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September 25, 2025

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REPLY TO:

Tarrytown office

Honorable Chair Robin Kramer and  
Members of the Zoning Board of Appeals  
Village of Mamaroneck  
169 Mount Pleasant Avenue  
Mamaroneck, NY 10543

Re: Appeal of Issuance of Building Permit  
1011 Greacen Point Road, Mamaroneck, NY

Honorable Chair and Members of the Zoning Board of Appeals:

We represent Francesca Ortenzio, MD and Jakub "Kuba" Tatka, MD ("Appellants"), the owners of the property at 1019 Greacen Point Road, and we write with regard to the pending appeal ("Appeal") previously filed on December 16, 2024 appealing the prior issuance of the building permit ("Building Permit") to the developer ("Developer") of the property located at 1011 Greacen Point Road ("Property").

In furtherance of the Appeal and in response to the comments at the September 4, 2025 hearing, enclosed please find six (6) copies of the following documents:

1. Letter signed and sealed by J. Mark Privette of Tectonic Engineering dated September 25, 2025, responding to the Village Engineer's comments dated September 10, 2025 and the most recent set of plans submitted by the Developer. Please note that the Developer announced at the September 10, 2025 Planning Board meeting that it intended to submit further revised plans, which means that at the time of the submission of this current appeal - there is still another revision pending that has not as of yet been made available. As previously agreed, we respectfully request a copy of any new submissions by the Developer to the Planning Board or Zoning Board of Appeals ("ZBA or "Zoning Board") simultaneously with any such submission. We reserve the right to respond to any new submissions.

2. Mock-up of the proposed site plan to demonstrate that even if the house were to remain at its oversize and noncompliant FAR with a square footage of over 15,000 sq. ft, the property and accessory structures surrounding the home can be developed such that the driveway, wall, barrier, stairs, lighting and stormwater structures can be located so as not to intrude into the side yard by simply rotating the entrance to the three-car garage to the front of the Property(although this design is still non-compliant in regards to size/square footage). Rotating the garage towards the road eliminates the need to bring in five(5) feet of fill to raise a driveway in the side yard. This proposed fill (which the mock up clearly demonstrates can be avoided) removes the need for retaining walls or 1:1 grades as currently proposed. Eliminating the driveway and fill in the side yard will allow for preservation the mature evergreen buffer on the southern Property line and allow for space for an appropriate landscape buffer. It will also allow for the safe separation of the stormwater structures form the neighboring property and home. Moreover, the “grotto” and/or pool could be modified or eliminated to make space for the relocation of the CULTEC structures. Please note that we do not waive any rights to the Appeal and requirements that the development meet all Zoning Code criteria, and provide this mock-up to show how Code-compliant alternatives exist for the development within the side yards even with a non-compliant sized home of over 15,000 square feet. and demonstrate that any hardship is clearly self-created by the Developer.
3. Letter from Jakub Tatka, MD, dated September 10, 2025.
4. Letter from Francesca Ortenzio, MD, dated September 8, 2025.
5. Memo entitled “Character of Neighborhood Based on Existing Home Sizes” demonstrating that the proposed development is wholly out of character with the neighborhood.
6. Site Plan excerpt detailing with annotations that the Developer’s latest plan proposes grading and fill within the Village wetland buffer, which was not previously permitted.
7. Email chain last dated December 30, 2024, wherein a Village Trustee noted that “it is hard to envision such a large project abutting the wetlands” and the Village Manager replied that the “Building Department advised the Developer that the wall had not been approved and required a variance from the Zoning Board and amended site plan approval from the Planning Board.”
8. Stop Work Order dated November 7, 2024 from the Village Code Enforcement Officer to Developer Madelyn “Maddy” Moelis for illegally performing work without a valid permit.
9. Email from the Developer’s architect David LaPierre to the Village Building Inspectors dated January 14, 2025 explaining in detail of the grading manipulations, unapproved

wall, unapproved fence and barrier, and overall attempts by the Developer to bury the artificially raised the house's basement under fill to obtain a 3.5-story home in contradiction to the Village Zoning Code limit of 2.5 stories.

10. Letter from the Developer's engineer admitting substantive errors in the plans previously approved by the ZBA, Planning Board, Harbor & Coastal Zone Management Commission, and Board of Architectural Review.
11. Annotated Zoning Form to show the errors on the form when reviewed by the ZBA in 2024.

The foregoing documents support the Appeal, and the request to re-open the previously approved Floor Area Ratio ("FAR") variance based on new evidence and incomplete and misleading information provided by the Developer to the Zoning Board for the March 7, 2024 and April 4, 2024 meetings that resulted in the granting of a FAR variance.

In response to the Developer's filing dated September 10, 2025, we respectfully note that yet again the Developer attempts to avoid the substantive issue: does the development exceed the Village Code requirements? The answer is yes and that is why the Developer has engaged in a series of intentional delays and procedural arguments to avoid addressing the substance of the Appeal. The Developer seeks to "dismiss" the Appeal with factually incorrect statements and wholly baseless legal claims.

The Appeal was timely. The Building Permit was issued on December 13, 2024 and the Appeal was properly filed on December 16, 2024, well within the 60-day period. Once the determination of the Building Department to issue the Building Permit was filed, jurisdiction over the application of the Village Code to the permit was vested in the Zoning Board with the timely filing of the Appeal.

The Developer's reliance on the "First Building Department Determination" issued on February 2, 2024 is irrelevant due to the oversights of the determination failing identifying multiple zoning violations on the original plans (which also were present on the plans shown to each Village land use Board throughout the application process in 2024). It must be known that some of these violations that have already been identified and admitted to as having been overlooked by the Village, which can be seen in the subsequent Building Department Determination issued in January 2025, noting the stairs and the wall in the setbacks - a determination that was limited to the "amendment" and not the full plan. The First Building Department Determination was merely the initial plan review in order to refer the Developer to the various Village land use boards. Since that time, the plans and project have evolved significantly and the final Building Department Determination was issued on December 13, 2024 by way of an actual Building Permit. In fact, we reserve our legal right to similarly appeal the issuance of any future building permit. Specifically, Section 7-712-a(5)(b) of Village Law states, "An appeal shall be taken within sixty days after the filing of **any** order, determination, requirement, decision, interpretation or determination of the administrative official . . ." (emphasis added).

Moreover, if the Developer's plan fails to meet the Village Code and a building permit is issued, that permit may be appealed within 60 days. Likewise, at any time the Village may revoke the permit if the building official incorrectly or improperly applied the code, as it is black letter law that there is no estoppel against a municipality. *Parkview Associates v. New York*, 71 N.Y.2d 274, 282 (1988). **In other words, the Developer is not permitted to violate the Village Code if the building official initially fails to properly apply the code.** In fact, the Building Permit was revoked in this case after the Appeal was filed!

Estoppel may not be invoked against a municipal agency to prevent it from discharging its statutory duties. *Scruggs-Leftwich v. Rivercross Tenants' Corp.*, 70 N.Y.2d 849 (1987), citing *Matter of Daleview Nursing Home v. Axelrod*, 62 N.Y.2d 30, 33 (1984); *Matter of Hamptons Hosp. & Med. Center v. Moore*, 52 N.Y.2d 88, 93 (1981); see also, *Matter of E.F.S. Ventures Corp. v. Foster*, 71 N.Y.2d 359 (1988). Moreover, "[estoppel] is not available against a local government unit for the purpose of ratifying an administrative error." *Morley v. Arricale*, 66 N.Y.2d 665, 667 (1985). In particular, "[a] municipality, it is settled, is not estopped from enforcing its zoning laws either by the issuance of a building permit or by laches". *City of Yonkers v. Rentways, Inc.*, 304 N.Y. 499, 505 (1952) and "[the] prior issue to petitioner of a building permit could not 'confer rights in contravention of the zoning laws'". *Matter of B & G Constr. Corp. v. Board of Appeals*, 309 N.Y. 730, 732 (1955), citing *City of Buffalo v. Roadway Tr. Co.*, 303 N.Y. 453, 463 (1952). Insofar as estoppel is not available to preclude a municipality from enforcing the provisions of its zoning laws, the mistaken or erroneous issuance of a permit does not estop a municipality from correcting errors, even where there are harsh results. *Parsa v. State of New York*, 64 N.Y.2d 143, 147 (1984); *Matter of New York City v City Civ. Serv. Commn.*, 60 N.Y.2d 436, 448-449 (1983) (the City should not be estopped from revoking that portion of the building permit which violated the long-standing zoning limits imposed by the applicable codes).

The ZBA own resolution dated April 4, 204 included condition #6, which states "The granting of the Area Variance does not relieve the Applicant from complying with all other applicable laws and regulations."

The cases cited by the Developer are completely inapposite. The Appeal does not challenge the ZBA's prior FAR variance. Rather, it expressly challenges the Building Permit that was approved based on plans wherein the actual Floor Area Ratio is much greater than that permitted by the FAR variance. We are, by the way, asking the Zoning Board to re-open the FAR variance for the reasons previously discussed, including the new information and prior false information supplied in support of the variance under New York State Village Law Section 7-712-a(12). The Appeal also does not challenge the First Building Department Determination because it is irrelevant.

Next, the Developer's argument that the Zoning Board has no jurisdiction to properly apply the Village Code to the current plans based on the Appeal is simply wrong. Under New York State Village Law and under the Village Code, once the Appeal was filed the Zoning Board stepped into the shoes of the Building Official to review the entire plan.

Section 342-90 of the Village Code states:

The Board shall hear and decide appeals from and review from any order, requirement, decision, interpretation or determination made by any administrative official or board charged with the implementation or enforcement of this chapter and **may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, interpretation or determination appealed from and make such determination and order as, in its opinion, ought to be made in the premises.**

(Emphasis added).

Moreover, New York State Village Law, Section 7-712-b states:

Orders, requirements, decisions, interpretations, determinations. **The board of appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, interpretation or determination appealed from and shall make such order, requirement, decision, interpretation or determination as in its opinion ought to have been made in the matter by the administrative official charged with the enforcement of such local law and to that end shall have all the powers of the administrative official from whose order, requirement, decision, interpretation or determination the appeal is taken.**

(Emphasis added).

In the ZBA Henderson Determination, the ZBA correctly held that it had the power to modify the prior determination of the Building Inspector. Thus, this Appeal is ripe and the Building Inspector's determination may be modified as the Zoning Board determines in its opinion, which includes the power to enforce the Zoning Code and require variances where required under the Village Code as it relates to the Property.

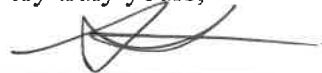
Moreover, the Appeal is not moot. First, there are still numerous structures illegally proposed in the setback, including a curbing wall, a barrier, stepping stone stairs, lighting fixtures and stormwater structures. Second, at the September 10<sup>th</sup> Planning Board meeting, when members of the Planning Board openly stated that they were not in favor of the one-to-one proposed artificially elevated slope graded directly to the southern property line, the Developer's architect quipped that they could simply propose the wall again. Finally, the Developer's statement that: "The height of the house and average grade have not changed relative to the 2024 approved plans," is materially false based on their own statements and plans that are a part of this administrative record. For example, the plans show that the Developer changed the elevation from 18.01 as presented to the ZBA on March 7, 2024 when David LaPierre made the following statements at the meeting: "the average grade number is 18.01" (which was repeated to the Board at their request for clarification several times), "the average grade was calculated by Allen Pilch, who is our civil

engineer. It's been confirmed by Meritts Surveying, as well", and "the building height ... is measured from that [18.01] average grade number". This number 18.01 is also on the architectural plans (pages A 2.0, 2.1, 3.0, 3.1, and 3.2) as the reference for building height. This number was elevated to 19.37 when the house was raised to its current base elevation of 15' feet. The applicant has made multiple changes to the grading both within the house (the garage slab) and outside (added an A/C platform, a planter, and the driveway) during the many revisions that ensued. Most recently, Allen Pilch submitted a new grading assessment dated July 31, 2025 that shows the existing grade calculation (used for basement/cellar FAR and height calculations under Code Section 342-3) was corrected to 16.63. The bottom line is that the house elevation and grading has changed significantly since the ZBA approved the FAR variance, and the result of such changes are significant additional impacts to the surrounding properties.

Finally, our application materials have detailed each and every code violation and relevant Village the section. The Developer's allegations that the Appeal has failed to do so is false.

Thank you for your consideration, and we look forward to the continued public hearing on the Appeal on November 6, 2025. We reserve our right to file comments to any new information submitted by any other party, consultant or official.

Very truly yours,



Robert D. Gaudio

Exhibits

RDG/cae

cc: Scott Ransom, Building Inspector  
Kathleen Gill, Village Manager  
Mayor Sharon Torres and the Board of Trustees  
Village of Mamaroneck Planning Board  
Developer's Counsel

Jakub Tatka, MD  
Orthopedic Surgery  
Hip and Knee Reconstruction and Preservation  
White Plain Hospital

September 25, 2025

RE: Valles-Moelis Property  
1011 Greacen Point Road  
Village of Mamaroneck, NY 10543

Dr. Tatka,

I have reviewed the Response Letter from Mr. Kellard dated 09/10/2025 and find we are in agreement in items #5, #6, #8 and #9 under the Water Quality issues, and items #1, #3, #4, #5 and #6 under the Water Quantity issues from my previous letter dated 09/24/2025, and as such are not being addressed in this rebuttal. There was no response to items #3 (Trench Drain) and #4 (Work performed at/on the common property line) under the Stormwater System Design and Configuration issues, and as such those previous recommendations and significant concerns remain. Below is a brief itemized rebuttal to the remaining issues based on Mr. Kellard's responses.

**Stormwater System Design and Configuration:**

1. Mr. Kellard's response essentially comes down to the fact that the infiltration testing surface was already within the compacted soils layer and still provided adequate vertical infiltration rates. However, this assumes the soil layers between SMP #1 and your basement wall are uniform and that there is no horizontal movement of subsurface water within the top 3 ft of soil. As such, we stand with our original recommendation to have a geotechnical study conducted to ensure additional surcharge pressures are not being applied against the wall of your basement or relocating the SMP altogether to be downgradient of your basement or far enough away to eliminate the influence.
2. The use of Juniper plantings, although used to stabilize slopes, does not account for the interim time period which may be up to several years before the slope has stabilized, and thus making it susceptible to rill erosion during this interim time period. In addition, there are other environmental factors such as pests, disease, sunlight, etc. which may affect the spread rate of the juniper, thus slowing down the stabilization process. The proposed vegetative stabilization techniques cannot provide assurance that heavy storm events will not transport eroded soils onto your property, during this interim stabilization period. In addition, the response does not address preventing the runoff generated on the slope from flowing onto your driveway. As such, we stand by our original recommendations for providing a capture mechanism for the slope runoff and a hardened slope surface or driveway relocation to ensure runoff from the slope embankment does not flow onto your property and that the soils stay in place.

**Project Contact Info**

1279 Route 300 | Newburgh, NY 12550  
845.567.6656 Tel | 845.567.8703 Fax

tectonicengineering.com  
Equal Opportunity Employer

**Water Quality:**

1. It is understood that the hydrodynamic separators are an accepted practice for pre-treatment; however, the number and sizing of these separators still needs to meet the performance criteria for pretreating 100% of the water quality volume as required in the 2015 NYSSMDM, which this application used as its regulatory basis.
2. Items #2, #3, #4 & #7 have the same or similar response in regard to the pretreatment requirements, and this response consolidates those items into a single issue. In the responses Mr. Kellard essentially states that the 100% pretreatment criteria is no longer a requirement in the current NYSSMDM. Although this is correct under the 2024 NYSSMDM; this application was properly submitted under the 2015 NYSSMDM and not the 2024 version. If the applicant is proposing to utilize the criteria of the 2024 NYSSMDM, then the SWPPP should be resubmitted for review and approval under the current regulations. In other words, the applicant cannot pick and choose design criteria from the two different versions of the NYSSMDM.

**Water Quantity:**

1. Item #2 is in regard to the time of concentration ( $T_c$ ) value of 6 min for both Pre and Post conditions. Mr. Kellard's response indicates the  $T_c$  values for pre and post conditions may be the same, which is possible. However, this typically occurs only when the differential between pre and post developed conditions is small. In this case, there is a substantial difference in the length (36 ft vs 100 ft) of sheet flow and smaller differences in vegetative cover and surface gradient. The difference in the length of the sheetflow segment can have a more dramatic effect on the  $T_c$  value. In this case using the NRCS equation, I calculated a travel time of 3.7 min for the 35 ft long sheet flow component using the applicant's data, which matches the calculated value in the SWPPP. When changing the length from 35 ft to 100 ft, the value increases +/-230% from 3.7 minutes to 8.6 minutes. As such, we stand behind the original recommendation to have the pre-developed conditions time of concentration value re-calculated based on the 100 ft length.

