance neither guarantees that future data-gathering efforts will be sufficiently adequate, nor any mechanism for NYSDEC oversight or input once the SEQRA review process has been concluded.

If NYSDEC's DER-10 Guidance is followed, a thorough "*Investigation Work Plan*" (IWP) would typically be developed by the Applicant, and implemented, to delineate the areas of contaminated soil - and in doing so, provide an accurate volume of impacted soil to be handled. Based on those results, a subsequent "*Remedial Action Work Plan*" (RAWP) would then be prepared to include the specific excavation areas, construction health & safety protocols, and a site-specific fugitive dust monitoring program given the potential for risk-related exposure pathways to all the receptors present within the surrounding neighborhood (Hommocks Middle School and nearby homes). Such soil management documents, presumably prepared by the Applicant in the public interest, would be subject to review and approval - assuming NYSDEC, a DEIS reviewing agency, would remain involved in further review and ongoing monitoring of this project. However, in the absence of monitoring by the State, the adequacy and applicability of a Plan, once approved, specific modifications to that Plan, as-needed, and the ongoing implementation as well as compliance of the required on-site protocols and agreed-upon protective conditions during actual construction by the General Contractor, would likely fall to the Mamaroneck Village Engineer.

If the Proposed Action is approved - and once the development footprint is finalized - the Applicant states they intend to meet with NYSDEC prior to preparation of one of the aforementioned two Plans (detached homes or a single condominium building) to incorporate NYSDEC 'feedback', shared data, and Agency review into their overall technical approach. The fact that this possible State review is not assured, and that it will only occur "*after the development footprint is finalized*" - that is, after this SEQRA review is closed, presents a real problem. As such, it is recommended that the Applicant engage/prepare the further soil investigation Plans outlined above 'sooner rather than later', and that they be included in the current DEIS SEQRA review process.

It is recommended that the Lead Agency consider its need to ensure satisfactory implementation of the approved Soil Management Plan, based on jointly-approved further study, through utilization of an independent third party oversight by an expert. An independent third-party expert can witness further investigation, and collect sampling data during certain construction activities, as and where-needed, satisfying ongoing information needs objectively - on behalf of Village interests, confirming that both soil and shallow groundwater conditions are as expected. Alternatively, in the event of unknowns during construction, independent oversight will serve in a third party reviewing capacity to enable the Village Engineer to technically address site-related problems with



appropriate modifications, answer further public inquiries, thus facilitating cooperative progress during any approved build-out. One obvious objective for third party oversight will be to inspect and prevent any unintentional accidental or incidental comingling of contaminated earth materials with clean imported fill materials before and after construction of the new raised soil platform, as well as during subsequent grading, trenching for utilities, and post-construction landscaping.

## **Soil Contamination**

The soil samples collected to date are too few in number and location to sufficiently characterize existing soil conditions for the contemplated cut-and-fill removal and relocation work. Such soil sampling of this kind is typically performed in stages where the initial testing is simply a first cut 'screening' tool to determine if an issue exists (i.e. detection of arsenic and pesticides, etc.). This is followed by further investigation to better define the vertical and horizontal nature and extent of any targeted contaminants to assist in the requisite design of appropriate and approvable site-specific mitigative soil management options.

All of the soil samples collected thus far are extremely shallow - between land surface and only 2' deep. Consequently, the test results from these surficial samples, although informative, are entirely inadequate to properly 'map' the nature and extent of arsenic or pesticide contamination (and other chemical constituents) across the entire property. The levels of arsenic or pesticide in soils greater than 2' deep are unknown. This extremely limited testing at only the two (2) depth horizons: 0-6" & 18-24", and from only 21 hand-dug soil coring locations across the existing 106-acre golf course, is not representative – averaging only about one sampling location per five acres.

Despite this exiguous database, the limited soil samples that were collected revealed contamination with pesticides, arsenic & lead at levels in excess of prevailing NYSDEC Part 375 Unrestricted Use Soil Cleanup Objectives (UUSCOs) and (to a lesser extent) Restricted Residential Soil Cleanup Objectives (RRSCOs) within a third of this relatively small sample set. Importantly, as many as six (6) of the surface soil samples exceeded Residential SCO's for Arsenic. One of these surface soil samples (SS-7) revealed arsenic at 56 mg/kg – roughly 3.5 times the residential Soil Cleanup Objective (SCO) guidance value of 16 mg/kg. Pesticides were found present in as many as 35 soil samples at levels exceeding 'unrestricted use' Soil Cleanup Objectives (UUSCOs). Additionally, four samples revealed pesticides present at concentration levels even exceeding 'restricted residential' use SCOs. No herbicides were detected in any of the samples. The April 2016 Limited Phase II Environmental Site Investigation prepared by GZA of New York, a report appended to the DEIS documenting the limited soil sampling work, indicates that the laboratory chemical analytical methodology for the soil testing was: for arsenic and lead: EPA Method 6010C, for organochlorine pesticides: EPA Method 8081B, and for the chlorinated herbicides: EPA Method 8151A.



For comparison purposes, if all of the onsite soil that is to be excavated and then reburied on-site to support construction of the raised soil platform, was instead, to be transported off-site to a regulated landfill, the routine requirements for that soil to be accepted at that landfill would mandate a sampling test frequency of at least one sample for every 1,000 tons brought into the landfill. In other words, at least a minimum of 300 samples (assuming a soil volume >200,000 yards) would require testing if all of this newly-generated soil was found contaminated and as such, potentially classified as either a regulated or hazardous waste.

Two (2) of the soil samples: SS-19 & SS-6, revealed residual petroleum contamination reportedly attributable to two former petroleum tank spills. Both of these two widely separated sampling locations are located outside of the Proposed Action's planned 'fill' raised soil development platform: the SS-19 location is to the north - adjacent to the Maintenance Shed at the end of Cooper Avenue, and the separate SS-6 location is to the south - next to the parking area at the existing Club House. Referring to these former fuel spills, the DEIS states that:

*"Soil contamination will be delineated by evaluating soil samples taken at the identified elevation at increasing distance from SS-19 and SS-6 until samples indicate clean soil for the target contaminants. It is anticipated that the total soil to be relocated will be between 50 and 100 cubic yards. The delineated contaminated soil will be excavated and relocated under the core of the soil platform to ensure isolation from the proposed development with a minimum of 2 feet of clean soil cover".*

However, the scope of any further spill-related investigation needed to determine the horizontal (and vertical) extent of this additional petroleum contamination is unknown. The Applicant estimates that the volume of the aforementioned petroleum contamination (to be relocated on-site) will be between only 50-100 cubic yards, but this quantity is speculative - wholly unsupported pending further investigation. It could be more than this amount. In addition, it is also not known whether there may be any underlying petroleum-impacted groundwater attributable to either, or both, of these former spills.

Despite the limited soil testing, there are already at least two (2) surficial soil areas outside of the soil platform contaminated with arsenic at levels above the applicable residential SCO standard of 16 mg/kg. And there are 36 acres of open space outside of the soil platform that will not be part of the 9-hole golf course included in the development. This land will presumably be owned and operated by an HOA. The DEIS does not indicate the type of use for this open space, further testing of it, or any soil protective measures proposed if it is to be considered for picnic area(s), and/or playground or dog park, etc. The applicability of the '16 mg/kg' arsenic guidance value is used as an action level for soil management since soil with arsenic levels greater than 16 mg/kg are considered potentially harmful to humans if excessive quantities are ingested (NYSDOH, *The Development of New York State Cleanup Objectives for Arsenic*). The supplemental soil sampling to be described in an Investigation Work Plan, yet to be prepared by the Applicant, should be designed to delineate all soil quality in excess of 16 mg/kg site-wide. This may best be accomplished by dividing all



of the property into at least an approximate 200-foot grid or smaller, with soil sampling within each grid collected at 0-6 inches, 6-12 inches, 12-18 inches, and 18-24 inch-depths.

The DEIS indicates that one of the three existing septic systems servicing the property will be tested (the one at the tennis pavilion). In addition, there are two (2) separated pad-mounted electrical transformers located on the south and north sides of the golf course. In addition to testing one of the three septic systems, surficial soils in proximity to both transformer pads should be tested for the possible presence of PCB isomers, particularly the higher-chlorinated pervasive isomers (i.e. 'Aroclor 1260'). Information as to whether surficial soil at either of these two transformer pad areas is either hazardous or non-hazardous (the possibility of residual leakage from older PCB-containing transformers) would be potentially important should these two transformer areas continue to be utilized to supply energy.

The lower-lying flood-prone flat areas across the southern part of the property may be indicative of those areas that had historically needed to be filled-in (formerly estuarine) to build the golf course back in the late 1920s. These tidal areas are where the surface of buried bedrock was geologically (glacially) eroded to relatively greater depths. The infilling of these wet areas with fill - that is now saturated with groundwater indicative of brackish (salty) conditions, has not been described. Although natural soils are mapped with descriptions as provided, there is no site-specific information describing where such artificial infilling occurred, nor are there any pertinent descriptions of the nature and extent of the artificial fill that was brought into the formerly agricultural property. The DEIS discussion of this historical infilling suggests that the fill was simply used for grading the surface and for contouring purposes, and nothing more. Consequently, the Applicant concluded that because this historical fill was used as a relatively thin veneer of cover to control topography, that it was, in general, deemed sufficient to test site soils only down to the 2' depth. Needless to say given the Proposed Action, a detailed description of the type, thickness, and nature of this historical infilling is now newly important, and should be investigated.

## **Ground Water**

Neither the elevation of the very shallow water table, direction of groundwater flow, nor the quality of uppermost groundwater is provided. However, the chemical products applied on golf courses for turf management degrade in soil and change in time to varying degrees, and their breakdown products (chemical derivatives) can be evaluated in terms of mobility and health implications. For example, the pesticide 4,4'-DDT weathers to 4,4'-DDT and 4,4'-DDE. Decades ago, even Arsenic, a metal, was historically applied to golf courses as an effective pesticide.

If some of the impacted soils on-site are saturated with groundwater, the groundwater may become degraded as well. Potential human exposure pathways may involve children playing in dry, damp, or wet soils and ingesting that same soil. No information



describing if there is any chemical mixing of impacted soils with shallow groundwater on-site is available at this time.

There are two (2) active bedrock water supply wells in the northern part of the property drilled to 350-foot depths each which have historically been utilized to supply irrigation water across the golf course. The Proposed Action indicates it will continue to utilize these two rock wells for irrigation purposes. The quality of the groundwater pumped from these wells has not been provided. The safe sustained yields that would characterize further use of these wells is also not provided, but may not be available. This pumped groundwater is discharged to irrigation pond(s) and/or a detention basin on the course which is then distributed across the course to irrigate the turf. That portion of water not taken up by evapotranspiration either runs off as storm water and/or percolates downward into the subsurface. It would be informative for the Applicant to provide further information about the condition and projected 'life' of these wells.

Hydrogeologically, driller's well logs may be available to evaluate the construction details of the wells, and the number, depth, and possibly the correlation and orientation of the saturated bedrock fractures intercepted by them. Pumped groundwater withdrawals from rock wells typically induce an elliptical cone of depression in the water table (or potentiometric surface) parallel to bedrock fracture orientation, and such information would help determine the seasonal extent of the underlying groundwater 'capture zone' beneath the golf course. Knowing the geographic area indicative of the extent of the horizontal groundwater 'reach' outward from this pumping center that could possibly be affected by the cut-&-fill activities up on the land surface above may become important. Some discussion may also be informative regarding whether the Applicant anticipates a change to the elevation of the water table if the seasonal irrigation well pumpage is either increased or reduced (Editor's note: typical 18-hole golf course irrigation water usage in Westchester averages as much as 6 million gallons per month during an 8-9 month golfing season).

Where the necessary excavations of buried bedrock occur at shallow depths in either fully-saturated or partially-saturated soils, the pooling of 'perched' groundwater at the buried soil/bedrock interface may be expected. This 'perched' fluid mixing with degraded reworked soils may also become degraded and will need to be managed. If dewatering activities help facilitate the efficiencies of cut-and-fill excavations to minimize wet soil conditions and soil density, a description of the dewatering procedures, and the protective measures to contain the runoff of fluids from newly-stockpiled or staged soil, may need to be addressed.

The installation of several small-diameter evenly-spaced monitoring wells drilled down to the buried soil/bedrock interface, and possibly deeper into the underlying fractured bedrock below (as needed), would provide the means to collect water level data needed to construct a useful water table or potentiometric surface contour map. In addition, monitoring wells could be utilized to collect groundwater quality data for those areas where impacted soil has been, or will be, identified.



Knowing the elevation of the water table, and its configuration, especially where the underlying buried bedrock is relatively shallow, allows the Developer to anticipate and better manage varied soil conditions and any drainage modifications due to the cut-and-fill work for the newly-raised soil platform. And should poorly-sorted saturated soils be subject to excavation, mechanical screening may be required. Such screening may generate cobbles and boulders likely to be found unusable for the soil platform. A description of how these particular mixed-in coarser earth materials will be re-used or managed would be informative. If spread in-place, some dynamic compaction may be required to stabilize the selected screened soils, particularly to stabilize slopes.

## **Bedrock**

There is an unknown quantity of rock removal to be expected. Significant bedrock outcrops are prominent and as such, an important site resource across the golf course and should be located and described. The relatively higher land areas within the 130-acre property represent harder erosion-resistant bedrock. The geotechnical test borings that were conducted were advanced to 'refusal'; but it is not evident whether 'refusal' represented buried bedrock, hard glacial till, gravel, clay, or simply a buried boulder. For example, only one bedrock core sample was used to characterize the geologic conditions across the entire golf course property which is hardly representative. At this singular location, the buried bedrock surface was described as a 'gneiss', but no information describes whether this same buried gneiss bedrock occurs across the entire property in a uniform fashion. This can be important in terms of ease of excavation. That is, whether that bedrock is fractured and faulted, and/or weathered, thus possibly subject to ripping, or if it is alternatively hardened and competent - necessitating the possibility of disruptive blasting.

Boring GZ-2 (located at the intersection of the relocated Eagle Knolls Rd & Hommocks Rd.) reportedly encountered bedrock at only 4' below land surface, and GZ-6 (located at proposed Lot #9) was even shallower with rock encountered at only 3' below land surface. According to the DEIS, the existing grade at this latter location will need to be lowered some 5-6', consequently several feet of bedrock removal may need to be ripped and/or blasted here. It is important that given the Proposed Action, the additional subsurface investigation across this property, in addition to describing further soil contamination, attempt to characterize the buried bedrock surface. Obviously, vibration monitoring may need to be considered should there be blasting planned in proximity to neighborhood homes or other existing buildings.

## **Soil Vapor**

Borehole logs indicate a natural buried peat layer evident across the eastern (and part of the central) portion of the site (SS-9, SS-13) and that some unknown amount and quality of fill may have been historically deposited directly over this buried peat (i.e., to bring up and stabilize 'made land'). The presence of buried peat on-site indicates that



there may be a potential for the generation of naturally-occurring methane gas. Any possible threat of methane gas to future occupants is unknown and should be considered. If found present, any natural migration of methane could result in the possible accumulation of it over time directly beneath the newly-placed cap within the reworked soil platform. Such a condition, could, in turn, provide a further threat of soil vapor intrusion into the newly-built homes.

Although waterproofing is included in the Applicant's home design, it may not be sufficiently mitigative to prevent methane soil vapor from intruding into any planned basement storage areas to pollute interior air quality inside the homes. Concern for methane intrusion into the new homes through utility chases and/or other floor penetrations would then warrant consideration of specific mitigative measures designed for that purpose and/or as deemed prudent in a given situation. For example, if found suspect, the requirement for indoor air testing for methane during the heating season prior to occupancy, would ensure occupant safety, and if detected, the need for additional engineering controls.

### **Cut & Fill**

*".. All soil imported to the site will be from confirmed clean sources that will be used to construct the development platform. All imported soil will be in compliance with (NYSDECs) Residential Soil Cleanup Objectives (SCOs)."*

To assess soil and groundwater impacts from the significant cut-&-fill operations, the DEIS indicates that NYSDEC will become involved to stipulate information needs and acceptability of further investigation results and mitigation measures, as needed. For example, in a regulated scenario under NYSDEC's DER-10, the Applicant would presumably identify the tentative quarry source(s) of clean soil/aggregate to be transported into the site. This will be a considerably large volume of soil and it's doubtful that so much 'clean fill' will originate from one singular source. The tentative location(s) of the quarry(s) sourcing the clean fill should be provided in the DEIS so that transport logistics are better understood. Typically, the quality of the imported fill is tested and inspected twice: once at the source as well as inspected upon its trucked arrival when dumped on-site. DER-10 specifies the minimum number of soil samples needed to qualify a clean fill source as acceptable (i.e. at least seven (7) discrete samples analyzed for volatile organic compounds (VOCs), and two (2) composite samples analyzed for semi-volatile organic compounds (SVOCs), inorganics, and PCBs/Pesticides in the first 1,000 cubic yards brought onto the property - with the remaining volume tested at a frequency of 2 VOCs and one composite sample for every additional 1,000 cubic yards (ref. NYSDEC DER-10, May 2010, Table 5.4e; p 159). The scope of fill testing may be subject to negotiation but how this will be accomplished post-SEQRA is not provided.



The DEIS also states:

*"..for each soil source, soil sampling results for contaminate levels and requested engineering properties will be required for review and approval by the Village prior to import to the site".*

Again, how this will be accomplished, or funded, is not provided. The Developer's geotechnical engineer will determine fill suitability, but from a practical perspective, this person is neither a NYSDEC nor Village representative and may not always be suitably available, as-needed, to track and validate the integrity of the transported source materials over the course of the several months of infilling – particularly if needed to do so daily perhaps in congested fashion as numerous trucks arrive subject to inspection before dumping.

It will be important to have the acceptable clean fill inspection protocol spelled-out, and it is suggested that part of this protocol include the provision for the Village to hire an independent third party expert charged with performance of this responsibility – funded by the Applicant. This expert would be expected to work in cooperation with the Village Engineer to ensure that compliance with the approved Soil Management Plan is adhered to as described.

In addition to the importation of clean fill from off-site sources, it is intended that over 200,000 cubic yards of fill (217,490) may be cut from specific areas of the site to grade the slopes of the raised soil platform. Information describing how this cut fill, once relocated, will suitably grade these slopes or how the newly-excavated areas subject to fill removal will be properly restored back to grade, and with what earth materials, remains incomplete. The DEIS should include a discussion, and general sketch(s), of the planned areas of disturbance affecting natural site features, and identify best management practices to be employed to mitigate the potential for possible deleterious impact(s) caused by the staging and moving of such a large volume of earth materials.

There may be a serious risk of ingestion of airborne contaminants from impacted dust particulate generated during these soil staging activities – especially relative to the voluminous truck trafficking stirring up dust. The close proximity of the Hommocks Middle School, its HVAC air intake system, the open air playground used by thousands of young students and Community club members during the year, as well as the nearby homes, all present potential human health exposure pathways that warrant preparation of a health-based risk assessment and an air monitoring program subject to review.

Soil testing to date indicates there may be a considerable volume of relocated soil impacted by historical golf course-related contaminants. The Applicant proposes to cover the relocated impacted soil with a blanket cover system of clean fill that is only 2 feet thick to serve as a buffer or protective cover. Such a cover system this thin should typically include emplacement of a demarcation barrier separating the clean topsoil and surficial fill from the underlying impacted fill. An example of such a barrier could be simple orange snowfencing. As part of any "Remedial Action Work Plan" stated to be



prepared by the Applicant for the Proposed Action, it is strongly recommended that the Applicant be required to install such a buried demarcation barrier(s). Because the contaminated soil is to be covered with at least 2' of clean soil in areas of the soil platform not improved with any impervious 'cap' (i.e. streets, driveways, building footprints, etc.), it will be important for lay people to recognize if/when the degraded soil is accidentally encountered by manual digging or excavation activities. This can be achieved with emplacement of an easily-visible buried demarcation barrier – say, for example, orange snow fencing to serve that specific purpose.

A cover system and a demarcation barrier is an engineering control which must be maintained and periodically inspected to ensure that it remains protective of human health. Such inspection and maintenance requirements would be set forth in a Site Management Plan (SMP). It is recommended that such an SMP be required. The SMP would also include an Excavation Plan to describe the procedures and protocols needed to control or 'regulate' any future penetrations through the cover system. Such penetrations may range from the installation and/or maintenance of underground utilities to specific tree plantings with root balls requiring excavations in excess of 2' deep.

Finally, it is recommended that an Institutional Control be put in place to ensure that any engineering controls outlined in the Proposed Action - such as the cap, clean soil cover, and suggested demarcation barrier - all remain properly maintained to avoid future contact with the relocated contaminated soil. Such an Institutional Control would consist of enforcement of the approved Site Management Plan as a living document, in perpetuity, presumably through application of a Deed Restriction.

-oOo-



**STATEMENT OF CHRISTINE A. FAZIO  
ON BEHALF OF  
MAMARONECK COASTAL ENVIRONMENT COALITION  
TO THE  
VILLAGE OF MAMARONECK PLANNING BOARD**

**FEBRUARY 14, 2018**

Good evening, I am Christine Fazio of Carter Ledyard & Milburn and I will address specifically the environmental review contained in the DEIS related to potential noise and air quality impacts. My statement will be brief because there is essentially no analysis contained in the DEIS on potential noise and air quality impacts during construction of the proposed project to actually comment on. In fact, DEIS page 3R-4 states: "The contractor shall prepare a noise control plan to identify the potential for impact according to the specific construction equipment and usage that is expected. The noise control plan will quantify the potential for impact and indicate what type of noise measures are required." However, SEQRA requires that the lead agency conduct the required analyses as part of the environmental review and prior to making SEQRA findings, not after the fact after the developer has hired a contractor. Case law in New York requires strict compliance by lead agencies with SEQRA.

Overall, DEIS Section R on Noise provides only a very cursory discussion of potential noise impacts during construction. The discussion states that construction activities would occur between the hours of 8:00 am and 6:00 pm Monday through Saturday as required by the Village Noise Code, but no other qualitative or quantitative discussion of the potential noise impacts are provided. Given that project construction would involve approximately 180 to 280 truck trips per day over an approximate one-year period (with ongoing construction of the full project stated as unknown in the DEIS but expected to occur over at least a five-year period), a quantitative noise study needs to be conducted in order for the Village to meet the hard look requirements of SEQRA. First, ambient noise monitoring to determine the existing noise levels in decibels during the morning, afternoon, and evening hours must be performed over a several day period at the various sensitive receptor locations, including next to a number of residents and Hommocks Middle School. Based on the type of construction equipment and construction activities to occur on the project site, and the number and types of truck traffic entering and leaving the project site, the noise analysis must examine the potential increase in noise levels during the construction period. The lead agency would then need to determine what should be construed as a significant impact; for instance, it is very common for agencies to identify an increase in five decibels above background levels as a significant adverse noise impact. New York City uses three decibels as the significance threshold.

