

PUBLIC HEARING ON PLL 4-2010

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MINUTES OF A PUBLIC HEARING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK HELD ON MONDAY, FEBRUARY 22, 2010 AT 7:30 P.M. IN THE COURTROOM AT VILLAGE HALL, MAMARONECK, NEW YORK

PRESENT:	Mayor	Norman S. Rosenblum
	Trustees	Louis N. Santoro Toni Pergola Ryan John M. Hofstetter Marianne V. Ybarra
	Village Manager	Richard Slingerland
	Village Attorney	Christie McEvoy-Derrico
	Police Department	Chief Edward Flynn
	Clerk-Treasurer	Agostino A. Fusco
ABSENT:		None

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Board of Trustees of the Village of Mamaroneck on the 22nd of February, 2010, at 7:30 p.m., or as soon thereafter as all parties can be heard, at the municipal building located at 169 Mount Pleasant Avenue, Mamaroneck, New York, to consider PROPOSED LOCAL LAW NO.4-2010, a local law adopting a new Stormwater Law.

PLEASE TAKE FURTHER NOTICE that a copy of Proposed Local Law No. 4-2010 is on file with the Clerk-Treasurer of the Village of Mamaroneck.

PLEASE TAKE FURTHER NOTICE that at said public hearing, all persons interested will be given an opportunity to be heard.

BY ORDER OF THE BOARD OF TRUSTEES OF
THE VILLAGE OF MAMARONECK, NEW YORK

Agostino A. Fusco
Clerk-Treasurer

Dated: February 15, 2010

On motion of Trustee Ryan, seconded by Trustee Santoro:

RESOLVED that the Public Hearing on Proposed Local Law 4-2010 be and is hereby opened.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

Mr. Keith Furey, Village Consulting Engineer gave history of this proposed local law. He stated that in accordance with the NY State Department of Conservation, the Village has to adopt a Stormwater Law that is in conformance with their SPEDES Permit. The State's model law was reviewed and revised to fit the needs of the Village. This law creates a requirement for all development activities; anything that disturbs land in the pursuit of building or development of a parcel of property.

The memo distributed to the Board summarizing the salient points of the proposed law follows:

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All development activities that result in a land disturbance of greater than 1,000 square feet but less than 2,000 square feet (would cover most residential home additions and or garages) requires detention of the additional run-off due to said construction's added impermeable surfaces for the 25-year design storm;

All development activities that result in a land disturbance of greater than 2,000 square feet but less than 1-Acre (43,560 square feet) will include water quality treatment for the 90% storm as defined in the New York State Department of Environmental Conservation Stormwater Design manual (NYSDEC SWDM) as well as detention for the run-off from the site resultant from all (both pre-existing as well as proposed) impermeable surfaces on the site.

Sites greater than 1-Acre are required to meet the Phase II Stormwater Regulations as per the NYSDEC SWDM.

The law provides for an exemption from the detention requirements of the law for those properties located wholly within the 100-year floodplain which in the opinion of the Villages Stormwater Management Officer (SMO) will exacerbate flooding rather than relieve it and which in the opinion of the SMO will not result in an increase of downstream flooding (Note for the exemption to apply all of the criteria must be met)

For new construction and/or substantial improvement projects, the entire square footage of a given site will be considered to be being disturbed for the purposes of this law (in other words if a site is over an acre, regardless of how much of the site the applicant claims will be disturbed by the construction, the area of disturbance will be considered to be the entire site - in this case over an acre)

Substantial improvement is further defined as any project and or projects, cumulatively taken for the last 10-years, that results in an increase in the value of the structures on the site of 50% or more as determined by the assessment of the structures on the site (as per the records of the Village Assessor's Office) and/or any project that alters 50% or more of the floor area of the primary structures on the site as determined by the Building Department.

Mr. Furey stated that the law, as published on the website, has two minor typographical errors. One on page 5 of draft under the definition for connection permit, it references 254-13, it should be 294-13 and on next page under Emergency Response Agency, it references the Village of Scarsdale (as this was a definition borrowed from Scarsdale), it should read the Village of Mamaroneck. Trustee Santoro asked about municipalities upstream and if they had to also adopt a stormwater management law. Mr. Furey stated that yes they did and most of them used the model law as this fits most communities. Trustee Hofstetter asked how subdivided properties are handled. Mr. Furey stated that any construction on the newly divided property would be handled as new construction and if there is no construction on the original property, the law would not apply.

Mr. Slingerland asked the Board that the hearing be continued at the March 8, 2010 meeting for the above changes to be made and for any other residents to comment on the law.

On motion of Trustee Santoro, seconded by Trustee Ybarra:

RESOLVED that the Public Hearing on Proposed Local Law 4-2010 be and is hereby adjourned to the March 8, 2010 Board of Trustees Meeting.

Ayes: Ybarra, Hofstetter, Ryan, Santoro, Rosenblum

Nays: None

RESPECTFULLY SUBMITTED BY:

AGOSTINO A. FUSCO, CLERK-TREASURER