In summary, several of the stormwater related items and concerns have been addressed in the responses, as they indicate the applicant should resolve those items. The remaining items have been consolidated into 5 issues that we believe should still be addressed, as they may have significant impacts to your property. The previous zoning issues we raised, indicating the development does not meet village code requirements, were not addressed in the responses, as those will likely come from others within the town or be resolved at the board level.

Sincerely,



J. Mark Privette, P.E.  
Manager of Engineering  
Tectonic Engineering Consultants, P.C.









# 1011 Greacen Point Road: Urgent Rescission and Renewal Request

## SUMMARY: Key Points to Reconsider the 2024 Approval

- Site plan expired July 25, 2025 (§342-83): No legal construction occurred post-Nov 2024 Stop Work Order - a Board cannot amend a void plan (§342-75D).
- New DEC Fresh Water Jurisdictional Determination (May 2025): Class II wetlands (floodplain/urban importance) require permit (ECL §24-0701), expanding regulated area to 100-300 ft - contradicts 2024 EAF "no other agencies."
- Plan changes from original site plan approval, beyond amendment:
  - Substantial SWPPP changes (Cultecs removed, changes to piping, water flows)
  - Re-grading in both the north and southern setbacks - including new 1:1 grade and even more fill in Wetland Buffer!
  - New Landscaping changes in both north and south setbacks
  - Garage was made taller, stairs in garage increased to accommodate new height
  - Golf-simulator moved and internal stairs modified from first submitted plans
  - Wall/stairs fully removed, altering water flow due to new slope and more fill
  - All of the substantive changes ND (§617.7(f)(1)(i)).
- ZBA appeal ongoing: FAR/height/story violations raise harmony concerns (§342-76B).
- NEW self-reported error - The new pre-construction elevation/grade is documented as 16.63' by Mr. Pilch, it was previously reported and documented as 18.01'/19.37' by Mr. LaPierre -> this is a critical measurement that impacts house height measurement and basement square footage calculations
- Neighborhood impacts: Tree loss (17 mature) and countless other trees and plants, flooding risks, habitat harm - violates §342-76(I/H/G).
- Grandfathering of old DEC rules and 2015 Storm Water Design Manual invalid: Expired site plan resets need for new regulation; New DEC Freshwater Wetland and Stormwater rules apply (§617.3(c)) - rescind prior Negative Declaration (ND) to avoid arbitrary action (Article 78 risk).
- Type I reclassification needed (§617.4(a)(3)): Wetlands/floodplain trigger full EAF/DEC coordination.
- Public trust: Reopen hearing (Chapter 372) - protect Mamaroneck's waterfront from oversized flood hazards.
- *Do not miss the opportunity to rescind/deny this project due real oversights from errors and incomplete documentation that made your original resolution based on plans did not document the 1011 GPRd accurately (Mr. LaPierre admitted to errors in the "setback box" and in the actual setback distances in feet, making the house look smaller and the side yards look bigger - and now new changes to pre-construction elevation/grade*
- *The Site Plan is expired. The Planning Board was shown substantive errors when they were asked to vote in 2024. The Board was not shown final "wall" plans or renderings, making it difficult/impossible to know what the project would actually look like in the neighborhood. All of these issues affect your original decision and need to be re-assessed*

## Part 1: Summary of the Issue

The 2024 site plan approval for 1011 Greacen Point Road expired July 25, 2025 (§342-83), as no permitted construction started after the November 2024 Stop Work Order halted unpermitted work. Post-approval, the NYSDEC's May 2025 Class II wetland determination (JD) requires a state permit (ECL §24-0701) and expands regulated areas to 100-300 feet (6 NYCRR §664.3), contradicting the 2024 Negative Declaration (ND) and January 2025 Short EAF assumptions of no DEC involvement. Plan changes (e.g., wall/stairs removal per AKRF July 2025) and the ongoing ZBA appeal on FAR/height/story violations further alter impacts.

This triggers SEQRA rescission (§617.7(f)) for new information and substantive changes, reclassifying as Type I (§617.4(a)(3)) for wetlands/floodplain adjacency. Renewal must be a new application (§342-76 full review), not an amendment to a void plan (§342-75D). Ignoring risks arbitrary decision (Article 78). Rescission protects the board, neighborhood (flooding/tree loss), and cove habitat - clear the path for a compliant project.

## Part 2: Procedural Argument for Rescission

The 2024 Type II ND assumed minimal impacts (local 100-ft buffer, no DEC) based on January 2025 EAF and LandTech's June 2024 "no adverse effects" report. Two updates require rescission:

- DEC JD (May 2025): Class II wetlands (floodplain/urban importance) extend regulated areas to 100-300 ft (§664.3), needing DEC permit (ECL §24-0701) - new information (§617.7(f)(1)(ii)) contradicting EAF's "no other agencies."
- Plan changes: Wall/stairs removal (AKRF July 2025), tree protections shifts (TBLD July 2025) - substantive (§617.7(f)(1)(i)) affecting drainage (§342-76H) and ecology (§342-76I).

Expiration (§342-83) voids 2024 plan; "grandfathering" fails as no vested rights without progress (§617.3(c); *Exxon v. Concetta*, 73 AD2d 252). PB as lead must rescind ND to re-evaluate as Type I (§617.4(a)(3): wetlands adjacency >1/4 acre disturbed), coordinate with DEC (§617.3(c)), and review renewal as new application (§342-76). Failure invites Article 78 (*Falanga v. Town of Farmington*, 2021).

### Suggested Motions for September 11 Meeting:

1. "Move to review 2024 ND per SEQRA §617.7(f), based on DEC JD (May 2025) and changes (AKRF/TBLD July 2025), noting expiration (§342-83)."
2. "Move to rescind July 2024 Type II ND per SEQRA §617.7(f), as DEC ruling and modifications alter impacts."
3. "Move to issue Positive Declaration for Type I action (§617.7(a)), requiring Full EAF and DEC coordination."
4. "Move to table renewal and schedule public hearing per Chapter 372, treating as new application (§342-76)."



## **Part 3: Effects on My Property**

The project at 1011 Greacen Point Road will directly harm my home at 1019 Greacen Point Road, violating Village Code standards. As the immediate southern neighbor, my front door and mailbox are feet from the boundary - fill/slope changes threaten stormwater flooding my driveway (post-Ida, I spent thousands on flood mitigation).

### **1. Environmental Impact, Loss of Natural Landscape and Trees**

- Removes 17 mature trees buffering my property, violating §186-5(A) (minimize removal) and §342-76(G) (preserve features).
- Trees provide privacy for my family (2.5-year-old son, dog) and starling habitat (LandTech June 2024) - loss opens views, conflicting with §342-35(A)(1) (neighborhood character).
- Trees near boundary (feet away) could be spared, per §186-5(B) (protect vegetation).
- Tree loss worsens flooding (root absorption gone), against §342-76(I) (environmental impacts).
- Buffer construction flagged by Westchester (May 2024) harms habitat/hydrology, violating §186-6(A); DEC JD (May 2025) requires permit (ECL §24-0701).

### **2. Unnecessary Grading and Drainage Risks**

- 5 ft fill/1:1 slope directs water to my home, violating §342-16(B) (no neighbor impacts) and Chapter 294 (on-site retention).
- Basement “cellar” elevation skirts §342-24 (R-20 height limit) - exacerbates flood risk due to stormwater -> Because of now admitted errors in the pre-construction elevation there is no room to elevate house to 15’ base elevation
- Driveway pitch fails §342-16(C) (retain stormwater on-site).

### **3. Oversized Structure and Neighborhood Character**

- 15,088 SF exceeds FAR variance for ~9%, violating §342-35(A)(1) (scale harmony) and Comprehensive Plan (waterfront preservation).
- Fill/setbacks tower over my property (shadows/views blocked), against §342-35(A)(3) (terrain harmony).
- Removal of full and mature buffer and there is no room to replace it, let alone the years it would take to grow back
- Disproportionate size conflicts with §342-76(B) (neighborhood fit).

### **4. Overall Adverse Impact**

- Westchester recommendations (reduce size/trees/buffer, DEC permit, impermeable surfaces, SWPPP maintenance) align with Code (Chapter 294, §186-6).
- Tree-cutting, grading, and oversize harm my property/neighborhood, violating §§186-5/6, 342-16/35 - lasting aesthetic/environmental damage.

### Conclusion

This project causes adverse impacts and is inconsistent with Village Code. **Please deny it to protect our homes.**

Sincerely,



Jakub Tatka, MD  
1019 Greacen Point Rd.  
Mamaroneck, NY 10543

### Attached Evidence

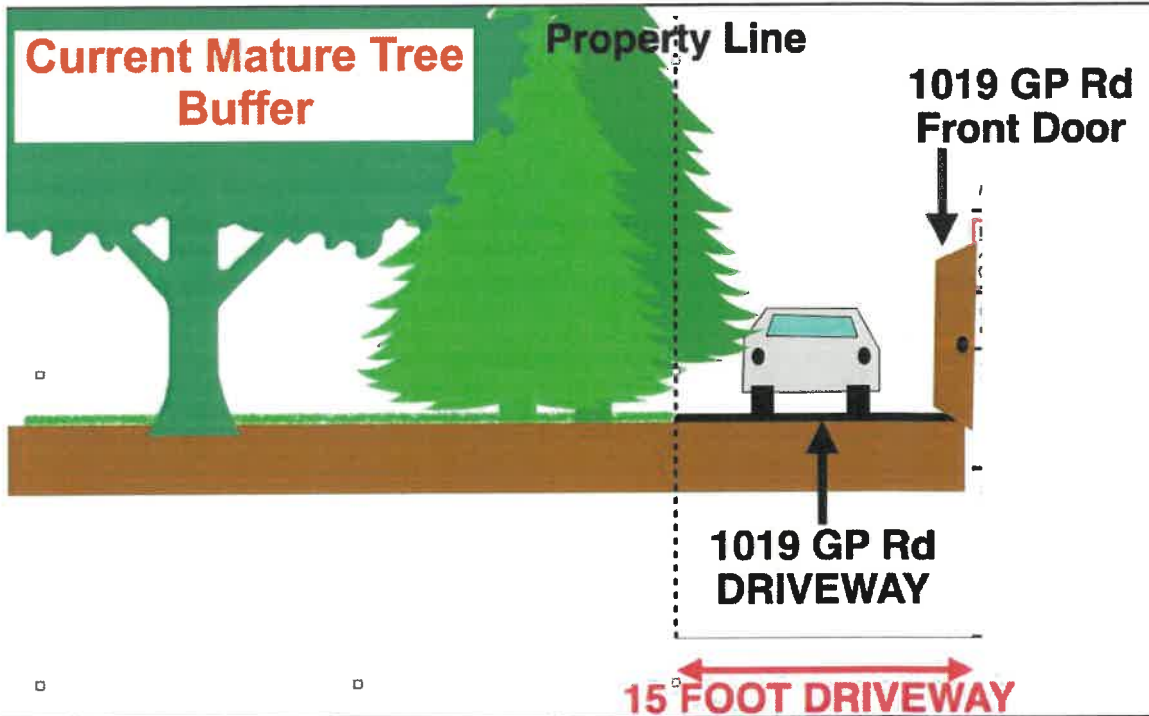
- **Exhibit 1:** Photos
- **Exhibit 2:** NYSDEC JD Letter (May 27, 2025) - Class II wetlands, 100-300 ft AA.
- **Exhibit 3:** Short EAF (Jan 19, 2025) - assumed no DEC permits.
- **Exhibit 4:** AKRF Memos (Feb-May-July 2025) - plan changes, including lack of needing DEC Freshwater Wetland Application as is currently needed
- **Exhibit 5:** TBLD Memo (July 3, 2025) - tree disturbance/CRZ impacts.
- **Exhibit 6:** LandTech (p.4) said 'no significant impact' pre-JD—now DEC Class II changes that; rescind ND -> again, now DEC Application required
- **Exhibit 7:** Stop Work Order (Nov 7, 2024) - proof no legal construction was ever done
- **Exhibit 8:** Neighbor Petition (Nov 3, 2024) - 12-15 signatures, 7-8 within 200 ft. -> shows consistent community disapproval of the currently proposed 1011 GP Rd. project
- **Exhibit 9:** Timeline of Key Events (1-page summary).

**Exhibit 9: Timeline of Key Events for Rescission – 1011 Greacen Point Road**

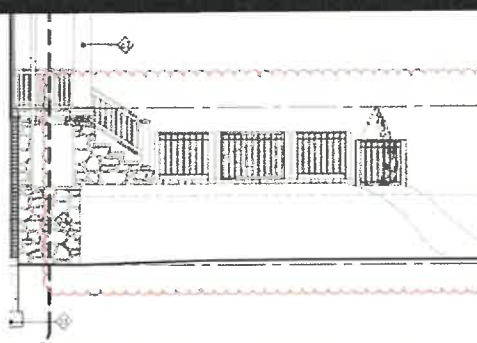
- **April 2024:** Applicant submits Short EAF for 11,966 SF home, pool, patio on 0.93-acre site. Assumes no DEC permits (Q2), local 100-ft wetland buffer only.
- **May 2024:** Westchester County Planning Board recommends reducing project size, tree removal (17 mature), wetland buffer impacts, and impermeable surfaces
- **June 21, 2024:** exv Wetlands Evaluation claims “no adverse effects,” assumes local buffer, notes bird habitat (e.g., starlings).
- **July 10, 2024:** Planning Board issues Type II Negative Declaration (ND) under SEQRA (§617.5(c)(11)) and approves site plan, assuming no significant impacts.
- **November 3, 2024:** Neighbor petition (12-15 signatures, 7-8 within 200 ft) cites flooding, tree loss, and scale concerns.
- **November 7, 2024:** Village issues Stop Work Order (SWO) for unpermitted work—no lawful construction begins.
- **January 19, 2025:** Revised Short EAF submitted for “amendment” (e.g., saltwater pool), still assumes no DEC permits.
- **February 2025:** AKRF memo details minor plan tweaks (pre-JD).
- **May 27, 2025:** NYSDEC issues Positive JD, classifying site as Class II freshwater wetland (floodplain/urban importance), requiring permit (ECL §24-0701) and 100-300 ft adjacent area (6 NYCRR §664.3)—new information (§617.7(f)(1)(ii)).
- **June 11, 2025:** Applicant (Jonathan Kraut) presents changes as “amendments” to PB, downplays public hearing need (transcript).
- **July 3, 2025:** TBLD memo adjusts tree protection (CRZ impacts), increasing habitat concerns.
- **July 2025:** AKRF memo confirms wall/stairs removal, altering drainage/floodplain—substantive change (§617.7(f)(1)(i)).
- **July 25, 2025:** Site plan approval expires (§342-83, no permitted work within 1 year post-SWO)—renewal requires new application (§342-76).
- **September 4, 2025:** Ongoing ZBA appeal on FAR (8.92%), height, story violations raises harmony concerns (§342-76B), adding controversy (§617.7(c)(1)(v)).
- **September 11, 2025:** Proposed PB meeting to address rescission of ND and new review.