The Air Quality section provided in DEIS Section S is also inadequate as it applies to emissions during construction. The discussion seemingly just concludes that, due to a short construction period, no significant adverse air quality impacts are expected. However, as mentioned this evening, the number of diesel truck trips is estimated to be about 180 to 280 per day over about a one-year peak construction period during the filling operations, well over the 48 truck trips per day stated in the DEIS. And full project construction is likely to last over five years. Accordingly, air quality dispersion modeling of pollutants, including at a minimum carbon monoxide and particulates, using EPA-approved models, is essential in order for the Village to

have taken the requisite hard look at construction-related air quality impacts as required under SEQRA.

The public health concern related to increased truck traffic is from diesel exhaust, also referred to as diesel particulate matter, which is composed of black carbon and numerous organic compounds including over 40 known cancer-causing substances. Diesel particulate matter is a subset of particulate matter sized 2.5 microns in diameter or smaller and thus is inhaled into the lungs where the pollutants can then deposit on the lung surface. Numerous scientific studies have shown that diesel particulate matter results in increased cancer-related, cardio and respiratory illnesses and deaths.

In sum, given the number of diesel truck trips expected for construction of the proposed project, and the long construction period for the full build-out, the Village needs to require a new DEIS that includes a quantitative analysis of the potential construction-related noise and air quality impacts that is then subject to a new public review period.



**STATEMENT OF KAREN E. MEARA  
ON BEHALF OF  
MAMARONECK COASTAL ENVIRONMENT COALITION  
TO THE  
VILLAGE OF MAMARONECK PLANNING BOARD**

**FEBRUARY 14, 2018**

Violations of Law & Density

- The Applicant's proposal to build 105 homes, rather than a much smaller number, violates state and local law
- A municipality's Zoning power is not inherent – Article 7 of NYS Village Law delegates authority to villages, primarily the Board of Trustees, to regulate local land use.
- State Village Law Section 7-738(2)(a) provides that a village BOT may, by local law, and for the purpose of preserving open space, delegate to the Planning Board the right to cluster development, but only under certain conditions.
- Most relevant here, is a condition limiting density. Village Law 7-738(3)(b) provides that

A cluster development shall result in a permitted number of building lots or dwelling units which shall in no case exceed the number which could be permitted, in the planning board's judgment, if the land were subdivided into lots conforming to the minimum lot size and density requirements of the zoning local law applicable to the district or districts in which such land is situated and conforming to all other applicable requirements.

- In other words, you can't increase density. You can only move things around
- And how do you determine how many dwelling units could be permitted? Courts have repeatedly held that density is determined by laying out a conventional plat that complies with the underlying zoning district – here R-20 – and all local laws
- On this site, what would a conventional plat conforming to all laws look like?

- we asked Lisa Liquori and her planning colleagues at Dodson and Flinker to help us answer that question for a number of different development platforms under the current zoning, R-20.
- Also, since, as Lisa noted, the Comprehensive Plan calls for this site to be downzoned to R-30, we asked the planners to prepare plats under R-30 for each scenario.
- First, we asked them to set aside - for a moment- the flood storage capacity issue, and show us what a conventional plat would look like on the residential portion of the site.
- We note that, because the applicant never delineated the boundaries separating the Club's reconfigured golf course from the proposed residential uses, we made reasonable estimates for the boundaries, based on the Applicant's own renderings of residential versus country club features (See DEIS Figure 2-16).
- Under the first scenario (setting aside the no-fill rule), for the R-20, we estimate that the residential portion of the project could accommodate 77 units (being generous), not 105 as claimed by the Applicant. See Exhibit 1.
- For the same scenario with R-30 zoning, the planners were able to plat 54 units. See Exhibit 2
- In other words, even setting aside the fill and flood storage issue, the site yields far less under current zoning (28 fewer units) than the Proposed 105 units and half as many under the R-30 zoning recommended in the Comprehensive Plan. This, however, would displace an enormous amount of flood storage capacity in direct violation of the Village Code
- We then asked Lisa and her colleagues to look at the "No Fill" Alternative – Alternative F, which, as Neil Porto of TY Lin explained, still requires net fill of 22,000 CY, almost all of which would be used to displace flood storage capacity – and use that as the development platform to determine density based on a conventional subdivision plat.
- With R-20 zoning, the Alternative F plat yielded 45 units. See Exhibit 3.



- With R-30 zoning, the Alternative F plat yielded 32 units. See Exhibit 4.
  - Finally, we asked the planners to produce a plat that actually complies with the Village prohibition on filling in the floodplain without compensating for the lost hydrological storage capacity.
  - Here's what they came up with. A fully compliant conventional plat under current zoning and all applicable laws produces 21 units, not the 105 units shown by the Applicant in its Alternative F (R30 yielded the same number). See Exhibit 5.
- In sum, the proposed Project density -- rather than representing a generous concession as the Applicant implies throughout the DEIS -- is much higher than permitted under applicable law by a factor of 5 and much higher than would be appropriate on this very unusual and challenged site.
  - In addition to the state cap on density for cluster subdivisions, and as Lisa mentioned earlier, the PRD provisions provide the Planning Board with substantial discretion to reduce density where ecological, traffic or other planning considerations warrant it. And they could not be more warranted here.
  - We urge you to require the Applicant to prepare a conventional yield map that complies with all applicable laws so that you will have the tools you need to assess the Applicant's density claims and, in turn, the potential impacts of this project.

# **EXHIBIT 1**





Hampshire Country Club  
Existing Conditions  
Mamaroneck, NY

**BUILDOUT R-20**

--- Total Area = 50 Acres  
~77 Units

## **EXHIBIT 2**





Hampshire Country Club  
Existing Conditions  
Mamaroneck, NY

**BUILDOUT R-30**

--- Total Area = 50 Acres  
--- ~54 Units

# **EXHIBIT 3**





**BUILDOUT R-20**

Total Area = 28 Acres

~45 Units

# **EXHIBIT 4**





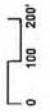
Hampshire Country Club  
Existing Conditions  
Mamaroneck, NY



### BUILDOUT R-30

Total Area = 28 Acres

--- ~32 Units



# **EXHIBIT 5**





**BUILDOUT R-20**  
**ABOVE EXISTING FLOODPLAIN**  
--- Area Above Floodplain  
~21 Units



**Statement of Celia Felsher, President  
Mamaroneck Coastal Environment Coalition  
to the  
Planning Board of the Village of Mamaroneck**

**February 14, 2018**

**I. Flooding**

- A. We all know the golf course has flooded several times over the last 25 years – being totally inundated as a result of storm surges in the 1992 Nor’easter, in 1993 and again in Hurricane Sandy. See Exhibit A. In addition, the intersection of EKR and Hommocks Rd and a portion of Cove Road near Orienta Avenue, two of the suggested access routes to the development, were both flooded and impassable during Sandy and the 1992 storm. In fact it was because of the flooded EKR/Hommocks intersection that a resident of Orienta drowned in the 1992 storm – he couldn’t get through that intersection and had to turn around to try to get back around the Club – which is when his car was washed over in the storm surge). There is already risk to residents of the area (both risks to property and to personal safety). It would be irresponsible to exacerbate those risks by adding a large number of residents in an area that could be difficult to access during an emergency. Who will take responsibility for the consequences?
- B. The surging water came in from Delancey Cove (both coming over Hommocks Road and EKR, and also flooding the intersection of EKR and Hommocks Road); and from behind Cove Road.

To “fix” the flooding problem, the developers propose to raise EKR at the place where the surge entered the golf course across Hommocks Road. While it would prevent flood waters from entering the housing development, it does nothing to address existing access issues in a flood emergency. There was only one effective route out of Orienta during Sandy – which was along Old Post Road. Since egress through Eagle Knolls Road and Cove Road would be cut off, the one route proposed to serve as the only route out for the new development in a flood event via Cooper Avenue. See Exhibit A. However, like EKR and Cove, this area has flooded in each of the prior flood events, and, according to our analysis and the developer’s own proposed Preliminary flood map (Exhibit 3C-4 in the DEIS), parts of Cooper Avenue (existing and proposed) would be underwater in the 100 year flood. So its use in a flood event will only be possible by raising it, and by widening all or a portion of the existing Cooper Avenue.



However, Cooper Avenue is private. Therefore, the proposed widening and conversion from a cul de sac to a through street is not legally possible without the consent of the adjacent homeowners, who would be asked to give up a portion of their properties in order to permit a large volume of daily traffic, including cars and delivery trucks, past their homes and over portions of what is now their front lawns. In addition, if the road is raised as well as widened, driveway grades along the street might also have to be adjusted. Finally, even if permission is granted for this work, the entire community would be depending on the structural integrity of an artificially raised road for safe ingress and egress. So, if permission of Cooper Ave residents is not granted, or if it is but the raised road would fail, there would be **NO** means of egress/ingress for the development during a flood event.

## II. Summing up:

- A. The entire premise of the need for the development is false. The successful operation of an 18-hole club is viable. The Planning Board and community should also understand the argument itself is disingenuous. The club was purchased with the intent to develop the property – and build the condos. With distressed RE money behind it, it was never intended to continue solely as a local golf course and open space. And members of the Club and residents shouldn't be fooled by the proposition that the 18-hole golf course will continue if the condos are built. The golf course would be owned, not by the condominium entity, but rather by a shell entity. Once the developers take their profits out, they would have no interest in maintaining the course. If the club were to fail, we would all be left with a large tract of land with no custodian and no golf course.

As noted earlier, a group is interested in acquiring the club for its \$5 MM value as a country club with an 18-hole golf course – putting its faith in viability. They would agree to have the club rezoned as open/recreation space (which was the preferred alternative provided in the current Comprehensive Plan) so it could never be developed. This would ensure continued stewardship of the valuable community open space.

- B. The Proposed Project is not legally permissible.

- 1. It is not consistent with the Comprehensive Plan or LWRP
- 2. The calculated density is wrong and not in compliance with law. It also is completely at odds with the purpose of the statute.



3. The Village statute authorizing the PRD states that it is “for the purpose of promoting environmental protection, open space preservation; [and] . . . encouraging the most appropriate use of land; increasing recreational opportunities . . .” It would be antithetical to this purpose to allow a developer to build a greater number of units than would otherwise be possible absent the application of the cluster provisions – thereby leading to LESS open space and greater impacts on the community than would occur without reliance on the cluster. That would be a ludicrous outcome. Therefore, the first question should be what could actually be built – legally and feasibly – with a true as of right project - not merely taking the number of available acres and dividing it by the permitted lots per acre. That analysis was not done.

As noted earlier, the development of the full 98 acres in the Village would be close to impossible given the topography, legal restrictions and infrastructure needs. Therefore, development can only be achieved by clustering homes to reduce otherwise impossible construction issues. They have not offered clustered development to be good to the community. If a full development of the golf course was feasible and would be profitable that is what they would be here today proposing. If the number of homes that could truly be built on the property in an as of right development is 21 (as in indicated earlier), then the cluster should be permitted only for 21 units

4. Neither the changed use for three private roads (Cove, EKR and Cooper) nor the construction proposed for Cooper Avenue is permitted, and the Village has no legal right to authorize these actions for the benefit of a private developer.
  5. The massive amount of required fill is legally prohibited under the floodplain hydraulic equivalency law.
- C. The DEIS does not adequately address many issues, and therefore it is not possible to make the environmental determinations you are required to make to determine feasibility.
1. Impacts on the school are misleading and drastically incomplete.
  2. Soil testing was woefully insufficient, and the testing that was done clearly calls for more testing to be done – not just where homes will be built but everywhere that earth will be disturbed. This is such a serious issue that adequate testing of



the golf course, and the groundwater and pond water, MUST be done, and an analysis of possible health impacts of the disturbance of hundreds of thousands of cubic yards of earth – on both residents and school children who attend Hommocks and use the playing fields next to the golf course - must be appropriately analyzed and reported.

3. Detailed quantitative analyses of construction period traffic, air quality and noise are missing from the DEIS and must be provided to you and the public.
  4. Plans for adequate ingress and egress need to be identified given the flooding and ownership problems with the access roads they now propose.
  5. The impacts and risks associated with the significant additional amounts of fill have been shown to be necessary need to be adequately addressed.
- D. The real reason for the proposed cluster development is money. We all know the preferred plan for the developers is the condo project. It was what they envisioned when they bought the property and the value they paid in excess of the \$5 MM club value was for an option, betting on their ability to get the rezoning and condo development through – they paid about \$7 MM for that option in the hope that the rezoning would net them (after returning their capital investment and all development costs) profit of about \$55 or \$60 MM – a great return. As in any distressed situation, there's a risk involved – some deals pan out and some don't. It's not your job to ensure that this particular investment pans out .

The condo project is much more profitable than the proposed cluster development. They were denied the rezoning and forced to submit a plan to the PB – but did so with the ultimate objective of the condo development. They have engaged in a huge PR campaign saying it is “one or the other”. That is not true – this is a false choice and one not appropriate for the PB to get drawn into. This is all about money. The capital behind the project is from Westport Capital, a distressed real estate private equity firm operating out of Westport. That fund is capitalized by large institutional investor money and the only objective of any of the principals or investors is a good return. They don't care about our community and have no interest in what happens here other than to make a killing on a distressed real estate investment.

The PB should and must first analyze this proposed project and determine what its response is to this proposal – and that ONLY AFTER all appropriate information is



included in the EIS to allow a responsible determination to be made – which the developer has failed to do. The PRD cluster is not as of right – the PB must determine it is necessary in order to provide the benefits outlined in the statute. That case has not been made.

However, since so much time has been spent by the developers on the virtues of the luxury condo development, I would like to comment on that. The condo development is NOT a reasonable alternative. It is NOT in the best interests of the community – it IS, and is only, in the best interest of the developers.

1. Would be drastically out of character with the surrounding community – with a massive 5 story, 300,000 + square foot, 125 unit luxury condo complex with a 300 car underground parking garage and other amenities - in an otherwise residential area.
2. Would require rezoning. Our current zoning laws are in place for reason. They articulate community character. For example, you wouldn't allow a gas station or CVS to be built in the middle of Prospect Avenue. The vast majority of the club is zoned R-20 – for single family residential housing. As noted in the CP, this was a holding zone for all open space – including parks. The CP explicitly states that its preferred alternative for Hampshire would be to have it rezoned as required open space.

The remainder of the club, which is where the clubhouse is, is part of the MR zone – a special zone that was designed to grandfather and permit a long ago developed recreational club use in an otherwise residential zone. This is similar to the MC zone used to grandfather and permit the water related commercial uses (such as boat yards) of our waterfront property. These zones were designed to ensure that neither general commercial development nor high rise housing would destroy our waterfront and other areas of precious open space. Any rezoning of the MR or MC zones would risk the rezoning of the other MR and MC area and lead to high-rise condo developments all along our wonderful harbor.

3. The condo development would have adverse impacts on traffic and congestion, carry with it the same risks of flooding and lack of adequate egress/ingress and lack of rights to use private roads - and would also impact our already overcrowded schools (either by school age children living in the units or because



of the increased speed with which existing single family homes will be turning over).

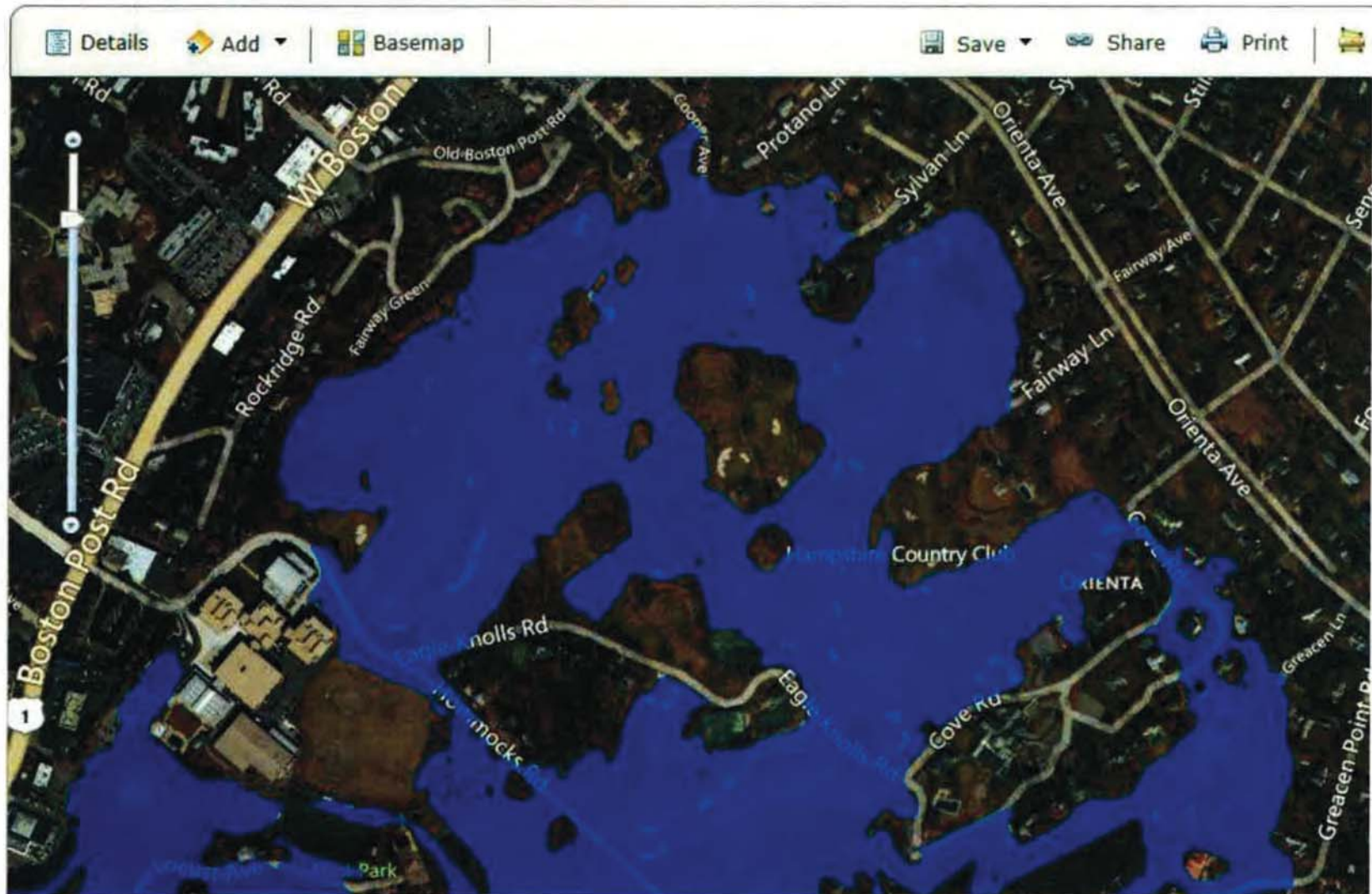
4. If there is a need for condo units for empty nesters, that should be developed as needed – but where that type of development has already been deemed appropriate and would be consistent with our zoning laws. The MR zone is not where that large-scale development should begin.

# **EXHIBIT A**





## Hurricane Sandy Storm Tide mapper - Hampshire Country Club





**Betty-Ann Sherer**

---

**From:** Abby Roberts <abbyroberts46@gmail.com>  
**Sent:** Thursday, March 29, 2018 9:31 PM  
**To:** Betty-Ann Sherer  
**Cc:** Mayor and Board; Elena Decunzo; Sally Roberts; Nora Lucas; Shannon Purdy; Brian Kerr; Myron Tannenbaum; David Salko; Daniel Sarnoff  
**Subject:** Traffic Commission recommendations to the Planning Board re: the Draft Environmental Impact Statement ("DEIS") for the Hampshire Country Club Planned Residential Development

Hi Betty-Ann,

The Traffic Commission held a special meeting tonight to discuss the Hampshire DEIS. Elena took minutes, but given the timing issues of the April 11 hearing I wanted to pass on our recommendations to the Planning Board as soon as possible.

**Traffic Commission Recommendations to the Planning Board:**

1. **Comprehensive Plan Update.** We recommend that any development of this size and scope be considered in conjunction with the Comprehensive Plan Update plus new chapter on sustainability and mobility that's in progress, particularly considering the Village of Mamaroneck's goal and prioritization of more complete streets, walkability and bicycling.
2. **Old Post Road Sidewalk.** We recommend that since the plan shows Cooper Avenue as being an egress and ingress to the development, resulting in more traffic on Old Post Road, that to protect the pedestrians and bicyclists on Old Post Road a sidewalk from 1015 Old Post Road to Boston Post Road be installed and better protection for the pedestrian and bicycle lane that is perpendicular to Cooper Avenue be provided.
3. **Hommocks school safety.** We recommend that Hampshire provide more data on the volume, noise and safety of large truck and construction vehicle traffic driving down Hommocks' Road by the middle school during the school day.
4. **Hommocks Construction Truck hours.** We recommend that Hampshire revisit the hours it proposes to drive construction trucks down Hommocks' Road by the middle school, given the hours proposed are during prime school travel hours and the middle school students are unattended.
5. **Traffic data review.** We recommend the traffic data sets be revisited during greater time, school and seasonal windows, when the data may be greater than currently reflected in the report which looks at one-hour windows during March, which is not prime walking / biking time for residents.
6. **Old Post / Boston Post Intersection Traffic.** We recommend that Hampshire provide a solution to the increase of traffic at the intersection of Old Post and Boston Post road during the 7:30-8:00am timeframe, and inability of the traffic to clear the traffic light as a result of additional traffic from using Cooper Avenue as an egress / ingress by the Development.
7. **Sight Lines / Cooper turn on blind curve.** We recommend Hampshire revisit the sight lines and trees analysis in the context of increased collisions. For example, even if Hampshire cuts back the



bushes to the right side of Cooper onto Old Post Road as proposed, the curvature to the right is still blind and could increase traffic collisions.

8. **Emergency vehicle road access.** We recommend Hampshire explain how they would enforce and widen privately-held streets for sufficient emergency access and egress and ingress, and without resident agreement. For example, we believe Cooper would have to be widened for emergency vehicle specified use.

