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By Email and Hand
Chairwoman Robin Kramer and Members
of the Zoning Board of Appeals
Village of Mamaroneck
169 Mt. Pleasant Avenue
Mamaroneck, New York 10543

Re: Search for Change, Inc.
Harbor Side Apartments Housing Development Fund Corporation
Appeal/Request for Interpretation
Premises: 338-352 Mount Pleasant Avenue, Village of Mamaroneck, NY
Village of Mamaroneck Parcel IDs: Section 9, Block 17, Lots 2, 3, & 4

Dear Chairwoman Kramer and Members of the Zoning Board of Appeals:

This letter is respectfully submitted on behalf of Search for Change, Inc. as the sponsor of the Harbor Side Apartments Housing Development Fund Corporation ("the Applicant") and the owner of the properties located at 338-352 Mount Pleasant Avenue in the Village of Mamaroneck, New York (the "Premises") in furtherance of its pending applications for site plan, special permit and subdivision approvals to redevelop the Premises with a multifamily dwelling building consisting entirely of Fair and Affordable Residences[1] (the "Project" or the "Proposed Action").

The Applicant proposes to demolish all 3 existing residential, multifamily dwelling buildings and associated improvements on the 0.535-acres Premises, merge the 3 tax parcels into 1 new tax lot, and construct a new 6-story multifamily dwelling building in accordance with the Village of Mamaroneck Zoning Code, particularly Article XV entitled Fair and Affordable Residence Uses.

The Building Inspector's May 1, 2024 Land Use Determination is Final, Non-Appealable and Binding against the Village and all Parties

On April 17, 2024, the Applicant made its request for a Land Use Determination and Referral to the Planning Board. On May 1, 2024, the Building Inspector issued a Land Use Determination

[1] Indeed, 100 percent of the apartments will constitute Fair and Affordable Housing Units as the Project will provide housing exclusively to individuals and families with household incomes at 60% or less of the Area Median Income (AMI). Further, 50 percent of the apartments will constitute Fair and Deeply Affordable Housing Units as the Project will provide housing exclusively to individuals and families with household incomes at 30% or less of the Area Median Income (AMI). *See* Village of Mamaroneck Zoning Code Section 342-3(B).

expressly finding that the Project required Site Development Plan Approval, a Special Permit for Residence Use in the C-2 district, and a Subdivision for the Merger of the three lots from the Planning Board as well as an Area Variance relative to Parking for Fair & Affordable Residences (28 spaces proposed where 51 spaces are required for a 23 space variance) from the ZBA. *See* **Exhibit A**: The May 2024 Land Use Determination. Thereby, the Village established the various land use entitlements necessary for the Project. Subsequently, the Applicant made its initial submission on May 9, 2024 to the Planning Board in furtherance of the Project for the Premises. The Applicant also acknowledged that other Village agencies would need to issue approvals and recommendations for this Project, such as the Zoning Board of Appeals, the Board of Architectural Review, and the Harbor & Coastal Zone Management Commission.

Then, the Applicant appeared before the Planning Board on May 30, 2024 for a public meeting. During that appearance, the Planning Board reviewed the Village of Mamaroneck Staff Application Summary Sheet, the May 24, 2024 Memorandum from the Village Town Planner (AKRF), the May 30, 2024 Memorandum from the Village Consulting Engineer (KSCJ Consulting) and the May 23, 2024 Memorandum from the Village Consulting Arborist (Terra Bella Land Design) as well as received input from the Village Planning Board Attorney and Village Staff. The Village Planning Board thereafter classified the Project as a Type I Action under the State Environmental Quality Review Act ("SEQRA").

The Village and the public's failure to appeal the May 1, 2024 Building Inspector Zoning Determination to the ZBA within 60 days as required by New York State Village Law Section 7-712-a(4) and (5)(b) acts as an absolute legal bar to E. Scott Ransom's July 1, 2025 Land Use Determination subsequently. Indeed, NY State Appellate Division, Second Department case law repudiates any notion otherwise. A municipality and its agencies as well as departments are equally bound by the statutorily required administrative review procedures of Village Law Section 7-712-a.

Moreover, the Applicant spent 15 months between May 2024 and July 2025 before the Planning Board in good faith processing, revising and honing the Project based upon comments received from the Village Planning Board, its Consultants, and/or the public to reduce the number of units to 62 and increase the number of parking spaces back to 28 through various modifications, including relocating the community room and utility room to the second floor.

Thereafter, the new Building Inspector, E. Scott Ransom, who is copied on this Appeal, saw fit to unilaterally weigh into the on-going land use entitlement process and issue a "new" determination asserting that the proposed Fair and Affordable Residence Use per Village Zoning Code Article XV entitled "Fair and Affordable Residence Uses" is not a permitted Use in the C-2 zoning district or anywhere in the Village. Municipalities cannot simply change their mind at

any time when a new administration and municipal officials take contrary positions to that of prior municipal officials. *See* **Exhibit B**: Illegal July 2025 Land Use Determination. And, as a result of that determination, the Planning Board has suspended its review of the Project further harming the Applicant.

E. Scott Ransom's Illegal July 2025 Land Use Determination is without Jurisdiction and Void *Ab Initio*

E. Scott Ransom's Illegal July 2025 Land Use Determination is void *ab initio*, was issued without power or jurisdiction, contravened statutorily required administrative review procedures; and, therefore was an *ultra vires* act. E. Scott Ransom with wanton abandon ignored the Building Inspector's May 2024 Land Use Determination in direct violation of Village Law Section 7-712-a. E. Scott Ransom did not have the authority more than 1-year after the fact to challenge the May 2024 Land Use Determination. In short, the Village, the Village Attorney, and any other municipal official or body taking a contrary position to that of their own enforcement officer charged with enforcing and interpreting the Zoning Code, were all statutorily obligated to file a ZBA appeal within sixty days of May 1, 2024, which 60-day timeframe had unequivocally expired by July 1, 2025.

Indeed, in Rattner v. Planning Commission of the Village of Pleasantville, 156 A.D.2d 521, 538 N.Y.S.2d 943 (2nd Dept. 1989), the Appellate Division addressed "a dispute over the propriety of parking commercial limousines on a lot located in a 'RO-2' Medium Density Residential/Office District in the Village of Pleasantville". Id. at 522. The building inspector of Pleasantville, like the original Building Inspector herein, acting in his capacity as the enforcement officer charged with interpreting the zoning code, determined that the proposed use was a legal accessory use. Id. at 523. However, the village itself and the village planning commission disputed their own building inspector's determination, as well as the prior building inspector's determination from 1982. Just like E. Scott Ransom herein, who never filed a ZBA appeal, neither the village planning commission nor the village board in Rattner filed an appeal to the zoning board of appeals within the required limitations period, and instead much later, like E. Scott Ransom herein, mounted a challenge to "the former Building Inspector's determination that the parking of commercial limousines on 423 Manville was a permitted use." Id. at 523.

The Second Department, affirming a decision of the Supreme Court, Westchester County, which held "that the administrative appeals [by the municipality and the municipal boards] were untimely," and obviously mandatory (id. at 524), concluded that the municipality's attempt to have the "propriety of the former Building Inspector's determination" reviewed was "barred" because the municipal parties had not "first exhaust[ed] their administrative remedies". Id. at

527. Specifically, the Second Department, which did not make any distinction between a municipal board's challenge to a building inspector's determination or a private litigant's challenge – both of which must first exhaust administrative remedies -- held as follows:

> "Judicial intervention is barred by the Village parties' failure to pursue their administrative remedies by timely bringing an administrative appeal of the Building Inspectors determination with the Zoning Board of Appeals…" Id.