**NOW**



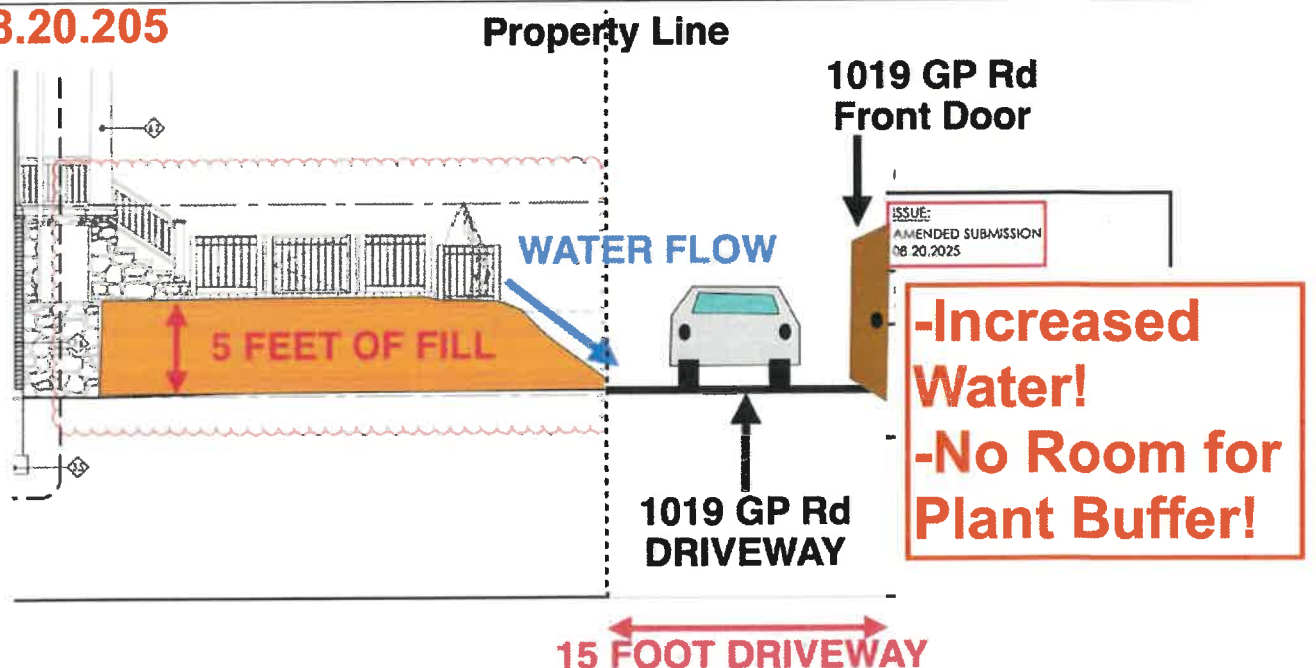
**PROPOSED**



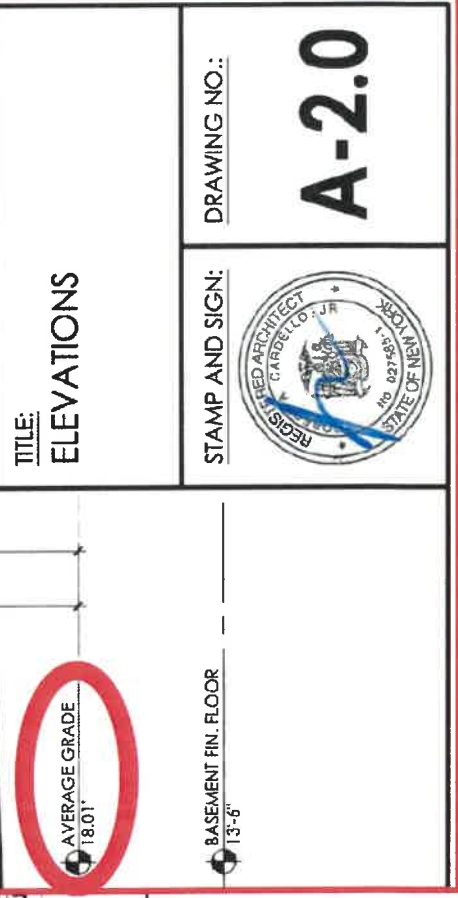
8.2. Custom fabrications, built-in architectural elements, finish, and painting, to appear as if they are part of the existing structure. All materials and workmanship should be in accordance with the manufacturer's specifications. All materials and workmanship should be in accordance with the manufacturer's specifications. All materials and workmanship should be in accordance with the manufacturer's specifications.

CLIENT/ADDRESS: VALLES-MOELIS RESIDENCE 1011 GREACEN POINT ROAD MAMARONECK, NY 10543	
ISSUE: AMENDED SUBMISSION 08.20.2025	
DRAWN BY: BP CHECKED BY: DL	
TITLE: BUILDING SECTIONS	
STAMP AND SIGN.	
DRAWING NO. <b>A-3.1</b>	

**PROPOSED NEW GRADE CHANGE**  
rev. 08.20.205

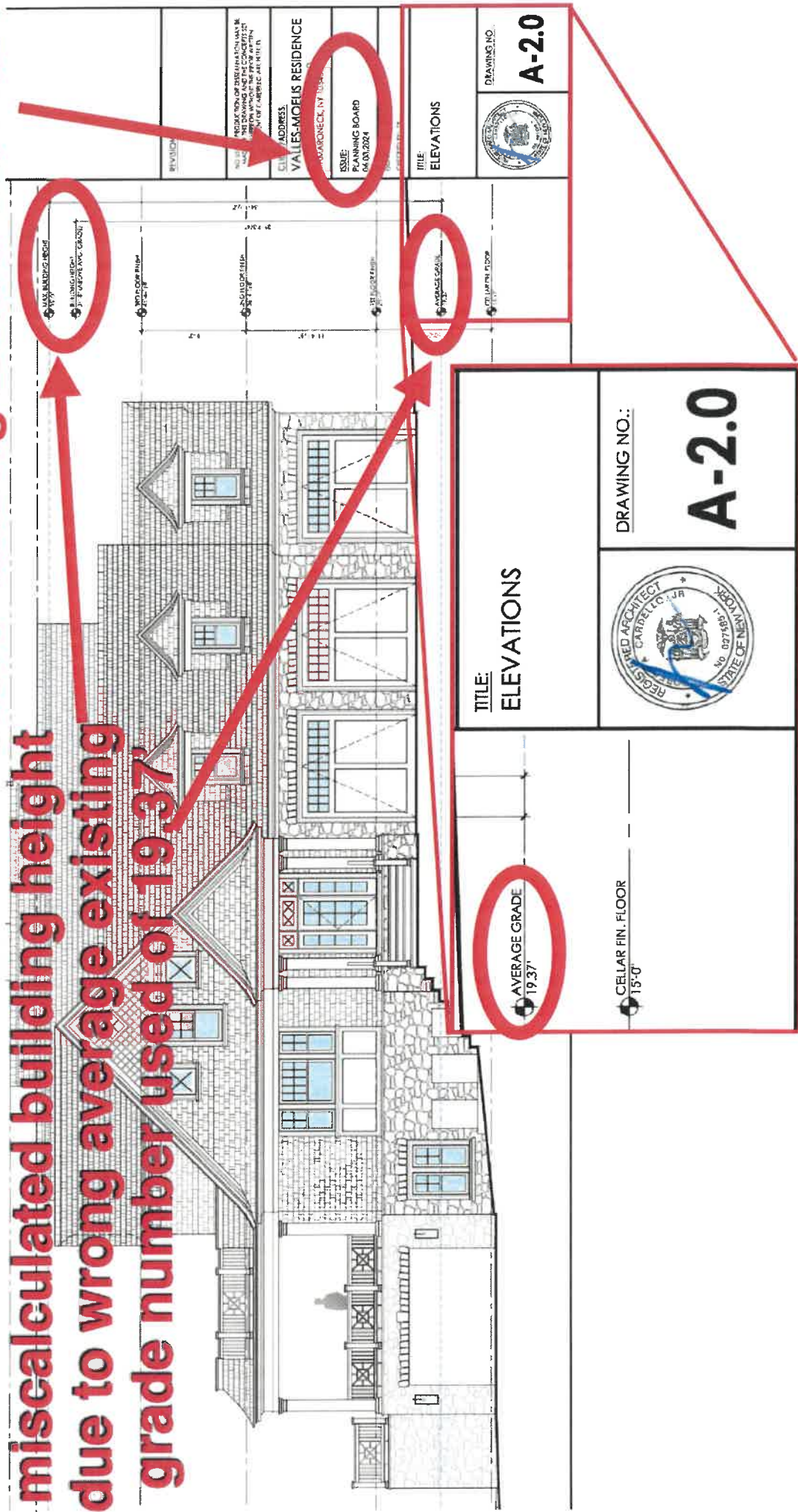


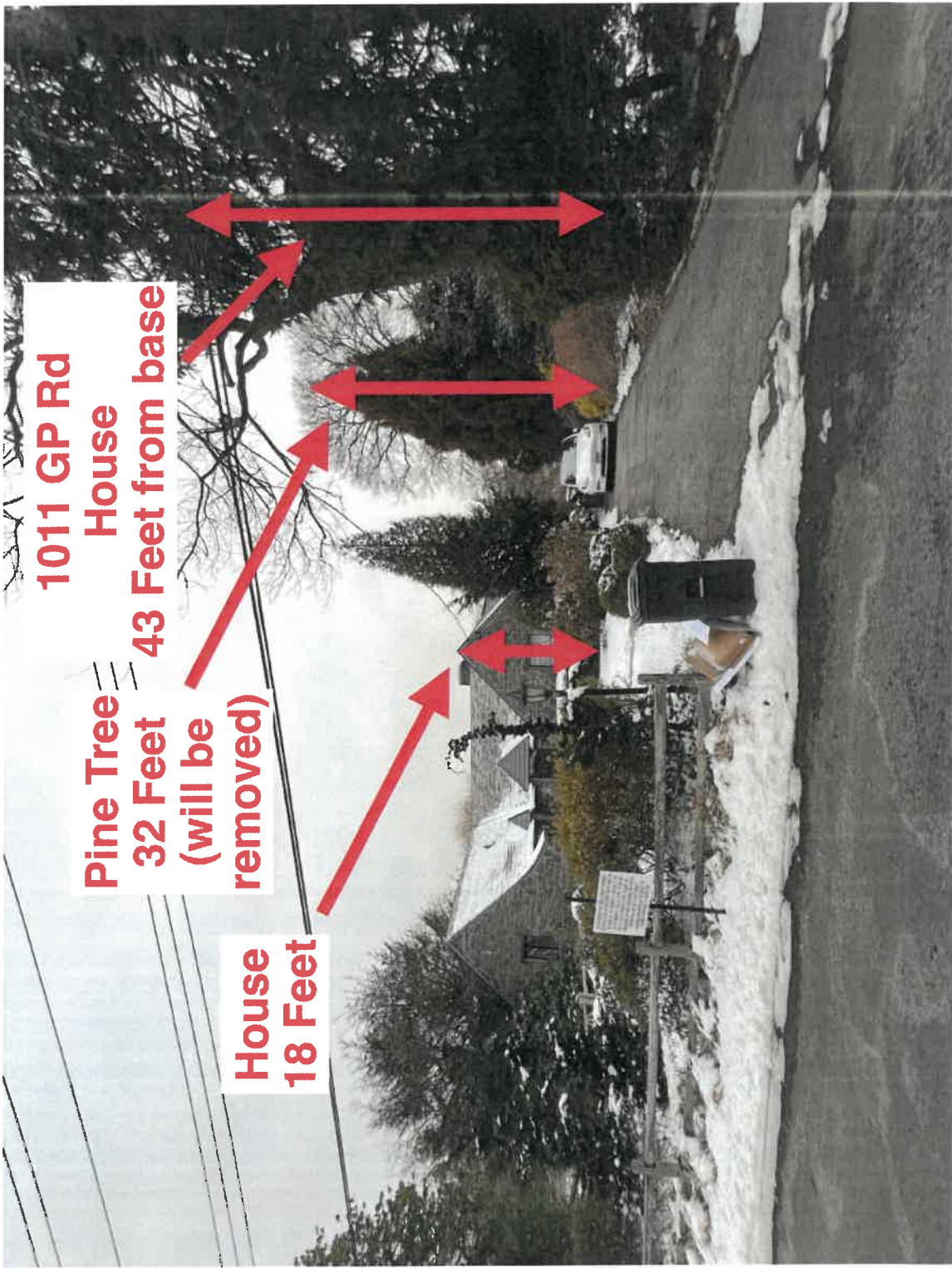
**miscalculated building height  
due to wrong average existing  
grade number used of 18.01'**





**miscalculated building height  
due to wrong average existing  
grade number used of 19.37'**





1011 GP Rd

House  
43 Feet from base

Pine Tree  
32 Feet  
(will be  
removed)

House  
18 Feet





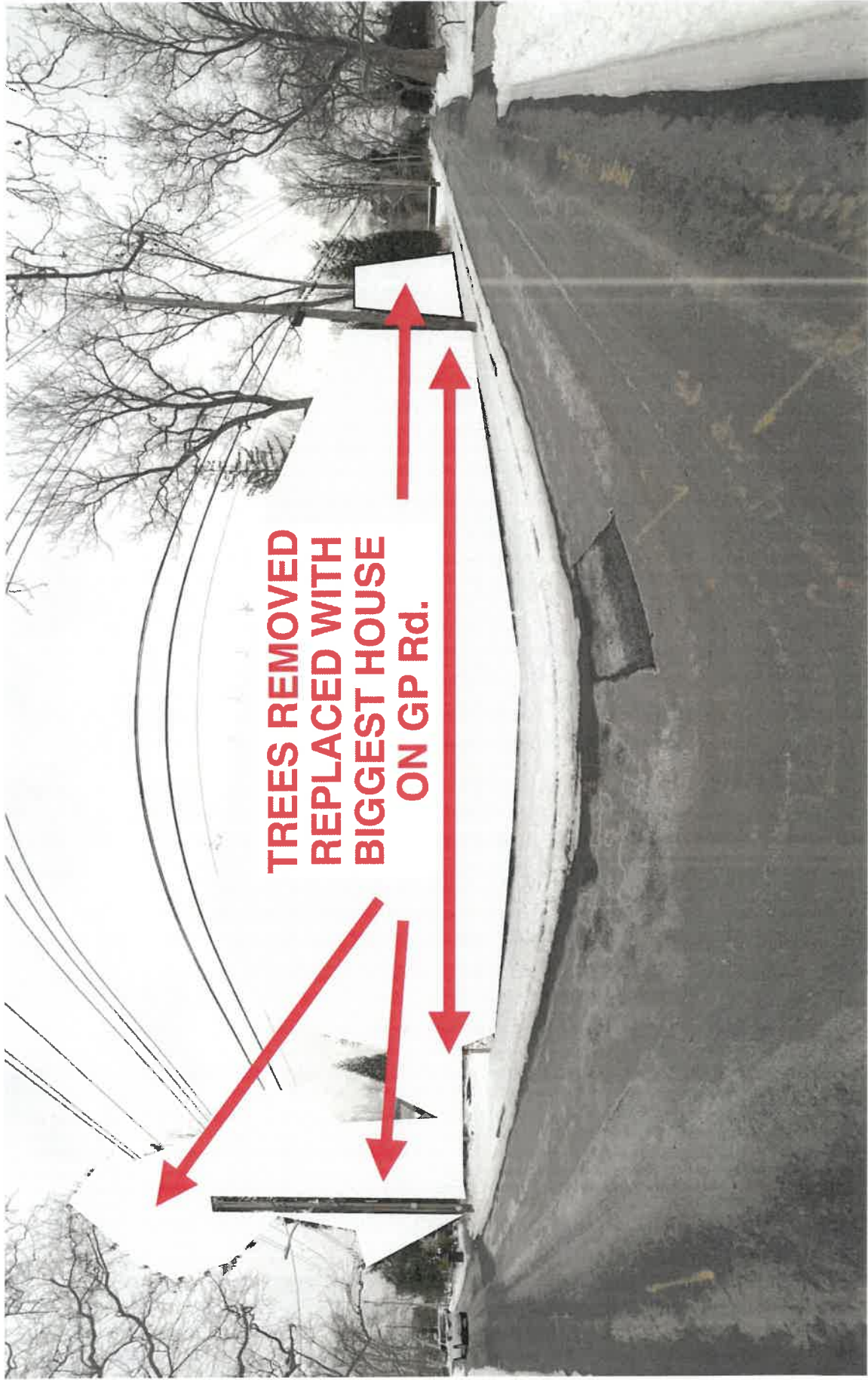
**TREES REMOVED**

**REPLACED WITH ROOF  
OF NEW 1011 GP Rd**

1011 HOUSE







**TREES REMOVED  
REPLACED WITH  
BIGGEST HOUSE  
ON GP Rd.**



## LETTER OF POSITIVE JURISDICTION – FRESHWATER WETLANDS

05/27/2025

Jakub Tatka

1019 Greacen Point Rd, Mamaroneck, NY, 10543, USA

Sent via email to: jakubtatka@gmail.com

Re: DEC Freshwater Wetlands Parcel Jurisdictional Determination for Parcel  
9-49-230 (SWIS ID: 5532039-49-230), Westchester County.