9. **Private Road Cost to Village.** We recommend the planning board take into consideration that private streets historically have caused access, safety and traffic issues that have resulted in unexpected costs and other burdens to the Village and surrounding communities.

10. **Event Parking.** We recommend Hampshire provide a more specific analysis of expected resident and non-resident event parking following the planned decrease in golf course size and renewed focus on events as a source of income.

**Planning Board Letter**

To the Planning Board:

My husband and I have lived at 940 Sylvan Lane for the past 14 years. We back Hampshire Country Club's 2 ponds near the 4<sup>th</sup> and 5<sup>th</sup> holes. Previously we resided in Larchmont for 34 years. Our 3 children attended Mamaroneck schools.

We chose our present home because it is in a community we love and where we would be able to enjoy the open space and habitat. It is hard to imagine 105 homes on the golf course. We have photos of the Hampshire property directly behind us flooding whenever there is a significant amount of rain. During Hurricane "Sandy", the water from the Sound came over the club and flooded our neighborhood.

At prime hours, it is difficult to travel in and out of Orienta or to turn into the community from the Boston Post Road. How can this peninsula cater to additional traffic?

People move to Mamaroneck for the superb schools. Our system is now overcrowded. More students exacerbate the problem.

Directly behind our property, there are dead trees and debris that have been left unattended for years. The owners of the club claim that they will maintain an upscale facility, however, they are presently neglecting the present one. The Hampshire management is not interested in the community, but in their personal financial gain and will most probably leave the property.

We urge you to reject the Club's request for building 105 homes on one of the most important and beautiful open spaces in this area.

Thank you for your interest and service.

Gloria and Arthur Goldstein  
940 Sylvan Lane  
914-777-0009, gloagol@aol.com



**Betty-Ann Sherer**

---

**From:** [REDACTED]  
**Sent:** Monday, April 02, 2018 11:19 AM  
**To:** Betty-Ann Sherer  
**Subject:** Opposition to Hampshire Development

**\*\*Please do not publicly publish my name and contact details\*\***

Planning Board Members,

I am writing to **strongly oppose** the development of Hampshire. This proposition is not in the best interest of current homeowners, the safety and education of the children attending MUFSD, and the environment we all live in.

Our school system simply cannot support the current growth of the community. We have spent the past several months discussing the space in our schools and potential short-term and long-term solutions to continue to offer a strong education experience with dedicated teachers and small class sizes. It would be completely irresponsible to continue to place a huge burden on our schools and risk watering down the education due to **completely preventable** overcrowding. For this issue and other VOM developments, you cannot ignore one of the primary reasons that people move here.

VOM is a walking community. This adds considerable traffic to Orienta and Boston Post Road, which already experience significant congestion during peak times. Old Post Road is the "walking bus" route for Central School and is also used by students of other schools and campers. It's already a concern with existing traffic, speeding cars, street parking, blind curves and no real sidewalk. Adding more cars and/or construction vehicles would be inviting danger for children who have no other way to get to their destinations.

Cooper Avenue is a private road. I'm unsure of how there are plans to expand this road or use it for anything beyond its current use when residents are opposed to this development.

The meeting on February 14 provided ample research and data against the development of Hampshire, especially environmental factors for families living in the area during the construction. These issues could be incredibly harmful and threaten the health of the people and wildlife.

A marketing website and a social media push isn't enough to counteract the facts. I've read through the emails in support of the development and they simply copy and paste the Hampshire development points. Living in this community, one can easily see that the argument for this development is riddled with inaccuracies.

I absolutely cannot support the development when it compromises the very reasons that people move to this community. Please act in the best interest of the VOM residents.

Sincerely,  
[REDACTED]

**Betty-Ann Sherer**

---

**From:** Carol Greenhaus <carolgreenhaus@gmail.com>  
**Sent:** Thursday, March 29, 2018 10:53 AM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

My husband and I very opposed to the plan under consideration for the Hampshire Club property. The effects engendered by it concerning the environment, over crowding schools and traffic are more than enough reasons to turn the proposal down.  
Further more, having people who belong to the club but don't live in the area should have no say in the matter. Carol and Edwin Greenhaus



**JOEL NEGRIN**  
1865 Palmer Avenue, Ste. 108  
Larchmont, NY 10538

RECEIVED

APR 3 2018

BUILDING DEPT.

April 1, 2018

Chairman John Verni and Members of the Planning Board  
c/o Village of Mamaroneck Planning Department  
169 Mt Pleasant Ave (3rd Floor)  
Mamaroneck, NY 10543

Dear Chairman Verni and Members of the Board:

I have lived and worked in the Village of Mamaroneck (1100 Cove Road), the Town of Mamaroneck (15 Gate House Lane & 711 Weaver Street) and the Village of Larchmont for more than 41 years, including service on their respective land use boards, as well as representing owners before such boards.

I have no objection to the sensible development of the property of the Hampshire Country Club. However, I share many of the concerns of other Orienta neighbors.

#### Water

Fresh Water. The frequent fresh water flooding events have not been sufficiently addressed by the Developer. I am certain that you have seen the photographs of this property after routinely heavy rains – a series of small islands in a large lake.

Salt Water. There are massive salt water issues, which have not been sufficiently addressed. Barriers on this property are likely to fail during a major storm. Even worse, such barriers will deflect increased salt water flows to the other properties on the Cove.

Combined water events. The greatest risk is a combined fresh water and salt water event. All indications are that these events will become more frequent and more severe in the coming years. New Orleans, Houston and many other examples have painfully demonstrated the folly of building in flood plains, based on the kinds of data the Developer's experts have presented.

#### Traffic

Access and egress. The roads currently used by the Club, upon which the Developer is relying, are not sufficient to support the proposed traffic. Nor has the Developer

April 1, 2018

Chairman John Verni and Members of the Planning Board

demonstrated that it has the legal easements necessary to use any of the adjacent roads. Easements for these roads have been “grandfathered” for a private club, not for residences. Further, they will not be entitled to an “easement of necessity,” upon which landlocked parcels often rely, as this will be a self-created hardship.

Traffic studies. Studies performed by the developer several years ago indicated that the Post Road intersections of Hommocks Road and Orienta Avenue were already at capacity, and in deficit at peak times. This situation has worsened in the years since that time, due to the use of Cove Road as a “cut-off” to avoid the busy Post Road at peak times.

#### Open Space and Aesthetics

This issue is admittedly highly subjective and qualitative, rather than quantitative. However, open space is at a premium in the Village, in this general area, and throughout southern Westchester. The loss of this greenery to the environment should be considered, as well as the visual effects on the neighborhood. I understand these considerations should not bar “matter of right” development, but they should be an important consideration in granting permissive planning approval of this development.

#### Future “Orphan Property”

Clubhouse and other facilities in the Marine Recreation Zone. Of particular concern is the future of the remaining Club property, including the Clubhouse and other facilities which are in the Marine Recreation Zone. It is unlikely that this property will be viable as a private club, after there is no golf course, with very limited (if any) waterfront access, no visibility from the Post Road and limited traffic access. Thus, this is likely to become an “orphan property.” If and when this orphan property fails as a private club, the owner (either the Developer or a subsequent owner) will be pleading before the Village authorities for relief from the limitations of the Marine Recreation Zone, i.e., a further development request. This application will argue, persuasively, the absence of economic/commercial viability.

This concern is not a long term fantasy. The Developer has already asserted, in its tax reduction appeal, that the value of the entire Club property is a fraction of its own purchase price. Without the golf course, it will be a simple exercise for the owner to assert and demonstrate that the modern and expensive Clubhouse and other facilities, as



April 1, 2018

Chairman John Verni and Members of the Planning Board

zoned Marine Recreation, will have little or no value. A new owner will not have to overcome the burden of a "self-created" hardship.

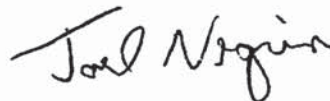
After careful study, the Village Board of Trustees designated this area a Marine Recreation Zone, in order to protect it as a recreational resource. This Board should not take any action that, ironically, would enable a future owner of the orphan property to develop it for residential use - the use that the Marine Zone was intended to preclude! Worse, it is possible that an even more intense use might be created.

By cutting the Marine Recreation Zone area adrift from a viable golf club, will the Board be paving the way for single family homes? a town house cluster? an apartment house? a commercial catering facility? a restaurant?

#### School Overcrowding

As we all know, our local public schools are now wrestling with serious and worsening overcrowding conditions. Obviously, the proposed development will produce more students (I leave the calculation of the numbers to others). As the Developer has asserted such a low value in its tax appeal, perhaps it will consider donating the acreage adjacent to Hommocks Road to the community for additional school facilities?

Very truly yours,

A handwritten signature in black ink, appearing to read "Joel Negrin". The signature is fluid and cursive, with the first name "Joel" and last name "Negrin" clearly distinguishable.

Joel Negrin

cc: Thomas A. Murphy, Mayor  
Victor Tafur, Deputy Mayor  
Gregory Cutler, Village Planner  
Betty-Ann Sherer, Land Use Coordinator

## Betty-Ann Sherer

---

**From:** Randi Spatz <randispatz@hkmp.com>  
**Sent:** Tuesday, April 03, 2018 7:31 AM  
**To:** Betty-Ann Sherer; Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt  
**Subject:** Concerns over Hampshire Country Club Development Plan

To the Planning Board and the Board of Trustees –

As a resident of Orienta and an active member in our community at large, I have several issues with the proposed Hampshire Country Club developmental plan.

- Added pressure on our schools.
  - Our schools are becoming overcrowded. This has been a major issue currently facing the community. This massive development (105 homes) will exacerbate the situation. As Dr. Shapps discussed in his comments to the PB, the numbers presented in the Draft EIS was misleading (and disingenuous). The probable number of students will be close to double what was presented.
- Impact on Hommocks School (and playing fields behind the Hommocks School); Contamination
  - The Draft EIS projects a buildout period of 5 years. During that period there will significant construction traffic – all directed right around the Hommocks School, and the already overtaxed intersection at Weaver and BPR. There will be thousands of large construction trucks with massive amounts of fill being delivered. There will also be movement of large construction equipment and large numbers of construction workers – all going through that intersection and around the Hommocks School. All of these vehicles, many of which will have to be idling as lines of trucks wait to proceed, will create heavy vehicle exhaust pollution and noise and distraction (and impact the quality of the roads) around the School. None of these impacts is evaluated in the DEIS. Those trucks will create pollution and noise distraction. There also will need to be blasting to obtain the internally generated fill. This blasting will create noise and have we need to understand its possible impact on the school and neighboring home structural integrity
  - The limited testing on the site shows dangerous levels of arsenic and lead contamination. The project calls for massive amounts of earth moving on the property – with hundreds of thousands of cubic yards of fill being cut and dug from some areas to be moved to other areas. As the earth is moved, these dangerous pollutants will be released and possibly endanger neighbors as well as students and teachers who attend the Hommocks School, and kids who use the playing fields behind the Hommocks School. Think about what might happen if we have a bad storm (such as the one on March 2<sup>nd</sup>) with high winds as huge piles of earth are sitting exposed to the elements? From Wikipedia: If arsenic poisoning occurs over a brief period of time symptoms may include vomiting, abdominal pain, encephalopathy, and watery diarrhea that contains blood.<sup>[1]</sup> Long-term exposure can result in thickening of the skin, darker skin, abdominal pain, diarrhea, heart disease, numbness, and cancer
- Pressure on Playing Fields



- The community is already tight on available playing fields. The true number of expected children (which is even larger than the number expected to attend our schools (because those numbers don't include students expected to attend private school)) will add to the pressures on field use. The Draft EIS didn't discuss these issues honestly.
- Overdevelopment, traffic and population density
  - The Village (and Town) have seen significant amounts of new housing units come on line over the last several years. This has created problems for all of us in school crowding, traffic problems, and overall strain on resources. This has been a major subject of discussion – with the Village of Mamaroneck now considering a moratorium on new development. In this environment, to consider approving something that would add 105 new homes to our housing stock is ridiculous.
- The project is illegal and is inconsistent with the Village's Comprehensive Plan
  - Hampshire golf course is a designated flood plain. As a flood plain, the Village Code prevents any addition of fill (even one spoonful) if it reduces the hydrologic capacity of the floodplain. This project is proposed to add massive amounts of fill. It therefore is not permitted. The owners argue the law should only apply to riverine floodplains and not tidal floodplains. The law is not drafted that way and should be enforced.
  - The Village Comprehensive Plans discusses the Hampshire site at length, identifying it as one of 7 Critical Environmental Areas in the Village, and presented a preferred alternative of rezoning it as Open/Recreation Space – the way the Town rezoned Bonnie Briar. That is what should be done here. The open space/critical environmental area should be protected. The Comprehensive Plan goes on to say that if the property isn't rezoned as Open/Recreation Space, efforts should be undertaken to ensure that any possible development would have reduced density. This project does not do that.
- Flooding dangers – no access
  - The property has completely flooded in storm surges – at least 3 times in the last 25 years (including in the 1992 Nor'easter when a car was pushed off the road into the golf course and the driver drowned) – and has serious water issues in other major storms. To add massive development in this situation is ridiculous and goes against everything being advised since Sandy. It will only get worse with climate change and projected rises in sea levels. Even now in those tidal storm surges, the intersections that would provide egress and ingress to the area have flooded and been impassable. To add 105 homes to an area that would be inaccessible is dangerous and irresponsible – all so developers can make a quick buck and get out.
  - Even in just plain old bad storms the property has areas of flooding, with formation of temporary lakes. This will lead to erosion of the massive berms to be created to hold the houses and hold back the flooding from the newly raised roads. This will be a disaster waiting to happen.
- Ludicrous Use of our Cluster Development Statute
  - Hampshire wants to cluster the 105 homes on a portion of the golf course property – supposedly to “preserve” open land. It is being done not to preserve open land but to allow development. Most of the property is well under flood levels (proven by the many floods of the property) and can't be feasibly developed. Cluster developments are authorized by Village law “for the purpose of promoting environmental protection, open space preservation; [and] . . . encouraging the most appropriate use of land; increasing recreational opportunities . . .” It



would be antithetical to this purpose to allow a developer to build a greater number of units than would otherwise be possible absent the application of the cluster provisions – thereby leading to LESS open space and greater impacts on the community than would occur without reliance on the cluster. That would be a ludicrous outcome. Therefore, one must look to see what could actually be built on the property as is – which was shown to be 21 units. Therefore, any cluster development should have no more than 21 units.

- Future of Golf Course

- This project will mean certain failure of any golf course. The project calls for downsizing the golf course from 18 to 9 holes. The expert information discussed at the February meeting shows that 9-hole golf courses are much more likely to fail than full size golf courses. And in this case the 9-hole course is ridiculous. It is cut up into 3 or 4 distinct areas of a few holes each – as space was identified once the development was laid out. This makes it even less attractive than other already challenged 9-hole courses.
- What then will happen to the property once the golf course fails. We will be left with a mess on our hands.

- Responsibility for Open Space.

- There will be many acres (although it's not clear exactly how many) that will be open and maintained by a Homeowners Association. This will be contaminated land. What can it be used for? What happens when there are floods and it will cost money to drain the property and fix it up? What happens if the HOA doesn't pony up the money. The Village will be left with a contaminated mess.

- Feasibility and Ultimate Developer Goal.

- The project isn't feasible. It has become clear that this proposal and this whole process is really a tactic for the developers to achieve their real goal of the condo development and it should be seen as such. This project shouldn't be approved because it is illegal. It would violate the Village Code by putting fill into a flood plain and it makes a mockery out of the purpose of the Planned Residential Development provision. Also, think about it – who would purchase these houses? We all heard the significant issues that were raised about egress during flooding events (even if they can clear the private road hurdles). In addition, there would be significant concerns from the contamination on the property – in connection with living over and raising children on contaminated soil (including possible restrictions on disturbing contaminated dirt) and being exposed to the contamination on the HOA acreage.

- Cost to the Village

- This project may likely cost taxpayers. The financial impact needs to be more clearly analyzed and supported with real information. For example, the true number of expected students needs to be provided, together with the impact on school building availability, to truly understand the cost to our school district. We also need supported information on value to understand how the tax base will be impacted – and compared to the cost of additional municipal services.

Thank you for taking the time to read this.



**Regards,**

**Randi Spatz**

615 Claflin Ave, Mamaroneck, NY 10543

Randi Spatz

Director, Business Development

914-217-5968 (direct)

[www.ameliosoftware.com](http://www.ameliosoftware.com)

## **Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

PUBLIC COMMENT  
HAMPSHIRE COUNTRY CLUB PLANNED RESIDENTAIL DEVELOPMENT  
DECEMBER 2017 DEIS -SUBMITTED VIA EMAIL  
ADDITIONAL COMMENTS  
RECEIVED APRIL 2, 2018  
THROUGH  
APRIL 6, 2018

74 04 04 2018 Hampshire CC SEVANS Public Comment

75 04 02 2018 Hampshire CC WESCHLER Public Comment

76 04 02 2018 Hampshire CC MEYEROWITZ Public Comment

77 04 08 2018 Hampshire CC CUTLER Public Comment

78 04 09 2018 Hampshire CC ROTH Public Comment

79 04 09 2018 Hampshire CC SKLAR Public Comment

80 04 09 2018 Hampshire CC TLARSEN Public Comment

81 04 10 2018 Hampshire CC KLARSEN Public Comment



**Betty-Ann Sherer**

---

**From:** sarah evans <sarahswims35@gmail.com>  
**Sent:** Wednesday, April 04, 2018 2:24 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire

The flooding which has killed people and not been preventable in anyway is the reason 105 units can not be built safely- storms, and hurricanes have repeatably turned the golf course into a lake. The flooding will only get worse.Do NOT approve the plan for the safety of the projects.There is NO engineer who can create a safe space out of the land, despite what they may say-

Sarah Robbins Evans

**Betty-Ann Sherer**

---

**From:** mweschler <mweschler@optonline.net>  
**Sent:** Monday, April 02, 2018 10:58 AM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire development--please share with the Board of Trustees

As a lifelong resident of this community, current Mamaroneck Village resident, and real estate agent for 30 years, I must write to state how unacceptable it would be to allow the current proposal that Hampshire is offering to become reality. Despite their propaganda about how wonderful this would be for the schools and the community, in reality it would put undue stress on the school system, not to mention the increase in already impossible traffic around the Hommocks School. Anyone who has been in the area at times of school opening and dismissal knows this to be true.

In addition, the golf course abuts Long Island Sound. No matter what they do, the Sound will still flood during storms. I have lived here long enough to remember a man being swept from his car and drowning not far from the existing clubhouse as he tried to make his way home during a northeaster. Creating impervious surfaces by building on the property will only exacerbate the flooding issues which are inevitable. There is the undeniable issue of arsenic in the soil which will become a serious environmental issue once the soil is dug up. In addition, if development is allowed here, there will be other clubs in the area that will want the same treatment which would be a disaster.

I am sorry that this developer bought this property with the idea of making a fortune by building one hundred plus homes. But the reality is, it should remain open, beautiful space. Please don't sacrifice the well being of this community by giving in to a developer who made a big mistake.

Thank You

Marjorie Weschler



**Betty-Ann Sherer**

---

**From:** Jean Meyerowitz <jean@thelibos.com>  
**Sent:** Saturday, April 07, 2018 11:57 AM  
**To:** Betty-Ann Sherer  
**Cc:** Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt  
**Subject:** Hampshire Proposed Development

Dear VOM Planning Board,

We live at 541 Eagle Knolls Road, adjacent to Hampshire Country Club, and have owned our home since 1999. We attended the March Planning Board hearing and planned to attend the continued hearing to voice our opposition, but we will be out of town for the later scheduled April date.

Let us just say that we believe it would be a dereliction of your duties to allow the proposed 105 - home Hampshire plan to move forward, for ALL of the reasons stated by the experts who spoke in opposition to the proposed development at the last meeting. The glaring reasons to reject this proposal, include the toxins buried in the soil that will be released into our air and onto our schools' fields and playgrounds, the need for a "causeway" to allow everyone to exit the area because of the flooding issues, and the high volume vehicular and truck traffic, as well as the increased pressure on our already overburdened schools. It seems irresponsible of these developers to suggest that our community will benefit from this proposal, as they have been doing in a dishonest Facebook and e-mail campaign seeking support for their proposal. We are all too aware of what happens once the developers get paid and the troubled site is left to the new homeowners and municipalities to deal with the issues that remain.

The developers' suggestion that we should embrace a different proposal that disturbs the shoreline by the clubhouse, is disingenuous and flawed. The flooding alone makes their plans untenable. We watch the course flood constantly, and redesigning flood planes so that the existing adjacent properties experience even worse flooding is unacceptable.

In addition to all of the above, the most important reason we can give to urge you to reject Hampshire's proposals is that once we take away what little open spaces communities like our have, we can NEVER get it back! You are charged with the task of balancing progress v. preservation. In the long run, preserving our coastal area, for all of the residents, human, avian and animal alike will make progress. Just last winter, a bald eagle took up residence on the golf course for several months.

If you were to allow our last open space to be developed, our community would be much less desirable in the long run. We have the benefit of watching people from our own and surrounding communities enjoy our neighborhood all through the year, it's amazing how many people walk, jog and ride their bikes on a daily basis past our house. It is a gem that communities like us should protect and covet.

Thank you for your time and attention to this matter.

Jean Meyerowitz and Steve Giove

**Betty-Ann Sherer**

---

**From:** Nova Cutler <nova.cutler@gmail.com>  
**Sent:** Sunday, April 08, 2018 9:59 PM  
**To:** Betty-Ann Sherer  
**Cc:** Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt  
**Subject:** Opposition to the Hampshire building plan

Dear Planning Board and Board of Trustees, My name is Nova Cutler. I have lived in the Village with my husband and 3 children for over 8 years. It is such a special place to call home.

I would like to let you know that I whole heartily oppose Hampshire's proposal to build 105 homes. There are so many reasons that this does not make sense to our community. I will highlight 3 reasons that resonate most with me.

- 1) Environment- The dangerous levels of arsenic and lead contamination could have severe effects on our community. It is frightening that we could release these pollutants in digging and cutting. Our community is one that loves the outdoors...it is part of what makes us the "Friendly" Village...we cannot risk it.
- 2) Traffic- This corridor of Boston Post Road, with our Middle School, High School and Central school serves THOUSANDS of families each day. There is already traffic. We would be overwhelmed if this goes through.
- 3) Overcrowding of our schools- I know that Hampshire states they will be raising tax revenue for the schools...what they don't state is that their estimates of how many kids will enter our schools is very low and unrealistic. Regardless of the revenue, our schools are already trying to deal with the increased population with very limited space.

