

Minutes of a Special Work Session Meeting of the Harbor and Coastal Zone Management Commission (HZCM) of the Village of Mamaroneck held May 30, 2012 in the courtroom at Village Hall, Mamaroneck, New York

PRESENT: Nick Allison, Chairman; Jim Bilotta, Peter Jackson, Kevin LaFollette, Clark Neuringer, Alice Pernick, Bert Siegel
Anna Georgiou, HCZMC Counsel
Richard Slingerland, Village Manager
Daniel Sarnoff, Assistant Village Manager

CALL TO ORDER

Mr. Allison called to order the Special Work Session Meeting at 7:37 p.m.

1. Errors on the CAF for PLL-I-2012

Ms. Georgiou read aloud from the State Environmental Quality Review Act (SEQRA) handbook, page 61, information on Lead Agency. Two Lead Agency responsibilities are to carry out funding, and approve actions. The Department of Environmental Conservation (DEC) resolves Lead Agency disputes. She continued reading.

Mr. Allison stated that the SEQRA process identifies thresholds such as Type I actions.

The Board members discussed the Coastal Assessment Form (CAF). The Village flood plain area also was addressed. Mr. Slingerland said that the flood plain only covers land. Ms. Georgiou added that there are different determinations in the flood plain such as Zone A and Zone B, etc. Ms. Nora Lucas noted that the National Flood Insurance Program rates maps, and said that not everything in the Village is mapped.

The Environmental Assessment Form (EAF) was addressed including different soil types. Mr. Sarnoff said that the State is in the process of updating the form as it was not accurately reflective. He said that the new form should be available in the fall. Ms. Georgiou remarked that a full EAF is drafted to principally address land use projects. Mr. Neuringer stated that the EAF should generate as much information as possible in order to make a rational determination.

Mr. Slingerland commented that many homes in the Village are compliant with the flood elevation requirements, and there are various levels of compliance throughout the Village. Mr. Neuringer said that the percentage of homes that are flood compliant is valuable information, and asked that this data be made available.

Ms. Nora Lucas stated that the policies for the Local Waterfront Revitalization Program (LWRP) are not addressed, and should be. An inventory of properties should be taken. She remarked that forms need to be filled out better.

2. Letter of Intent from the Board of Trustees on the Jefferson Avenue Bridge

Mr. Neuringer said that this matter is about agreeing or disagreeing with the Letter of Intent. Mr. Slingerland said that this was voted on at the May 29, Board of Trustees meeting.

Mr. Slingerland stated that it will take several years to replace the bridge. The center abutment will be removed. The new abutment will be deeper and below ground. He said the bridge will be the same height and there will be a sidewalk on each side of the bridge. He stated that it is a Type II action. The acquired 150 square feet of land will support the abutment and is an Unlisted action. Mr. Sarnoff said that the length and width of the bridge will remain the same. Mr. Slingerland said that the total value of the purchased properties is less than \$30,000.

Mr. Slingerland said the Army Corps of Engineers and the DEC all had input on this project. He said there will be no increase or decrease of water flow of the Mamaroneck River. Obstructions to the river will be removed. Mr. Sarnoff added that it will lead to better hydraulic flow of the river.

Mr. Siegel restated that the bridge is a Type II action and the abutment is an Unlisted action. He said it should be one action.

Mr. Sarnoff stated that counsel recommended a Type II action. He said that staff worked with counsel, engineers, and the design firm, WSP Sells. Input also was given by the former building inspector, John Winter, and others.

Mr. Slingerland said that studies have been conducted and the consensus was to remove the center abutment. There will not be an increase in volume of flow but an improvement in the efficiency of flow, and the speed will increase. Mr. Slingerland remarked that 20 to 30 tons of debris has been removed from the river and the goal is to have the river flow better.

Mr. Allison remarked that there will be an impact. When the velocity is changed, there will be an environmental change.

Mr. Bilotta stated that the options before the Board are to move to issue a no objection to the notice, object to the notice, or do nothing and in thirty (30) days the Board of Trustees will become the Lead Agency.

Mr. Neuringer inquired who will do the review for the Unlisted portion. Mr. Slingerland said WSP Sells, attorneys, and staff.

Ms. Lucas commented that the project was awarded at last night's Board of Trustees meeting, and she remarked that a Type II action may be incorrect. The easement needs land to put the abutment on.

Mr. Siegel said that this project should have been discussed with the HCZMC three years ago when it originated.

Mr. Bilotta inquired when the project will start. Mr. Slingerland said that the first step is to secure financing which will take about sixty days. He said the deck will be constructed off site. The abutment will be slightly wider north and south.

Ms. Pernick moved that there be no objection to designation of the Board of Trustees of the Village of Mamaroneck as Lead Agency on the Unlisted Action, seconded by Mr. Bilotta.

Vote:

Ayes: Allison, Bilotta, Jackson, LaFollette, Neuringer, Pernick, Siegel

Nays: None

3. Planning Board letter to Board of Trustees regarding a Moratorium on Piers and Docks

Mr. Neuringer stated that the Planning Board's role is to approve wetland permits. He said the Planning Board should not have gone before the Board of Trustees on this matter, but should have referred the matter to this Board. The Planning Board's document sent to the Board of Trustees is out of order and he stated that this Board will send their response to the Board of Trustees.

Mr. Allison mentioned that he had a conversation with Mr. Ianniello, Planning Board Chairman, regarding the Canter dock.

Mr. Neuringer said HCZMC establishes changes to the Code. This Board reviews and adds legislation to govern the buffer in the Federal Channel.

Ms. Pernick noted that the size of docks, not vessels, is at issue. She said that there should not be a moratorium. Issues raised by the Harbor Master should be reviewed.

Mr. Siegel said that the HCZMC has guidelines and any questions or concerns from other Boards or the Harbor Master should be directed to this Board.

Mr. Daniel Natchez, President, Daniel S. Natchez and Associates, came forward and said that the Planning Board acted without foundation. Placing a moratorium on piers and docks is sending the wrong message. He said that this is a maritime community that has received many grants. No moratorium should be put into effect. He remarked that real estate taxes differ for homes that are on the waterfront than for those homes that are inland. He said that when making a determination, it has to be in the best interest of the Village.

Mr. Allison said that a Resolution will be drafted, and will be voted on at the next regular meeting.

4. Lead Agency and SEQRA

Mr. Allison stated that this agenda item will be tabled as Lead Agency and SEQRA were already discussed.

On motion of Mr. Jackson, seconded by Mr. Neuringer, Lead Agency and SEQRA agenda item is tabled. Motion carried unanimously.

ADJOURNMENT

There being no other business, and on motion of Mr. Jackson, seconded by Mr. Siegel, the meeting was adjourned at 9:45 p.m. Motion carried unanimously.

Respectfully submitted,

Anne Hohlweck
Recording Secretary