Dear Jakub Tatka,

Based on the parcel identified in your request, the New York State Department of Environmental Conservation (DEC) has determined that the parcel contains freshwater wetlands and/or freshwater wetland adjacent areas (AA) regulated by DEC pursuant to Article 24 of the Environmental Conservation Law (ECL). The parcel contains freshwater wetland that meets an Unusual Importance (UI) Criterion by being located wholly or partially within an Urban Area as defined and identified by the United States Census Bureau (December 2022). The wetland and/or regulated adjacent areas were determined to be Class II because it is located within a FEMA designated 100-year floodplain.

The table below identifies the highest class of jurisdictional wetlands and/or adjacent area(s) within the parcel.

Tax ID #:	Highest Wetland Class
5532039-49-230	Class 2

This determination shall remain valid for five years from the date of this letter (through 05/25/2030).

An Article 24 permit from DEC is required for any regulated activity planned or proposed to be undertaken within regulated wetlands or their regulated adjacent areas.

A freshwater wetlands delineation is necessary to determine the precise boundary of jurisdictional wetlands areas on the subject parcel.

Please use this link <https://dec.ny.gov/nature/waterbodies/wetlands/freshwater-wetlands-program/freshwater-wetland-jurisdictional-determination> to identify and contact the appropriate DEC Regional Office prior to undertaking any regulated activities on the



referenced parcel to determine whether a permit is required. In addition, you can visit DEC's website to learn more about the types of jurisdictional determinations and wetland delineations:

<https://dec.ny.gov/nature/waterbodies/wetlands/freshwater-wetlands-program/freshwater-wetland-jurisdictional-determination>

Pursuant to ECL section 24-0301(4), there is a rebuttable presumption that areas meeting the definition of Freshwater Wetland are regulated and subject to permit requirements. If you believe this jurisdictional determination has been made in error, you may request an initial consultation with DEC by scheduling a meeting on the parcel or property with the appropriate regional office to review the jurisdictional determination, pursuant to 6 NYCRR 664.9.

Please note that this determination pertains only to state-regulated, freshwater wetlands and regulated adjacent areas. DEC also regulates protected streams, tidal wetlands, coastal erosion hazard areas, and other important environmental resources. Work affecting those areas may also require DEC permits. More information on other DEC permit programs is available online at <https://dec.ny.gov/regulatory/permits-licenses/environmental-permits>.

In addition, please note that this letter does not relieve you of the responsibility of obtaining any other necessary permits or approvals from other local, state, or federal agencies.

If you have questions regarding this determination, please email [FWWjurisdiction@dec.ny.gov](mailto:FWWjurisdiction@dec.ny.gov).

# Short Environmental Assessment Form

## Part 1 - Project Information


### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

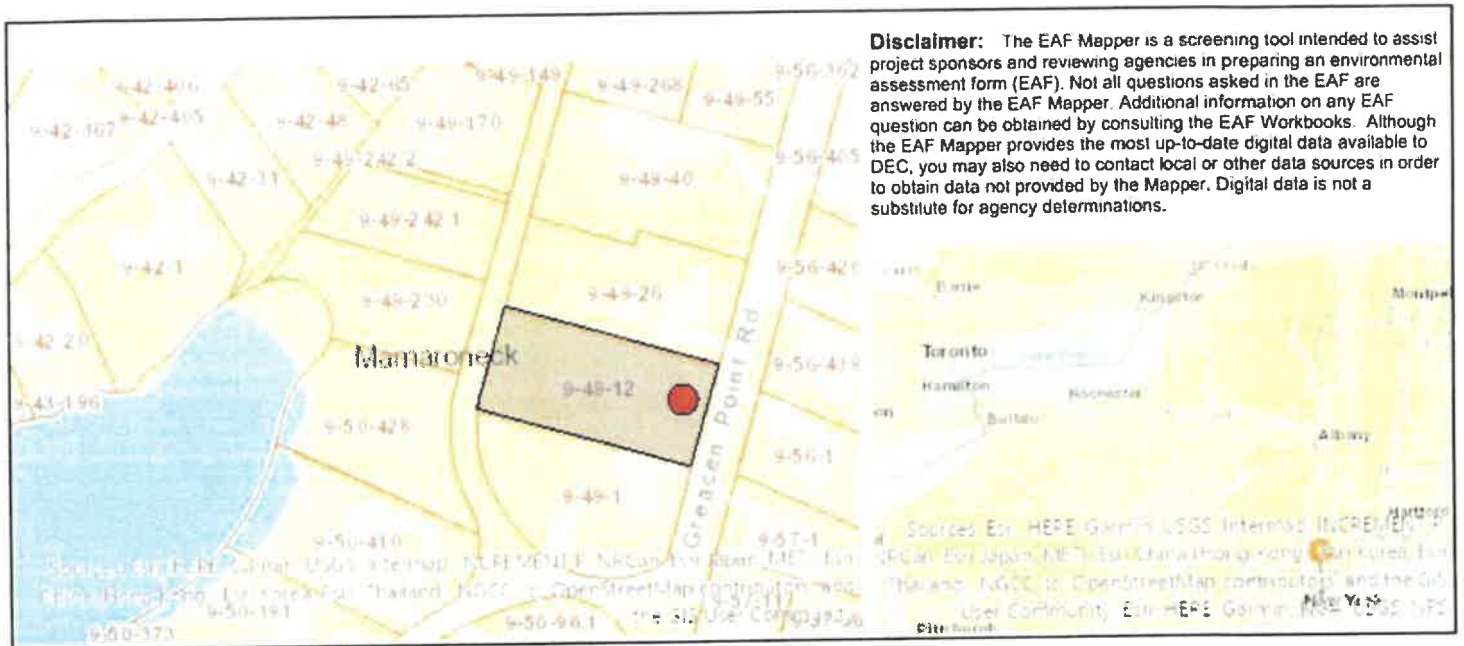
<b>Part 1 – Project and Sponsor Information</b>							
New Single Family Home							
Name of Action or Project: Valles/Moelis Home							
Project Location (describe, and attach a location map): 1011 Greacen Point Road, Village of Mamaroneck							
Brief Description of Proposed Action: Construction of a single family dwelling and in-ground pool and patio. Proposed home is in R-20 zone and was site of previously developed single family home that has been demolished.							
Name of Applicant or Sponsor:  Kevin Valles and Madelyn Moelis		Telephone:  E-Mail: valleskevin@gmail.com					
Address: 301 East 80th Street, Apartment 12 C							
City/PO: New York		State: NY	Zip Code: 10075				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3. a. Total acreage of the site of the proposed action?		0.934 acres					
b. Total acreage to be physically disturbed?		0.529 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.763 acres					
4. Check all land uses that occur on, are adjoining or near the proposed action:							
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):							
<input type="checkbox"/> Parkland							

5. Is the proposed action.	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? Name: Long Island Sound, Reason: Exceptional or unique character, Agency: Westchester County, Date: 1-31-90 If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <u>House will meet the requirements of the Energy Conservation Construction Code of NYS, latest edition. This will include meeting the code requirements for building insulation, fenestration and exposed foundation walls.</u>	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
Subsurface chambers will be installed in four locations to control the peak rate of runoff and provide treatment of the water quality volume. Stormwater Management Practice No. 1 is 31.5' x 11.1'. Stormwater Management Practice No. 2 is 22.5 x 22'. Stormwater Management Practice No. 3 is 17.5' x 11.2'. A water-tight pipe detention practice is proposed. It will be 53' x 14' in size.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>Kevin Valles and Madelyn Moelis (Alan L. Pilch, agent for applicant)</u> Date: <u>01/19/2025 (rev.)</u>		
Signature: <u></u> Title: <u>Principal (ALP Engineering &amp; Land. Arch.)</u>		

# EAF Mapper Summary Report

Friday, January 26, 2024 3:36 PM



Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:Long Island Sound, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-31-90
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No





## Memorandum

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**To:** Village of Mamaroneck Planning Board  
**From:** Alicia Moore, AICP  
**Date:** February 7, 2025  
**Re:** 1011 Greacen Point Road

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AKRF, Inc. has reviewed the following documents and plans for the above referenced application:

- Cover Letter to Chair Seamus O'Rourke and Members of the Planning Board MDW, PLLC dated 1/22/25.
- Building Permit application dated 1/21/25.
- Engineering Set (14 sheets) prepared by ALP Engineering and revised 1/13/25.
- Average Grade Calculation (1 sheet) prepared by ALP Engineering and dated 1/21/25.
- Architectural Set (19 sheets) prepared by Cardello Architects and revised 1/21/25.
- Planning Board Site Plan and Wetland Permit dated 7/10/24.
- HCZMC Consistency Determination dated 6/18/24.
- Building Determination Letter dated 1/16/25.
- Short EAF dated 1/16/25.
- SWPPP prepared by ALP Engineering and revised 6/24/24.
- Planning Board application dated 1/22/25.
- Property Survey prepared by TC Merritts Land Surveyors 4/21/23.
- Sworn Statement Verifying Survey by Kevin Valles notarized 4/16/24.
- Topographic Survey prepared by TC Merritts Land Surveyors 4/21/23.
- ZBA Resolution for FAR area variance dated 4/4/24.

### PROJECT DESCRIPTION

The Applicant proposes to amend a previously approved site plan to construct a 11,966-SF single-family home with accessory structures, including a retaining wall, located at 1011 Greacen Point Road in the R-20 zoning district. The property comprises two vacant tax lots – Town SBLs 9-49-230 and 9-49-12<sup>1</sup> --

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<sup>1</sup> SBLs are for the Town of Mamaroneck.

bisected by a paper road, Greacen Lane. Tax lot 12 (0.93± acres) fronts on Greacen Point Road and is referred to as the Development Lot; tax lot 230 (0.76± acres) contains tidal wetlands and is referred to as the Lower Lot. No work is proposed on the Lower Lot. The proposed pool and a portion of the house are within the wetland buffer. The property is also within the Special Flood Hazard Area and the Long Island Sound CEA. The Applicant obtained a ZBA area variance to exceed the FAR (4/4/24), HCZMC consistency determination (6/18/24), and Planning Board site plan approval and wetland permit (7/10/24). The site plan was modified after approval and therefore requires Amended Site Plan Approval per Zoning Code § 342-75.D. An amended HCZMC Consistency Determination is also required.

#### COMMENTS

1. The principal changes to the amended site plan are to the retaining wall proposed along the southern property line. As noted in the applicant's cover letter, these changes include lowering the wall's maximum height from 6'6" to 3'6" and reducing its length from 60' to 42,' as well as adjustments to the wall's safety guard. Additional amendments include changes to the planting bed next to the garage, replacement of exterior stairs leading from the driveway to the rear yard, grading changes, and changes to stormwater structures. The Planning Board may request that the applicant provide a description and explanation of the proposed changes.
2. As shown on Sheet C-102 of the Engineering Set, the proposed changes are outside of the wetland buffer. Therefore, an amendment to the wetlands permit, which would require a public hearing, is not warranted. A public hearing is not required for the amended site plan application.
3. The ZBA approved an area variance to exceed the permitted FAR on 4/4/2024. No changes are proposed to the approved FAR; therefore, referral to the ZBA for an amended variance is not required.
4. The property is within the Special Flood Hazard Area and the Long Island Sound CEA. The floodplain permit should be updated for the amended site plan.
5. As shown on Sheet C-102, the height to the top of the retaining wall along the southern property line is 3.65 feet. This is below, and therefore complies with, the maximum permitted height of 6 feet per § 342-14.C.
6. The MDW cover letter lists certain adjustments to the stormwater management practices. Revisions may be required to the SWPPP, dated 6/24/24.
7. An amendment to the Consistency Determination (6/18/2024) is required. The application should be referred to HCZMC.
8. The application requires referral to Westchester County per GML 239.
9. The application is considered a Type II Action under SEQRA per § 617.5(c)(11), as follows:  
*"construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system, or both, and conveyances of land in connection therewith;"*

#### RECOMMENDATION

At the February 12, 2025 Planning Board meeting, AKRF recommends that the Planning Board classify the project as a Type II Action under SEQRA, refer the application to Westchester County, and refer to the application to HCZMC.



***Environmental, Planning, and Engineering Consultants***

34 South Broadway  
Suite 300  
White Plains, NY 10601  
tel: 914 949-7336  
fax: 929 284-1085  
[www.akrf.com](http://www.akrf.com)

## Memorandum

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**To:** Village of Mamaroneck Planning Board  
**From:** Alicia Moore; Teresa Cannon  
**Date:** 5/3/2024  
**Re:** 1011 Greacen Point Road

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AKRF, Inc. has reviewed the following documents and plans for the above referenced application:

- Cover Letter from Marks DiPalermo Wilson PLLC (MPW) dated 4/16/24.
- Building Permit Application
- Building Determination Letter dated 2/2/24.
- Planning Board application dated 1/3/24.
- Property Survey prepared by TC Merritts Land Surveyors dated 4/21/23.
- Topographic Survey prepared by TC Merritts Land Surveyors dated 4/21/23.
- Sworn Statement Verifying Survey, notarized 4/16/24.
- Site Plan Set (11 sheets) prepared by ALP Engineering and dated 4/12/24.
- Architectural Set (18 sheets) prepared by Cardello Architects and dated 4/17/24.
- Short EAF dated 1/29/24.
- Environmental Impact (Wetlands) Assessment prepared by Pfizer Jaehnig Soils and dated 4/16/24.
- Average Grade Calculation prepared by ALP Engineering and dated 1/3/24.
- SWPPP prepared by ALP Engineering and dated 4/12/24.
- Site Photos and Renderings (8) prepared for the ZBA and dated 2/15/24.

### PROJECT DESCRIPTION

The Applicant proposes to construct a 11,966-SF single-family home with in-ground pool, terrace, and walkways located at 1011 Greacen Point Road in the R-20 zoning district. The property comprises two tax lots – SBLs 9-49-230 and 9-49-12<sup>1</sup> – which are bisected by a north-south private paper road, Greacen Lane, which is subject to a pedestrian easement. Tax lot 12 (0.93± acres) fronts on Greacen Point Road and is referred to as the Development Lot; tax lot 230 (0.76± acres) contains tidal wetlands and is referred to as the Lower Lot. No work is proposed on the Lower Lot. The wetlands extend onto the western portion of

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<sup>1</sup> SBLs are for the Town of Mamaroneck.



the Development Lot, with the buffer extending another 100 feet onto the lot. The proposed pool, landscaping, and a portion of the house are within the wetland buffer. The property is also within the Special Flood Hazard Area and the Long Island Sound CEA. Both parcels are currently vacant. Per the MPW Cover Letter, there was previously a single-family home on the Development Lot which has since been demolished. The project requires Planning Board Site Plan approval and Wetland Permit, as well as an FAR variance from the ZBA (which has been granted), and a Consistency Determination from the HCZMC.

#### COMMENTS

1. Greacen Lane is a private paper road that bisects the property. There is a pedestrian easement, jointly held by neighborhood property owners, on Greacen Lane that permits it to be used as a walkway by others. The project does not propose any changes that would impact this easement.
2. The application should include the deed to the property, which would have additional information regarding the easement on Greacen Lane. However, as the project would not impact the easement, this information is not necessary for the Planning Board's review.
3. A public hearing is required for wetland permits. AKRF recommends that the hearing is set for when the Applicant returns from HCZMC.
4. The project requires an FAR area variance from the ZBA. The proposed FAR is .2941 where .27 is allowed. The ZBA has granted the necessary 8.92% variance. The project is otherwise zoning compliant.
5. Per the EAF (question 12.b.), the project may be located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) inventory. Although the proposed project is a Type II Action under SEQRA, which requires no environmental review, the Planning Board may request additional information about the archaeological resource and the project's potential impact.
6. The new house would connect to existing public water and sewer along Greacen Point Rd via a sewer easement over the adjacent property to the north (tax lot 26).
7. The proposed project is within the 100-year floodplain (Special Flood Hazard Area) and therefore subject to Village Code Chapter 186 Flood Damage Prevention. The project requires a floodplain development permit, which is an administrative permit.
8. This application requires a Consistency Determination from the HCZMC.
9. The area of disturbance is approximately 22,956 square feet and therefore requires a SWPPP.
10. This application is subject to the Village Tree Law and requires a Tree Preservation Plan.
11. This application requires review and approval by the Board of Architectural Review.
12. This project requires referral to Westchester County per GML-239.
13. This application is considered a Type II Action under SEQRA per § 617.5(c)(11), as follows:  
*"construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system, or both, and conveyances of land in connection therewith;"*

#### WETLANDS COMMENTS

AKRF has reviewed the project's potential impacts on the wetlands. These comments may be addressed on the Applicant's return from HCZMC.