Thank you so much for considering my thoughts.

It is comforting to know we have a Village Planning Board and Board of Trustees that listen to the residents of our beautiful Village.

Regards,  
Nova Cutler



**Betty-Ann Sherer**

---

**From:** Edie Roth <edieroth@gmail.com>  
**Sent:** Monday, April 09, 2018 10:47 AM  
**To:** Betty-Ann Sherer; Mayor Tom Murphy; Nora Lucas; lpotok@vomny.com; Keith Waitt; Victor Tafur  
**Subject:** Hampshire Development-Opposed

All,

I am opposed to the proposed development of Hampshire Golf Club, whether single family homes or condominium complex. Both proposals are too big, environmentally unsound, detrimental to the schools and appearing unsafe. The research used by the developer appears incorrect or superficial at best.

Edie Roth  
507 Claflin Avenue  
Mamaroneck, NY 10543  
914-980-2879

Sent from my iPhone- please forgive typos

***Edith "Edie" Roth***  
Real Estate Salesperson  
Houlihan Lawrence  
2070 Boston Post Road  
Larchmont, NY 10538  
mobile: [914 980 2879](tel:9149802879)  
office: 914 833 0420  
[eroth@houlihanlawrence.com](mailto:eroth@houlihanlawrence.com)

[www.EdithRoth.HoulihanLawrence.com](http://www.EdithRoth.HoulihanLawrence.com)

[www.PhilipsHarbor.com](http://www.PhilipsHarbor.com)

**#1 Agent in Mamaroneck Village, 2016**

Top 1% All Westchester Agents

Houlihan Lawrence Platinum Award Winner

**Betty-Ann Sherer**

---

**From:** Stephanie Sklar <stephaniejillsklar@gmail.com>  
**Sent:** Monday, April 09, 2018 12:40 PM  
**To:** Betty-Ann Sherer; Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt  
**Subject:** Proposed Hampshire Development-- OPPOSED

I am a member of the Mamaroneck community and am very concerned about the proposed development plan for Hampshire golf course.

I walk with my children and dog to Central school and back every day- roughly 2 miles. I am extremely familiar with all the routes going into the proposed development and out. I am very worried that during the suggested 5 year construction period there will significant construction traffic – all directed right around the Hommocks School, and the already overtaxed intersection at Weaver and BPR.

The middle school is a hub of activity for the community with throngs of children walking to and from school. It pains me to think of the hazardous material that will be brought in large construction trucks with massive amounts of fill being delivered as our kids are milling about, walking, playing sports, and enjoying their school.

The disruption to their lives will be evident for 5 years! All of these vehicles, many of which will have to be idling as lines of trucks wait to proceed, will create heavy vehicle exhaust pollution and noise and distraction (and impact the quality of the roads) around the School. None of these impacts is evaluated in the DEIS. Those trucks will create pollution and noise distraction.

I am categorically opposed to this development. There a variety of reasons my family is not backing the development but the possible negative health effects on our children's lives is paramount for me.

-Stephanie Sklar

Stephanie Sklar  
NEW Email: [stephaniejillsklar@gmail.com](mailto:stephaniejillsklar@gmail.com)



## Betty-Ann Sherer

---

**From:** Todd Larsen <tlarsen@gmail.com>  
**Sent:** Monday, April 09, 2018 10:23 PM  
**To:** Betty-Ann Sherer  
**Cc:** Keith Waitt; Leon Potok; Nora Lucas; Victor Tafur; Mayor Tom Murphy  
**Subject:** Concerns about the Hampshire project

Dear Planning Board,

I am a long-time taxpaying resident of Mamaroneck Village and I am writing to add my concerns the large number of voices opposed to the Hampshire development plan as currently proposed.

The plan appears to have many components that are problematic, and the proposal as submitted is as disingenuous as they come. Clearly they are trying to sell the town a bill of goods, and we as residents will be left footing the costs. You, as our elected officials designated to protect and nurture this village, are the last line of defense.

Rather than go through all the many issues as I am sure others will speak to them, I will focus on one major issue - Building on a flood plain. Please consider the following:

- The land they want to build on is at or below sea level in many places. And not just a little bit. Below is a photo of the scene out my window during a flood. Water covered a major portion of the property. It does so regularly.
- They propose to bring in tons of fill – but that only raises more questions
  - Developer fill is almost never pure. Who will be responsible for the quality? They will be heavily incentivized to cut corners, and when the next flood washes all the pollutants across everyone else's property, the Mamaroneck Love Canal will be an interesting story. Will you all be willing to be quoted for the story?
  - Their plans call for enough fill to get about 6 inches above the 100 year flood levels. How accurate have those 100 year flood projections. We've already had two in less than twenty years.
  - When the fill causes the water to go onto other's property and cause damage that wouldn't have occurred otherwise, who is responsible?
- They have been disingenuous on this issue from the beginning. They originally claimed in their first plan, that they would build a gate to prevent flooding at the source where water first enters the property. After their "magic gate" was shamed into being clearly flawed, they have shifted their rhetoric to containment of the water and building above it, but the water needs to go somewhere and they have no credibility on the topic. They will say anything to get something built. It was their experts that proposed the "magic gate."
- The idea that the Village would allow a developer to build 100 homes in a flood zone makes me believe the Village will have zero power to ever stop anything. Unlimited projects that come after will have less impact than this, and they would all say, "but you let Hampshire build 100 homes on a flood plain." What will your answer be to them?

Even the Hampshire team knows this a bad idea. They said so very clearly to the attendees of any open house a few months back when they showed the plans. They (Dan Pfeiffer) basically said they were only doing this because they couldn't get the plan that makes sense built. So this is a grand bargaining chip in a poker game. Please, on behalf of your voting and tax paying constituents, please call their bluff and do not allow them to proceed with such a ridiculous plan that everyone knows makes no sense. They can then come back to the table and work out something that does. They paid a tiny price for the land because it is a Flood Plain. Don't let them bluff you – our leaders – into a bad decision. You would just enrich out of town investors to the detriment of your constituents.

Sincerely,

Todd Larsen  
531 Orienta Avenue





## Betty-Ann Sherer

---

**From:** Kim Larsen <kimlarsen@mindspring.com>  
**Sent:** Tuesday, April 10, 2018 8:22 AM  
**To:** Betty-Ann Sherer  
**Cc:** Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt  
**Subject:** Opposition to Hampshire proposal(s)

To Planning Board and Board of Trustees:

I am writing to encourage you to deny Hampshire's request to construct a 105-home development (or the 125-unit condo complex) on the golf course property. Their DEIS is outrageously flawed. I'll just outline my two main concerns:

- 1) **Alteration and environmental contamination of a flood plain.** From my house I witness how Hampshire functions as a flood basin. After any significant rain, the golf course floods dramatically and then, over the course of any number of days, slowly trickles out to the Sound. Disrupting that ecosystem by blasting hilltops and bringing in dirty fill is irresponsible at best and possibly criminal. There is no way to know exactly how the dramatic alteration to the Hampshire landscape will impact drainage. Hampshire "experts" are tasked with getting this proposal approved. It is clear that they will say virtually anything to accomplish this. But, as many communities learned from Hurricane Sandy, Mother Nature always wins. I believe Hampshire's proposed development would create a whole host of new flooding challenges.
- 2) **Increase in traffic through Orienta and the Boston Post Road corridor.** A dramatic increase in the number of households in the Hampshire area is problematic. The roads in and out of the area are narrow, as they should be through residential areas with schools nearby. But they will easily become jammed. 312 households use Orienta Avenue as the primary route home (I just did a mailing with the USPS, another 313 households primarily use Rushmore), plus the Westchester Day School families. Adding over 100 residences (30% more housing) to Hampshire clearly will increase traffic through the Orienta community dramatically. Further, the increase in traffic related to a Hampshire development would dump out onto the Boston Post Road - either at Hommocks, Old Post Road, or Orienta Avenue. In that corridor we have THREE district schools with hundreds of students biking and walking to and from school each day. As chairperson of the Larchmont/Mamaroneck Safe Routes to School Committee, I spent over 8 years working to get the NYS DOT to institute a school speed zone in front of Mamaroneck High School. The State recognized that this is a busy commercial corridor and pedestrians and cyclists need protection. We should not jeopardize their safety by increasing traffic in this dangerous area.

I have many other concerns but I'm sure you'll be hearing from other community members who will cover them. Unfortunately, I cannot attend the public hearing on April 11. As a member of the Town of Mamaroneck's traffic committee, I have to attend the traffic meeting that night. I am a civic-minded, involved member of the community. While I live adjacent to Hampshire, my concerns are for our community as a whole. The impacts of this flawed proposal would negatively alter our community forever. Thank you for your consideration.

Best regards,  
Kim Larsen  
531 Orienta Avenue



Virus-free. [www.avast.com](http://www.avast.com)

PUBLIC COMMENT  
HAMPSHIRE COUNTRY CLUB PLANNED RESIDENTIAL DEVELOPMENT  
DECEMBER 2017 DEIS  
SUBMITTED VIA EMAIL  
April 10, 2018  
THROUGH  
April 11, 2018

82 04 10 2018 Hampshire CC STEIN Public Comment

83 04 10 2018 Hampshire CC JACKSON FMAC Comments

83a 04 10 2018 Hampshire CC JACKSON FMAC attachment

84 04 10 2018 Hampshire CC BENNETT Public Comment

85 04 11 2018 Hampshire CC WOLFF Public Comment

86 04 11 2018 Hampshire CC GLINSKI Public Comment

87 04 11 2018 Hampshire CC FLAHERTY Public Comment



## Betty-Ann Sherer

---

**From:** Stein, Kerry (New York) <Kerry.Stein@lbusa.com>  
**Sent:** Tuesday, April 10, 2018 2:42 PM  
**To:** Betty-Ann Sherer  
**Cc:** Mayor Tom Murphy; Nora Lucas  
**Subject:** Hampshire developement

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Classification:** Public

To the members of the village of Mamaroneck Planning Board

As I will be traveling on April 11<sup>th</sup> I am writing to register my strenuous opposition to the current plans for the development of Hampshire country club. I attended the Feb 14<sup>th</sup> meeting of your Board. I have followed this and attended countless meetings since 2012, when HHC first attempted to change the village Zoning laws. I am struck by the continued actions of this developer to distort the truth and by their complete contempt for the community they are trying to forever alter for the worst. In that light I would respectfully ask you to consider not only the arguments you have already heard against this development ( Negative environmental impact, overcrowding schools that are already at full capacity, safety, flooding and traffic to name a few) all of which are valid and more than enough cause to deny this application.

My concern, and I think it is one that the Planning Board should also take into account, is the past actions of this applicant. The best you could say is that they have been completely disingenuous in their dealing with the village and the community. It is more than fair to say they have been outright deceitful. From the onset, they had a plan to change our Zoning laws to maximize their profits for a condo development, it was NEVER their intent to run a golf course operation. The project is financially backed by a vulture hedge fund where the expected return for capital is 15-20%. This clearly would not be the expected return of a Golf course operation of any kind. The developer choose to overpay for the property with the expectation that they could just change our zoning laws to achieve the desired results. Sadly, their overpayment blocked a potential purchase by the village and town to operate the course in the same fashion as Rye golf. This fact is proven by their immediate grieving of their taxes, they knew from the start that they were overpaying for the property. Then they had the audacity to sight financial hardship as a reason to change our correct and protective zoning laws. With this dual plan they are in effect threatening a large scale development to once again try and pressure the board into granting changes to allow for the their profit maximization, none of which they are owed in any way, shape or form. This project was never more than a distressed real estate play and an attempt to take advantage of a "sleepy" little village for their pure profit. It is hard to envision any part of this project that serves or benefits our village in any way,. Please deny this applicant.

Sincerely,

*Kerry Stein*

25 year village resident

**Kerry Stein**  
Managing Director – Head of Credit Trading

COMMERCIAL BANKING

---

**D:** +1 212 827 3132 | **M:** +1 914 409 2411 | **E:** [kerry.stein@lbusa.com](mailto:kerry.stein@lbusa.com)  
[www.lbusa.com](http://www.lbusa.com)

Lloyds Bank, 1095 Avenue of the Americas, 34th Floor, New York, NY 10036

Reduce printing. Lloyds Banking Group is helping to build the low carbon economy.  
[Corporate Responsibility Report](#)

This message and any attachments are confidential and intended solely for the use of the intended recipient. If you received this communication in error, please notify the sender by replying to this message and delete the message and any attachments. Access, copying, dissemination or use of this e-mail or any attachment, or any information contained therein, by any other person is prohibited.

Lloyds Bank is a brand name of Lloyds Bank plc (Registered in England and Wales no. 2065) and Bank of Scotland plc (Registered in Scotland no. SC327000). Lloyds Bank plc and Bank of Scotland plc are authorized and regulated in the United Kingdom by the Financial Services Authority. Lloyds Securities Inc. is a wholly-owned subsidiary of Lloyds Bank plc.



## FMAC points on the DEIS for the Hampshire Property Development

1) The FEMA flood maps show that most of the Hampshire Country Club property is in the AE zone, not the VE zone. The flooding on this property is caused by two factors: a) tidal surge and b) the height of the water table and the effects of heavy rains on the high water table. We do not feel your study adequately addresses the issues caused in heavy rains due to the high water table. There are many instances when this property floods and the flooding is not caused by tidal surge or a coastal flood event. In addition there are serious concerns relating to storm water runoff from the new construction and its effect on the berms. What engineering will be done in the berms to assure that runoff will not erode the structure and security of the berms? What additional piping will be installed to carry the runoff away from the site?

2) On page 3G-1 you cite costal flood incidents in Harbor Heights on both March 13,2010 and October 29,2012. Harbor Heights is located at least 1 mile from the coast and suffers from riverine flooding. The residents of Harbor Heights did not flood in either of these storms. A member of our committee lives in Harbor Heights and can attest to that fact.

3) Your study suggests that Cooper Road can be used as support for emergency vehicles during a flood event. At this point this road is substandard and cannot support this use. If it is determined this road cannot be made to support emergency vehicles, the only entrance/exit points will remain Cove Rd and Eagles Knoll Road. These roads are both inundated during flood events and will cause any new construction to become land locked. In 2007 during the Nor Easter, Harbor Heights became land locked due to flooded portions of Mamaroneck Avenue and there was a death due to the fact that emergency vehicles could not get to the home of the victim. This cannot be permitted again. In addition, Cooper is a private road and currently neither the club nor the Village have any right to work on this road. Also this road floods in heavy rains-not only in coastal storms. How will this be addressed? In addition, what will the height of the Cooper extension be? It will need to be above the 100 and 500 year flood levels.

4) The Draft EIS states two studies for the future of sea level rise in Mamaroneck. One study predicts a rise of 1 1/2 feet while the second study predicts a rise of 4 feet. If the project is developed at a BFE of 16'(the current level at Hampshire is 12'), and the second study is correct, then the homes will no longer be 2 feet above the base flood elevation and will be in harm's way during flood events.

5) On pg 3F-3 the report discusses tide gates not being sized for tidal storm events; given the significant proposed development of residences within the property, was there analysis of the potential to increase the size of these gates?

6) On pg 3G-2 there are four bullet points under Section (b) Village Regulations. It would be interesting to see more specific discussion of exactly how these regulations will be met. The bullets are as followed, copied here for easy reference:

Chapter 186 of the Village of Mamaroneck Code outlines the Village's Flood Damage Prevention regulations. The following is a summary of the regulations that will apply to the Proposed Action:

- §186-4. Administration: The full set of administrative regulations governing floodplains would apply to the Proposed Action. This section states that a floodplain development permit is required for all construction and other development to be undertaken in areas of special flood hazard (§186-4(B)(1)). A determination must be made whether a proposed development would result in physical damage to any other property (§186-4(D)(1)(c)).

- §186-5(A)(2). Subdivision Proposals: Subdivision proposals shall be consistent with the need to minimize flood damage; public utilities and facilities such as sewer, gas, electrical and water systems shall be located and constructed so as to minimize flood damage; and adequate drainage shall be provided to reduce exposure to flood damage.

- §186-5(B). Standards for all structures: New structures in areas of special flood hazard shall follow all relevant regulations governing anchoring, construction materials and methods, and utilities.

- §186-5(C)(1). Elevation of residential structures within zone AE: New construction and substantial improvements shall have the lowest floor elevated to or above two feet above the base flood level. Other zone regulations are not applicable for the Project Site.



**Betty-Ann Sherer**

---

**From:** Jackson, Peggy <Peggy.Jackson@coldwellbankermoves.com>  
**Sent:** Tuesday, April 10, 2018 3:21 PM  
**To:** Betty-Ann Sherer  
**Subject:** Revised FMAC memo  
**Attachments:** fmac DEIS notes.docx

Dear Ms. Sherer,

I just made a quick change to the FMAC memo to the Planning board. Please distribute this memo and not the one I sent approx. 20 mins ago. Please confirm.

Thank you for your help!

My Kindest Regards,

Peggy

Peggy Jackson/Co-Chair FMAC

**914-320-0268 cell**

[peggy.jackson@cbmoves.com](mailto:peggy.jackson@cbmoves.com)

[www.peggybjackson.com](http://www.peggybjackson.com)

**\*Wire Fraud is Real\*. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions.** Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication.

**Betty-Ann Sherer**

---

**From:** Christine Bennett <christinembennett88@gmail.com>  
**Sent:** Tuesday, April 10, 2018 5:38 PM  
**To:** Leon Potok; Betty-Ann Sherer; Keith Waitt; Nora Lucas; Mayor Tom Murphy; Victor Tafur  
**Subject:** Hampshire Golf Club Development - Concerned Neighbor

Hello,

I am writing as a concerned resident of Orienta (630 Stiles Avenue) regarding the current plans for 105 single family homes or a 125 condominium complex at Hampshire Golf Club.

My family and I are AGAINST the development of these units as it will increase traffic, crowd schools and the construction will be a disturbance to the neighborhood; to name a few of the negative attributes. Please consider these matters and do not build these units in our neighborhood.

Thank you,  
Christine Bennett



**Betty-Ann Sherer**

---

**From:** Patricia Wolff <patty.wolff1@gmail.com>  
**Sent:** Wednesday, April 11, 2018 10:38 AM  
**To:** Betty-Ann Sherer; Mayor Tom Murphy; Victor Tafur; Nora Lucas; Keith Waitt  
**Subject:** Opposition to Hampshire DEIS

Dear Mayor, Members of the Planning Board and Members of the Board of Trustees

My name is Patty Wolff and I live in Mamaroneck at 1045 Nautilus Lane. I am writing to express my opposition to the Hampshire DEIS. While there are many reasons that I do not support the proposal, there are two main reasons why I feel this would be extremely detrimental and in fact, illegal, for our community to proceed with.

1) The project is illegal and inconsistent with the Village's Comprehensive Plan. One of the things that makes our community what it is is the fact that we protect and preserve it's natural resources.. As you know, Hampshire is a designed flood plain. It is also a Crticial Environmental Area in our Village. We MUST do everything we can to protect our open spaces.

2) One of the reasons many people move to our area is the quality of our schools and our ability to maintain reasonable class sizes, offer community schools and outstanding programs. Our schools are already overcrowded. As you know, the district is currently conducting a community wide study of this issue. Development of Hampshire would exacerbate this situation. I believe 105 more homes would put an additional, unreasonable burden on our school and significantly impact our school system in a negative way.

I hope you will consider by views as you review the Hampshire DEIS and strongly urge you to protect the Hampshire land as an community open space and protect this key asset in our environment

Best  
Patty Wolff

**Betty-Ann Sherer**

---

**From:** Chris Glinski <glinskic@colonnadeproperties.com>  
**Sent:** Wednesday, April 11, 2018 9:55 AM  
**To:** Betty-Ann Sherer; Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt  
**Subject:** Hampshire Development - Field Issues

Dear Village of Mamaroneck Planning Board,

My name is Christopher B. Glinski and I am the President of Larchmont Mamaroneck Youth Lacrosse ("LMYL"). I have also been a resident of Larchmont for approximately 17 years. LMYL was founded almost 20 years ago and has grown into one of the largest youth lacrosse programs in the country. We have roughly 800 boys and girls involved in our recreational league and travel program. LMYL, which is primarily a volunteer program, has over 100 parent coaches and serves kids in our community from kindergarten through 8<sup>th</sup> grade.

Field space continues to be our biggest challenge. In order to run our program, we have needed to procure field time in other neighboring municipalities on both town fields and private school fields. In fact, roughly 25% of our field time is located outside of the Town of Mamaroneck. Within our own town, we have access to five fields, some on relatively limited basis. We share these fields with both modified and high school teams as well as other youth and adult sports such as soccer, football and baseball.

Youth lacrosse programs in other neighboring communities face similar field challenges. Unfortunately, many of those communities have been forced to eliminate their recreational programs for kids beyond 3<sup>rd</sup> or 4<sup>th</sup> grade. Some communities have eliminated their programs altogether. LMYL's recreational program is the foundation of our league and we are firmly committed to continue offering this to kids in our community. This is a fun and developmental league that offers children of all ages and abilities the opportunity to learn the game of lacrosse, participate on a team and be taught some valuable life lessons.

The proposed development of 105 homes at the Hampshire Country Club will unquestionably compound the field challenges we face. With most young families in our community seeming to have no fewer than 2 kids, it is totally within reason that this development could bring 100 – 200 additional kids to our town. If this occurs, there is the very real possibility that we will not be able to accommodate all of the kids interested in playing lacrosse. It's also possible that we will need to eliminate portions of our program due to losing our current allocation of field time as overall field demand from various sports programs increases. Given our community's inability to serve our current field demand, increasing the demand on our fields without creating new ones seems unwise. Unfortunately, other than the 100 acres of greenspace at Hampshire, there really isn't any additional land on which our community can create the necessary field space.

I appreciate your time and hope you consider the impact of this proposed development on our youth sports programs.

Sincerely,

Christopher B. Glinski  
President  
Larchmont Mamaroneck Youth Lacrosse



**Betty-Ann Sherer**

---

**From:** Joan Vollero Flaherty <[joan.vollero@gmail.com](mailto:joan.vollero@gmail.com)>  
**Sent:** Wednesday, April 11, 2018 11:41 AM  
**To:** Mayor Tom Murphy; Betty-Ann Sherer; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt  
**Subject:** Fwd: opposition to Hampshire development

Good Morning:

I received a bounceback from the below address late yesterday. Please reply to confirm receipt, thank you!