The Second Department's holding in Rattner makes it readily apparent that a challenge to a building inspector's determination, whether the challenge is made by a property owner or municipal body or official such as E. Scott Ransom, is facially defective and barred as a matter of law unless administrative remedies are exhausted which, in the context of a village such as the Village of Mamaroneck, are set forth explicitly under Village Law Section 712-a(4) and (5)(b). Thus, just like the municipal bodies and agencies in Rattner, E. Scott Ransom and the entire Village are similarly "barred" from contesting the May 2024 Land Use Determination of the prior building inspector.

The Village's failure to file an administrative appeal to the ZBA renders them impotent to now contest any findings contained in the May 2024 Land Use Determination, or now take a contrary position to that of the prior Building Inspector. The failure to file an administrative appeal of a building inspector's determination renders the Village Attorney, the Village and anyone else powerless to do so at a later time. *See* Engert v. Phillips, 150 A.D.2d 752, 754, 542 N.Y.S.2d 202 (2d Dept. 1989)(having failed to seek "administrative review of the [building inspector's] determination," the challengers "may not challenge it here"). *See* also Hays v. Walrath, 271 A.D.2d 744, 745, 705 N.Y.S.2d 441 (3d Dept. 2000) (holding that where the petitioners "questioned the legality of" a building inspector's issuance of a building permit just ten days after its issuance, their "failure to seek administrative review by the ZBA 'with respect to the Building Inspector's issuance of the challenged building permit forecloses their ability to raise that issue before this Court'"); Parisella v. Zoning Board of Appeals of the Town of Fishkill, 188 A.D.2d 712, 713, 590 N.Y.S.2d 599 (3d 1992)(holding that because the "Town Law former Section 267(2) provides the mechanism for reviewing determinations 'made by an administrative official charged with enforcement of any [zoning] ordinance'," "Petitioners' failure to pursue this review procedure with respect to the Building Inspector's issuance of the challenged building permit forecloses their ability to raise that issue before this court").

The case of Jonas v. Town of Colonie, 110 A.D.2d 945, 488 N.Y.S.2d 263 (3d Dept. 1985), is also on point with this situation and further refutes any belated attempt to challenge the May 2024 Land Use Determination, which was not appealed to the ZBA. In Jonas, the superintendent of buildings, who, like the Building Inspector herein, was vested with authority to enforce the

zoning regulations at issue, "determined that the proposed construction by Sienna is consistent with respondent's zoning laws and would, accordingly, not require a variance." Id. at 946. The court, in rejecting a belated challenge to that determination, held as follows: "Such decision by the Superintendent was appealable to respondent's Zoning Board of Appeals…it follows that petitioners were barred from challenging the Superintendent's decision by their failure to exhaust their administrative remedies, i.e., to seek review by the Zoning Board of Appeals."

By the same reasoning, E. Scott Ransom was and still is powerless to issue the Illegal July 2025 Land Use Determination which contravened statutorily required administrative appeal procedures.

Nonetheless, per the hastily issued April 14, 2025 email from E. Scott Ransom to Planning Board Chairman Seamus O'Rourke and after a revisiting of the Applicant's April 15, 2025 last appearance before the Planning Board as well as the Applicant's June 16, 2025 most recent submission to the Planning Board, it is possible to the conceive of a rationale where the Planning Board was seeking a clarification of a single aspect of the May 2024 Land Use Determination, namely relative to the noted need for a ZBA Area Variance concerning "Parking for Fair & Affordable Residences – 28 spaces proposed where 51 spaces required; variance needed for 23 spaces", particularly given that the Applicant was asserting in that June 16, 2025 submission that although 28 spaces were still proposed, only 48 spaces were required for a lesser variance of 20 parking spaces as a result of the project changes (i.e., decrease in number of dwelling units, residential amenity area, and programing spaces on the first and second floors) leading to a decrease in the level of variance required by 3 parking spaces. *See* https://lmcmedia.org/show/village-of-mamaroneck-planning-board-meeting-4-15-25/ and https://nextcloud.vomny.net/index.php/s/ttaYbftrjEyDma4. But, it is crucial to underscore that the issue of Use is of E. Scott Ransom's own making, or a result of direction from an unidentified third party such as those who caused the Village's withdrawal from the Hunter Tier project or the up-zoning of the Washingtonville neighborhood to prohibit multifamily projects.[2] *See* https://larchmontloop.com/new-update-village-poised-to-kill-affordable-housing-proposal/, https://larchmontloop.com/county-exec-to-mamaroneck-keep-working-on-hunter-tier/, https://larchmontloop.com/flooding-and-affordability-mayor-vows-to-confront-mamaronecks-twin-demons/ and Local Law 3 of 2025, Village of Mamaroneck.

And, to the extent that one would assert municipal estoppel, it is clear that any such application here would result in manifest injustice. *See* Landmark Colony at Oyster Bay v. Bd. of Sup'rs, 493 N.Y.S.2d 340, 343 (1985); *See also* Montipark Realty Corp. v. Vill. of Monticello, 571 N.Y.S.2d

[2] As of the date of this letter, there was also an August 11, 2025 agenda item 2C identified as "Discussion on Building Moratorium on New Construction in Washingtonville (Mayor Torres)". *See* https://www.villageofmamaroneckny.gov/home/news/board-trustees-work-session-agenda-08112025-revised.

163, 164 (1991); Bender v. New York City Health & Hosps. Corp., 38 N.Y.2d 662, 668, 382 N.Y.S.2d 18, 345 N.E.2d 561; *see* also, LaPorto v. Village of Philmont, 39 N.Y.2d 7, 12, 382 N.Y.S.2d 703, 346 N.E.2d 503; E.F.S. Ventures Corp. v. Foster, 71 N.Y.2d 359, 373, (1988)

Further, courts have held that a building inspector overturning another building inspector's determination or action is impermissible where the original action had a rational basis and was not "clearly incorrect." *See* Village Green Condominium Corp. v. Nardecchia, 85 A.D.2d 692 (2 Dept 1981); Kennedy v. ZBA of North Salem, 205 A.D.2d 629 (2 Dept 1994).

In the case, E.F.S. Ventures Corp. v. Foster, 71 N.Y.2d 359, 373, (1988), a town planning board, after initially approving a site plan, imposed certain conditions on approval of a modified site plan for an oceanside resort development. *Id*. The applicant, upon being ordered to submit a modified site plan application did so during a "political change in the leadership of the Town and of the membership of its Planning Board." *Id*. The newly appointed Planning Board reexamined the entire development *de novo*, although challenge of the first phase was time barred, and substantially changed the requirements for developing and using the improvements authorized in the first site plan. *Id*. The Court of Appeals subsequently overturned the modified site plan approval and temporarily instated the original approval because "in reviewing the application for modification, [the planning board] … required changes in the completed development solely to accommodate perceived deficiencies in it that had been previously reviewed and approved and which were protected from further challenge by the Statute of Limitations." (emphasis added) *Id*. The Court noted that "Whether approval should be given to that [section of the] updated proposal had no reasonable relationship to several of the substantial remedial measures the Board subsequently imposed on petitioner." *Id*. As such, the NY Court of Appeals concluded that because the town planning board had "used the modified site plan application to impose additional burdens on petitioner to satisfy perceived environmental problems which were previously before the Board… The Board's action in doing so was arbitrary and capricious and requires that its decision be set aside."

Similarly, E. Scott Ransom's new use variance requirement here bears no reasonable relationship to the ongoing Planning Board review of the application. In fact, as will be detailed later, *infra.*, there is no evidence that the May 2024 Land Use Determination as to Use or otherwise was anything other than correct, let alone in violation of the law. Rather, the evidence is clear that the May 2024 Land Use Determination is proper and follows Village precedent.