14. Tidal wetlands are present on the Lower Lot, as delineated in the field by Mary Jähnig in April 2023 and indicated on the Site Plans. The wetlands in the Lower Lot are associated with Delancey Cove, a Village of Mamaroneck (VOM) conservation area noteworthy for tidal wetlands and as a shorebird and waterfowl concentration area. The boundary of the tidal wetlands was confirmed by the New York State Department of Environmental Conservation (NYSDEC) and is noted anecdotally as the transition between phragmites and mowed lawn. Please provide the written confirmation of the wetland boundaries or jurisdictional determination from NYSDEC dated April 25, 2023, as referenced in the Pfizer-Jähnig wetland impact memorandum dated April 16, 2024.
15. There are no project elements within the tidal wetland. The NYSDEC-regulated tidal wetland adjacent area extends landward to the 10-foot elevation contour. Please label the contour on the Site Plans with a note stating that this is the extent of the NYSDEC-regulated tidal wetland adjacent area.
16. Portions of stormwater management practice #1 and landscaping are located within the NYSDEC-regulated tidal wetland adjacent area. A tidal wetland permit from the NYSDEC is required for this work.
17. The VOM wetland buffer extends 100 feet landward from the edge of the tidal wetlands. The VOM wetland buffer is indicated on the Site Plans. Portions of the proposed project, including the pool, lawn area, and terrace, are located within the VOM wetland buffer.
18. Is the proposed pool a saltwater pool, which requires less chemicals to maintain? Would the pool chemicals be stored outside of the wetland buffer?
19. For lighting in the rear of the house, it is recommended that the proposed project incorporate measures to limit the potential interference of the project's lighting with birds and wildlife in the wetland at night. Measures could include shields on the outdoor lighting fixtures, which concentrate the light downward, or automatic shut-off/motion activated lights to. This is consistent with the Proposed Article 18 to the Environmental Conservation Law ("Dark Skies Act"),<sup>2</sup> United States Fish and Wildlife Service (USFWS) best practices,<sup>3</sup> and recommendations from the American Bird Conservancy.<sup>4</sup>
20. The proposed project implements landscaping with predominantly native herbs, shrubs, and trees within the wetland buffer to replace removed mature trees, which would improve habitat for wildlife in the wetland buffer compared to the existing mowed lawn.
21. Sediment and erosion control measures, including a double layer of silt fencing, during construction would reduce the potential migration of project materials into the wetland and undisturbed wetland buffer. The soil stockpile is located outside of the wetland buffer.
22. The pre-treatment facility included as part of the stormwater management practice incorporates a hydrodynamic separator. According to the United States Army Corps of Engineers (USACE), hydrodynamic separators are acceptable for use in stormwater management systems in wetland buffers

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<sup>2</sup> New York State Senate. *Senate Bill S7663 – Enacts the dark skies protection act*. Available from: <https://www.nysenate.gov/legislation/bills/2021/S7663>

<sup>3</sup> United States Fish and Wildlife Service. *Reducing Birds Collisions with Buildings and Building Glass Best Practices*. Available from: <https://www.fws.gov/sites/default/files/documents/reducing-bird-collisions-with-buildings.pdf>

<sup>4</sup> American Bird Conservancy. *Bird-Friendly Building Design*. Available from: [https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide\\_2015.pdf](https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide_2015.pdf)

when used in conjunction with Cape Cod-style curbs.<sup>5,6</sup> Using Cape Cod-style curbs and/or “escape ramps” around the stormwater management system would minimize the probability of trapping amphibians.<sup>7</sup> Consider incorporating Cape Cod-style curbs and/or “escape ramps” around the stormwater management practice to prevent potential impacts to amphibians in the wetland buffer.

#### RECOMMENDATION

At the May 8, 2024 Planning Board meeting, AKRF recommends that the Planning Board classify the project as a Type II Action under SEQRA, refer the application to Westchester County, and refer to the HCZMC.

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<sup>5</sup> Calhoun and Klemens, 2002. *Best Development Practices: Conserving Pool-Breeding Amphibians in Residential and Commercial Development in the Northeastern United States*. Available from: <https://www.maineaudubon.org/wp-content/uploads/2017/03/Best-Development-Practices-Conserving-Pool-breeding-Amph.pdf>

<sup>6</sup> United States Army Corps of Engineers (USACE) New England District. January 2015. *Vernal Pool Best Management Practices (BMPs)*. Available from: <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/VernalPools/VPBMPsJan2015.pdf>

<sup>7</sup> *ibid*.



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## **Memorandum**

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**To:** Village of Mamaroneck Planning Board  
**From:** Alicia Moore; Teresa Cannone  
**Date:** 6/21/2024  
**Re:** 1011 Greacen Point Road

---

AKRF, Inc. has reviewed the following documents and plans for the above referenced application:

- Cover Letter to Chair Seamus O'Rourke and Members of the Planning Board from ALP Engineering & Landscape Architecture, PLLC dated 5/27/24.
- Cover Letter to Chair Thomas Burt and Members of HCZMC from MDW, PLLC dated 5/27/24.
- Saltwater Pool Diagrams (2 sheets) prepared by Shoreline Pools, undated.
- Sanitary Sewer Plan (Sheet C-105) prepared by ALP Engineering and dated 1/29/24.
- Engineering Set (13 sheets) prepared by ALP Engineering and revised 5/27/24.
- Average Grade Calculation prepared by ALP Engineering and dated 5/27/24.
- Architectural Set (18 sheets) prepared by Cardello Architects and revised 6/3/24.
- SWPPP prepared by ALP Engineering and revised 5/27/24.

### **PROJECT DESCRIPTION**

The Applicant proposes to construct a 11,966-SF single-family home (4,256-SF footprint) with in-ground pool, terrace, and walkways on a located at 1011 Greacen Point Road in the R-20 zoning district. The property comprises two tax lots – SBLs 9-49-230 and 9-49-12<sup>1</sup> – which are bisected by a north-south private paper road, Greacen Lane, which is subject to a pedestrian easement. Tax lot 12 (0.93± acres) fronts on Greacen Point Road and is referred to as the Development Lot; tax lot 230 (0.76± acres) contains tidal wetlands and is referred to as the Lower Lot. No work is proposed on the Lower Lot. The wetlands extend onto the western portion of the Development Lot, with the buffer extending another 100 feet onto the lot. The proposed pool, landscaping, and a portion of the house are within the wetland buffer. The property is also within the Special Flood Hazard Area and the Long Island Sound CEA. Both parcels are currently vacant. Per the MPW Cover Letter, there was previously a single-family home on the Development Lot which has since been demolished. The project requires Planning Board Site Plan approval and Wetland

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<sup>1</sup> SBLs are for the Town of Mamaroneck.

Permit, as well as an FAR variance from the ZBA (which has been granted), and a Consistency Determination from the HCZMC.

## COMMENTS

The Applicant has revised the submission packet in response to comments from the Planning Board and its consultants. Previous comments are presented below in *italics*; new and follow-up comments are in **bold**.

1. *Greacen Lane is a private paper road that bisects the property. There is pedestrian easement, jointly held by neighborhood property owners, on Greacen Lane that permits it to be used as a walkway by others. The project does not propose any changes that would impact this easement.*

**No further comment.**

2. *The application should include the deed to the property, which would have additional information regarding the easement on Greacen Lane. However, as the project would not impact the easement, this information is not necessary for the Planning Board's review.*

**No further comment.**

3. *A public hearing is required for wetland permits. AKRF recommends that the hearing is set for when the Applicant returns from HCZMC.*

**The Planning Board may open the public hearing. Considerations for wetland permits are provided below in Comment 14.**

4. *The project requires an FAR area variance from the ZBA. The proposed FAR is .2941 where .27 is allowed. The ZBA has granted the necessary 8.92% variance. The project is otherwise zoning compliant.*

**No further comment.**

5. *Per the EAF (question 12.b.), the project may be located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) inventory. Although the proposed project is a Type II Action under SEQRA, which requires no environmental review, the Planning Board may request additional information about the archaeological resource and the project's potential impact.*

**No further comment.**

6. *The new house would connect to existing public water and sewer along Greacen Point Rd via a sewer easement over the adjacent property to the north (tax lot 26).*

**No further comment.**

7. *The proposed project is within the 100-year floodplain (Special Flood Hazard Area) and therefore subject to Village Code Chapter 186 Flood Damage Prevention. The project requires a floodplain development permit, which is an administrative permit.*

**No further comment.**

8. *This application requires a Consistency Determination from the HCZMC.*

**The Applicant appeared before HCZMC on 5/15/24 and 6/18/24. HCZMC granted conditional consistency pending updates per KSCJ comments.**

9. *The area of disturbance is approximately 22,956 square feet and therefore requires a SWPPP.*

**No further comment. The Applicant has provided a SWPPP (revised 5/27/24).**

10. *This application is subject to the Village Tree Law and requires a Tree Preservation Plan.*



**No further comment. The Applicant has provided a Tree Preservation Plan.**

11. *This application requires review and approval by the Board of Architectural Review.*

**No further comment.**

12. *This project requires referral to Westchester County per GML-239.*

**The application was referred to Westchester County Planning. Comments are pending and anticipated ahead of the 6/26/24 Planning Board meeting.**

13. *This application is considered a Type II Action under SEQRA per § 617.5(c)(11), as follows:*

*“construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system, or both, and conveyances of land in connection therewith;”*

**No further comment. The Application was so classified at the Planning Board meeting of 5/8/24.**

14. **The Planning Board may open the public hearing for the wetland permit. Wetlands permits are governed by Chapter 192 of the Village Code. Specific standards of consideration for a wetland permit are provided in Village Code Section 192-14E. The Planning Board may request that the Applicant present their request in terms of the specific standards provided in Section 192-14D and E, as follows:**

**D. In granting, denying or conditioning any permit, the Agency shall consider the effect of the proposed activity with reference to the public health and welfare, fishing, flood, hurricane and storm dangers and protection or enhancement of the several functions of the wetlands and the benefits derived therefrom which are set forth in § 24-0105 of the State Environmental Conservation Law.**

**E. Specific standards of consideration.**

- (1) No permit shall be issued by the Agency pursuant to this chapter unless the Agency shall find that:**

**(a) The proposed regulated activity is consistent with the policy of this chapter to preserve, protect and conserve wetlands and the benefits derived therefrom, to prevent the despoliation and destruction of wetlands and to regulate the development of such wetlands in order to secure the natural benefits of wetlands consistent with the general welfare and beneficial economic, social and agricultural development of the Village of Mamaroneck.**

**(b) The proposed regulated activity is consistent with the land use regulations applicable in the Village of Mamaroneck pursuant to § 24-0903 of Article 24 of the State Environmental Conservation Law.**

**(c) The proposed regulated activity is compatible with the public health and welfare.**

**(d) The proposed regulated activity is reasonable and necessary.**

**(e) There is no reasonable alternative for the proposed regulated activity on a site which is not a wetland or adjacent area.**

- (2) The applicant shall have the burden of demonstrating that the proposed regulated activity will be in accord with the standards set forth in this section.

## WETLANDS COMMENTS

*AKRF has reviewed the project's potential impacts on the wetlands. These comments may be addressed on the Applicant's return from HCZMC.*

AKRF provided preliminary comments regarding wetlands to the Planning Board in a memorandum dated 05/03/2024 and to the Harbor Coastal Management Commission (HCZMC) in a memorandum dated 05/10/2024. The Applicant sufficiently addressed these comments in a memorandum from ALP Engineering to the HCZMC dated 05/27/2024 and incorporated the suggested modifications into the project. AKRF has no further comments on the items listed below.

Tom Wider, a wetland scientist from LANDTECH, made a presentation at the 06/18/2024 HCZMC meeting detailing the wetland conditions at the project site and how the proposed project would not alter or hinder the primary functions or values<sup>2</sup> (i.e., groundwater recharge, floodflow alteration, fish and shellfish habitat, and sediment/toxicant retention) of the wetland and wetland buffer. AKRF concurs with LANDTECH's findings presented at the 06/18/2024 HCZMC meeting that, with the project modifications, the proposed project would not have an impact on the wetlands or wetland buffer.

AKRF recommends that LANDTECH memorialize these findings in a memorandum to the Planning Board.

15. *Tidal wetlands are present on the Lower Lot, as delineated in the field by Mary Jähnig in April 2023 and indicated on the Site Plans. The wetlands in the Lower Lot are associated with Delancey Cove, a Village of Mamaroneck (VOM) conservation area noteworthy for tidal wetlands and as a shorebird and waterfowl concentration area. The boundary of the tidal wetlands was confirmed by the New York State Department of Environmental Conservation (NYSDEC) and is noted anecdotally as the transition between phragmites and mowed lawn. Please provide the written confirmation of the wetland boundaries or jurisdictional determination from NYSDEC dated April 25, 2023, as referenced in the Pfizer-Jähnig wetland impact memorandum dated April 16, 2024.*

*There are no project elements within the tidal wetland. The NYSDEC-regulated tidal wetland adjacent area extends landward to the 10-foot elevation contour. Please label the contour on the Site Plans with a note stating that this is the extent of the NYSDEC-regulated tidal wetland adjacent area.*

*Portions of stormwater management practice #1 and landscaping are located within the NYSDEC-regulated tidal wetland adjacent area. ~~A tidal wetland permit from the NYSDEC is required for this work.~~*

*The VOM wetland buffer extends 100 feet landward from the edge of the tidal wetlands. The VOM wetland buffer is indicated on the Site Plans. Portions of the proposed project, including the pool, lawn area, and terrace, are located within the VOM wetland buffer.*

**As noted in the 05/27/2024 ALP Engineering memo to the HCZMC, the proposed project would not require a NYSDEC permit for work in the tidal wetland adjacent area. No further comment.**

16. *Is the proposed pool a saltwater pool, which requires less chemicals to maintain? Would the pool chemicals be stored outside of the wetland buffer?*

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<sup>2</sup> AKRF assumes that LANDTECH used a similar approach to the wetland functions and values assessment that is outlined in the USACE New England District *Highway Methodology Supplement* available here: <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/Forms/HighwaySupplement6Apr2015.pdf>

ALP confirmed that the proposed pool would be a saltwater pool, and the pool equipment and salt would be stored in the lower level of the proposed house. LANDTECH explained at the 06/18/2024 HCZMC meeting that the winterization of the pool and use of the stormwater management practice would purify, dilute, and disperse the pool water such that it would not become a point source of pollution into the wetland. No further comment.

17. *For lighting in the rear of the house, it is recommended that the proposed project incorporate measures to limit the potential interference of the project's lighting with birds and wildlife in the wetland at night. Measures could include shields on the outdoor lighting fixtures, which concentrate the light downward, or automatic shut-off/motion activated lights to. This is consistent with the Proposed Article 18 to the Environmental Conservation Law ("Dark Skies Act"),<sup>3</sup> United States Fish and Wildlife Service (USFWS) best practices,<sup>4</sup> and recommendations from the American Bird Conservancy.<sup>5</sup>*

ALP confirmed that the proposed lighting would be dark sky compliant. No further comment.

18. *The proposed project implements landscaping with predominantly native herbs, shrubs, and trees within the wetland buffer to replace removed mature trees, which would improve habitat for wildlife in the wetland buffer compared to the existing mowed lawn.*

No further comment.

19. *Sediment and erosion control measures, including a double layer of silt fencing, during construction would reduce the potential migration of project materials into the wetland and undisturbed wetland buffer. The soil stockpile is located outside of the wetland buffer.*

No further comment.

20. *The pre-treatment facility included as part of the stormwater management practice incorporates a hydrodynamic separator. According to the United States Army Corps of Engineers (USACE), hydrodynamic separators are acceptable for use in stormwater management systems in wetland buffers when used in conjunction with Cape Cod-style curbs.<sup>6,7</sup> Using Cape Cod-style curbs and/or "escape ramps" around the stormwater management system would minimize the probability of trapping amphibians.<sup>8</sup> Consider incorporating Cape Cod-style curbs and/or "escape ramps" around the stormwater management practice to prevent potential impacts to amphibians in the wetland buffer.*

ALP confirmed that the proposed project incorporated no-reveal Belgian Block Curbs to provide "escape ramps" for amphibians. No further comment.