----- Forwarded message -----

From: **Joan Vollero Flaherty** <[joan.vollero@gmail.com](mailto:joan.vollero@gmail.com)>  
Date: Mon, Apr 9, 2018 at 12:37 PM  
Subject: opposition to Hampshire development  
To: [BSherer@vomny.com](mailto:BSherer@vomny.com)

Ms. Sherer:

I am unable to attend tonight's meeting but wanted to voice my opposition to the proposed development at Hampshire. There are several reasons for this -- and I am sure you have heard them all -- but my biggest concern is school overcrowding. Our district is already in crisis: we simply do not have the capacity for another hundred or so families without a new elementary school being built. The marketing materials and tactics being used by the Hampshire developers have been deceptive and misleading. The community was told that this was envisioned as a "senior living" community, but there is absolutely nothing preventing these homes from being occupied by people and families of all ages, and I am certain that many young families would jump at the chance to move into newly construction homes in our community. This isn't an issue of desirability, but of capacity. Our town, schools, roads, and environment cannot handle this development as currently envisioned.

Sincerely,  
Joan Vollero  
46 Maple Hill Drive  
Larchmont, NY 10538

PUBLIC COMMENT  
HAMPSHIRE COUNTRY CLUB PLANNED RESIDENTIAL DEVELOPMENT  
DECEMBER 2017 DEIS  
SUBMITTED VIA EMAIL  
April 11, 2018  
THROUGH  
(1:00pm) April 13, 2018

88 04 11 2018 Hampshire CC NACHTIGAL Public Comment  
89 04 11 2018 Hampshire CC TOTH Public Comment  
90 04 11 2018 Hampshire CC GROSS Public Comment  
91 04 12 2018 Hampshire CC HERZOG Public Comment  
92 04 12 2018 Hampshire CC TRAFFIC COMMISSION Public Comment  
93 04 12 2018 Hampshire CC ELIGATOR Public Comment  
94 04 12 2018 Hampshire CC ROMITA Public Comment  
95 04 12 2018 Hampshire CC SMITH Public Comment  
96 04 13 2018 Hampshire CC K ROMITA Public Comment



**Betty-Ann Sherer**

---

**From:** Bill Nachtigal <billnachtigal@yahoo.com>  
**Sent:** Wednesday, April 11, 2018 5:02 PM  
**To:** Betty-Ann Sherer  
**Cc:** Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt; Andrew Kirwin; Marino Radovich  
**Subject:** Hampshire Development Project - LMLL Information for the Record  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Members of the Planning Board and Village Trustees,

It has come to my attention that there may be some incorrect information regarding the LMLL perspective on the impact the proposed Hampshire development project could have on youth sports participation. I am submitting this letter for your review and inclusion into the record so you have the benefit of hearing directly from Larchmont-Mamaroneck Little League. For those that may not be aware, LMLL serve both boys and girls in the Mamaroneck and Rye Neck school district community. We provide softball and baseball recreational and travel experiences predominantly for children from grades K-8 and less so for grades 9-12. For the 2018 season we are serving nearly 1500 participants.

We have **not** been contacted by the organization proposing the development project to provide any information or perspective. We definitively believe that any increase in housing in the community will absolutely increase participation in LMLL. This increased participation will no doubt put additional demand on our already overburdened field resources. Each year it becomes increasingly challenging to find enough field space to provide the experience that we have for well over the past 30 years. While we welcome additional participants, it will certainly add to the current demand for field space that is already at capacity.

In any given season we serve between 25%-30% of school aged children predominantly between the grades of K-8. While I cannot comment on the number of children that will join the community based on the proposed housing project, we are very confident that 25% - 30% of them will participate in LMLL.

Please contact me directly if further information or clarification is required. Our perspective is pretty simple, the more houses, the more kids, the more youth sports participation and the more demand there will be for recreational spaces.

Respectfully submitted,

Bill Nachtigal  
 President LMLL

**Betty-Ann Sherer**

---

**From:** Jennifer Toth <jtoth79@yahoo.com>  
**Sent:** Wednesday, April 11, 2018 9:42 PM  
**To:** bshere@vomny.org; Mayor Tom Murphy; Betty-Ann Sherer; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt  
**Subject:** Hampshire Golf Course - strongly opposed

Hello,

I'm writing to voice my strong opposition to the development of 105 new family homes on the Hampshire Golf Course. Given all the issues we're having with school overcrowding and parents worrying about whether class sizes will increase or children will need to be placed further from home, I cannot believe we'd allow new developments of this scale to be built in our community.

We need to resolve these issues and better understand how the town will provide for the children already in our community before we add more into the system.

I hope you will take the community and our school issue into consideration before approving this project.

Thank you,  
Jennifer Swartley

626 Stiles Ave.  
Mamaroneck, NY 10543  
917-658-5132



## Betty-Ann Sherer

---

**From:** Adam Gross <grossa25@yahoo.com>  
**Sent:** Wednesday, April 11, 2018 10:58 PM  
**To:** Betty-Ann Sherer; Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt  
**Subject:** Opposition to Hampshire DEIS

To the Planning Board and Board of Trustees,

I am a resident of Orienta and am asking you to unanimously oppose the plans to develop Hampshire Country Club with private residences and instead move to permanently and irrevocably re-zone the land for recreational use.

I attended the planning meeting tonight, 4/11/18 and am deeply concerned by the perverse distortion of facts put forth by the developers.

I want to be clear on a few facts, which I hope are obvious to you at this point:

The Developers are not members of OUR community and are SOLELY motivated by maximizing their financial gain and nothing else.

Let's also be clear that the developer's engineers and contractors that spoke earlier tonight are paid by the developer and are financially motivated to put the most positive spin on this project - even if not true. They want to be hired for the next development project.

Does anyone really believe that the Developers care about making our community a better place?

Their plan will have 3 hugely negative consequences. It will:

- 1) Over-crowd our schools
- 2) Destroy and pollute our natural environment
- 3) Create unbearable traffic in our community creating dire safety hazards

This plan does not bring Permanent jobs to our community. Let's talk about facts- not silly sound bytes.

The Environmental Impact Study is an insult to our intelligence - as a community and to the Planning Board. It is filled with intentionally misleading statements.

Let's take their estimates of school aged children as an example - the point that children from these new homes will be spread across 5 schools is clearly meant to mislead.

The people moving into these homes will disproportionately have younger children, that will all funnel into 1 elementary school: Central School.

Here's the math:

105 new homes x ~2 kids/home = 210 new kids absorbed by our already over-crowded schools

Across 6 grades in Central = 35 new kids per grade

Across 4 classes per grade, implies about 8-9 additional kids per class.

That would put class sizes over 30 kids per class and greatly hurt the quality of education and our children.

Comments to the Planning Board  
Village of Mamaroneck

To the members of the Planning Board:

I moved to Cove Road several months before the Nor'easter of 1992. When we closed on our home, we were told that we needed flood insurance as protection from a 100 years storm. Within those months, the 100 year storm hit. I was home with my infant daughter while my 3 year old was in nursery school.

That morning, a repairman came to my house and upon entering told me that the tidal basin on Rushmore/Orienta had overflowed and that the road was closed. He told me that he was not going to stay. He was going to try to get out through Hampshire, the only alternative.

I looked out my window and saw the water approaching my house from the back of the property. It was coming through the marshland at Delancey Cove. Simultaneously, I went out my front door to look at the golf course. It was flooding badly. I was not sure if my repairman had been able to evacuate.

I began to check the tidal charts, wanting to pinpoint the exact time that the tide would recede, hoping to leave with my daughter and dog. The water continued to approach the house.

About a half hour later, I went out once again to check the golf course. To describe what I saw as a flood is a misnomer. What I saw was a raging river, akin to the Colorado or other massive river. Trees were knocked over, debris was floating, and the road through the course was completely underwater. That was precisely when my neighbor, David Fagin who lived directly behind me was washed away. I believe that my repairman may have been the last one out.

Please note that this storm was **not** a named hurricane. In fact, it really was unpredicted. Everyone in the area was caught off guard. Kids were stranded at school, homes were severely flooded, cars destroyed and property ruined.



driveways. Their gardeners are often out with large noisy machines at 6 AM on Sunday mornings. Our sewer lines have been clogged repeatedly because of the excessive grease that is not disposed of properly and the road condition is hazardous. They blast music at all hours. This is in spite of repeated and regular pleas to the GM and owners. I can't even begin to imagine what will happen if they are allowed to develop.

I hope and pray that you will do the right thing. Allowing the developers to ruin our beautiful neighborhood would be a tragedy. They have an offer on the table to purchase the property for exactly the price that they have identified as fair market value. Please consider this as the best alternative.

Very truly yours,

Dr. Jane Herzog  
1002 Cove Road  
Mamaroneck, New York

**Betty-Ann Sherer**

---

**From:** Abby Roberts <abbyroberts46@gmail.com>  
**Sent:** Thursday, April 12, 2018 8:43 PM  
**To:** Betty-Ann Sherer  
**Cc:** Mayor and Board; Shannon Purdy; Ed Zagajeski; David Salko; Brian Kerr; Myron Tannenbaum; John Figliomeni; Abigail Roberts  
**Subject:** Fwd: Traffic Commission motions and actions

Hi Betty-Ann,

Hope all is well. I have two Hampshire updates from tonight's Traffic Commission meeting based on the public hearing last night and serious concerns expressed by our fire and other emergency vehicle access experts about the width and public access to the roads being proposed for development under the Hampshire plan.

In addition, the Commission asked that more context be provided if possible for the applications you sent, so we could better understand the issues.

As always, please don't hesitate with any questions.

Abby

**Two Hampshire follow up Motions:**

- Motion that all Hampshire roads under the proposed plan should be public, wide enough to accomodate parking and two way traffic, including Cooper, to ensure appropriate emergency vehicle access and response.
- Motion under Hampshire Development proposal for sidewalk on Old Post from 1015 to Old Post / Boston Post intersection and widened along Hommocks to accommodate additional traffic and child and pedestrian safety issues.

**Actions:**

- Abby to follow up on ZBA applications for more context
- Abby to follow up with Dan re: status updates
- Fire chief to review whether Seney doesn't allow parking on either side because of emergency vehicle access
- Dan to update on Fenimore Road safety issues
- Dan to update about angle of light and type of fixture on Beach and Thompson



**Betty-Ann Sherer**

---

**From:** Ronald Eligator <ronald.eligator@gmail.com>  
**Sent:** Thursday, April 12, 2018 9:39 PM  
**To:** Betty-Ann Sherer  
**Subject:** 40 Ocean Meeting

Hello,

Unfortunately, I will not be able to attend tonight's meeting regarding development plans for the Hampshire Golf Course.

As a 21 year resident of Larchmont, with a child in 10<sup>th</sup> Grade at MHS, I am well aware of the pressures placed on the school system by the fast-increasing enrollment. I urge the powers that be to slow down the approval process so that appropriate and effective plans can be made and **put in place** to accomodate the increased enrollment that will come from new development. While the school system may have trouble anticipating how student population will change as families move in to existing housing in the community, I would hope it is possible for a reasonable estimate of the number of new students to be anticipated from a development as large as that proposed at Hampshire, and that before approving such a development, the community and school district can work together to **implement a plan** to accomdoate these students in terms of classroom space, teachers, support, and especially, budget.

Thank you.

Ronald Eligator  
8 Serpentine Trail  
Larchmont, NY

**Betty-Ann Sherer**

---

**From:** Jack Romita <jack.romita@gmail.com>  
**Sent:** Thursday, April 12, 2018 9:41 PM  
**To:** Betty-Ann Sherer  
**Subject:** Proposed Development of Hampshire Golf Course

Dear Planning Board Members,

I am writing to voice my opposition to the development proposal for Hampshire Golf Club. My opposition is based both on my belief that this development would be detrimental to the community and that the development as proposed is not in accordance with the rights of the property owners.

Mamaroneck schools are becoming overcrowded. This is a problem that will only be exacerbated by the proposed development. The developers have understated the impact to the school system by using an inaccurate methodology in their EIS. Regardless of whether the methodology was stipulated by the Village, it needs to be corrected. The impact they are forecasting does not even pass a reasonableness test.

The impact to the neighborhood around the proposed development will also be severe. As a resident of Orienta, I can attest to the traffic problems that currently exist due to the limited entry points into the neighborhood and the large volume of vehicular traffic. The continued traffic from additional large development will only exacerbate this problem. In addition, the construction traffic will be severe and concentrated in the area of the Hommocks Middle School. It is clear that the developers have understated the effect of traffic in their impact statement as well.

The list of negative impacts to the village is long and we do not need to suffer them because this development exceeds the rights of the property owners. Almost all of Hampshire is designated an area of special flood hazard per the Flood Insurance Rate Map. Any development on this site requires a special permit. The Village Code prohibits the issuance of such permit if any development may result in physical damage to any other property. It seems clear that this development may result in flood damage to neighboring properties. Allowing this development would expose the Village to liability for damage to those properties.

I would also like to express my disappointment in the developers efforts to cast this as an "us vs. them" issue for the Orienta neighborhood and the Greater Village. The biggest concerns that I have relate to the Village and Town, not just my neighborhood. Misrepresenting this as a class conflict is disingenuous, particularly by claiming that building private residences and reducing a golf course from 18 holes to 9 will bring employment to the area. While it may be external to the question of permitting, it certainly speaks to the character of the people we are dealing with.

Thank you for your attention,

Jack Romita  
620 Forest Avenue  
Mamaroneck, NY



## Betty-Ann Sherer

---

**From:** David Smith <davesmith922@gmail.com>  
**Sent:** Thursday, April 12, 2018 9:45 PM  
**To:** Betty-Ann Sherer; jverni@vomny.org; isjunnemark@vomny.org; Greg Cutler; Bob Galvin; lmendes@vomny.org; rlitman@vomny.org; ksavolt@vomny.org  
**Cc:** Mayor Tom Murphy; Agostino Fusco; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt  
**Subject:** Hampshire Residential Development

Good evening Planning Board,

I must start by applauding the level of decorum you attempted to maintain throughout the audience, Mr. Sjunnemark. It became challenging at times and you handled it professionally and respectfully.

I am the Manager at Hampshire Country Club and, although I am employed by Hampton Golf, I ultimately work for the ownership group who, as you know, is financially responsible for the Club. I make decisions every day, objectively, on what I believe is the best for the club. Although I have a responsibility to the ownership I do not feel obligated to follow their plans outside of club operations. I was, however, taken aback by some remarks I heard and therefore I feel compelled to write you.

Local residents that spoke with the undertone that "outsiders" should have no right to come in and interfere with what has been their 'right to open space for generations', to me, borders on fascist statements. I have relatives who lived through that type of rhetoric and community raging against them being "outsiders". It gave me chills to hear some of those statements and the thunderous applause they brought. I truly hope you are not compelled by the sentiment that 'Hampshire has been open space for years so it should remain as such no matter what the zoning indicates'. I am sure the very first residents of Orienta Point felt the same way before Sylvan & Fairway and other Orienta Point lanes & roads were developed. If those first residents had it their way, there should be no more than a dozen homes on Orienta point and the remainder open space.

Again, I write this because I was shaken by those comments and reaction to them *however*, I have confidence from seeing you all last night that you will exercise objectivity when consider the oppositional opinions *as they relate to environmental and safety issues alone*.

I will give my personal experience with a developer to express what guides me in deciding what, I believe, is objective and unbiased decision making; I am a Greenwich, CT resident and live on a dead end street with houses only on one side and a steep hillside across the street from the homes. the Mianus River is at the bottom of the hillside, across one street that lies at the bottom of the slope. A lot was recently purchased across the street from a neighbor down the block from me. The developer applied for a building permit and the neighbors, including my wife and I, were shocked at how they planned to build on a lot with such an extreme slope PLUS being in a CAM zone. Their plan was rejected by the planning board yet they resubmitted after addressing all the objections the board presented. Our neighbors then circulated a petition addressed to the Board to reject the new plan. When my wife discussed with me signing the petition I asked what the reason was. when she told me "it is going to ruin the view that Justine & Ulf and Jeanette & Stu have" I replied, "Should it be our right to block somebody from developing a property that they purchased with the knowledge and understanding that it was able to be developed"? **It is not the existing homeowners right to do that, no matter how long they have been there.**

I have not read through the Draft Environmental Impact Statement but I assume the owners have adequately addressed environmental issues. If not, questions should be addressed, as Mr. Mendes brought up at the tail end

## Betty-Ann Sherer

---

**From:** kathrynromita <katy.romita@gmail.com>  
**Sent:** Friday, April 13, 2018 8:10 AM  
**To:** Betty-Ann Sherer  
**Subject:** Objection to Development of Hampshire Golf Course

Dear Planning Board Members,

Development of the Hampshire Golf Course will have a negative impact on our local environment. Please do not grant any variances or exceptions for its development. The land and the water should be protected.

I am also very disappointed that the developers are trying to make this an "us vs them" issue. It isn't true and it is a very destructive tactic. I think it further illustrates how little the developers care about the community.

Thank you,  
Katy Romita  
[620 Forest Avenue](#)  
[Mamaroneck, NY](#)



**Betty-Ann Sherer**

---

**From:** Bill Nachtigal <billnachtigal@yahoo.com>  
**Sent:** Wednesday, April 11, 2018 5:02 PM  
**To:** Betty-Ann Sherer  
**Cc:** Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt; Andrew Kirwin; Marino Radovich  
**Subject:** Hampshire Development Project - LMLL Information for the Record

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Members of the Planning Board and Village Trustees,

It has come to my attention that there may be some incorrect information regarding the LMLL perspective on the impact the proposed Hampshire development project could have on youth sports participation. I am submitting this letter for your review and inclusion into the record so you have the benefit of hearing directly from Larchmont-Mamaroneck Little League. For those that may not be aware, LMLL serve both boys and girls in the Mamaroneck and Rye Neck school district community. We provide softball and baseball recreational and travel experiences predominantly for children from grades K-8 and less so for grades 9-12. For the 2018 season we are serving nearly 1500 participants.

We have **not** been contacted by the organization proposing the development project to provide any information or perspective. We definitively believe that any increase in housing in the community will absolutely increase participation in LMLL. This increased participation will no doubt put additional demand on our already overburdened field resources. Each year it becomes increasingly challenging to find enough field space to provide the experience that we have for well over the past 30 years. While we welcome additional participants, it will certainly add to the current demand for field space that is already at capacity.

In any given season we serve between 25%-30% of school aged children predominantly between the grades of K-8. While I cannot comment on the number of children that will join the community based on the proposed housing project, we are very confident that 25% - 30% of them will participate in LMLL.

Please contact me directly if further information or clarification is required. Our perspective is pretty simple, the more houses, the more kids, the more youth sports participation and the more demand there will be for recreational spaces.

Respectfully submitted,

Bill Nachtigal  
President LMLL

## Betty-Ann Sherer

---

**From:** Jennifer Toth <jtoth79@yahoo.com>  
**Sent:** Wednesday, April 11, 2018 9:42 PM  
**To:** bshere@vomny.org; Mayor Tom Murphy; Betty-Ann Sherer; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt  
**Subject:** Hampshire Golf Course - strongly opposed

Hello,

I'm writing to voice my strong opposition to the development of 105 new family homes on the Hampshire Golf Course. Given all the issues we're having with school overcrowding and parents worrying about whether class sizes will increase or children will need to be placed further from home, I cannot believe we'd allow new developments of this scale to be built in our community.

We need to resolve these issues and better understand how the town will provide for the children already in our community before we add more into the system.

I hope you will take the community and our school issue into consideration before approving this project.

Thank you,  
Jennifer Swartley

626 Stiles Ave.  
Mamaroneck, NY 10543  
917-658-5132



## Betty-Ann Sherer

---

**From:** Adam Gross <grossa25@yahoo.com>  
**Sent:** Wednesday, April 11, 2018 10:58 PM  
**To:** Betty-Ann Sherer; Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt  
**Subject:** Opposition to Hampshire DEIS

To the Planning Board and Board of Trustees,

I am a resident of Orienta and am asking you to unanimously oppose the plans to develop Hampshire Country Club with private residences and instead move to permanently and irrevocably re-zone the land for recreational use.

I attended the planning meeting tonight, 4/11/18 and am deeply concerned by the perverse distortion of facts put forth by the developers.

I want to be clear on a few facts, which I hope are obvious to you at this point:

The Developers are not members of OUR community and are SOLELY motivated by maximizing their financial gain and nothing else.

Let's also be clear that the developer's engineers and contractors that spoke earlier tonight are paid by the developer and are financially motivated to put the most positive spin on this project - even if not true. They want to be hired for the next development project.

Does anyone really believe that the Developers care about making our community a better place?

Their plan will have 3 hugely negative consequences. It will:

- 1) Over-crowd our schools
- 2) Destroy and pollute our natural environment
- 3) Create unbearable traffic in our community creating dire safety hazards

This plan does not bring Permanent jobs to our community. Let's talk about facts- not silly sound bytes.

The Environmental Impact Study is an insult to our intelligence - as a community and to the Planning Board. It is filled with intentionally misleading statements.

Let's take their estimates of school aged children as an example - the point that children from these new homes will be spread across 5 schools is clearly meant to mislead.

The people moving into these homes will disproportionately have younger children, that will all funnel into 1 elementary school: Central School.

Here's the math:

105 new homes x ~2 kids/home = 210 new kids absorbed by our already over-crowded schools

Across 6 grades in Central = 35 new kids per grade

Across 4 classes per grade, implies about 8-9 additional kids per class.

That would put class sizes over 30 kids per class and greatly hurt the quality of education and our children.

Who wrote the DEIS?? It is clear that they are either lying or totally unfamiliar with our community- neither of which is a good answer. Or maybe they expected that no one would actually read it?

Their answer to increased traffic and congestion in the DEIS was better paved roads??? That is again insulting to our intelligence. The real answer is they don't have a solution to the congestion problem they will create - the area will be congested and the developers won't live there and don't care about the mess left in their wake.

The Superintendent of Mamaroneck Schools shared his thoughts at the last meeting on 2/14/18 - he has no motivation to oppose this plan. His sole focus is on doing what's best for our community's children. The developers do not care about what's best for our community.

Further, a 9 hole golf course will fail - full stop. Who would ever join a 9 hole golf club? This is a ludicrous suggestion perpetrated by a developer with a very short-term interest in mind.

If the developers are wrong about their "assumptions" in their plans, there is no recourse. They don't have to live with the mess that they will create in our community.