Thus, in accordance with aforementioned law, here E. Scott Ransom, as the newly hired building inspector, revisited the prior May 2024 Land Use Determination, and in doing so overturned a prior action by a past building inspector, which original determination had a

rational basis and is supported by evidence in the record. To allow the Illegal July 2025 Land Use Determination to supersede the May 2024 Land Use Determination would result in manifest injustice here.

Indeed, the Applicant's Site Plan for this Fair and Affordable Residence Uses Project has been revised and honed over the past, approximately 15 months since the issuance of the May 2024 Land Use Determination based upon comments received from the Village, its Consultants, and/or the public to reduce the number of units to 62 and increase the number of parking spaces to 28 through various modifications, including relocating the community room and utility room to the second floor. Residential amenity and programming spaces on the first and second floors for the residents were reduced to allow for these modifications. These changes also increased the parking ratio to 0.45 and reduced the area variance required. As noted above, there are now 48 parking spaces required by the Zoning Code because the tenancy support service area only serves residents on-site and therefore does not count for parking demand. Since 28 parking spaces are provided, the result is a reduced variance to 20 parking spaces (i.e., 28 spaces provided where 48 spaces are required) from Village Code Section 342-56's parking requirement, which provides that Fair and Affordable Residences require ¾ parking spaces per dwelling unit plus ¼ space per bedroom in excess of 1.[3] The appropriateness of this area variance for parking is bolstered, by among other reasons, the location of the Project in a walkable area adjacent to the Central Business District with numerous commercial, employment and recreational facilities within a short walking distance, as well as proximity to public transportation in the form of both a Metro North train station less than 1,000 feet distant and Westchester County Bee-Line bus stops one block away.

Additionally, the revised Site Plans document that all parking spaces are 9 feet wide and the minimum drive aisle is 24'4" wide, which width exceeds the universally accepted standard minimum of 23' for 90-degree parking with two-way traffic per the Urban Land Institute (ULI) and the National Parking Institute (NPA) in their joint publication "The Dimensions of Parking", Fifth Edition. In addition, the 23 feet width is based on 18-foot-long stalls while 19-foot long stalls are provided here and the majority of the aisles are one-way, will have a very limited number of vehicles (unlike a shopping center), and these vehicles will be travelling at very low speeds. Moreover, the clear height at the vehicle entrance is now 10'8" and 10'4" at the exit with both of those heights exceeding that of a typical 10'0" tall moving truck. Further, the Site Plan depicts the locations for striping two loading spaces and one garbage pick-up space along Mount Pleasant Avenue.

[3] Overall, this Fair and Affordable Residences Project will entail 62 units consisting of 39 studio apartments, 19 one-bedroom units, and 4 two-bedroom units.

As such, the dialogue before the Planning Board on April 15, 2025 had nothing to do whatsoever about the Applicant's Use. Rather, at most, the role that discussion left open for the Building Inspector was clarifying the precise scale of the previously identified ZBA Area Variance for Parking for Fair & Affordable Residences and whether the variance should be reduced to 20 parking spaces instead of the previously identified 23 parking spaces in the May 2024 Land Use Determination based on the Applicant's Project as amended and the Applicant's calculation of 28 parking spaces proposed where 48 parking spaces were required.

Therefore, on this Procedural Basis alone, the ZBA should return the matter to the Planning Board for review per the May 2024 Zoning Determination. Alternatively, E. Scott Ransom could and arguably should withdraw his July 2025 Land Use Determination or supersede it with an August 2025 Land Use Determination confirming solely that the Area Variance as to Parking for the proposed Fair & Affordable Residences is indeed for 20 parking spaces based on 28 spaces proposed where 48 parking spaces are required from the ZBA.

The Pending Planning Board Land Use Application for Fair and Affordable Residences is Ready For Approval

On June 16, 2025, the Applicant made a comprehensive supplemental submission in view of its last appearance before the Planning Board on April 15, 2025, with due consideration of the comments from Planning Board members, Village consultants, and the public, and after reviewing the April 15, 2025 KSCJ Memorandum, the April 11, 2025 Terra Bella Land Design Memorandum, and the April 14, 2025 Building Inspector email.

Consistent with the Applicant's efforts since its submission on April 17, 2024 to the Land Use Board Coordinator, receipt of the May 2024 Land Use Determination from the Building Inspector, and the initial submission of its application to the Planning Board on May 9, 2024, the Applicant continued to triangulate between: (i) conformance with the interests enunciated in the various Chapters of the Village of Mamaroneck Code, including Chapter 342/Zoning Code, Chapter 318/Trees, Chapter 294/Stormwater Management, Erosion and Sediment Control, and Chapter 186/Flood Damage Prevention; (ii) meeting the requirements functionally and programmatically for the residents of this Fair and Affordable Residence Use project, including standards and guidance provided by the NYS Department of Homes and Community Renewal as well as the New York State Office of Mental Health and the Westchester County Department of Community Mental Health; and (iii) providing an aesthetically pleasing design consistent with the area surrounding the Premises.

Accordingly, the Applicant submitted one (1) copy and one (1) electronic copy of the following materials:

Exhibit 1: A Revised SEQRA Full Environmental Assessment Form Part III prepared collaboratively by the Applicant and its credentialed consulting project team.

Exhibit 2: Dattner Architects Responsive Memorandum to the April 15, 2025 KSCJ Memorandum.

Exhibit 3: Hudson Engineering & Consulting PC Response Letter to the April 11, 2025 Terra Bella Land Design Memorandum.

Exhibit 4: Search For Change Statement as to its Extensive Experience and the Selection Process for Occupants of this Project.

Exhibit 5: Hudson Engineering & Consulting PC Response Letter to the April 15, 2025 KSCJ Memorandum.

Exhibit 6: Revised Drawing Set including Site Plans and Architectural Drawings.

Reference to these Exhibits reflects that the Project consists of Fair and Affordable Residences as per the definition in the Village of Mamaroneck Zoning Code and pursuant to Article XV's Fair and Affordable Residence Uses regulations, including the height and FAR bonuses as well as the fee reductions (*see* Sections 342-103 through 342-107). Indeed, 100 percent of the apartments will constitute Fair and Affordable Housing Units as the project will provide housing exclusively to individuals and families with household incomes at 60% or less of the Area Median Income (AMI). Further, 50 percent of the apartments will constitute Fair and Deeply Affordable Housing Units as the project will provide housing exclusively for individuals and families with household incomes at 30% or less of the AMI.

Moreover, the Fair and Deeply Affordable Housing units under the Village Zoning Code definition will also satisfy the eligibility criteria for participation in the Empire State Supportive Housing Initiative (ESSHI). The ESSHI is an initiative of New York State that provides funding to nonprofit organizations in furtherance of their housing development proposals. The New York State Office of Mental Health serves as the lead procurement agency for the funding, which is dispersed by an interagency workgroup of eight state agencies serving vulnerable New Yorkers. Eligible participants in ESSHI-funded projects include individuals with disabilities and special needs such as those with mental health conditions, military veterans with disabilities, and senior citizens, among others. Supportive housing is vital to ensure all New Yorkers have a safe, stable place to call home. Since taking office, Governor Hochul has made landmark investments to expand supportive housing statewide as part of her $25 billion five-year plan to create and preserve 100,000 affordable homes statewide, including 10,000 homes with support services for vulnerable populations.

The Applicant, Search for Change, Inc. (SFC), is a recipient of an ESSHI award from the New York State Office of Mental Health (OMH) that authorizes it to provide affordable housing and tenancy support services for eligible participants. In accordance with the terms and conditions of the ESSHI and associated regulations, housing developments operating under the auspices of nonprofit organizations subject to OMH oversight must provide housing opportunities for their tenants in integrated settings that offer opportunities for full participation in the fabric of community life.