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<sup>3</sup> New York State Senate. *Senate Bill S7663 – Enacts the dark skies protection act.* Available from: <https://www.nysenate.gov/legislation/bills/2021/S7663>

<sup>4</sup> United States Fish and Wildlife Service. *Reducing Birds Collisions with Buildings and Building Glass Best Practices.* Available from: <https://www.fws.gov/sites/default/files/documents/reducing-bird-collisions-with-buildings.pdf>

<sup>5</sup> American Bird Conservancy. *Bird-Friendly Building Design.* Available from: [https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide\\_2015.pdf](https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide_2015.pdf)

<sup>6</sup> Calhoun and Klemens, 2002. *Best Development Practices: Conserving Pool-Breeding Amphibians in Residential and Commercial Development in the Northeastern United States.* Available from: <https://www.maineaudubon.org/wp-content/uploads/2017/03/Best-Development-Practices-Conserving-Pool-breeding-Amph.pdf>

<sup>7</sup> United States Army Corps of Engineers (USACE) New England District. January 2015. *Vernal Pool Best Management Practices (BMPs).* Available from: <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/VernalPools/VPBMPsJan2015.pdf>

<sup>8</sup> *ibid.*



*AKRF included the following comment in an additional memorandum to the HCZMC dated 05/10/2024:*

- 21. With the topography of the property, stormwater on the property currently drains toward the tidal wetland, as noted in the Stormwater Pollution Prevention Plan Report Narrative. Please confirm that the stormwater management practice has sufficient capacity to treat the stormwater volume such that untreated water would not discharge to the wetland, potentially impacting the sensitive habitat.*

**ALP confirmed that the stormwater management practices will capture and treat a volume in excess of water quality volume. No further comment.**

## **RECOMMENDATION**

At the June 26, 2024 Planning Board meeting, AKRF recommends that the Planning Board confirm that the KSCJ comments have been addressed and open the public hearing.



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## Memorandum

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**To:** Village of Mamaroneck Planning Board  
**From:** Alicia Moore; Teresa Cannone  
**Date:** 7/3/2024  
**Re:** 1011 Greacen Point Road

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AKRF, Inc. has reviewed the following documents and plans for the above referenced application:

- Cover Letter to Chair Seamus O'Rourke and Members of the Planning Board from ALP Engineering & Landscape Architecture, PLLC dated 6/25/24.
- Building Determination Letter dated 2/2/24.
- Specs/images for architectural materials.
- Planning Board application dated 1/3/24.
- Wetland Impact Assessment prepared by LANDTECH (Thomas Ryder) and dated 6/21/24.
- Engineering Set (13 sheets) prepared by ALP Engineering and revised 6/24/24.
- Architectural Set (14 sheets) prepared by Cardello Architects and revised 6/26/24.
- SWPPP prepared by ALP Engineering and revised 6/24/24.
- ZBA Resolution dated 4/4/24.

### PROJECT DESCRIPTION

The Applicant proposes to construct a 11,966-SF single-family home (4,256-SF footprint) with in-ground pool, terrace, and walkways on a lot located at 1011 Greacen Point Road in the R-20 zoning district. The property comprises two tax lots – SBLs 9-49-230 and 9-49-12<sup>1</sup> – which are bisected by a north-south private paper road, Greacen Lane, which is subject to a pedestrian easement. Tax lot 12 (0.93± acres) fronts on Greacen Point Road and is referred to as the Development Lot; tax lot 230 (0.76± acres) contains tidal wetlands and is referred to as the Lower Lot. No work is proposed on the Lower Lot. The wetlands extend onto the western portion of the Development Lot, with the buffer extending another 100 feet onto the lot. The proposed pool, landscaping, and a portion of the house are within the wetland buffer. The property is also within the Special Flood Hazard Area and the Long Island Sound CEA. Both parcels are currently vacant. Per the MPW Cover Letter, there was previously a single-family home on the Development Lot which has since been demolished. The project requires Planning Board Site Plan approval and Wetland

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<sup>1</sup> SBLs are for the Town of Mamaroneck.

Permit, as well as an FAR variance from the ZBA (which has been granted), and a Consistency Determination from the HCZMC.

### COMMENTS

The Applicant has revised the submission packet in response to comments from the Planning Board and its consultants. Previous comments are presented below in *italics*; new and follow-up comments are in **bold**.

1. *Comment addressed.*

2. *Comment addressed.*

3. *Comment addressed.*

4. *Comment addressed.*

5. *Comment addressed.*

6. *Comment addressed.*

7. *Comment addressed.*

8. *5/3/24: This application requires a Consistency Determination from the HCZMC.*

*6/21/24: The Applicant appeared before HCZMC on 5/15/24 and 6/18/24. HCZMC granted conditional consistency pending updates per KSCJ comments.*

**7/3/24: The Applicant has revised the Engineering Plans per the discussion at the 6/26/24 Planning Board meeting and with KSCJ.**

9. *Comment addressed.*

10. *Comment addressed.*

11. *Comment addressed.*

12. *5/3/24: This project requires referral to Westchester County per GML-239.*

*6/21/24: The application was referred to Westchester County Planning. Comments are pending and anticipated ahead of the 6/26/24 Planning Board meeting.*

**7/3/24: Westchester County Planning provided comments dated 6/25/24. The County recommended moving the project further from the wetlands; that the project include an enforceable stormwater maintenance program; utilizing additional permeable pavers for the circular driveway; and consider at-grade stormwater management measures such as vegetative rain gardens. The Applicant addressed these recommendations at the 6/26/24 Planning Board meeting.**

13. *Comment addressed.*

14. *6/21/24: The Planning Board may open the public hearing for the wetland permit. Wetlands permits are governed by Chapter 192 of the Village Code. Specific standards of consideration for a wetland permit are provided in Village Code Section 192-14E. The Planning Board may request that the Applicant present their request in terms of the specific standards provided in Section 192-14D and E, as follows:*

*D. In granting, denying or conditioning any permit, the Agency shall consider the effect of the proposed activity with reference to the public health and welfare, fishing, flood, hurricane and storm dangers and protection or enhancement of the several functions of the wetlands and the benefits derived therefrom which are set forth in § 24-0105 of the State Environmental Conservation Law.*

*E. Specific standards of consideration.*

*(1) No permit shall be issued by the Agency pursuant to this chapter unless the Agency shall find that:*

- (a) The proposed regulated activity is consistent with the policy of this chapter to preserve, protect and conserve wetlands and the benefits derived therefrom, to prevent the despoliation and destruction of wetlands and to regulate the development of such wetlands in order to secure the natural benefits of wetlands consistent with the general welfare and beneficial economic, social and agricultural development of the Village of Mamaroneck.*
- (b) The proposed regulated activity is consistent with the land use regulations applicable in the Village of Mamaroneck pursuant to § 24-0903 of Article 24 of the State Environmental Conservation Law.*
- (c) The proposed regulated activity is compatible with the public health and welfare.*
- (d) The proposed regulated activity is reasonable and necessary.*
- (e) There is no reasonable alternative for the proposed regulated activity on a site which is not a wetland or adjacent area.*

*(2) The applicant shall have the burden of demonstrating that the proposed regulated activity will be in accord with the standards set forth in this section.*

**7/3/24: No further comment.**

## **WETLANDS COMMENTS**

*AKRF has reviewed the project's potential impacts on the wetlands. These comments may be addressed on the Applicant's return from HCZMC.*

*6/26/24: AKRF provided preliminary comments regarding wetlands to the Planning Board in a memorandum dated 05/03/2024 and to the Harbor Coastal Management Commission (HCZMC) in a memorandum dated 05/10/2024. The Applicant sufficiently addressed these comments in a memorandum from ALP Engineering to the HCZMC dated 05/27/2024 and incorporated the suggested modifications into the project. AKRF has no further comments on the items listed below.*

*Tom Wider (corrected: "Ryder"), a wetland scientist from LANDTECH, made a presentation at the 06/18/2024 HCZMC meeting detailing the wetland conditions at the project site and how the proposed project would not alter or hinder the primary functions or values<sup>2</sup> (i.e., groundwater recharge, floodflow alteration, fish and shellfish habitat, and sediment/toxicant retention) of the wetland and wetland buffer. AKRF concurs with LANDTECH's findings presented at the 06/18/2024 HCZMC meeting that, with the project modifications, the proposed project would not have an impact on the wetlands or wetland buffer.*

*AKRF recommends that LANDTECH memorialize these findings in a memorandum to the Planning Board.*

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<sup>2</sup> AKRF assumes that LANDTECH used a similar approach to the wetland functions and values assessment that is outlined in the USACE New England District Highway Methodology Supplement available here: <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/Forms/HighwaySupplement6Apr2015.pdf>

**7/3/24: Comment addressed. The Applicant submitted a Wetland Impact Assessment dated 6/21/24. AKRF concurs with the conclusions therein.**

15. 5/8/24: Tidal wetlands are present on the Lower Lot, as delineated in the field by Mary Jähnig in April 2023 and indicated on the Site Plans. The wetlands in the Lower Lot are associated with Delancey Cove, a Village of Mamaroneck (VOM) conservation area noteworthy for tidal wetlands and as a shorebird and waterfowl concentration area. The boundary of the tidal wetlands was confirmed by the New York State Department of Environmental Conservation (NYSDEC) and is noted anecdotally as the transition between phragmites and mowed lawn. Please provide the written confirmation of the wetland boundaries or jurisdictional determination from NYSDEC dated April 25, 2023, as referenced in the Pfizer-Jähnig wetland impact memorandum dated April 16, 2024.

There are no project elements within the tidal wetland. The NYSDEC-regulated tidal wetland adjacent area extends landward to the 10-foot elevation contour. Please label the contour on the Site Plans with a note stating that this is the extent of the NYSDEC-regulated tidal wetland adjacent area.

Portions of stormwater management practice #1 and landscaping are located within the NYSDEC-regulated tidal wetland adjacent area. ~~A tidal wetland permit from the NYSDEC is required for this work.~~

The VOM wetland buffer extends 100 feet landward from the edge of the tidal wetlands. The VOM wetland buffer is indicated on the Site Plans. Portions of the proposed project, including the pool, lawn area, and terrace, are located within the VOM wetland buffer.

6/26/24: As noted in the 05/27/2024 ALP Engineering memo to the HCZMC, the proposed project would not require a NYSDEC permit for work in the tidal wetland adjacent area. No further comment.

16. 5/8/24: Is the proposed pool a saltwater pool, which requires less chemicals to maintain? Would the pool chemicals be stored outside of the wetland buffer?

6/26/24: ALP confirmed that the proposed pool would be a saltwater pool, and the pool equipment and salt would be stored in the lower level of the proposed house. LANDTECH explained at the 06/18/2024 HCZMC meeting that the winterization of the pool and use of the stormwater management practice would purify, dilute, and disperse the pool water such that it would not become a point source of pollution into the wetland. No further comment.

17. 5/8/24: For lighting in the rear of the house, it is recommended that the proposed project incorporate measures to limit the potential interference of the project's lighting with birds and wildlife in the wetland at night. Measures could include shields on the outdoor lighting fixtures, which concentrate the light downward, or automatic shut-off/motion activated lights to. This is consistent with the Proposed Article 18 to the Environmental Conservation Law ("Dark Skies Act"),<sup>3</sup> United States Fish and Wildlife Service (USFWS) best practices,<sup>4</sup> and recommendations from the American Bird Conservancy.<sup>5</sup>

6/26/24: ALP confirmed that the proposed lighting would be dark sky compliant. No further comment.

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<sup>3</sup> New York State Senate. Senate Bill S7663 – Enacts the dark skies protection act. Available from: <https://www.nysenate.gov/legislation/bills/2021/S7663>

<sup>4</sup> United States Fish and Wildlife Service. Reducing Birds Collisions with Buildings and Building Glass Best Practices. Available from: <https://www.fws.gov/sites/default/files/documents/reducing-bird-collisions-with-buildings.pdf>

<sup>5</sup> American Bird Conservancy. Bird-Friendly Building Design. Available from: [https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide\\_2015.pdf](https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide_2015.pdf)



18. 5/8/24: *The proposed project implements landscaping with predominantly native herbs, shrubs, and trees within the wetland buffer to replace removed mature trees, which would improve habitat for wildlife in the wetland buffer compared to the existing mowed lawn.*

6/26/24: *No further comment.*

19. 5/8/24: *Sediment and erosion control measures, including a double layer of silt fencing, during construction would reduce the potential migration of project materials into the wetland and undisturbed wetland buffer. The soil stockpile is located outside of the wetland buffer.*

6/26/24: *No further comment.*

20. 5/8/24: *The pre-treatment facility included as part of the stormwater management practice incorporates a hydrodynamic separator. According to the United States Army Corps of Engineers (USACE), hydrodynamic separators are acceptable for use in stormwater management systems in wetland buffers when used in conjunction with Cape Cod-style curbs.<sup>6,7</sup> Using Cape Cod-style curbs and/or "escape ramps" around the stormwater management system would minimize the probability of trapping amphibians.<sup>8</sup> Consider incorporating Cape Cod-style curbs and/or "escape ramps" around the stormwater management practice to prevent potential impacts to amphibians in the wetland buffer.*

6/26/24: *ALP confirmed that the proposed project incorporated no-reveal Belgian Block Curbs to provide "escape ramps" for amphibians. No further comment.*

*AKRF included the following comment in an additional memorandum to the HCZMC dated 05/10/2024:*

21. 5/8/24: *With the topography of the property, stormwater on the property currently drains toward the tidal wetland, as noted in the Stormwater Pollution Prevention Plan Report Narrative. Please confirm that the stormwater management practice has sufficient capacity to treat the stormwater volume such that untreated water would not discharge to the wetland, potentially impacting the sensitive habitat.*

6/26/24: *ALP confirmed that the stormwater management practices will capture and treat a volume in excess of water quality volume. No further comment.*

## RECOMMENDATION

At the July 10, 2024 Planning Board meeting, AKRF recommends that the Planning Board open and close the public hearing; and consider granting the requested site plan approval and wetland permit, pending resolution of any remaining comments from the Consultant Engineer.

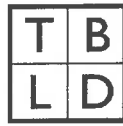
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<sup>6</sup> Calhoun and Klemens, 2002. *Best Development Practices: Conserving Pool-Breeding Amphibians in Residential and Commercial Development in the Northeastern United States*. Available from: <https://www.maineaudubon.org/wp-content/uploads/2017/03/Best-Development-Practices-Conserving-Pool-breeding-Amph.pdf>

<sup>7</sup> United States Army Corps of Engineers (USACE) New England District. January 2015. *Vernal Pool Best Management Practices (BMPs)*. Available from: <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/VernalPools/VPBMPsJan2015.pdf>

<sup>8</sup> *ibid.*





# TERRA BELLA LAND DESIGN

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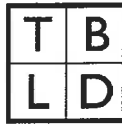
To: Seamus O'Rourke, Chairman From: Terra Bella Land Design  
Company: Village of Mamaroneck Planning Board Contact Name: Susan Oakley  
eMail: sorourke@vomny.net Page #: 1 of 3  
Subject: 1011 Greacen Point Road Date: July 3, 2025

The revised plans and related documents for 1011 Greacen Point Road proposed demolition and construction of a residential residence have been reviewed.

This memo addresses comments made in our previous memo, dated June 11, 2025, and how the applicant has responded in their most recent submissions. New comments are in **bold**.

## **ALP Engineering & Landscape Architecture, Erosion/Sediment Plan C-103**, revised June 24, 2024

1. 5/2/24: Tree protection is missing and shall be added to a 12" DBH Quercus palustris (Pin Oak) tree along the west property line.  
6/23/24: Comment addressed.
2. 5/2/24: In order to better protect another 12" DBH Quercus palustris (Pin Oak) tree to remain at the northeast corner of the property, the proposed soil stockpile location here, near the concrete washout area, shall be relocated farther away from the canopy of this tree since the proposed location currently abuts the Critical Root Zone.  
6/23/24: Comment addressed.
3. 5/2/24: Since the Critical Root Zone of all surrounding trees need protection, all trees with overhanging canopies belonging to the adjacent residential residences on Greacen Point Road shall be included on the plans.  
6/23/24: Comment addressed.
4. 5/2/24: It is important to note that the canopies of multiple trees on the west side of the property, that are indicated to remain, fall within the "Disturbance Limit." Since it appears likely that pruning of roots inside of the protected root zones will be necessary, information and guidelines for ANSI A300 Tree Care Industry Standards shall be included.  
6/23/24: A note regarding ANSI A300 Tree Care Industry Standards appears on the Tree Removal and Preservation Plan C-106. This note shall also appear on this Grading and Utilities Plan C-102, since it is at this phase of the project that tree roots may need to be cut.  
7/3/24: Comment addressed.