These are lies- the developer can not be trusted. We will be in a much worse place if the current plan goes forward.

Finally and importantly - the project is ILLEGAL. It will pollute our water when the area floods (not IF, but WHEN). They disturbed toxic land will spew deadly chemicals into our water. The potential health risks and legal liability as a result will be enormous. I hope you understand that is what you are being asked to approve by the developer.

Anyone who votes to support plan this will be complicit.

I strongly support the plan to permanently and irrevocably re-zone the space for recreational use. I urge you to stop this now. Enough is enough.

Thank you  
Adam



Comments to the Planning Board  
Village of Mamaroneck

To the members of the Planning Board:

I moved to Cove Road several months before the Nor'easter of 1992. When we closed on our home, we were told that we needed flood insurance as protection from a 100 years storm. Within those months, the 100 year storm hit. I was home with my infant daughter while my 3 year old was in nursery school.

That morning, a repairman came to my house and upon entering told me that the tidal basin on Rushmore/Orienta had overflowed and that the road was closed. He told me that he was not going to stay. He was going to try to get out through Hampshire, the only alternative.

I looked out my window and saw the water approaching my house from the back of the property. It was coming through the marshland at Delancey Cove. Simultaneously, I went out my front door to look at the golf course. It was flooding badly. I was not sure if my repairman had been able to evacuate.

I began to check the tidal charts, wanting to pinpoint the exact time that the tide would recede, hoping to leave with my daughter and dog. The water continued to approach the house.

About a half hour later, I went out once again to check the golf course. To describe what I saw as a flood is a misnomer. What I saw was a raging river, akin to the Colorado or other massive river. Trees were knocked over, debris was floating, and the road through the course was completely underwater. That was precisely when my neighbor, David Fagin who lived directly behind me was washed away. I believe that my repairman may have been the last one out.

Please note that this storm was **not** a named hurricane. In fact, it really was unpredicted. Everyone in the area was caught off guard. Kids were stranded at school, homes were severely flooded, cars destroyed and property ruined.

While I waited for the tide to recede, my property was surrounded 360 degrees by water. It was not rainwater. It was seawater coming through the golf course and from the Cove related to the tidal surge.

Because I waited and calculated the best time to evacuate, I was able to eventually leave my home for safety through Rushmore Ave. Evacuating through the golf course remained impossible in spite of the tidal recession. Later that day, cherry picker trucks arrived on Cove Road to evacuate any remaining neighbors who were all huddled on the second floors of their homes as their basements and first floors were awash in seawater.

I later found out that Mr. Fagin had died. It was almost impossible to believe that our new home and community had suffered such a tragedy and we were barely unpacked.

This scenario has been repeated multiple times in the ensuing years. Some storms were Nor'easters, other were hurricanes. When Sandy hit, Cove Road was devastated. It took many months and thousands of dollars to repair the damage in our homes and on our properties.

Members of the Planning Board, I have many reasons why I am strongly opposed to the plan by the developers to build on the golf course. I am concerned about the environmental hazards, traffic, construction, noise, air pollution, school congestion and economic viability. However, if I had to identify one concern outweighing all others, I need to say that the risk to the neighborhood is foremost. By neighborhood, I should be clear that it includes Eagle Knolls Road, Hommocks Road and the other surrounding properties. During a storm, our beautiful and peaceful Long Island Sound becomes violent. It cannot be held back by berms. dykes or other ridiculous measures proposed by the developers to appease the Village. They want to build, profit and get out as soon as possible.

I have also experienced the current owners for the 7 years that they have owned the Club. They are disrespectful neighbors to say the least. Their carting trucks barrel through Cove Road between 3-5 in the morning waking up the neighborhood. During busy weekends in the summer, they park cars in front of our homes and even in our



driveways. Their gardeners are often out with large noisy machines at 6 AM on Sunday mornings. Our sewer lines have been clogged repeatedly because of the excessive grease that is not disposed of properly and the road condition is hazardous. They blast music at all hours. This is in spite of repeated and regular pleas to the GM and owners. I can't even begin to imagine what will happen if they are allowed to develop.

I hope and pray that you will do the right thing. Allowing the developers to ruin our beautiful neighborhood would be a tragedy. They have an offer on the table to purchase the property for exactly the price that they have identified as fair market value. Please consider this as the best alternative.

Very truly yours,

Dr. Jane Herzog  
1002 Cove Road  
Mamaroneck, New York

## **Betty-Ann Sherer**

---

**From:** Abby Roberts <abbyroberts46@gmail.com>  
**Sent:** Thursday, April 12, 2018 8:43 PM  
**To:** Betty-Ann Sherer  
**Cc:** Mayor and Board; Shannon Purdy; Ed Zagajeski; David Salko; Brian Kerr; Myron Tannenbaum; John Figliomeni; Abigail Roberts  
**Subject:** Fwd: Traffic Commission motions and actions

Hi Betty-Ann,

Hope all is well. I have two Hampshire updates from tonight's Traffic Commission meeting based on the public hearing last night and serious concerns expressed by our fire and other emergency vehicle access experts about the width and public access to the roads being proposed for development under the Hampshire plan.

In addition, the Commission asked that more context be provided if possible for the applications you sent, so we could better understand the issues.

As always, please don't hesitate with any questions.

Abby

### **Two Hampshire follow up Motions:**

- Motion that all Hampshire roads under the proposed plan should be public, wide enough to accommodate parking and two way traffic, including Cooper, to ensure appropriate emergency vehicle access and response.
- Motion under Hampshire Development proposal for sidewalk on Old Post from 1015 to Old Post / Boston Post intersection and widened along Hommocks to accommodate additional traffic and child and pedestrian safety issues.

### **Actions:**

- Abby to follow up on ZBA applications for more context
- Abby to follow up with Dan re: status updates
- Fire chief to review whether Seney doesn't allow parking on either side because of emergency vehicle access
- Dan to update on Fenimore Road safety issues
- Dan to update about angle of light and type of fixture on Beach and Thompson



## Betty-Ann Sherer

---

**From:** Ronald Eligator <ronald.eligator@gmail.com>  
**Sent:** Thursday, April 12, 2018 9:39 PM  
**To:** Betty-Ann Sherer  
**Subject:** 40 Ocean Meeting

Hello,

Unfortunately, I will not be able to attend tonight's meeting regarding development plans for the Hampshire Golf Course.

As a 21 year resident of Larchmont, with a child in 10<sup>th</sup> Grade at MHS, I am well aware of the pressures placed on the school system by the fast-increasing enrollment. I urge the powers that be to slow down the approval process so that appropriate and effective plans can be made and **put in place** to accomodate the increased enrollment that will come from new development. While the school system may have trouble anticipating how student population will change as families move in to existing housing in the community, I would hope it is possible for a reasonable estimate of the number of new students to be anticipated from a development as large as that proposed at Hampshire, and that before approving such a development, the community and school district can work together to **implement a plan** to accomodate these students in terms of classroom space, teachers, support, and especially, budget.

Thank you.

Ronald Eligator  
8 Serpentine Trail  
Larchmont, NY

**Betty-Ann Sherer**

---

**From:** Jack Romita <jack.romita@gmail.com>  
**Sent:** Thursday, April 12, 2018 9:41 PM  
**To:** Betty-Ann Sherer  
**Subject:** Proposed Development of Hampshire Golf Course

Dear Planning Board Members,

I am writing to voice my opposition to the development proposal for Hampshire Golf Club. My opposition is based both on my belief that this development would be detrimental to the community and that the development as proposed is not in accordance with the rights of the property owners.

Mamaroneck schools are becoming overcrowded. This is a problem that will only be exacerbated by the proposed development. The developers have understated the impact to the school system by using an inaccurate methodology in their EIS. Regardless of whether the methodology was stipulated by the Village, it needs to be corrected. The impact they are forecasting does not even pass a reasonableness test.

The impact to the neighborhood around the proposed development will also be severe. As a resident of Orienta, I can attest to the traffic problems that currently exist due to the limited entry points into the neighborhood and the large volume of vehicular traffic. The continued traffic from additional large development will only exacerbate this problem. In addition, the construction traffic will be severe and concentrated in the area of the Hommocks Middle School. It is clear that the developers have understated the effect of traffic in their impact statement as well.

The list of negative impacts to the village is long and we do not need to suffer them because this development exceeds the rights of the property owners. Almost all of Hampshire is designated an area of special flood hazard per the Flood Insurance Rate Map. Any development on this site requires a special permit. The Village Code prohibits the issuance of such permit if any development may result in physical damage to any other property. It seems clear that this development may result in flood damage to neighboring properties. Allowing this development would expose the Village to liability for damage to those properties.

I would also like to express my disappointment in the developers efforts to cast this as an "us vs. them" issue for the Orienta neighborhood and the Greater Village. The biggest concerns that I have relate to the Village and Town, not just my neighborhood. Misrepresenting this as a class conflict is disingenuous, particularly by claiming that building private residences and reducing a golf course from 18 holes to 9 will bring employment to the area. While it may be external to the question of permitting, it certainly speaks to the character of the people we are dealing with.

Thank you for your attention,

Jack Romita  
620 Forest Avenue  
Mamaroneck, NY

## Betty-Ann Sherer

---

**From:** David Smith <davesmith922@gmail.com>  
**Sent:** Thursday, April 12, 2018 9:45 PM  
**To:** Betty-Ann Sherer; jverni@vomny.org; isjunneemark@vomny.org; Greg Cutler; Bob Galvin; lmendes@vomny.org; rlitman@vomny.org; ksavolt@vomny.org  
**Cc:** Mayor Tom Murphy; Agostino Fusco; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt  
**Subject:** Hampshire Residential Development

Good evening Planning Board,

I must start by applauding the level of decorum you attempted to maintain throughout the audience, Mr. Sjunneemark. It became challenging at times and you handled it professionally and respectfully.

I am the Manager at Hampshire Country Club and, although I am employed by Hampton Golf, I ultimately work for the ownership group who, as you know, is financially responsible for the Club. I make decisions every day, objectively, on what I believe is the best for the club. Although I have a responsibility to the ownership I do not feel obligated to follow their plans outside of club operations. I was, however, taken aback by some remarks I heard and therefore I feel compelled to write you.

Local residents that spoke with the undertone that "outsiders" should have no right to come in and interfere with what has been their 'right to open space for generations', to me, borders on fascist statements. I have relatives who lived through that type of rhetoric and community raging against them being "outsiders". It gave me chills to hear some of those statements and the thunderous applause they brought. I truly hope you are not compelled by the sentiment that 'Hampshire has been open space for years so it should remain as such no matter what the zoning indicates'. I am sure the very first residents of Orienta Point felt the same way before Sylvan & Fairway and other Orienta Point lanes & roads were developed. If those first residents had it their way, there should be no more than a dozen homes on Orienta point and the remainder open space.

Again, I write this because I was shaken by those comments and reaction to them *however*, I have confidence from seeing you all last night that you will exercise objectivity when consider the oppositional opinions *as they relate to environmental and safety issues alone*.

I will give my personal experience with a developer to express what guides me in deciding what, I believe, is objective and unbiased decision making; I am a Greenwich, CT resident and live on a dead end street with houses only on one side and a steep hillside across the street from the homes. the Mianus River is at the bottom of the hillside, across one street that lies at the bottom of the slope. A lot was recently purchased across the street from a neighbor down the block from me. The developer applied for a building permit and the neighbors, including my wife and I, were shocked at how they planned to build on a lot with such an extreme slope PLUS being in a CAM zone. Their plan was rejected by the planning board yet they resubmitted after addressing all the objections the board presented. Our neighbors then circulated a petition addressed to the Board to reject the new plan. When my wife discussed with me signing the petition I asked what the reason was. when she told me "it is going to ruin the view that Justine & Ulf and Jeanette & Stu have" I replied, "Should it be our right to block somebody from developing a property that they purchased with the knowledge and understanding that it was able to be developed"? **It is not the existing homeowners right to do that, no matter how long they have been there.**

I have not read through the Draft Environmental Impact Statement but I assume the owners have adequately addressed environmental issues. If not, questions should be addressed, as Mr. Mendes brought up at the tail end



of the hearing (whether that was appropriate or not for a planning board member, I am not sure). I must state, though, as most *everybody in the community knows*; empty nester housing is highly sought after by many of the residents who have been here for generations. **At Home on the Sound** is an organization that epitomizes what the Larchmont & Mamaroneck community is about. Helping aging residents stay in the community they have a deep connection to. I personally had an elderly member, who is an Orienta Point homeowner, tell me **'I am opposed to any development but if the condos are approved, I will be the first in line!'**

I fully understand the condo plan is in the MR zone, believe me, I know that because I was told I shouldn't file a permit to put in a playscape for young members because we sit in the MR zone. *However*, the condo plan will satisfy *all* the concerns over flooding *and* fill *and* contaminates from the golf course. And, *most importantly*, it fulfills the desire of seniors who have been here for decades to stay within the Larchmont and Mamaroneck Community. I assume this is common knowledge, even of those who oppose ANY development.

I have seen the plans as I assume you all have. It is less than 3 acres. Even Mr. Mendes's concerns would be mitigated. If you haven't come to the site and looked at the proposed sight line I implore you to do so. Architectural renderings only go so far, as I am sure anyone of you who has gone through a renovation will attest. IF you do so, which would be *extremely* relevant in your decision process, you should take note of the number of homes a four story development will affect. As I am sure Mr. Mendes knows from his experience, you *have to be on site to really know what it will look like*.

In my opinion it will be unlawful for you to refuse the development rights of the owners, given they respond to *objective* objections raised. And, I believe they will develop what is their right. If residents *truly want open space*, rather than "NO development at all!" *I urge you to make the most prudent and best decision for the majority of residents of the Larchmont & Mamaroneck community and reconsider changing the zoning to their initial condo plan. Years from now it will be enjoyed and coveted by long time members of the community.* I believe you all know that.

I thank those of you who have read this and welcome any comments you may have.

## Betty-Ann Sherer

---

**From:** kathrynromita <katy.romita@gmail.com>  
**Sent:** Friday, April 13, 2018 8:10 AM  
**To:** Betty-Ann Sherer  
**Subject:** Objection to Development of Hampshire Golf Course

Dear Planning Board Members,

Development of the Hampshire Golf Course will have a negative impact on our local environment. Please do not grant any variances or exceptions for its development. The land and the water should be protected.

I am also very disappointed that the developers are trying to make this an "us vs them" issue. It isn't true and it is a very destructive tactic. I think it further illustrates how little the developers care about the community.

Thank you,  
Katy Romita  
[620 Forest Avenue](#)  
[Mamaroneck, NY](#)

PUBLIC COMMENT  
HAMPSHIRE COUNTRY CLUB PLANNED RESIDENTIAL DEVELOPMENT  
DECEMBER 2017 DEIS -SUBMITTED VIA EMAIL  
ADDITIONAL COMMENTS  
RECEIVED APRIL 15, 2018  
THROUGH  
April 18, 2018

- 97 04 15 2018 Hampshire CC DESMOND Public Comment
- 98 04 15 2018 Hampshire CC HENDERSON Public Comment
- 99 04 16 2018 Hampshire CC DESMOND Public Comment
- 100 04 11 2018 Hampshire CC OPA Mgrditchian Public Comment
- 101 04 11 2018 Hampshire CC LUSK Public Comment
- 102 04 17 2018 Hampshire CC 44 letters of support Public Comment
- 103 04 16 2018 Hampshire CC HERZOG Public Comment
- 104 04 16 2018 Hampshire CC WENSTRUP Public Comment
  - 104 04 16 2018 Hampshire CC WENSTRUP Public Comment Attachments 1, 2 & 3
- 105 04 16 2018 Hampshire CC WENSTRUP Public Comment with attachments



## Betty-Ann Sherer

---

**From:** Katherine Desmond <k347m@aol.com>  
**Sent:** Sunday, April 15, 2018 2:34 PM  
**To:** Betty-Ann Sherer  
**Subject:** Proposed Hampshire housing development - Comments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To: Village of Mamaroneck Planning Board

From: Katherine E. Desmond, 347 Prospect Avenue, Village of Mamaroneck resident since 1975

Re: The Proposed Hampshire Housing Development

Date: April 15, 2018

I am writing my comments in "Memo" style in order to keep it short and simple.

Water is wet. Water is heavy. Water is powerful. In a major Long Island Sound storm surge, I do not understand how 105 housing units will be anchored to the top of manmade berms of (clean or otherwise) dirt fill in a flood zone. Buildings on the Island of Manhattan have steel girders hammered into bedrock to secure them.

The developers showed us a diagram of a cross section of a capped berm. The engineer lauded the fact that every unit will have a basement. When these *below berm spaces* (basements) fill with water, I imagine the upper structure, i.e., the home above, being lifted up by floodwater, becoming nothing more than detached, floating debris.

Furnaces, oil tanks, gas lines, water pipes, sewer pipes, and electrical supply lines would become a tangled mess of broken infrastructure. The entire site would become a foaming toxic stew of polluted storm water.

I have a friend who lives in an 1860's house in Stony Creek Connecticut, across from the Thimble Islands. Suddenly, **in just the last year, every big, full moon high tide floods the road to her house.** Her neighborhood is temporarily cut off from all goods and services. She has to plan accordingly. Her entire way of life has changed dramatically. The value of her beautiful, waterfront house has plummeted.

Finally, and **Bottom Line from the legal standpoint:**

Hampshire cannot propose to do condos on Marine Recreation (MR) zoned portion of the site, previous **application for rezoning in this officially recognized Critical Environmental Area has already been turned down.**

The proposed plan is **not within local, state, federal coastal management legislation** to "engineer" with fill in a floodplain with a high groundwater table at the confluence of tidal and fresh water in an area that is and drains to significant coastal wildlife habitats.

## Betty-Ann Sherer

---

**From:** Carla Henderson <carla.hendo@gmail.com>  
**Sent:** Sunday, April 15, 2018 4:20 PM  
**To:** Betty-Ann Sherer; Mayor Tom Murphy; Victor Tafur; Nora Lucas; Leon Potok; Keith Waitt  
**Cc:** David Henderson  
**Subject:** Opposition to Hampshire Construction

Dear Planning Board & Board of Turstees,

We are writing to voice our concerns on the proposed new construction on the Hampshire Country Club property. We live adjacent to the golf course and we are adamantly opposed to it for many reasons but the following reasons concern us the most:

- Impact on Hommocks School (and playing fields behind the Hommocks School); Contamination
  - The Draft EIS projects a buildout period of 5 years. During that period there will significant construction traffic – all directed right around the Hommocks School, and the already overtaxed intersection at Weaver and BPR. There will be thousands of large construction trucks with massive amounts of fill being delivered. There will also be movement of large construction equipment and large numbers of construction workers – all going through that intersection and around the Hommocks School. All of these vehicles, many of which will have to be idling as lines of trucks wait to proceed, will create heavy vehicle exhaust pollution and noise and distraction (and impact the quality of the roads) around the School. None of these impacts is evaluated in the DEIS. Those trucks will create pollution and noise distraction. There also will need to be blasting to obtain the internally generated fill. This blasting will create noise and have we need to understand its possible impact on the school and neighboring home structural integrity
  - The limited testing on the site shows dangerous levels of arsenic and lead contamination. The project calls for massive amounts of earth moving on the property – with hundreds of thousands of cubic yards of fill being cut and dug from some areas to be moved to other areas. As the earth is moved, these dangerous pollutants will be released and possibly endanger neighbors as well as students and teachers who attend the Hommocks School, and kids who use the playing fields behind the Hommocks School. Think about what might happen if we have a bad storm (such as the one on March 2<sup>nd</sup>) with high winds as huge piles of earth are sitting exposed to the elements? From Wikipedia: If arsenic poisoning occurs over a brief period of time symptoms may include vomiting, abdominal pain, encephalopathy, and watery diarrhea that contains blood.<sup>[1]</sup> Long-term exposure can result in thickening of the skin, darker skin, abdominal pain, diarrhea, heart disease, numbness, and =cancer
- Overdevelopment, traffic and population density
  - The Village (and Town) have seen significant amounts of new housing units come on line over the last several years. This has created problems for all of us in school crowding, traffic problems, and overall strain on resources. This has been a major subject of discussion – with the Village of Mamaroneck now considering a moratorium on new development. In this environment, to consider approving something that would add 105 new homes to our housing stock is ridiculous.



- The project is illegal and is inconsistent with the Village's Comprehensive Plan
  - Hampshire golf course is a designated flood plain. As a flood plain, the Village Code prevents any addition of fill (even one spoonful) if it reduces the hydrologic capacity of the floodplain. This project is proposed to add massive amounts of fill. It therefor is not permitted. The owners argue the law should only apply to riverine floodplains and not tidal floodplains. The law is not drafted that way and should be enforced.
  - The Village Comprehensive Plans discusses the Hampshire site at length, identifying it as one of 7 Critical Environmental Areas in the Village, and presented a preferred alternative of rezoning it as Open/Recreation Space – the say the Town rezoned Bonnie Briar. That is what should be done here. The open space/critical environmental area should be protected. The Comprehensive Plan goes on to say that if the property isn't rezone as Open/Recreation Space, efforts should be undertaken to ensure that any possible development would have reduced density. This project does not do that.
- Flooding dangers – no access
  - The property has completely flooded in storm surges – at least 3 times in the last 25 years (including in the 1992 Nor'easter when a car was pushed off the road into the golf course and the driver drowned) – and has serious water issues in other major storms. To add massive development in this situation is ridiculous and goes against everything being advised since Sandy. It will only get worse with climate change and projected rises in sea levels. Even now in those tidal storm surges, the intersections that would provide egress and ingress to the area have flooded and been impassable. To add 105 homes to an area that would be inaccessible is dangerous and irresponsible – all so developers can make a quick buck and get out.
  - Even in just plain old bad storms the property has areas of flooding, with formation of temporary lakes. This will lead to erosion of the massive berms to be created to hold the houses and hold back the flooding from the newly raised roads. This will be a disaster waiting to happen.

Thank you for your consideration on this important issue,

David & Carla Henderson  
925 Sylvan Lane

**Betty-Ann Sherer**

---

**From:** Katherine Desmond <k347m@aol.com>  
**Sent:** Monday, April 16, 2018 12:45 PM  
**To:** Betty-Ann Sherer  
**Subject:** ADDENDUM to Proposed Hampshire housing development - Comments

To: Village of Mamaroneck Planning Board  
From: Katherine E. Desmond, 347 Prospect Avenue, Mamaroneck, NY 10543  
Re: Proposed Hampshire Housing Plan  
Date: April 16, 2018

For the Record: Please include this Addendum to my April 15th Comments on the proposed Hampshire Housing Plan.