Overall, this Fair and Affordable Residences Project will entail 62 units consisting of 39 studio apartments, 19 one-bedroom units, and 4 two-bedroom units.

It is also worth reiterating and underscoring that the Site Plan has been revised and honed over the past, approximately 15 months based upon comments received from the Village, its Consultants, and/or the public to reduce the number of units to 62 and increase the number of parking spaces to 28 through various modifications, including relocating the community room and utility room to the second floor. Residential amenity and programming spaces on the first and second floors for the residents were reduced to allow for these modifications. These changes also increased the parking ratio to 0.45 and reduced the area variance required. There are now 48 parking spaces required by the Zoning Code because the tenancy support service area only serves residents on-site and therefore does not count for parking demand. Since 28 parking spaces are provided, the result is a reduced variance to 20 parking spaces (i.e., 28 spaces provided where 48 spaces are required) from Village Code Section 342-56's parking requirement, which provides that Fair and Affordable Residences require ¾ parking spaces per dwelling unit plus ¼ space per bedroom in excess of 1. The appropriateness of this area variance for parking is bolstered, by among other reasons, the location of the Project in a walkable area adjacent to the Central Business District with numerous commercial, employment and recreational facilities within a short walking distance, as well as proximity to public transportation in the form of both a Metro North train station less than 1,000 feet distant and Westchester County Bee-Line bus stops one block away.

Accordingly, the full Record of the Proceedings relative to the Planning Board Application over the past 60 weeks substantiates that the Applicant's application for Fair and Affordable Residences will not have a significant adverse environmental impact; and therefore, adoption of a SEQRA Negative Declaration is warranted at this time, as is the scheduling of any and all public hearings associated with the Applicant's pending applications for site plan, special permit and subdivision approvals as the Applicant had previously requested for July 2025 before E. Scott Ransom's entrance as an Interloper.

E. Scott Ransom's Illegal July 2025 Land Use Determination is Erroneous, Arbitrary, and Discriminatory

The Applicant took several months and its April 1, 2025 submission reflected its project adjustments and responses to the November 13, 20024 SEQRA public information session. It included a draft, 23-page, single spaced SEQRA Full EAF Part III narrative consistent with the Planning Board's extensive review on October 30, 2024 of the Applicant's proposed Full EAF Part I and Part II as well as the Planning Board's draft answers to the Part II EAF, which included the potential to check the box relative to certain sub-sections in the "Moderate to large impact may occur" category . *See* **Exhibit C**: The Applicant's April 1, 2025 Submission Cover Letter to the Planning Board. Indeed, the Applicant had reduced the Project to 62 units with a mix of 39 studio apartments, 19 one-bedroom apartments, and 4 two-bedroom apartments as well as adjusted the configuration of the parking spaces and the drive aisles. In advance of that appearance, the Planning Board's consultant KSCJ Engineering issued an updated April 15, 2025 memorandum reflecting that the plurality of its comments from its prior three memoranda had been addressed and the Planning Board's consultant Terra Bella Land Design issued an April 11, 2025 memorandum documenting that almost all of its prior comments had been addressed.

And, in view of the dialogue during its April 15, 2025 Planning Board appearance, the Applicant further clarified and amplified in its June 16, 2025 submission that the Fair and Affordable Residences Project at the Premises will entail 62 units consisting of 39 studio apartments, 19 one-bedroom units, and 4 two-bedroom units. Plus, the Project will fully comply with all other dimensional zoning requirements for a building with 100% Fair and Affordable Housing Units within the C-2 Zoning District aside from off-street parking requirements for which the Applicant intends to file an area variance application with the ZBA requesting a 20-space area variance. Additionally, new stormwater management and treatment infrastructure, where none currently exists, is proposed, as well as new native plantings. Additionally, the Project will include a photovoltaic solar array that will be mounted to the roof. It is also worth noting that this Project, *in its entirety*, constitutes a Fair and Affordable Residences Project- providing a type of housing which is specifically advocated for under the Village Zoning Code pursuant to Local Law No. 4 of 2020, Local Law No. 11 of 2023, and Local Law No. 14 of 2023 as well as various Village adopted policy documents, including the *2023 Comprehensive Plan* and the Village affordable housing assessment, *Common Ground*. Moreover, the Fair and Deeply Affordable Housing units will also satisfy the eligibility criteria for participation in the Empire State Supportive Housing Initiative (ESSHI). The Applicant, Search for Change, Inc. (SFC), is a recipient of an ESSHI award from the New York State Office of Mental Health (OMH) that

authorizes it to provide affordable housing and tenancy support services for eligible participants[4]

Yet, E. Scott Ransom ignored all this information in his Illegal July 2025 Land Use Determination. Indeed, E. Scott Ransom ignored that the proposed Project offered rental housing exclusively for Fair and Affordable Housing Residences as per the May 2024 Land Use Determination, the definitions in the Village of Mamaroneck Zoning Code, and Article XV's Fair and Affordable Residence Uses regulations, including the height and FAR bonuses as well as the fee reductions (*see* Sections 342-103 through 342-107). Instead, E. Scott Ransom asserted that "[w]hile multifamily housing is permitted in the C-2 district, housing that constitutes 'a boardinghouse, convalescent home, dormitory, fraternity or sorority house, hotel, inn, lodging or rooming house or nursing or other similar home or structure shall not be deemed to constitute a 'dwelling unit'. Therefore, the proposed development does not constitute a 'multifamily dwelling.'"

E. Scott Ransom essentially claimed that this Fair and Affordable Residence Project consisting of Fair and Affordable Housing Units as well as Fair and Deeply Affordable Housing Units did not meet the definition of "Dwelling Unit". Per the Zoning Code, a "Dwelling Unit" is defined as a "building or entirely self-contained portion thereof containing complete housekeeping facilities for only one family, including any domestic servants employed on the premises, and having no enclosed space, other than vestibules, entrance or other hallways or porches, or cooking or sanitary facilities in common with any other "dwelling unit." The definition also notes that a "boardinghouse, convalescent home, dormitory, fraternity or sorority house, hotel, inn, lodging or rooming house or nursing or other similar home or structure shall not be deemed to constitute a "dwelling unit. It is this later aspect of the definition upon which E. Scott Ransom relied in part to determine that the Project does not involve dwelling units and that a Use Variance was required for the Project. E. Scott Ransom did not proffer a scintilla of evidence or even argumentation to substantiate this erroneous decision. Such a conclusory opinion is the quintessence of arbitrary, capricious and an abuse of discretion.

[4] *See* Search for Change Statement, dated June 12, 2025. The ESSHI is an initiative of New York State that provides funding to nonprofit organizations which must provide housing opportunities for their tenants in integrated settings that offer opportunities and services for full participation in the fabric of community life. These include, but are not necessarily limited to, referrals to social welfare and healthcare services; housing case management; community resource development (e.g., accessing public benefits); job placement and employment assistance services; parenting support services; life skills training; and financial management services. These services will not include healthcare, communal food services, or other amenities found in assisted living facilities, nursing homes, or other specialized facilities.