# TERRA BELLA LAND DESIGN

---

To: Seamus O'Rourke, Chairman From: Terra Bella Land Design  
Company: Village of Mamaroneck Planning Board Contact Name: Susan Oakley  
eMail: sorourke@vomny.net Page #: 2 of 3  
Subject: 1011 Greacen Point Road Date: July 3, 2025

## **ALP Engineering & Landscape Architecture, Landscape and Mitigation Planting Plan C-104, revised June 23, 2025**

This plan proposes a varied Plant List made up of evergreen and deciduous trees, shrubs, perennials, and grasses that are native to the eastern United States and North America. These native plants are also tolerant of wet conditions which, with proper maintenance, makes them more likely to survive and thrive in an area with coastal conditions such as this.

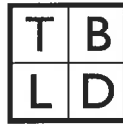
1. 5/2/24: It is not necessary to include a replacement "Tree Table" on the Landscape Plan.  
6/23/24: Comment addressed.
2. 6/11/25: Alterations have been made to the southwest end of the driveway retaining wall and to the plant material to be planted on top. The originally proposed deciduous and evergreen shrubs have been replaced with native grasses that can reach between three and five feet tall at maturity. The downside to utilizing ornamental grasses in this area is that they are perennials which die back to the ground for approximately six months, removing any benefit of screening during that time.

7/3/25: A large portion of the driveway retaining wall that runs parallel to the southern property line has been removed, with previously proposed bollards remaining. Grasses have been replaced with a row of broad leaf evergreen shrubs, Brouwer's Beauty Pieris (*Pieris x 'Brouwer's Beauty'*). At maturity, these can reach 5-6 feet tall and 3-4 feet wide so are an appropriate choice for screening in this area. Bollards are proposed for installation on the south side of these shrubs.

On the steep slope below the bollards, a dense planting of Bar Harbor Junipers (*Juniperus horizontalis* 'Bar Harbor') are also proposed. Though groundcover Junipers are an excellent soil-stabilizing plant on a steep grade such as this, they will not provide any screening since their mature size is 1 foot tall and 6 feet wide.

## **ALP Engineering & Landscape Architecture, Tree Removal and Preservation Plan C-106, revised May 27, 2024**

1. 5/2/24: Due to the number of trees proposed for removal, a Tree Preservation Plan is required and has been provided, yet Tree Protection is missing. It is important to note that the area of disturbance for this application will invade the Critical Root Zones of some of the trees slated to remain.  
6/23/24: Comment addressed.



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

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To: Seamus O'Rourke, Chairman From: Terra Bella Land Design  
Company: Village of Mamaroneck Planning Board Contact Name: Susan Oakley  
eMail: sorourke@vomnyn.net Page #: 3 of 3  
Subject: 1011 Greacen Point Road Date: July 3, 2025

### **ALP Engineering & Landscape Architecture, Tree Removal and Preservation Plan C-106, cont.**

2. 5/2/24: There are nine mature, deciduous trees and six coniferous trees currently proposed for removal. Based on the diameter at breast height (DBH) of these removals, 15 trees are required as replacements. Though 23 trees are proposed for planting, many of these are not suitable as replacement trees, based on the Village of Mamaroneck Local Law 5-2021, Chapter 318. This law states that an applicant must "...replace each tree that is removed with a non-invasive tree species of a similar mature height..." The trees slated for removal and their mature heights are as follows:

Carya glabra (Pignut Hickory) 50-80 feet  
Quercus rubra (Red Oak) 50-75 feet

Acer platanoides (Norway Maple) 40-50 feet  
Abies concolor (White Spruce) 40-70 feet

3. Therefore, the Amelanchier canadensis, Carpinus caroliniana, Cornus florida, and Thuja occidentalis may be included in the Landscape Plan, but are unacceptable when proposed as replacement trees. As the Tree Law Compliance checklist states, "Arborvitaes do not count as replacement trees."

6/11/25: Comment addressed.

**7/3/25: CLARIFICATION:** Eight mature deciduous trees and four coniferous trees are proposed for removal, requiring 17 replacement trees. Though 23 trees are proposed for planting, all of the 17 replacement trees are suitable based on the Tree Law requirements.

4. 5/2/24: The submitted Tree Law Compliance checklist has missing items. This checklist indicates what is necessary for a Tree Preservation Plan and shall be completed. The following items are missing: individual tree protection, all trees adjacent to or within the Limits of Disturbance including on neighboring properties, a Tree Protection Detail, and ANSI A300 Tree Care Industry Standards for root pruning.

6/23/24: Comments addressed.

**ALP Engineering**  
& Landscape Architecture, PLLC

June 25, 2024

Hon. Seamus O'Rourke, Chair and Members of the Planning Board  
Village of Mamaroneck  
123 Mamaroneck Ave.  
Mamaroneck, NY 10543

**Re: 1011 Greacen Point Road**  
**SBL: 9-49-12**

Dear Mr. O'Rourke and Members of the Planning Board:

This letter responds to the comments of the Commission, as well as the comments of the Village's Engineering Consultant. The following sets of revised site civil engineering plans and the Stormwater Pollution Prevention Plan / Stormwater Management Report are submitted for your review.

<u>Drawing No.:</u>	<u>Drawing Title:</u>	<u>Date:</u>
Dwg. C-100	Overall Property Plan	05/27/2024
Dwg. C-101	Site Layout Plan	06/24/2024
Dwg. C-102	Grading and Utilities Plan	06/24/2024
Dwg. C-103	Erosion and Sediment Control Plan	06/24/2024
Dwg. C-104	Landscape and Mitigation Planting Plan	06/24/2024
Dwg. C-105	Sanitary Sewer Plan	06/24/2024
Dwg. C-106	Tree Preservation Plan	06/24/2024
Dwg. C-111	Construction Details	05/27/2024
Dwg. C-112	Construction Narrative for Erosion Control Plan	05/27/2024
Dwg. C-113	Construction Details	05/27/2024
Dwg. C-114	Construction Details	05/27/2024
Dwg. C-115	Construction Details	06/24/2024
Dwg. C-116	Construction Details	06/24/2024

Stormwater Pollution Prevention Plan / Stormwater Management Report for Valles-Moelis Property, revised date 06/24/2024.

Each of the comments in the memoranda from the Village's consultants that additional information was required is repeated below in *italics*, with the response appearing below the comment. Comments which have been addressed are not repeated below.

Comments from the June 18, 2024 memorandum from KSCJ:

*1.b. Pre-treatment is now proposed through one (1) hydrodynamic separator for System #1 and isolation rows for Systems #2 and #3. The SWPPP narrative should explain the proposed pre-treatment.*

Response: A detailed discussion of the proposed hydrodynamic separator to be used for pre-treatment of the runoff is found on page 5 of the SWPPP report.

*1.c. The applicant has relocated the pre-treatment unit. The hydrodynamic separator would better serve the stormwater practices if installed before the storage system located below the driveway.*

Response: The pre-treatment unit has been relocated to be prior to the discharge into the detention system to be installed under the driveway.

*1.f. The applicant has provided cross sections of the three (3) infiltration systems on plan Sheet C-116. System #1 illustrates a test hole seven (7) feet deep with groundwater at 6.5 feet. Actual test results within the SWPPP include an eight (8) foot deep hole with groundwater at 7.5 feet. System #2 illustrates a seven (7) foot deep test hole, while results within the SWPPP have a test hole of only 5.5 feet. The applicant should correct this information on the cross sections.*

Response: For clarification, the following is a summary of the deep hole test pits that were dug are provided in Table 1 of the SWPPP report. The information on drawing C-116 has been amended to depict that:

- Deep Hole Test Pit #1 was dug where the existing grade is at elevation 14 feet. The pit was 8 feet in total depth (i.e., dug to an elevation of 6 feet); groundwater was 7.5' from the top of the pit, or at an elevation of 6.5 feet.
- Deep Hole Test Pit #2 was dug where the existing grade is at elevation 12.5 feet. The pit was 5.5 feet in total depth (i.e., dug to an elevation of 7 feet); groundwater was noted at the bottom of the pit, or at an elevation of 7 feet.
- Deep Hole Test Pit #3 was dug where the existing grade is at elevation 15.5 feet. The pit was 8 feet 6" in total depth (i.e., dug to an elevation of 7 feet); groundwater was noted at the bottom of the pit, or at an elevation of 7 feet.

*1.k. Setbacks have been provided on plan Sheet C-101. In accordance with Section 6.3.1 of the NYS SMDM, infiltration practices shall be separated a minimum of ten (10) feet from structures. Infiltration practices are proposed less than ten (10) feet from the proposed residence and pool. The systems should be adjusted accordingly.*

Response: As was noted at the most recent Harbor and Coastal Zone Management Commission, the reason for the required separation of an infiltration practice to a structure is to prevent water from seeping through the basement walls and into the structure. In the case of Stormwater Management Practices #1 and #3, the top of the 6" stone layer above the chambers would be at elevation 14.29 feet and 14.06 feet, respectively. Given that the chambers are *below* the elevation of the basement, there

is zero risk of seepage of runoff from the chambers into the basement. At any rate, both Stormwater Management Practices #1 and #3 are to be located 7.5 feet from the structure. This is consistent with the discussion held during the June 18<sup>th</sup> HCZMC meeting where Mr. Kellard confirmed his agreement with the foregoing logic and modified his KSCJ's recommendation that such systems be no less than 5.0 feet from a structure.

Stormwater Management Practice #2 has been adjusted a few feet to the south so as to be over 10 feet from the pool patio.

*1.l. The applicant should show the location of the footing drain discharge with elevations.*

Response: The locations of the footing drain discharges are shown on Drawing C-102. The discharge point is labeled, as is the elevation of the discharge, it being at elevation 13.5 feet.

*1.m. Systems #2 and #3 include isolation rows for pre-treatment of the runoff. The rows must be isolated from the main treatment system. This will require the applicant to divert flows in excess of the isolation row capacity around the isolation row with a direct connection to the main system. The applicant should update the plans.*

Response: Diversion structures have been incorporated into the stormwater drainage system. For Stormwater Management Practice #2, two diversion structures are proposed. Each diversion structure has a lower level storm drainage pipe to be set at an invert elevation of 12.15 feet which discharges to the separator row. A second storm drainage pipe is set with its invert elevation at 12.60 feet, which is slightly above the top of the chambers. In this way, the runoff will first flow into the separator row, and once filled only then will the flow be directed to Row 2 and the other chamber rows. Similarly, for Stormwater Management Practice #3, the diversion structure is proposed to have a lower level storm drainage pipe set at an invert elevation of 13.25 feet which discharges to the separator row. A second storm drainage pipe is set with its invert elevation at 13.60 feet, which is slightly above the top of the chambers. In this way, the runoff will first flow into the separator row, and once filled only then will the flow be directed to Row 2.

*1.n. The plans note 166 l.f. of 36 inch storage pipe, while the SWPPP states 172 l.f. Please address.*

Response: The stormwater detention system consists of three 46-foot long segments of 36" pipe plus a 14-foot long pipe which connects to the ends of each of the three pipe segments. So the total length of stormwater detention pipe is  $(46 \text{ l.f.} \times 3 + 14 \text{ l.f.} \times 2)$  166 lineal feet. The SWPPP report has been corrected.

*1.o. The outlet structure grate for System #3 is Elevation 13.25 feet, which is below the top of the chambers and stone storage within System #3. High water elevation during the 100-year storm event is 13.36 feet, higher than the proposed grate elevation. Please address.*



Response: Stormwater Management Practice #3 has been adjusted so that the proposed grate of the outlet from the system to be at elevation 13.50', which is above the high water elevation of the 100 year storm event.

*1.p. The applicant has provided a storm drainage pipe schedule, however, an evaluation of each pipe segment's ability to handle peak runoff is not provided. The applicant should evaluate each segment where multiple pipes connect.*

Response: The storm drainage pipe schedule table has been updated to show additional detail, including that each segment of pipe will convey the flows (calculated in accordance with the Rational Method) of the 100-year storm event.

*1.q. The stormwater storage system located below the driveway will have its discharge regulated by a four (4) inch diameter discharge pipe from the storage system. The applicant should provide an emergency overflow, should the outlet fail.*

Response: An additional 4" outlet pipe has been added to the stormwater detention facility. The 4" pipe invert elevation will be set at an elevation of 17.5'. See details of proposed system on Drawing C-115 which depict the additional 4" emergency overflow pipe.

*2. The proposed regrading of the site within the FEMA special flood area will result in the loss of 59.7 c.y. of floodplain volume. The applicant is proposing to compensate for the loss by regrading of the rear yard with the removal of 68.7 c.y. of soil. The applicant has designated the area where compensatory storage will be provided, however, the applicant has not detailed how this will be accomplished.*

Response: Additional spot elevations are shown on drawing C-102, which shows the grading within the area to the west of the pool. In addition, a section through the compensatory flood area is provided on drawing C-116 and drawing C-102 references the section.

Comments from the 6/26/2024 memorandum from KSCJ:

*3. The applicant should quantify in a table on the plan the proposed cut/fill volumes for the development.*

Response: The table on drawing C-102 quantifies the cut and fill volumes.

*4. The applicant should provide construction details for all proposed improvements, including, but not limited to, driveway, drainage, curbing, pavement restoration, walkways, sewer and water services. Construction details of the proposed retaining walls shall also be provided. A protective barrier should be provided along the top of the wall. Please clarify the locations of porous pavers.*

Response: Construction details of the proposed improvements are depicted on drawings C-113, C-114 and C-115. The location of the proposed permeable pavers for the driveway are shown on

drawing C-101. We will consider the use of a barrier off the retaining wall to the west of the pool if need be; however, we note that the grade drop from the top to the bottom of the wall is only 30”.

*5. The plan should illustrate the location of the pool equipment. The applicant should specify on the plans procedures for drawing down the pool water during winterization of the pool. The applicant provided a connection between the pool equipment and Cultec chambers, which provides discharge of the winterization drawdown to the Cultec units. The Board should determine whether such discharge is acceptable or whether the Board prefers off-site removal of the winterization drawdown.*

Response: The location of the pool equipment is shown on drawing C-102. The proposed discharge of pool water for a winter drawdown was discussed at the June 18 HCZMC meeting. The applicant's wetland consultant, Tom Ryder of LandTech (a certified ecologist and coastal resources scientist), stated for the record that the discharge of winter drawdown water would have no environmental impact on the coastal resources.

*The applicant has provided two (2) options for connection of the sewer discharge for the residence. Option #1 to an existing force main within an easement on the property to the north and Option #2 to an existing force main within the eastern shoulder of Greacen Point Road.*

*Option #2 will require confirmation that an existing force main is physically available within the roadway and that said force main is available for the use of #1011 Greacen Point Road. The applicant should provide confirmation and obtain the Village Engineer's approval of the preferred option. Sanitary Sewer Plan C-105 should be coordinated with the remaining site engineering plans. There seems to be two (2) different C-105 plans and a conflict exists between the sewer pump and stormwater infiltration system.*

Response: We believe that an older plan was reviewed with regard to the location of the proposed sanitary sewer, since the pump chamber and force main have been located on the north side of the house since the May 27, 2024 plans that were submitted to the Village. Finally, we had our initial discussions with the Village engineer regarding the sanitary sewer service earlier this year and will provide a confirmation and approval of the present plan to the Board in the near future.

Comments from the 6/21/2024 memorandum from AKRF:

All of the comments that pertained to the site civil engineering and landscape architectural plans have been addressed.

Comments from the 6/23/2024 memorandum from Terra Bella Land Design:

*A note regarding ANSI A300 Tree Care Industry Standards appears on the Tree Removal and Preservation Plan C-106. This note shall also appear on this Grading and Utilities Plan C-102, since it is at this phase of the project that tree roots may need to be cut.*

Village of Mamaroneck Planning Board  
June 25, 2024  
Page 6

Response: Drawing C-102 will be updated to also reference the ANSI A300 Tree Care Industry Standards.

All of the comments that pertained to the landscape architectural plans have been addressed.