It occurs to me this morning, in the midst of another 2018 Spring Nor'Easter, that units in the proposed Hampshire development might have sump pumps and every one might be pumping basement flooded storm and Sound waters into the Village's sanitary sewage system in a desperate and fruitless effort to stay above the storm surge and the groundwater.

Since the developers are including an evacuation plan into their project proposal, I would expect that they indicate their understanding of one of the Village's most insidious and ongoing problems: **SSOs - sanitary sewer overflows** - wherein sanitary pipes receive (illegally) added sump-pumped stormwater, forcing manholes to overflow, spilling untreated sewage into our streets, neighborhoods, and ultimately Long Island Sound.

I believe that this potential issue warrants discussion.

-----Original Message-----

From: Katherine Desmond <k347m@aol.com>  
To: bsherer <bsherer@vomny.org>  
Sent: Sun, Apr 15, 2018 2:33 pm  
Subject: Proposed Hampshire housing development - Comments

To: Village of Mamaroneck Planning Board

From: Katherine E. Desmond, 347 Prospect Avenue, Village of Mamaroneck resident since 1975

Re: The Proposed Hampshire Housing Development

Date: April 15, 2018

I am writing my comments in "Memo" style in order to keep it short and simple.

Water is wet. Water is heavy. Water is powerful. In a major Long Island Sound storm surge, I do not understand how 105 housing units will be anchored to the top of

manmade berms of (clean or otherwise) dirt fill in a flood zone. Buildings on the Island of Manhattan have steel girders hammered into bedrock to secure them.

The developers showed us a diagram of a cross section of a capped berm. The engineer lauded the fact that every unit will have a basement. When these *below berm spaces* (basements) fill with water, I imagine the upper structure, i.e., the home above, being lifted up by floodwater, becoming nothing more than detached, floating debris.

Furnaces, oil tanks, gas lines, water pipes, sewer pipes, and electrical supply lines would become a tangled mess of broken infrastructure. The entire site would become a foaming toxic stew of polluted storm water.

I have a friend who lives in an 1860's house in Stony Creek Connecticut, across from the Thimble Islands. Suddenly, **in just the last year, every big, full moon high tide floods the road to her house.** Her neighborhood is temporarily cut off from all goods and services. She has to plan accordingly. Her entire way of life has changed dramatically. The value of her beautiful, waterfront house has plummeted.

Finally, and **Bottom Line from the legal standpoint:**

Hampshire cannot propose to do condos on Marine Recreation (MR) zoned portion of the site, previous **application for rezoning in this officially recognized Critical Environmental Area has already been turned down.**

The proposed plan is **not within local, state, federal coastal management legislation** to "engineer" with fill in a floodplain with a high groundwater table at the confluence of tidal and fresh water in an area that is and drains to significant coastal wildlife habitats.



RECEIVED

APR 11 2018

OPB meeting  
BUILDING DEPT.

# ORIENTA POINT ASSOCIATION

P.O. Box 365 Mamaroneck, New York 10543

Email: [www.orientapoint.org](http://www.orientapoint.org)

## **Officers:**

George Mgrditchian, President  
Andrew Spatz, Vice President  
Claire Wolkoff, Treasurer/ Secretary

## **Board Members:**

Nova Cutler  
Jon Dorf  
Celia Felsher  
Robert Friedland  
Andrew Kirwin  
Jennifer Kronick  
Kim Larsen  
Steve Simkin  
Edith Roth  
Judy Zambardino

April 11, 2018

Good evening Mr. chairman, and Members of the Board,

My name is George Mgrditchian I am the President of the Orient Point Association.

Regarding the DEIS on Hampshire Country Club, there have been many questions raised by MCEC and others, and the community is awaiting your formal responses. The OPA would like to add our concerns as well.

#1) Hampshire country club consists of <sup>90</sup>100+ acres of open, green space in the middle of Orienta Point. The community of Orienta and the Village of Mamaroneck would suffer a terrible loss of open space with this project.

#2) There are serious concerns about contaminants on the property. There is the potential of arsenic, lead, and pesticides in the soil which would need to be remediated if this project were to proceed. The community would need to be assured that there will be no lingering consequences after construction. Further there are serious concerns about health and safety issues for our neighbors, students and staff of Hommocks School resulting from the disruption of contaminated land, and the impact of traffic to and from the site through the school area and through the rest of Orienta.

#3) Orienta suffers serious flooding during both coastal flood events as well as heavy rain storms. Storm water runoff is a major concern. It is unclear in the DEIS how flooding will be mitigated by proceeding with this project

#4) Massive quantities of soil will need to be trucked into Orienta in order to build the project as designed. We are concerned whether this will be permitted, what the effects of the truck traffic will bring to bear on our community during construction, what the massive truck traffic will do to the infrastructure of our local roads, and how you will be able to verify that this will be clean soil throughout the process.

#5) The Superintendent of Schools has raised concerns about what the additional number of children will do to our already overcrowded school system.

#6) There are concerns regarding the impact the increased traffic and congestion will have throughout Orienta. Orienta is- already terribly congested around the Hommocks School, Orienta Ave and on Route One.

#7) As consultants have shown, nine hole golf courses do not have a high rate of success. If this project were to be built as proposed, the 18-hole golf course currently existing would be trimmed back to a nine hole golf course, and its future would be uncertain.

#8) It is our opinion that this project is inconsistent with the Village of Mamaroneck's Comprehensive Plan and Local Waterfront Revitalization Program.

Further I would like to point out that I found the last correspondence from the Residences at Hampshire to be offensive and unnecessary. And I

quote

"These rich NIMBY's" cited in the letter was an unnecessary attack on concerned, hardworking residents of Orienta who happen to have a different point of view than the developer.

In fact it seems to be the developers who have the deep pockets to develop a seriously challenged property with environmental concerns, flooding issues, traffic congestion, concerns for public health due to contaminated soils, and overcrowd schools further in order to make a windfall profit. Once the developers have completed the project, they're gone.

Additionally, the developers have solicited a number of people to write letters to the Planning Board (and who may appear before tonight to speak) in favor of the project who do not live in our community. We do not believe anyone who is not a resident of our community, or an expert hired to address this Board should be heeded.

A handwritten signature in dark ink, appearing to read 'George Mgrditchian', with a stylized, looping flourish at the end.

George Mgrditchian,  
President, Orienta Point Association



RECEIVED  
APR 11 2018  
@PBmeeting  
BUILDING DEPT.

Submitted by Jack Lusk  
4/11/18 Re Hampshire Club

April, 11<sup>th</sup> 2018

Dear Friends of Hampshire Country Club,

As you know, we are currently pursuing a proposal to transform a portion of the Hampshire Country Club property to residential use. These beautifully-designed, eco-friendly carriage homes and single-family residences, **which fully comply with the property's current R-20 zoning**, will subsidize the Club's operations and provide significant tax and employment benefits to the region and our community.

We need your help to show the community support that exists for our proposal at the upcoming public hearing. Please join us to help preserve over 50 acres of beautiful natural vistas, maintain a professionally re-designed 9-hole course and generate approximately \$5.2 million in tax revenue annually, including approximately \$1.5 million net benefit to Mamaroneck schools.

**Public Hearing:**

**Wednesday, APRIL 11, 2018 at 7:00 P.M**

McClain Auditorium of the Mamaroneck High School  
1000 W. Boston Post Road Mamaroneck, NY 10543

**WHY ATTEND:**

Our first concept was a condominium plan in 2014 that would have disturbed only 2 acres of land and maintained all 18 holes of golf by incorporating into the Clubhouse, luxury apartments geared toward empty nesters (55+) who wish to downsize but remain in the community. In order to proceed with that concept, we applied to the Village Board of Trustees for a change in zoning needed to move forward.

At that time, an opposition group known as the Mamaroneck Coastal Coalition was formed by several well-heeled property owners living along the perimeter of our property. The stated goal of the organization was to thwart any and all efforts to develop OUR property. Three board members of Mamaroneck Coastal and their families and LLC's they control collectively own 7 homes bordering Hampshire. These rich NIMBY's dramatically ramped up personal and corporate contributions to the members of the Village Board of Trustees (one of whom is a board member of Mamaroneck Coastal) who rejected the original plan without holding the requisite public hearing, in violation of NYS public meeting rules.

Consequently, the addition of residences allowed by current zoning is the only way to support the existence of the long-treasured club while preserving more than 50% of contiguous open space in perpetuity. The property **cannot** remain undeveloped, so we are moving ahead with a reasonable proposal that conforms to current zoning while still bringing significant benefits to the community.

If you support the current proposal or wish to express your desires for the course, we strongly encourage you to visit [www.theresidencesathampshire.com/get-involved](http://www.theresidencesathampshire.com/get-involved). There, you can



instantly send the letter displayed urging the Village to permit us to incorporate residential uses into the Hampshire Country Club property by simply by filling out the form with your contact information.

Thank you for your support!

Sincerely,

The Residences at Hampshire Team

<https://theresidencesathampshire.com>

<https://www.facebook.com/ResidencesatHampshire/>

<https://twitter.com/HampshireAt>

RECEIVED



ZARIN &  
STEINMETZ

APR 17 2018

BUILDING DEPT.

David J. Cooper  
Jody T. Cross •  
Katelyn E. Ciolino •  
Michael J. Cunningham •  
Marsha Rubin Goldstein  
Helen Collier Mauch •  
Zachary R. Mintz •  
Daniel M. Richmond  
Kate Roberts  
Brad K. Schwartz  
Lisa F. Smith •  
David S. Steinmetz •  
Edward P. Teyber •  
Michael D. Zarin

• Also admitted in D.C.  
• Also admitted in CT  
• Also admitted in NJ

April 16, 2018

*Via Federal Express*

Acting Chairman Ingemar Sjunne  
and Members of the Village of Mamaroneck Planning Board  
Village Hall  
169 Mt. Pleasant Avenue  
Mamaroneck, NY 10543

**Re: Hampshire Country Club – Planned Residential Development**

Dear Acting Chairman and Members of the Planning Board:

As you know, this firm represents Hampshire Recreation, LLC (“Hampshire”) in connection with its Application to develop a planned residential community (“Project”) on a portion of the Hampshire County Club property (“Property”). Enclosed please find letters to the Planning Board in support of Hampshire’s Project. Please add the enclosed letters to the public comments for the Project.

Thank you and please do not hesitate to contact us with any questions.

Respectfully Submitted,

ZARIN & STEINMETZ

By: 

David J. Cooper

Cc (via electronic mail):  
Lester D. Steinman, Esq.  
Betty-Ann Sherer  
Hampshire Country Club

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Daniel Lechuga** <info@theresidencesathampshire.com>  
reply-to: daniel-flute@hotmail.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
date: Wed, Apr 11, 2018 at 4:37 PM  
subject: I support The Residences at Hampshire Proposal

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,

Daniel Lechuga  
[204 Travers Avenue](#)  
Zip Code: 10543  
Email: [daniel-flute@hotmail.com](mailto:daniel-flute@hotmail.com)



RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Rosa Lechuga** <[info@theresidencesathampshire.com](mailto:info@theresidencesathampshire.com)>  
reply-to: [yessenia-bonita@hotmail.com](mailto:yessenia-bonita@hotmail.com)  
to: [tmurphy@vomny.org](mailto:tmurphy@vomny.org),  
[vtafur@vomny.org](mailto:vtafur@vomny.org),  
[nlucas@vomny.org](mailto:nlucas@vomny.org),  
[lpotok@vomny.org](mailto:lpotok@vomny.org),  
[kwaitt@vomny.org](mailto:kwaitt@vomny.org)  
date: Wed, Apr 11, 2018 at 4:36 PM  
subject: I support The Residences at Hampshire Proposal

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,

Rosa Lechuga  
[204 Travers Avenue](#)  
Zip Code: 10543  
Email: [yessenia-bonita@hotmail.com](mailto:yessenia-bonita@hotmail.com)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Debra Thompson** <[info@theresidencesathampshire.com](mailto:info@theresidencesathampshire.com)>  
reply-to: [dthompson@weddingsbydebra.com](mailto:dthompson@weddingsbydebra.com)  
to: [tmurphy@vomny.org](mailto:tmurphy@vomny.org),  
[vtafur@vomny.org](mailto:vtafur@vomny.org),  
[nlucas@vomny.org](mailto:nlucas@vomny.org),  
[lpotok@vomny.org](mailto:lpotok@vomny.org),  
[kwaitt@vomny.org](mailto:kwaitt@vomny.org)  
date: Wed, Apr 11, 2018 at 4:28 PM  
subject: I support The Residences at Hampshire Proposal

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,

Debra Thompson  
[43 Calton Road](#)  
Zip Code: 10804  
Email: [dthompson@weddingsbydebra.com](mailto:dthompson@weddingsbydebra.com)

from: **Jennifer Rangel** <info@theresidencesathampshire.com>  
reply-to: Jennrangel18@aol.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaite@vomny.org  
date: Wed, Apr 11, 2018 at 2:52 PM  
subject: I support The Residences at Hampshire Proposal

RECEIVED

APR 17 2018

BUILDING DEPT.

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,

Jennifer Rangel  
147 b meadow lane  
Zip Code: 10805  
Email: [Jennrangel18@aol.com](mailto:Jennrangel18@aol.com)



RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Prudencio Lechuga** <info@theresidencesathampshire.com>  
reply-to: plechuga67@hotmail.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaite@vomny.org  
date: Wed, Apr 11, 2018 at 12:36 PM  
subject: I support The Residences at Hampshire Proposal

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,

Prudencio Lechuga  
[204 Travers Avenue](#)  
Zip Code: 10543  
Email: [plechuga67@hotmail.com](mailto:plechuga67@hotmail.com)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Dave Finstad** <info@theresidencesathampshire.com>  
reply-to: dfinstad@omers.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
date: Tue, Apr 10, 2018 at 4:33 PM  
subject: I support The Residences at Hampshire Proposal

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,

Dave Finstad  
[18 Vanderburgh Ave., Larchmont](#)  
Zip Code: 10538  
Email: [dfinstad@omers.com](mailto:dfinstad@omers.com)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Robert Polstein** <info@theresidencesathampshire.com>  
reply-to: boblyn55@gmail.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
date: Tue, Apr 10, 2018 at 2:54 PM  
subject: I support The Residences at Hampshire Proposal

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,

Robert Polstein  
[502 Fairway Green](#)  
Zip Code: 10543  
Email: [boblyn55@gmail.com](mailto:boblyn55@gmail.com)



RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Phil Brock** <info@theresidencesathampshire.com>  
reply-to: philbrock@optonline.net  
  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
  
date: Tue, Apr 10, 2018 at 8:19 AM  
subject: I support The Residences at Hampshire Proposal

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,

Phil Brock  
[79 Greenway Close](#)  
Zip Code: 10573  
Email: [philbrock@optonline.net](mailto:philbrock@optonline.net)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Anthony Brown** <info@theresidencesathampshire.com>  
reply-to: arb6@cumc.columbia.edu  
  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
  
date: Mon, Apr 9, 2018 at 6:57 PM  
subject: I support The Residences at Hampshire Proposal

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,

Anthony Brown  
[1501 Fairway Green](#)  
Zip Code: 10543  
Email: [arb6@cumc.columbia.edu](mailto:arb6@cumc.columbia.edu)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Maj-Britt  
Rosenbaum** <info@theresidencesathampshire.com>  
reply-to: majbritt.rosenbaum@gmail.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
date: Mon, Apr 9, 2018 at 6:07 PM  
subject: I support The Residences at Hampshire Proposal

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,

Maj-Britt Rosenbaum  
401 FAIRWAY GREEN  
Zip Code: 10543  
Email: [majbritt.rosenbaum@gmail.com](mailto:majbritt.rosenbaum@gmail.com)



RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Barbara Brown** <info@theresidencesathampshire.com>  
reply-to: Brbrown1066@gmail.com  
  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
  
date: Mon, Apr 9, 2018 at 4:32 PM  
subject: I support The Residences at Hampshire Proposal

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,

Barbara Brown  
1501 Fairway Green  
Zip Code: 10554  
Email: [Brbrown1066@gmail.com](mailto:Brbrown1066@gmail.com)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Tom Landau** <[info@theresidencesathampshire.com](mailto:info@theresidencesathampshire.com)>  
reply-to: [Docotis27@yahoo.com](mailto:Docotis27@yahoo.com)  
  
to: [tmurphy@vomny.org](mailto:tmurphy@vomny.org),  
[vtafur@vomny.org](mailto:vtafur@vomny.org),  
[nlucas@vomny.org](mailto:nlucas@vomny.org),  
[lpotok@vomny.org](mailto:lpotok@vomny.org),  
[kwaitt@vomny.org](mailto:kwaitt@vomny.org)  
  
date: Mon, Apr 9, 2018 at 4:04 PM  
subject: I support The Residences at Hampshire Proposal

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,

Tom Landau

Zip Code: 10543

Email: [Docotis27@yahoo.com](mailto:Docotis27@yahoo.com)

RECEIVED

APR 17 2018

BUILDING DEPT.

From: **Luis Rico** <[info@theresidencesathampshire.com](mailto:info@theresidencesathampshire.com)>  
Reply-to: [luri569@hotmail.com](mailto:luri569@hotmail.com)  
  
To: [tmurphy@vomny.org](mailto:tmurphy@vomny.org),  
[vtafur@vomny.org](mailto:vtafur@vomny.org),  
[nlucas@vomny.org](mailto:nlucas@vomny.org),  
[lpotok@vomny.org](mailto:lpotok@vomny.org),  
[kwaitt@vomny.org](mailto:kwaitt@vomny.org)  
  
Date: Mon, Apr 9, 2018 at 1:03 PM  
Subject: I support The Residences at Hampshire Proposal

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,

Luis Rico  
[27 North Avenue](#)  
Zip Code: 10805  
Email: [luri569@hotmail.com](mailto:luri569@hotmail.com)



RECEIVED

APR 17 2018

BUILDING DEPT.

from: **VESNA  
DUSAJ** <info@theresidencesathampshire.com>  
reply-to: VESNADUSAJ@gmail.com  
  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaite@vomny.org  
  
date: Mon, Apr 9, 2018 at 1:03 PM  
subject: I support The Residences at Hampshire Proposal

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,

VESNA DUSAJ  
[140 PELHAM ROAD](#)  
Zip Code: 10805  
Email: [VESNADUSAJ@GMAIL.COM](mailto:VESNADUSAJ@GMAIL.COM)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Ursula Dasilva** <info@theresidencesathampshire.com>  
reply-to: amg10805@aol.com  
  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
  
date: Mon, Apr 9, 2018 at 1:02 PM  
subject: I support The Residences at Hampshire Proposal

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,

Ursula Dasilva  
[27 North Avenue](#)  
Zip Code: 10805  
Email: [amg10805@aol.com](mailto:amg10805@aol.com)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Julio Gaytan** <[info@theresidencesathampshire.com](mailto:info@theresidencesathampshire.com)>  
reply-to: [Cesarjcg@yahoo.com](mailto:Cesarjcg@yahoo.com)  
  
to: [tmurphy@vomny.org](mailto:tmurphy@vomny.org),  
[vtafur@vomny.org](mailto:vtafur@vomny.org),  
[nlucas@vomny.org](mailto:nlucas@vomny.org),  
[lpotok@vomny.org](mailto:lpotok@vomny.org),  
[kwaitt@vomny.org](mailto:kwaitt@vomny.org)  
  
date: Sun, Apr 8, 2018 at 4:22 PM  
subject: I support The Residences at Hampshire Proposal

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,

Julio Gaytan  
[38 Hamilton pl. tarrytown ny](#) 10591  
Zip Code: 10591  
Email: [Cesarjcg@yahoo.com](mailto:Cesarjcg@yahoo.com)



RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Steve Newman** <[info@theresidencesathampshire.com](mailto:info@theresidencesathampshire.com)>  
reply-to: [sn100@optonline.net](mailto:sn100@optonline.net)  
to: [tmurphy@vomny.org](mailto:tmurphy@vomny.org),  
[vtafur@vomny.org](mailto:vtafur@vomny.org),  
[nlucas@vomny.org](mailto:nlucas@vomny.org),  
[lpotok@vomny.org](mailto:lpotok@vomny.org),  
[kwaitt@vomny.org](mailto:kwaitt@vomny.org)  
date: Sun, Apr 8, 2018 at 1:03 PM  
subject: I support The Residences at Hampshire Proposal

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,

Steve Newman  
[125 Beechwood Dr](#)  
Zip Code: 10543  
Email: [sn100@optonline.net](mailto:sn100@optonline.net)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Edwin Beltran** <info@theresidencesathampshire.com>  
reply-to: Kebpc@aol.com  
  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
  
date: Sun, Apr 8, 2018 at 12:52 PM  
subject: I support The Residences at Hampshire Proposal

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,

Edwin Beltran  
7 Ros Dr White Plains  
Zip Code: 10707  
Email: [Kebpc@aol.com](mailto:Kebpc@aol.com)

RECEIVED

APR 17 2018

BUILDING DEPT

from: **David Castagna** <[info@theresidencesathampshire.com](mailto:info@theresidencesathampshire.com)>  
reply-to: [Dsc21@optonline.net](mailto:Dsc21@optonline.net)  
to: [tmurphy@vomny.org](mailto:tmurphy@vomny.org),  
[vtafur@vomny.org](mailto:vtafur@vomny.org),  
[nlucas@vomny.org](mailto:nlucas@vomny.org),  
[lpotok@vomny.org](mailto:lpotok@vomny.org),  
[kwaitt@vomny.org](mailto:kwaitt@vomny.org)  
date: Sun, Apr 8, 2018 at 11:46 AM  
subject: I support The Residences at Hampshire Proposal

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,

David Castagna  
[618 Bellevue Ave North Yonkers](#)  
Zip Code: 10703  
Email: [Dsc21@optonline.net](mailto:Dsc21@optonline.net)



RECEIVED

APR 17 2018

BUILDING DEPT

from: **Scott Forzaglia** <info@theresidencesathampshire.com>  
reply-to: forzag14@gmail.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaite@vomny.org  
date: Sat, Apr 7, 2018 at 3:54 PM  
subject: I support The Residences at Hampshire Proposal