Further, a municipality may not zone to exclude persons having a need for housing within its boundaries or region. *See* Berenson v. Town of New Castle, 38 N.Y.2d 102, 378 N.Y.S.2d 672, 341N.E.2d 236 (holding that a municipality may not legitimately exercise its zoning power to effectuate socioeconomic or racial discrimination and that its zoning will be invalidated if it was enacted with an exclusionary purpose or it ignores regional needs and has an unjustifiably exclusionary effect). Indeed, the NY Court of Appeals has repeatedly condemned and held consistently that exclusionary zoning is a form of racial or socioeconomic discrimination. Continental Bldg. Co., Inc. v. Town of North Salem, 211 A.D.2d 88 (1995); Asian Ams. for Equality v. Koch, 72 N.Y.2d 121, 133, 531 N.Y.S.2d 782, 527 N.E.2d 265. Exclusionary zoning has been defined as land use control regulations *which singly or in concert tend to exclude persons of low or moderate income from the zoning municipality*". 1 Anderson, New York Zoning Law and Practice § 8:02, at 360 [3d ed.]. Thus, the general rule under New York law is that a municipality may not, by its zoning ordinance, create obstacles to the production of a full array of housing, which includes housing, such as low and moderate income housing or, in other words, affordable housing.

Against this backdrop, to call E. Scott Ransom's Illegal July 2025 Land Use Determination discriminatory is generous. E. Scott Ransom's Illegal July 2025 Land Use Determination is also absurd, pretextual, and clearly done merely to forestall the conclusion of the Planning Board's permitting process warranting approval of the requested land use entitlements, all in contravention of several Federal, State and County statutes, including but not limited to the Fair Housing Act, the Americans with Disabilities Act/ADA, the federal Rehabilitation Act, and the NY Human Rights Law.

Akin to New York's jurisprudence abhorring housing discrimination, Federal Law has been clear in awarding multimillion dollar judgments for these violations of federal housing statutes.

Gilead Community Services v. Town of Cromwell is an August 2024 precedent-setting $2.2 million federal appellate decision in a case involving the Town of Cromwell's discrimination against a group home for men with mental health disabilities. Gilead Community Services, a non-profit serving people with mental health disabilities in Connecticut since 1968, sought to open a six-person home in Cromwell, Connecticut. Responding to the discriminatory opposition of neighbors, Cromwell waged a campaign that resulted in the closure of the home in August 2015. The decision from the U.S. Court of Appeals for the Second Circuit sends a clear message to local governments around the country that discrimination against group homes for people with disabilities violates federal law and will not be tolerated.

Similarly, the factual predicate in Concern For Independent Living, Inc. v. Town of Southampton, New York seems eerily and oddly familiar to the situation now arising in the Village of

Mamaroneck. On June 11, 2024, following the 2023 Town of Southampton Town Board election, opponents of the project there, including Town Board member Cindy McNamara, succeeded in pressuring the Town Board to disregard the evidence in the DEIS and FEIS, unlawfully adopt a contrary SEQRA Findings Statement, and—on the basis of this pretextual Findings Statement—deny the necessary zone change application. The Town Board's Findings Statement is not only factually incorrect, but also unsupported by the administrative record. Furthermore — in whole or in part because of the disabilities of the prospective residents — the Town treated the Liberty Gardens project substantially more harshly in environmental and land use review than they had a larger affordable housing complex not designed for residents with disabilities, and that had more substantial environmental impacts. The complaint alleges that the Town's actual reasons for blocking Liberty Gardens arise out of their discriminatory views toward people with mental health disabilities and the resistance to lower-cost housing for such residents in a "high-end resort community." Moreover, Concern for Independent Living's prospective tenants are now left without any supportive housing for people with disabilities in the entirety of Southampton. The Town's actions have caused irreparable injury to veterans and other low-income people with mental health disabilities, preventing Liberty Gardens from providing community-based housing and support in a high-opportunity community. The need for affordable and supportive housing in Southampton was severe when the Town approached Concern in 2017, and it remains severe today. Concern's complaint seeks an injunction ordering the Town Board to approve Liberty Gardens, as well as an award of compensatory and punitive damages. Concern's legal action provides a path to justice and serves as a warning to municipalities considering yielding to community pressure that stigmatizes individuals with disabilities. This lawsuit aims to promote the inclusion of veterans and individuals with mental health disabilities in the community.

Community pressure stigmatizing individuals with disabilities has occurred here too given the public statements made before the Planning Board as well as the letters submitted to date, a selection of which have been appended to this letter as **Exhibit E**.

E. Scott Ransom's July 2025 Land Use Determination Violates the Rules of Statutory Interpretation

It is a well established rule of statutory interpretation that zoning ordinances must be strictly construed in favor of property owners and against municipalities because zoning regulations are in derogation of common-law property rights. *See* Raritan Development Corp. v. Silva, 91 N.Y.2d 98, 667 N.Y.S.2d 327 (1997); Chrysler Realty, 196 A.D.2d 631, 601 N.Y.S.2d 194 (2d Dept. 1993). Indeed, the Court of Appeals held in City of New York v. Les Hommes, 94 N.Y.2d 267, 702 N.Y.S.2d 576 (1999) that "[t]he cases guiding [the court's] analysis in this area require that [the court] show a healthy respect for the plain language employed and that it be construed in favor of the property

owner and against the municipality which adopted and seeks to enforce it." This decision is consistent with its holding in Thomson Industries, Inc. v. Village of Port Washington, 27 N.Y.2d 537, 313 N.Y.S.2d 117 (1970), where the Court of Appeals strictly construed the term "heliport" and found that the term as employed in the zoning code only applied to commercial operations and not to appellant's own takeoff and landing of its helicopter. Numerous other courts have also recognized this doctrine. *See* Toys "R" Us v. Silva, 229 A.D.2d 308, 646 N.Y.S.2d 91 (1st Dept. 1996)(holding that "[z]oning ordinances must be narrowly interpreted and ambiguities are to be construed against the zoning authority"), rev'd on other grounds, 89 N.Y.2d 411, 654 N.Y.S.2d 100 (1996); Mandel v. Nusbaum, 138 A.D.2d 597, 526 N.Y.S.2d 179 (2d Dept. 1988)(noting the strict construction requirement applicable to zoning ordinances); Matter of Sinon v. Zoning Board of Appeals of the Town of Shelter Island, 117 A.D.2d 606, 497 N.Y.S.2d 952 (2d Dept. 1986).

It is also an accepted rule of statutory construction that an interpreting authority must ascribe the ordinary and logical meaning to all terms in a zoning law. As McKinney's, Statutes, Section 232 provides:

> It is a general rule in the interpretation of statutes that the legislative intent is primarily to be determined from the language used in an act, considering the language in its most natural and obvious sense. From this general rule, it is deducible that words of ordinary import are to be construed according to their ordinary and popular significance, and are to be given their ordinary and usual meaning… In the framing of laws intended for the people, the Legislature should attempt to give them a meaning which will not be misunderstood by the citizenry, and the lawmakers are presumed to have used words as they are commonly or ordinarily employed, unless there is something in the context or purpose of the act which shows a contrary intention. So, the court must apply to language the meaning and effect generally attributed to words by common speech of men, and not by some esoteric standard….

Further, McKinney's Statutes, Section 144, entitled "Ineffectiveness", states in part, as follows:

> In the course of construing a statute the court must assume that every provision thereof was intended for some useful purpose, and that an enforceable result was intended by the statute. The courts will not impute to lawmakers a futile and frivolous intent, and the intention is not lightly to be imputed to the Legislature of solemnly enacting a statute, which is ineffective. Statutes are to be interpreted workably, and a statute must not be construed in such a way that would result in the Legislature having performed a useless or vain act.

> A construction which would render a statute ineffective must be avoided, and as between two constructions of an act, one of which renders it practically nugatory and the other enables the evident purposes of the Legislature to be effectuated, the latter is preferred. No part of an original act or an amendment thereto is to be held inoperative, if another construction will not conflict with the plain import of the language used….