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,

Scott Forzaglia

Zip Code: 10543

Email: [forzag14@gmail.com](mailto:forzag14@gmail.com)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Leslie  
Dixon** <info@theresidencesathampshire.com>  
reply-to: leslie.edixon@gmail.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
date: Sat, Apr 7, 2018 at 3:13 PM  
subject: I support The Residences at Hampshire Proposal

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,

Leslie Dixon

Zip Code: 10543

Email: [leslie.edixon@gmail.com](mailto:leslie.edixon@gmail.com)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **David Smith** <info@theresidencesathampshire.com>  
reply-to: Davesmith922@gmail.com  
  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
  
date: Sat, Apr 7, 2018 at 11:37 AM  
subject: I support The Residences at Hampshire Proposal

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,

David Smith  
[1200 King Street, Apt 209](#)  
Zip Code: 10573  
Email: [Davesmith922@gmail.com](mailto:Davesmith922@gmail.com)



RECEIVED

APR 17 2018

BUILDING DEPT

from: **JeanMarie Sutton** <info@theresidencesathampshire.com>  
reply-to: jeanmarie.sutton@raveis.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
date: Sat, Apr 7, 2018 at 9:23 AM  
subject: I support The Residences at Hampshire Proposal

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,

JeanMarie Sutton  
[25 Horace St](#)  
Zip Code: 06614  
Email: [jeanmarie.sutton@raveis.com](mailto:jeanmarie.sutton@raveis.com)

RECEIVED

APR 17 2018

BUILDING DEPT

from: **Rob Sutton** <[info@theresidencesathampshire.com](mailto:info@theresidencesathampshire.com)>  
reply-to: [rsutton@hampshriecub.com](mailto:rsutton@hampshriecub.com)  
  
to: [tmurphy@vomny.org](mailto:tmurphy@vomny.org),  
[vtafur@vomny.org](mailto:vtafur@vomny.org),  
[nlucas@vomny.org](mailto:nlucas@vomny.org),  
[lpotok@vomny.org](mailto:lpotok@vomny.org),  
[kwaitt@vomny.org](mailto:kwaitt@vomny.org)  
  
date: Sat, Apr 7, 2018 at 9:21 AM  
subject: I support The Residences at Hampshire Proposal

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,

Rob Sutton  
[1025 Cove Road](#)  
Zip Code: 10543  
Email: [rsutton@hampshriecub.com](mailto:rsutton@hampshriecub.com)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Scott Olson** <[info@theresidencesathampshire.com](mailto:info@theresidencesathampshire.com)>  
reply-to: [solson12@gmail.com](mailto:solson12@gmail.com)  
to: [tmurphy@vomny.org](mailto:tmurphy@vomny.org),  
[vtafur@vomny.org](mailto:vtafur@vomny.org),  
[nlucas@vomny.org](mailto:nlucas@vomny.org),  
[lpotok@vomny.org](mailto:lpotok@vomny.org),  
[kwaitt@vomny.org](mailto:kwaitt@vomny.org)  
date: Sat, Apr 7, 2018 at 9:03 AM  
subject: I support The Residences at Hampshire Proposal

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,

Scott Olson  
[53 Nelson Blvd](#)  
Zip Code: 10509  
Email: [solson12@gmail.com](mailto:solson12@gmail.com)



RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Stuart GILBERT** <info@theresidencesathampshire.com>  
reply-to: stugilbert@aol.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
date: Fri, Apr 6, 2018 at 3:16 PM  
subject: I support The Residences at Hampshire Proposal

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,

Stuart GILBERT  
1050 Nautilus Lane  
Zip Code: 33160  
Email: [stugilbert@aol.com](mailto:stugilbert@aol.com)

RECEIVED

APR 17 2018

BUILDING DEPT

from: **Menachem Silberstein** <info@theresidencesathampshire.com>

reply-to: mendelsilb@yahoo.com

to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org

date: Wed, Apr 4, 2018 at 11:03 PM

subject: I support The Residences at Hampshire Proposal

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,

Menachem Silberstein

[518 Cortlandt Ave](#)

Zip Code: 10543

Email: [mendelsilb@yahoo.com](mailto:mendelsilb@yahoo.com)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Jarrett Winchester** <info@theresidencesathampshire.com>  
reply-to: **Jalanwinchester@gmail.com**  
to: **tmurphy@vomny.org,**  
**vtafur@vomny.org,**  
**nlucas@vomny.org,**  
**lpotok@vomny.org,**  
**kwaitt@vomny.org**  
date: Tue, Apr 3, 2018 at 12:20 PM  
subject: I support The Residences at Hampshire Proposal

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,

Jarrett Winchester  
[418 mamaroneck ave, mamaroneck ny](#) 10543  
Zip Code: 10543  
Email: [Jalanwinchester@gmail.com](mailto:Jalanwinchester@gmail.com)



RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Naomi Koller** <info@theresidencesathampshire.com>  
reply-to: [koller.naomi@gmail.com](mailto:koller.naomi@gmail.com)  
  
to: [tmurphy@vomny.org](mailto:tmurphy@vomny.org),  
[vtafur@vomny.org](mailto:vtafur@vomny.org),  
[nlucas@vomny.org](mailto:nlucas@vomny.org),  
[lpotok@vomny.org](mailto:lpotok@vomny.org),  
[kwaitt@vomny.org](mailto:kwaitt@vomny.org)  
  
date: Mon, Apr 2, 2018 at 7:53 AM  
subject: I support The Residences at Hampshire Proposal

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,

Naomi Koller  
[75 old lyme rd](#)  
Zip Code: 10514  
Email: [koller.naomi@gmail.com](mailto:koller.naomi@gmail.com)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Cookie  
Rosenblum** <info@theresidencesathampshire.com>  
reply-to: Cookierosenblum@aol.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
date: Sun, Apr 1, 2018 at 11:15 AM  
subject: I support The Residences at Hampshire Proposal

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,

Cookie Rosenblum  
[1402 Fairway Green](#)  
Zip Code: 10543  
Email: [Cookierosenblum@aol.com](mailto:Cookierosenblum@aol.com)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Shannon  
Dennis** <info@theresidencesathampshire.com>  
reply-to: Shannondennis214@gmail.com  
  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
  
date: Sat, Mar 31, 2018 at 6:27 PM  
subject: I support The Residences at Hampshire Proposal

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,

Shannon Dennis

[29 cooper Dr](#)

Zip Code: 10801

Email: [Shannondennis214@gmail.com](mailto:Shannondennis214@gmail.com)



RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Jean-Paul Jansen** <info@theresidencesathampshire.com>  
reply-to: Jansen.jp.2@gmail.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaite@vomny.org  
date: Fri, Mar 30, 2018 at 6:16 AM  
subject: I support The Residences at Hampshire Proposal

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,

Jean-Paul Jansen  
[640 Barrymore Lane](#)  
Zip Code: 10543  
Email: [Jansen.jp.2@gmail.com](mailto:Jansen.jp.2@gmail.com)

RECEIVED

APR 17 2018

BUILDING DEPT

from: **william  
Ingraham** <info@theresidencesathampshire.com>  
reply-to: wingraham@mac.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
date: Thu, Mar 29, 2018 at 2:27 PM  
subject: I support The Residences at Hampshire Proposal

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,

william Ingraham  
[71 Beechtree Drive](#)  
Zip Code: 10538  
Email: [wingraham@mac.com](mailto:wingraham@mac.com)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Demetrios Mourouzis** <info@theresidencesathampshire.com>

reply-to: demetrios3@gmail.com

to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org

date: Wed, Mar 28, 2018 at 11:16 AM

subject: I support The Residences at Hampshire Proposal

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,

Demetrios Mourouzis

[104 Bainbridge Ave](#)

Zip Code: 10594

Email: [demetrios3@gmail.com](mailto:demetrios3@gmail.com)



RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Andrew Brucker** <[info@theresidencesathampshire.com](mailto:info@theresidencesathampshire.com)>  
reply-to: [Abrucks18@aol.com](mailto:Abrucks18@aol.com)  
to: [tmurphy@vomny.org](mailto:tmurphy@vomny.org),  
[vtafur@vomny.org](mailto:vtafur@vomny.org),  
[nlucas@vomny.org](mailto:nlucas@vomny.org),  
[lpotok@vomny.org](mailto:lpotok@vomny.org),  
[kwaitt@vomny.org](mailto:kwaitt@vomny.org)  
date: Tue, Mar 27, 2018 at 12:45 PM  
subject: I support The Residences at Hampshire Proposal

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 Brucker  
[18 Stoneleigh Close](#)  
Zip Code: 10583  
Email: [Abrucks18@aol.com](mailto:Abrucks18@aol.com)

RECEIVED

APR 17 2018

BUILDINGS DEPT

from: **Mary Ann Johnson** <info@theresidencesathampshire.com>

reply-to: jocapt@optonline.net

to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org

date: Sun, Mar 25, 2018 at 5:41 PM

subject: I support The Residences at Hampshire Proposal

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,

Mary Ann Johnson  
403 Fairway Green  
Zip Code: 10543  
Email: [jocapt@optonline.net](mailto:jocapt@optonline.net)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **norman portnoy** <info@theresidencesathampshire.com>  
reply-to: portnoys@gmail.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
date: Sun, Mar 25, 2018 at 5:21 PM  
subject: I support The Residences at Hampshire Proposal

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,

norman portnoy  
[123 wood brook road white plains n.y](#)  
Zip Code: 10605  
Email: [portnoys@gmail.com](mailto:portnoys@gmail.com)



RECEIVED

APR 17 2018

BUILDING DEPT

from: **David Smith** <info@theresidencesathampshire.com>  
reply-to: Davesmith922@gmail.com  
  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaite@vomny.org  
  
date: Sat, Apr 7, 2018 at 11:37 AM  
subject: I support The Residences at Hampshire Proposal

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,

David Smith  
[1200 King Street, Apt 209](#)  
Zip Code: 10573  
Email: [Davesmith922@gmail.com](mailto:Davesmith922@gmail.com)

RECEIVED

APR 17 2018

BUILDING DEPT

from: **Stuart  
Gilbert** <info@theresidencesathampshire.com>  
reply-to: Stugilbert@aol.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
date: Fri, Mar 23, 2018 at 6:47 PM  
subject: I support The Residences at Hampshire Proposal

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,

Stuart Gilbert  
1050 Nautilus Lane  
Zip Code: 33160  
Email: [Stugilbert@aol.com](mailto:Stugilbert@aol.com)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Phil Brock** <info@theresidencesathampshire.com>  
reply-to: philbrock@optonline.net  
  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
  
date: Thu, Mar 22, 2018 at 4:48 PM  
subject: I support The Residences at Hampshire Proposal

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,

Phil Brock  
79 Gfreenway Close  
Zip Code: 10573  
Email: [philbrock@optonline.net](mailto:philbrock@optonline.net)



from: **Marshall  
Steinberg** <info@theresidencesathampshire.com>  
reply- to: mtsteinberg28@yahoo.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
date: Wed, Mar 21, 2018 at 4:29 PM  
subject: I support The Residences at Hampshire Proposal

RECEIVED  
APR 17 2018  
BUILDING DEPT

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,

Marshall Steinberg  
[80 Riverside Blvd. NY NY](#)  
Zip Code: 10069  
Email: [mtsteinberg28@yahoo.com](mailto:mtsteinberg28@yahoo.com)

RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Amy  
Levin** <info@theresidencesathampshire.com>  
reply-to: **Ajl459@yahoo.com**  
  
to: **tmurphy@vomny.org,**  
**vtafur@vomny.org,**  
**nlucas@vomny.org,**  
**lpotok@vomny.org,**  
**kwaitt@vomny.org**  
  
date: **Wed, Mar 21, 2018 at 2:02 PM**  
subject: **I support The Residences at Hampshire Proposal**

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,

Amy Levin  
[147 Rockland Ave, Larchmont, NU](#)  
Zip Code: 10538  
Email: [Ajl459@yahoo.com](mailto:Ajl459@yahoo.com)

RECEIVED

APR 17 2018

BUILDING DEPT

from: **Robert Menell**  
**Menell** <info@theresidencesathampshire.com>  
reply-to: rmenell@gmail.com  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaitt@vomny.org  
date: Wed, Mar 21, 2018 at 10:43 AM  
subject: I support The Residences at Hampshire Proposal

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,

Robert Menell Menell  
[77 Havemeyer Lane, Unit 402](#)  
Zip Code: 06902  
Email: [rmenell@gmail.com](mailto:rmenell@gmail.com)



RECEIVED

APR 17 2018

BUILDING DEPT.

from: **Randi Held** <info@theresidencesathampshire.com>  
reply-to: randibheld@gmail.com  
  
to: tmurphy@vomny.org,  
vtafur@vomny.org,  
nlucas@vomny.org,  
lpotok@vomny.org,  
kwaite@vomny.org  
  
date: Wed, Mar 21, 2018 at 10:32 AM  
subject: I support The Residences at Hampshire Proposal

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,

Randi Held  
[33 Meadowlark Road](#)  
Zip Code: 10573  
Email: [randibheld@gmail.com](mailto:randibheld@gmail.com)

## Betty-Ann Sherer

---

**From:** Jane E Herzog <jeh2@nyu.edu>  
**Sent:** Monday, April 16, 2018 12:00 PM  
**To:** Betty-Ann Sherer  
**Subject:** Hampshire

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

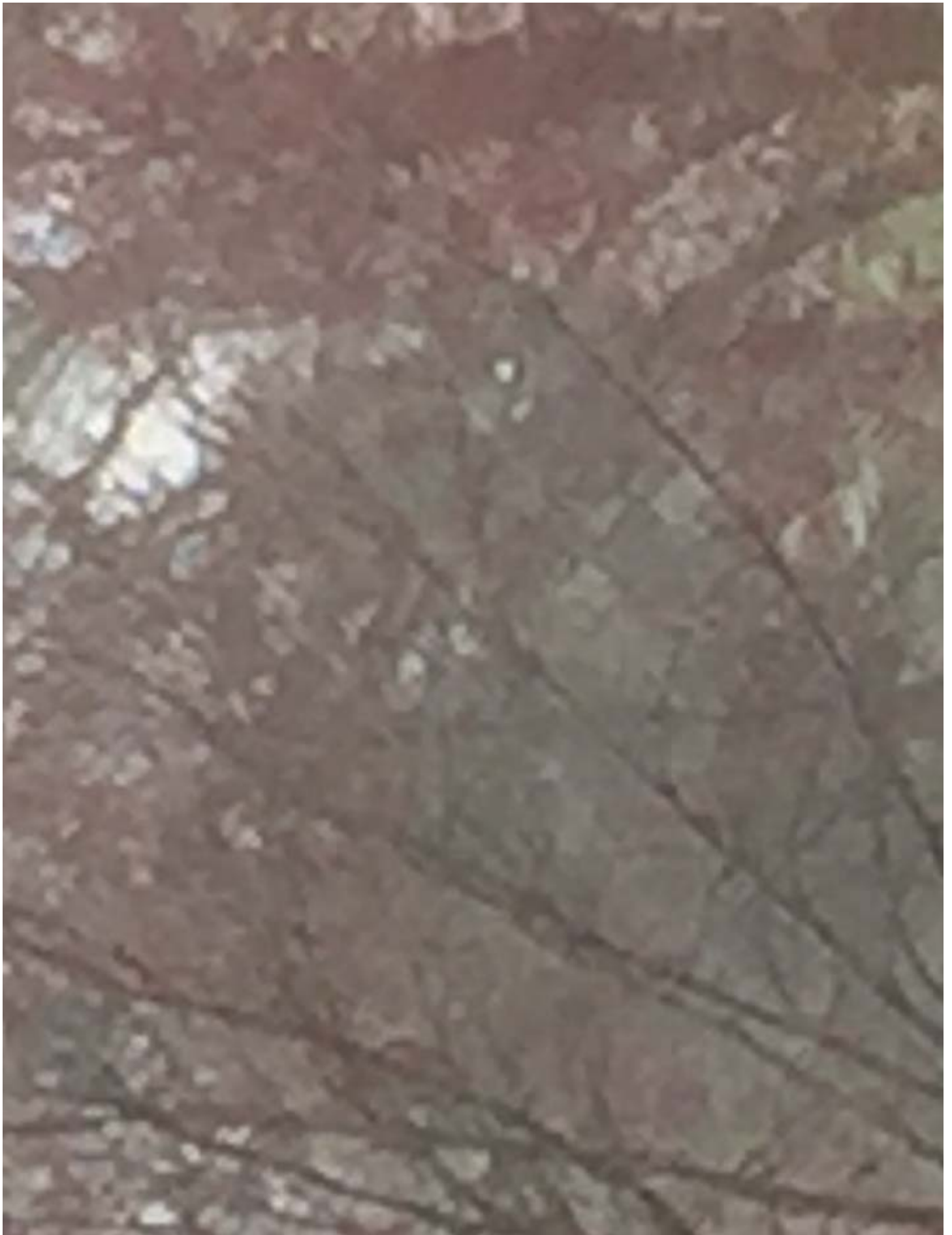
Please  
Share with the Planning Board  
Thanks.  
Photos from Hampshire Golf Course on 4/16 during the rain.

Not even a nor'easter! It is almost entirely underwater and the rain continues. What are the developers thinking of other than dollar signs???









## Betty-Ann Sherer

---

**From:** DAVID WENSTRUP <dwenstrup@me.com>  
**Sent:** Monday, April 16, 2018 2:16 PM  
**To:** Betty-Ann Sherer  
**Cc:** Mayor Tom Murphy; Victor Tafur; Leon Potok; Nora Lucas; Keith Waitt  
**Subject:** Comments to Planning Board on Hampshire Proposal  
**Attachments:** HCC Flooding Comments 041118.docx; Flood Plain Diagrams.pdf; Waterfall Photographs during Sandy.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To the Planning Board:

This note follows up on comments I made at the April 11 Planning Board meeting regarding the effect of fill in floodplain (as proposed by Hampshire) on neighboring homes and roads. In summary, contrary to Hampshire's assertions, water in the flood plain DOES NOT immediately reach the level of LI Sound in moderately severe flooding events because there is not infinite flow into the flood plain. It takes substantial time. By filling in part of the flood plain (with either imported fill or cut and fill), Hampshire would be reducing the flood plain capacity, and the water in the flood plain would rise faster, and may ultimately reach a higher level than it would have without the fill.

I'm including i) my comments at the meeting, 2) a graphic representation of the effect, and 3) photographs documenting the effect during Superstorm Sandy.

Below are my more detailed comments I made at the Planning Board Meeting.

Below is a presentation visually depicting the effect.

Finally, Here are two pictures taken during Sandy that document that the flow into the flood plain that contains Hampshire takes time to fill. Both pictures are of the retaining wall separating Hommocks Road from the 10th green/11th tee.



My Name is David Wenstrup and I live on Cove Road.

I'd like to bring additional light on the flood plain issues with Hampshire's plan. As you know, the vast majority of the Hampshire property lies below the flood plain, some of it at elevations as low as mean sea level. And you also know that their plan includes massive amounts of fill in that flood plain, including both imported fill and "cut and fill"

You've heard from Mr. Kass that our Village laws prohibit filling in a flood plain. I'd like to think that that would be the end of the matter, yet here we still are. The developer has made an argument that that law should not apply to them because this is a coastal flood zone as opposed to a river or stream based flood zone, and so—they say—filling it would not have a detrimental effect. That distinction between coastal and stream based flood zones doesn't exist in village law, but more importantly, they are wrong in their assertions about the detrimental effect.

Basically, the developer argues that, because there is effectively infinite water in the Long Island Sound, the water in the flood zone will immediately equalize with the sound, so filling in part of the flood zone doesn't affect the water level. This argument ignores the particular topography of Hampshire AND some of the surrounding homes and roads.

You see, Hampshire is in a bath tub. That is, it is an area of low elevation, completely surrounded by areas of slightly higher elevation. What that means is that the areas of higher elevation keep the water out of the property during mild coastal flooding events. We know this to be the case. For example, the property has elevations as low as mean sea level, and we have an 8 foot tide around here. That means, every day at high tide, parts of the property are 4 feet BELOW the level of the sound. What's happening is that the high areas around the club prevent the water from coming in. These are the walls of the bathtub. In a daily high tide, and in mild flooding situation, the bathtub walls keep the water out. But in a moderate to moderately severe flooding event—such as Sandy, the water will begin to breach the lowest points in the bath tub wall.

This is exactly what happened in Sandy, and from Sandy we know that one of the lowest points in the bath tub wall is Hommocks Road directly adjacent to the 11<sup>th</sup> tee. Many of us witnessed, and photographed, the “waterfall” as water entered the club property over Hommocks Road.

But what's really important is that when the water level in the sound breaches the bathtub wall in a Sandy-like event, it doesn't immediately fill up. It takes time. In Sandy, it took hours. That time to fill is incredibly important, because the sea level may go down before the flood plain reaches the level of the sound, so the flood levels in those areas may never reach the sounds' level. And the time to fill depends on the size of the bath tub. Fill, whether imported or cut and fill, shrinks the bath tub. Raising Eagle Knolls road, so that water can't enter the flood plain on the other side of Eagle Knolls, also dramatically shrinks the capacity of the flood plain to absorb that water flowing in, so the level of the water in that bathtub will increase faster.



This would be one thing if Hampshire was alone in the flood plain, but they are not. When the water level rises in Hampshire, it spills over to adjacent homes, and to the intersection of Eagles Knolls and Hommocks Road, preventing egress. You've heard this already in the accounts in February from Paul Cantwell, and the gentleman who owns part of the pond on the 10<sup>th</sup> hole. They described how water comes from Hampshire onto their property and in their homes. If Hampshire fills the flood plain or raises Eagles Knolls Road, it will happen faster, and may flood them in times when it otherwise would not have.

I'm describing the mechanics of what happens, which was borne out as witnessed in Sandy. I will also submit to the Board a Powerpoint Presentation which graphically depicts the mechanics. But to quantify the effect with rigorous hydrological analysis, we would need complete topographical data of not just Hampshire's property but also the surrounding properties, to define the extent of the "bath tub" and its walls, its capacity for holding water, and the impact of the proposed development.

I'll end where I began. The law is the law. And the law says you can't fill in a flood plain, with either cut and fill or imported fill. But if for some reason you are tempted to believe that law does not apply to them, please don't accept their argument that fill has no impact on flooding. At the very least, make them analyze the full extent of the floodplain, including beyond their boundaries, to prove that it would have no impact on those neighbors or on the area roads. And make them provide the data in electronic format so that independent engineers can quantify the effect. I am not asking as a stalling tactic; I am asking because I don't think they can show it won't have a material impact.

Thank You