In addition, the doctrine of *noscitur a sociis* requires that the meaning of a word in a provision may be ascertained by a consideration of the company in which it is found and the meaning of the words which are associated with it. Popkin v. Security Mutual Ins. Co., 48 A.D.2d 46, 367 N.Y.S.2d 492 (1st Dept. 1975). Interpreting the language of a statute or regulation, the Building Inspector must give meaning to its words in context of their particular setting and the words associated with them in the statute. MHG Enterprises, Inc. v. New York, 91 Misc.2d 842, 399 N.Y.S.2d 832 (1977).

Lastly. it is axiomatic that in interpreting statutes, the courts must consider other statutes relating to the same subject matter. *See* Putnam Valley v. Slutzky, 283 NY 334, 28 NE2d 860 (1940). Statutes or statutory provisions relating to the same subject may be regarded *in pari material*. *See* Guardian Life Insurance Company v. Chapman, 302 NY 226, 97 NE2d 877 (1951). Statutes *in pari material* are to be construed together and applied harmoniously and consistently. Baldine v. Gomulka, 61 AD 2d 419, 402 NYS 2d 460 (3d Dept. 1978), appeal dismissed, 45 NY 2d 818, 409 NYS2d 208, 381 NE2d 606. A statute in derogation of the common law (such as a zoning statute) should be strictly construed together as though forming part of the same statute. Cracco v. Cox, 66 AD 447, 414 NYS2d 404 (4th Dept. 1979). Where there are several statutes relating to the same subject, they are all to be taken together, and one part compared with another in the construction of any one of the material provisions, because in the absence of contradictory or inconsistent provisions, they are supposed to have the same object and to pertain to the same system. Matthews v. Matthews, 240 NY 28, 147 NE 237, 38 ALR 1079 (1925). Various statutes relating to the same subject matter should be reconciled, as far as possible. Guardian Life Insurance Company v. Chapman, supra. Indeed, the Court of Appeals has stated, "[s]tatutes related to the same subject matter . . . must be read together and applied harmoniously and consistently." Town of Brookhaven v. New York State Bd. Of Equalization and Assessment, 88 N.Y.2d 354, 645 N.Y.S.2d 436 (1996), citing, Alweis v. Evans, 69 N.Y.2d 199, 513 N.Y.S.2d 95 (1987).

Accordingly, E. Scott Ransom's July 2025 Land Use Determination violates the above numerous Rules of Statutory Interpretation. In sum, it is nonsensical and prejudicial in its intent.

E. Scott Ransom's Illegal July 2025 Land Use Determination Constitutes Unequal Treatment and a Departure from Prior Determinations by the Village

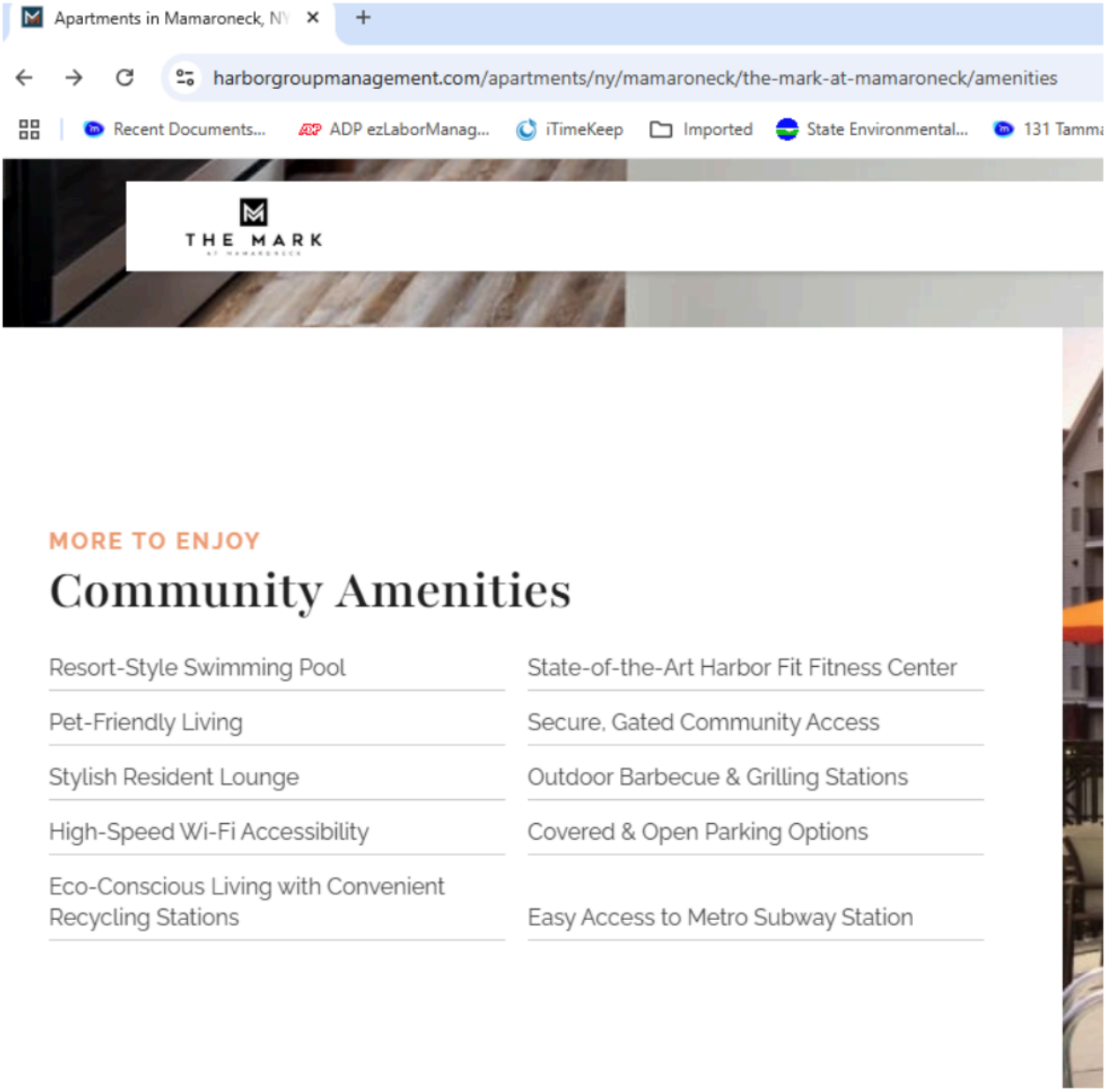
The New York State courts have consistently held for several decades that a decision of an administrative agency which neither adheres to its own prior precedent nor indicates its reasons for reaching a different result on essentially the same facts is arbitrary and capricious. *See* Matter of Tall Trees Constr. Corp. v. Zoning Bd. of Appeals of Town of Huntington, 97 N.Y.2d 86, 93, 735 N.Y.S.2d 873, 761 N.E.2d 565, quoting Knight v. Amelkin, 68 N.Y.2d 975, 977, 510 N.Y.S.2d 550, 503 N.E.2d 106; Matter of c/o Hamptons, LLC v. Zoning Bd. of Appeals of Inc. Vil. of E. Hampton, 98 A.D.3d 738, 739, 950 N.Y.S.2d 386 ; Matter of Bout v. Zoning Bd. of Appeals of Town of Oyster Bay, 71 A.D.3d 1014, 1014, 897 N.Y.S.2d 205.

E. Scott Ransom's Illegal July 2025 Land Use Determination focuses on the Village Zoning Code definition of "Dwelling Unit" being "a building or entirely self-contained portion thereof containing complete housekeeping facilities for only one family, including any domestic servants employed on the premises, and having no enclosed space, other than vestibules, entrance or other hallways or porches, or cooking or sanitary facilities in common with any other "dwelling unit." The definition also notes that a "boardinghouse, convalescent home, dormitory, fraternity or sorority house, hotel, inn, lodging or rooming house or nursing or other similar home or structure shall not be deemed to constitute a "dwelling unit."

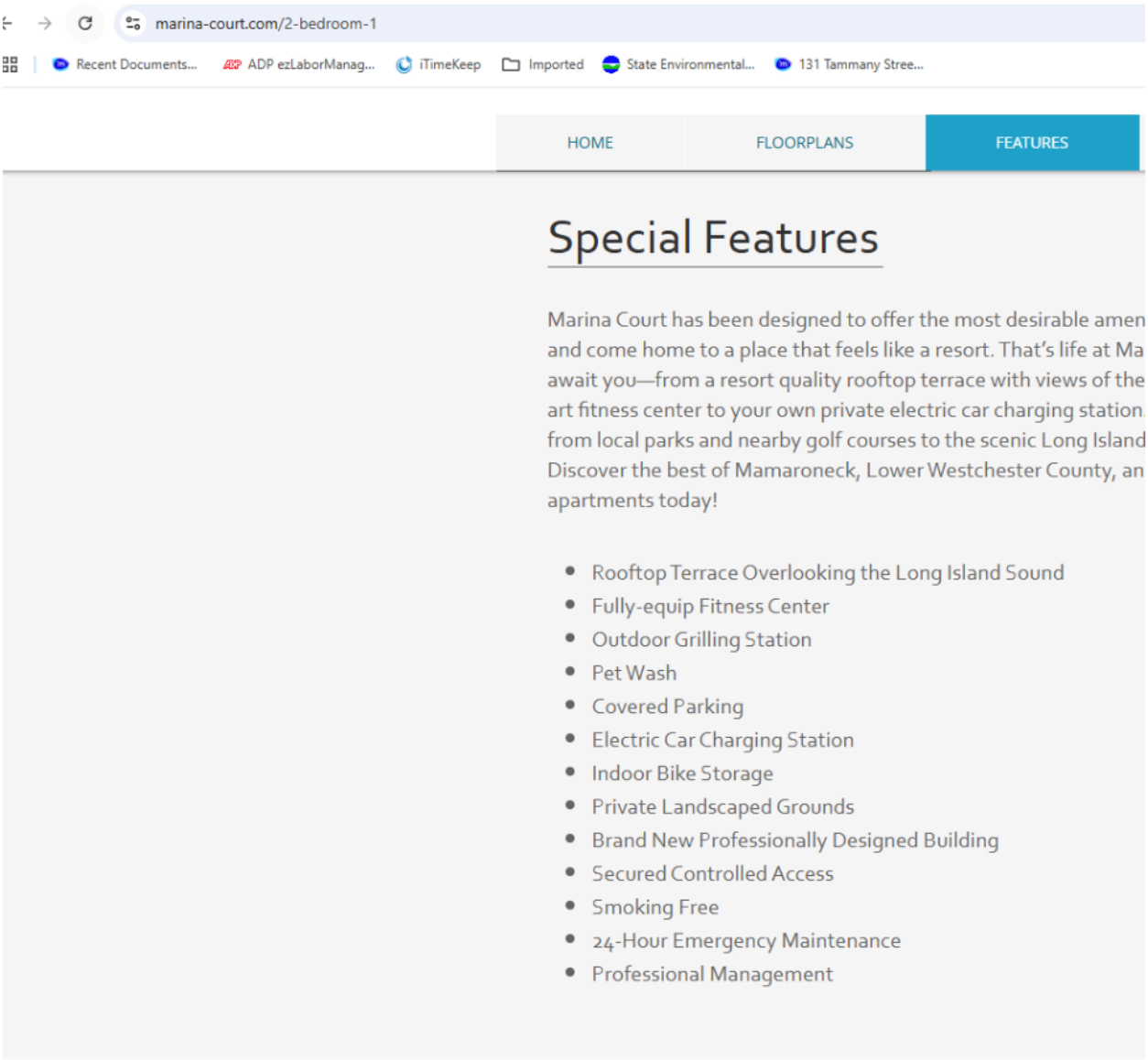
Upon information and belief, numerous approved multifamily dwelling projects in the Village contain enclosed spaces and/or cooking or sanitary facilities in common with other dwelling units. As such, the Applicant filed a request on July 17, 2025, pursuant to the New York State Freedom of Information Law ("FOIL"), Public Officers Law, Article 6, Section 84 et seq. and Section 89.3(b), seeking any and all architectural drawings for approved multifamily and condo development projects within the Village of Mamaroneck, beginning on January 1, 2000, to the present date, including but not limited to The Mark located at 746 Mamaroneck Avenue, Marina Court located at 422 E. Boston Post Road, and The Mason / Sheldrake Station Development located at 270 Waverly Avenue. This FOIL request also sought, without limitation, architectural drawings submitted *via* any and all Town Board, Planning Board, and Zoning Board of Appeals applications as well as submissions to the Building Department, Department of Public Works, Fire Department and Police Department. The Village has yet to turn over any information in that regard. Yet, upon information and belief, there are numerous multifamily projects in the Village with such cooking or sanitary facilities in common with other dwelling units, plus enclosed spaces in common with other dwelling units that are deemed multifamily dwellings and not "a boardinghouse, convalescent home, dormitory, fraternity or sorority house, hotel, inn, lodging or rooming house or nursing or other similar home or

structure" deemed to not constitute a dwelling unit as E. Scott Ransom's Illegal July 2025 Land Use Determination has sought to do here.

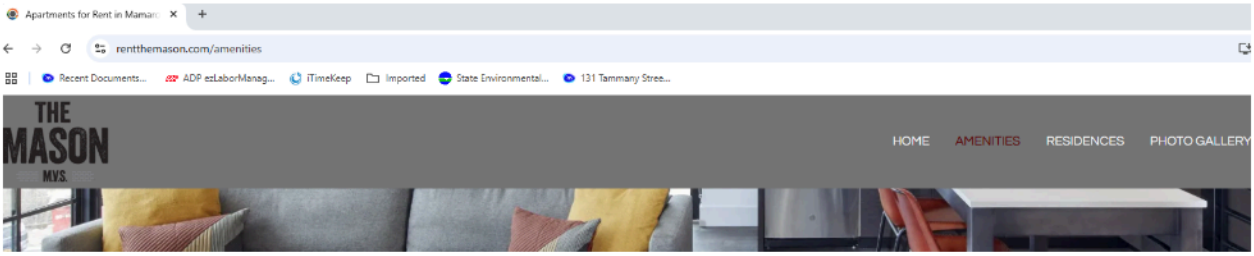
By example, please see the marketing information for The Mark located at 746 Mamaroneck Avenue in the Village from its website as to Community Amenities including Swimming Pool, Fitness Center, Outdoor Barbecue and Grilling Stations, in particular, which seem to be cooking or sanitary facilities in common with other dwelling units, plus enclosed spaces in common with other dwelling units such as Resident Lounge, Convenient Recycling Stations, and Covered Parking Options. *See* https://www.harborgroupmanagement.com/apartments/ny/mamaroneck/the-mark-at-mamaroneck/amenities.



Similarly, Marina Court in the Village from this website possesses numerous Common Amenities, including Pet Wash, Fitness Center, and Outdoor Grilling Station, in particular, which seem to be cooking or sanitary facilities in common with other dwelling units, plus enclosed spaces in common with other dwelling units, such as rooftop terrace, covered parking, indoor bike storage, and electric car-charging station. *See* https://www.marina-court.com/2-bedroom-1.



Further, The Mason - Sheldrake Station Development located at 270 Waverly Avenue in the Village from this website entails numerous Common Amenities, including indoor/outdoor amenity deck with BBQs, fire pit, outdoor kitchen and sun loungers as well as fitness and wellness center plus community garden and composting, in particular, which seem to be cooking or sanitary facilities in common with other dwelling units, plus enclosed spaces in common with other dwelling units, such as residents' lounge with billiards, laptop bar and private conference center, plus solar-powered common areas and children's playroom. *See* https://www.rentthemason.com/amenities.



AMENITIES THAT FIT YOUR LIFESTYLE AT THE MASON

Enjoy a lifestyle of comfort and convenience with our thoughtfully designed community and apartment amenities, from modern interiors to relaxing social spaces. Explore everything we have to offer and view our gallery to see it all!

Some amenities are available only in specific apartments. Please contact Leasing Office for details.

Community Amenities

- Indoor/outdoor amenity deck with BBQs, fire pit, outdoor kitchen, & sun loungers
- Residents' lounge with billiards, laptop bar & private conference room
- On-site covered parking
- EV charging capabilities
- Bike share program
- Monthly pickup of household goods for donation
- Solar-powered common areas
- Fitness & wellness center with Fitness on Demand studio, Peloton & Matrix cardio equipment & more
- Children's playroom
- Pet Friendly - Check out our Dog run
- Community garden
- Sharing libraries
- Composting for organic materials

Additionally, Grand Street Lofts located at 18 Grand Street in the Village notes from this website that it entails numerous Common Amenities, including a rooftop relaxation deck, rooftop BBQ areas, rooftop gas fire pit, and exercise studio, which seem to be cooking or sanitary facilities in common with other dwelling units, plus enclosed spaces in common with other dwelling units, such as electronic lockers, and covered off-street parking. *See* https://www.maxxproperties.com/ny/mamaroneck/grand-street-lofts/amenities.

AMENITIES

COMMUNITY AMENITIES

- Green Building with Solar Power
- Parcel Pending Electronic Lockers
- Elevator
- Rooftop Relaxation Deck
- Rooftop BBQ Area
- Furry Family Welcome!
- Furnished options by CORT
- Controlled Access Building
- Covered & Non-Covered Off Street Parking
- Exercise Studio
- Rooftop Gas Fire Pit
- Recycle Program
- WiFi in Common Areas

The Applicant also believes, upon information and belief, that once the Village provides the architectural drawings requested by FOIL and that it has the opportunity to review these Architectural Drawings, that its licensed architects, professional engineers and landscape architects will opine that these Architectural Drawings for those numerous approved multifamily dwelling projects in the Village contain enclosed spaces and/or cooking or sanitary facilities in common with other dwelling units using their AIA, LA, and PE licensing, respectively. In contrast, it is important to note that based on our review of the New York State Education Department's Office of the Professions Verification Search online tool that it does not appear that E. Scott Ransom is a NY licensed Architect, Engineer, Land Surveyor, Landscape Architect, or Professional Engineer. Although none of these licenses are necessarily required to serve as a Municipal Building Inspector, the ZBA should take the relative levels of skill, licensing, and expertise into consideration when weighing the testimony from the Applicant's licensed professionals versus E. Scott Ransom. *See* https://eservices.nysed.gov/professions/verification-search.

The Instant Appeal/Request for Interpretation is Type II Exempt from SEQRA

This instant Appeal/Request for Interpretation is Type II Exempt from the State Environmental Quality Review Act ("SEQRA") based on several of the sub-sections codified in 6 NYCRR Part 617.5(c), including sub-sections 37, 34, 26 and 25.

The SEQRA Regulations and the SEQRA Handbook (Fourth Edition, 2020) are unequivocal that as a matter of law Type II actions require no further review under SEQRA. The list of Type II actions is found in SEQRA Section 617.5(c). As noted in the SEQRA Handbook on Page 26:

> *Type II actions are those actions, or classes of actions, which have been found categorically to not have significant adverse impacts on the environment, or actions that have been statutorily exempted from SEQR review. They do not require preparation of an EAF, a negative or positive declaration, or an EIS. Any action or class of actions listed as Type II in 617.5 requires no further processing under SEQR."*[5]

SEQRA Sub-Section 617.5(c)(37) is directly applicable here and sets forth a Type II Exemption for "interpretation of an existing code, rule or regulation".

It is also worth noting as pertinent here that SEQRA Sub-Section 617.5(c)(34) sets forth a Type II Exemption for "engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled", and SEQRA Sub-Section 617.5(c)(25) sets forth a Type II Exemption for "official acts of a ministerial nature involving no exercise of discretion, including building permits and historic preservation permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building or preservation code(s)", while SEQRA Sub-Section 617.5(c)(26) sets forth a Type II Exemption for "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment."

Accordingly, it is accurate for the Applicant to assert that each and every one of these Type II Exemptions applies simultaneously in this instance, where only 1 such exemption is required for the application to constitute a Type II Action Exempt from SEQRA. Accordingly, the Applicant has not provided either a Full Environmental Assessment Form or a Short Environmental Assessment Form with this application.

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[5] *See* https://extapps.dec.ny.gov/docs/permits_ej_operations_pdf/seqrhandbook.pdf.

The Materials Submitted in Support of this Appeal/Request for Interpretation

Please find enclosed with this letter 6 sets of the following materials in furtherance of this Appeal/Request for Interpretation, pursuant to Village of Mamaroneck Code Section 342-89, and New York State Village Law Section 7-712-A:

Exhibit A: The May 2024 Land Use Determination.

Exhibit B: Illegal July 2025 Land Use Determination.

Exhibit C: The Applicant's April 1, 2025 Submission Cover Letter to the Planning Board.

Exhibit D: The Applicant's June 16, 2025 Submission Cover Letter to the Planning Board with Exhibits Consisting of:

- Exhibit 1: A Revised SEQRA Full Environmental Assessment Form Part III prepared collaboratively by the Applicant and its credentialed consulting project team.
- Exhibit 2: Dattner Architects Responsive Memorandum to the April 15, 2025 KSCJ Memorandum.
- Exhibit 3: Hudson Engineering & Consulting PC Response Letter to the April 11, 2025 Terra Bella Land Design Memorandum.
- Exhibit 4: Search For Change Statement as to its Extensive Experience and the Selection Process for Occupants of this Project.
- Exhibit 5: Hudson Engineering & Consulting PC Response Letter to the April 15, 2025 KSCJ Memorandum.
- Exhibit 6: Revised Drawing Set including Site Plans and Architectural Drawings.

Exhibit E: Select Salient Public Opposition Letters.

Exhibit F: ZBA Application Forms.

Kindly also find enclosed two checks made payable to the "Village of Mamaroneck" in the amounts of $795 and $795, respectively, constituting payment of the Notice of Appeal/Request for Interpretation application fees.

Conclusion

The Applicant looks forward to appearing before the Zoning Board of Appeals, and it respectfully requests that the Zoning Board of Appeals calendar discussion of this Project for its September 4, 2025 agenda. Should the Zoning Board of Appeals or Village Staff have any questions or comments in the interim, please feel free to contact me. Thank you in advance for your cooperation and consideration in this matter.

Very truly yours,

Neil J. Alexander

Enclosures

cc: Kathleen Gill, Village Manager
Chairman Seamus O'Rourke and Members of the Planning Board
Brittanie O'Neill, Village Land Use Board Secretary
E. Scott Ransom, Village Building Inspector
Kevin Staudt, McCullough Goldberger & Staudt, LLP, ZBA & Planning Board Attorney
Ashley Ley, AICP & Alicia Moore, AICP, AKRF, Village Planning Consultants
John Kellard, PE, KSCJ Consulting, Village Engineering Consultants
Susan Oakley, Terra Bella Land Design, Village Landscape Design Consultant
Search for Change, Inc.
CSD Housing
Dattner Architects
Hudson Engineering & Consulting P.C.
DTS Provident