We look forward to your review of the enclosed plans and report. If you have any questions regarding this submission, please feel free to call me on my direct line at (475) 215-5343 or my cell at (203) 710-0587.

Sincerely,

ALP ENGINEERING & LANDSCAPE ARCHITECTURE, PLLC

*Alan Pilch*

Alan L. Pilch, PE, RLA  
Principal

cc: Kevin Valles and Maddy Moelis (via email)  
David LaPierre and Adrienne Merheb (via email)  
Kristin Wilson, Esq. (via email)

From: ["Samuel Harrison"](#)  
To: [mmoelis@gmail.com](mailto:mmoelis@gmail.com)  
Date: 11/7/2024 3:44:46 PM  
Subject: 1011 Greacen - Violation and Stop Work Order  
Attachments: 0557\_001.pdf  
0558\_001.pdf

Good afternoon Mr. Valles,

Yesterday we received a complaint that work on your property at 1011 Greacan Point Rd had begun without a permit. Upon investigation we discovered that the complaint was valid, and work had begun before permits were issued. Attached is an Order to Remedy Violation and a copy of the Stop Work Order that has been posted on site. All construction activities are to cease immediately. No work can be done until permits are issued.

Please acknowledge receipt of this email and note that per Village code, Email is an acceptable form of service for this legal document.

Feel free to reach out with any questions you may have.

Thanks,

Sam Harrison  
Code Enforcement Officer



Village of Mamaroneck  
169 Mount Pleasant Avenue  
Mamaroneck, NY 10543

Phone: 914-777-7731  
Fax: 914-777-7792  
E-mail: [sgarrison@vomny.org](mailto:sgarrison@vomny.org)  
Website: <https://www.village.mamaroneck.ny.us/>



# ORDER TO REMEDY VIOLATION



Village of Mamaroneck  
169 Mt. Pleasant Ave  
Mamaroneck, New York 10543  
914-777-7731

24-0338

**NAME:** KEVIN VALLES & MADELYN MOELIS

**ADDRESS:** 301 E 80th St, Apt 12C  
New York, NY 10075

**PLEASE TAKE NOTICE THERE EXISTS A VIOLATION OF VILLAGE OF MAMARONECK CODE AND/OR NEW YORK STATE BUILDING CODE:**

At the premises 1011 GREACEN PT RD, S-B-L: 9-93C-19 within the Village of Mamaroneck hereinafter described in that you have allowed or caused to allow:

Work without a permit

Initial Inspection Date: 11/7/2024

I observed: received a complaint that work has been done without a permit. On site there is a bobcat and an excavator, a gravel construction entrance has been created, silt fencing has been installed and a temporary electrical service pole has been installed. All in violation of Sec 350-4 of the VoM Code. No permits have been issued for this work. All work is to cease immediately and not resume until building permits are issued.

You must correct this condition on or before: **11/07/2024**

**Resolution Notes**

**Cease all work immediately, remove the bobcat and the excavator from the property until building permits are issued.**

Contact, **Samuel Harrison** at Email: [sgarrison@vomny.org](mailto:sgarrison@vomny.org)

**The below noted conditions is in direct violation of: VOM Code**

350-4

§ 350-4 Building permits.

A. Building permits required. Except as otherwise provided in Subsection B, a building permit is required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, or demolition of any building or structure or any portion of a building or structure, and the installation of a solid-fuel-burning heating appliance, chimney, or flue in any dwelling unit.

B. No building permit may be issued for a building or structure that does not comply with the requirements of this Code, including the additional standards and requirements that may apply, unless those requirements have been varied in accordance with this Code. Where site development plan approval is required, a building permit may be issued only for a building or structure conforming to the approved site development plan.

C. It is a violation of this chapter to commence any work for which a building permit is required without first having obtained a building permit under this chapter authorizing that work. D. No building permit is required for the following categories of work, but the work must still comply with the Uniform Code and the Energy Code:

# ORDER TO REMEDY VIOLATION



Village of Mamaroneck  
169 Mt. Pleasant Ave  
Mamaroneck, New York 10543  
914-777-7731

24-0338

- (1) Construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses), which are used for tool and storage sheds, playhouses, or similar uses, provided the gross floor area does not exceed 144 square feet;
- (2) Construction of temporary sets and scenery associated with motion-picture, television, and theater uses;
- (3) Installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);
- (4) Installation of partitions or movable cases less than five feet nine inches in height;
- (5) Painting, wallpapering, tiling, carpeting, or other similar finish work;
- (6) Installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
- (7) Replacement of any equipment, provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or
- (8) Repairs, if the work does not have an impact on fire and life safety and does not involve any part of the structural system, the required means of egress, the fire protection system, or the removal from service of any part of the fire protection system for any period of time.

By Order of:

- Samuel Harrison  
Code Enforcement Officer  
11/07/2024















Village of Mamaroneck  
169 Mt. Pleasant Ave  
Mamaroneck, New York 10543  
914-777-7731

11/07/2024

# LEGAL NOTICE

WHEREAS violations of the **CODE OF THE VILLAGE OF MAMARONECK NEW YORK**  
Have been found on these premises, it is hereby ordered that all person cease, desist from and

## STOP WORK

Work without a permit

KEVIN VALLES & MADELYN MOELIS

Located at 1011 GREACEN PT RD MAMARONECK NY, 10543

All person acting contrary to this order, removing, or mutilating this notice are subject to legal actions.

Post under the authority of Section 350-4 of the **CODE OF THE VILLAGE OF MAMARONECK NEW YORK**

11/07/2024

Date

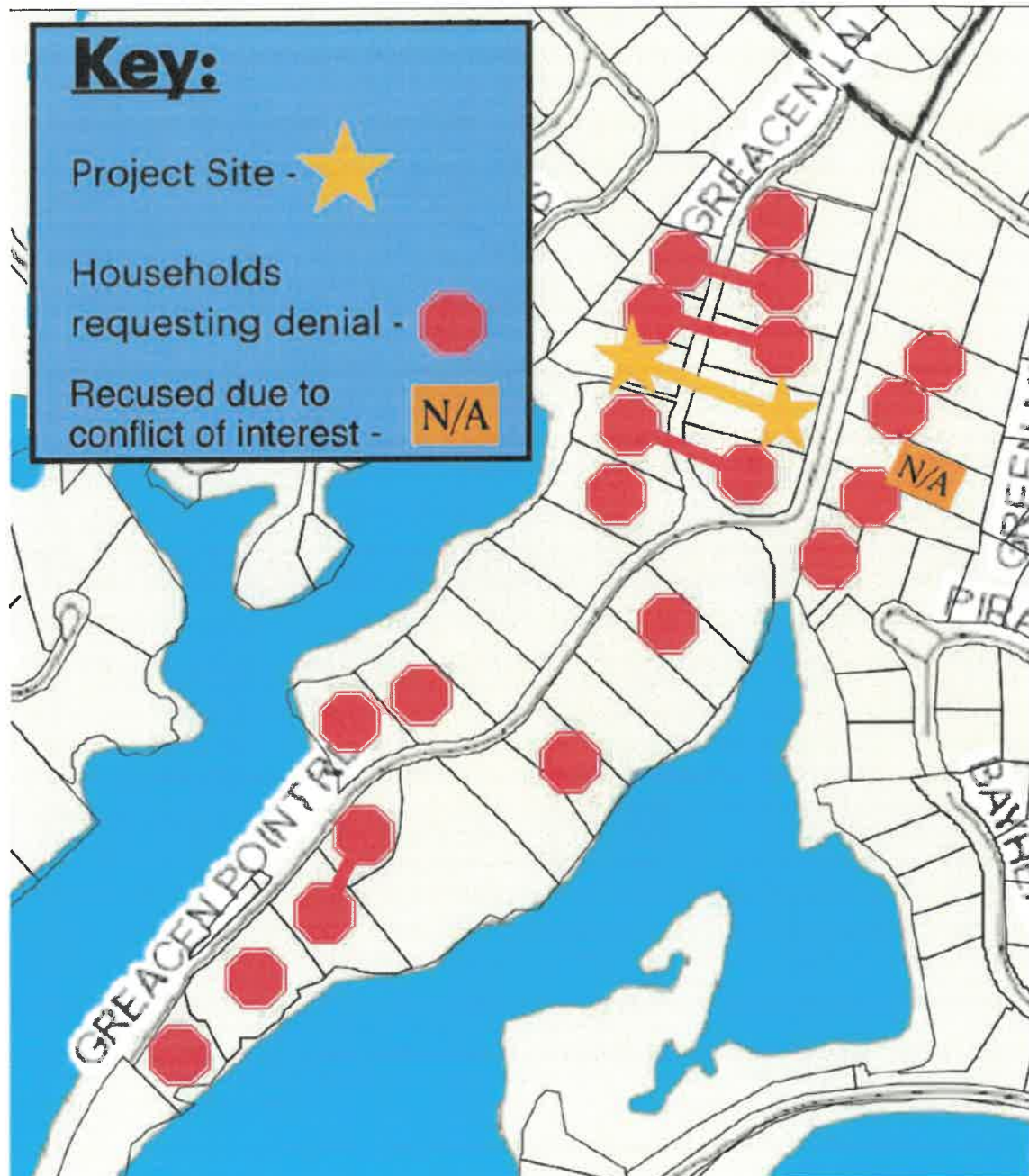
Samuel Harrison  
Code Enforcement Officer

Petition from  
Neighbors:

Deny Building Permit  
and Reevaluate  
1011 Greacen Point  
Rd Project



## Map of Households Requesting Denial:





## List of Households Requesting Denial:

	Address	Homeowners	Contact Information
1	937 Greacen Point Rd	Debbie and Danny Schnur	<a href="mailto:schnurfam@aol.com">schnurfam@aol.com</a>
2	940 Greacen Point Rd	Laura Jacobs and Robert Girvin	(415) 640-6534
3	943 Greacen Point Rd	Vivian and Josh Greenblatt	<a href="mailto:Jmgreenbl@gmail.com">Jmgreenbl@gmail.com</a>
4	1000 Greacen Point Rd	Corinne and Neil Zola	<a href="mailto:corinne.zola@gmail.com">corinne.zola@gmail.com</a>
5	1014 Greacen Point Rd	Lauren and Sam Porat	(917)449-2911
6	1019 Greacen Point Rd	Francesca Ortenzio and Jakub Tatka	<a href="mailto:glowwithmd@gmail.com">glowwithmd@gmail.com</a> <a href="mailto:jakubtatka@gmail.com">jakubtatka@gmail.com</a>
7	1030 Greacen Point Rd	Becca Gross and Rob Coleman	(914)672-9406
8	1115 Greacen Point Rd	Bella and Benjamin Cohen	<a href="mailto:bellacohen13@gmail.com">bellacohen13@gmail.com</a>
9	1140 Greacen Point Rd	Carole and Bertrand Siegel	<a href="mailto:bert@siegel.com">bert@siegel.com</a>
10	1180 Greacen Point Rd	Helen and Eric Rosenberg	<a href="mailto:helensue22@gmail.com">helensue22@gmail.com</a> <a href="mailto:rosenberg@litigationproofing.com">rosenberg@litigationproofing.com</a>
11	1185 Greacen Point Rd	Shirley and Sydney Singer	<a href="mailto:sidsinger@verizon.net">sidsinger@verizon.net</a>
12	1209 Greacen Point Rd	Martine and Stanley Fleishman	<a href="mailto:mtf337@gmail.com">mtf337@gmail.com</a> <a href="mailto:adnimg@gmail.com">adnimg@gmail.com</a>
13	1248 Greacen Point Rd	Diane and Gerard Koeppel	<a href="mailto:gkoeppel@earthlink.net">gkoeppel@earthlink.net</a> <a href="mailto:dckoeppel@earthlink.net">dckoeppel@earthlink.net</a>
14	1308 Greacen Point Rd	Linda and Andrew Weiss	<a href="mailto:Andrew@flintlockllc.com">Andrew@flintlockllc.com</a> <a href="mailto:linda@Flintlockllc.com">linda@Flintlockllc.com</a>
15	1326 Greacen Point Rd	Laura and Fred Chapey	<a href="mailto:fchapey@msn.com">fchapey@msn.com</a> <a href="mailto:lchapey@msn.com">lchapey@msn.com</a>
16	930 Greacen Lane	Renee Crabtree and Mike Allen	<a href="mailto:renee.crabtree79@gmail.com">renee.crabtree79@gmail.com</a> <a href="mailto:mallen@oikosholdings.com">mallen@oikosholdings.com</a>

## Jakub Tatka, MD

1019 Greacen Point Rd  
Mamaroneck, NY 10543  
914-471-5551  
jakubtatka@gmail.com

November 3, 2024

James Contini  
Acting Building Inspector  
Village of Mamaroneck  
169 Mount Pleasant Ave.  
Mamaroneck, NY 10543



Dear Mr. Contini,

This petition letter is to make you and the Village of Mamaroneck Building Department aware that the neighbors to the 1011 Greacen Point Road construction ("Project") are signing this letter to request that a building permit should NOT be granted for the construction as currently planned.

Attached to this letter are names, addresses and signatures of neighbors that have reviewed the Project Site Plan, and we the neighbors strongly support the VOM Building Department denying the building permit and referring the Project back to the VOM Zoning Board of Appeals and VOM Planning Board for reevaluation because of the concerns that the Project does not meet the VOM nor NYS Building Code, did not provide sufficient notice to neighbors per VOM Code 372-3, did not obtain all of the necessary zoning variances, has features that will present "concerns related to the public health, safety and welfare" of the surrounding community and lastly, will require the (unnecessary and excessive) removal of the majority of the trees and plant life on the 1011 Greacen Point Road property.

We would like the project to be reevaluated by the Village of Mamaroneck and modified, if necessary, to address our concerns.

Sincerely,

   
Francesca Ortenzio, MD and Jakub "Kuba" Tatka, MD  
1019 Greacen Point Rd  
Mamaroneck, NY 10543

cc: Village Board

Name(s) Lehee + Michael Allen  
Address 930 Greacen Lane  
Mamaroneck, NY 10543  
Signature(s) Wm Allen 646-894-7151

Name(s) Vivian + Josh Greenblatt  
Address 943 Greacen Point Rd  
Mamaroneck, NY 10543  
Signature(s) J. Greenblatt 917-414-7587

Name(s) Lauren + Sam Porat  
Address 1014 Greacen Point Rd  
Mamaroneck, NY 10543  
Signature(s) Sam Porat 917-449-2911

Name(s) Rob Coleman  
Address 1030 Greacen Pt Rd  
Mamaroneck, NY 10543 914-672-9406  
Signature(s) Rob Coleman

Name(s) Helen + Eric Rosenberg  
Address 1180 Greacen Point Rd 914-649-0762  
Mamaroneck, NY 10543  
Signature(s) Helen K. Rosenberg

Name(s) GERARD & DIANE KOEPPEL

Address 1248 GREACEN POINT RD  
Mamaroneck, NY 10543

Signature(s)  


Name(s) Daniel and Deborah Schuur

Address 937 Greacen Point Rd  
Mamaroneck, NY 10543

Signature(s)  

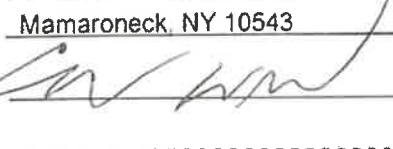
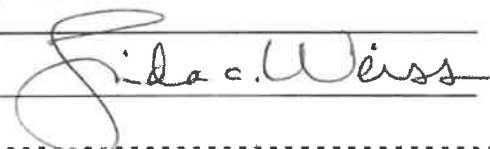
Name(s) Bertman + Carole Siegel

Address 1140 Greacen Pt. Rd  
Mamaroneck, NY 10543

Signature(s)  

Name(s) ANDREW & LINDA WEISS

Address 1308 GREACEN POINT ROAD  
Mamaroneck, NY 10543

Signature(s)  

Name(s) FRED + LAURA CHAPEY

Address 1326 GREACEN POINT RD  
Mamaroneck, NY 10543

Signature(s)  

Name(s) Robert Girvin & Laura Jones  
Address 940 Green Pl. Rd.  
Mamaroneck, NY 10543 (914) 824-1292  
Signature(s) [Signature] 11-6-24

Name(s) SIDNEY & SHIRLEY SINGER  
Address 1185 GREEN POINT ROAD  
Mamaroneck, NY 10543  
Signature(s) [Signature]

Name(s) \_\_\_\_\_  
Address \_\_\_\_\_  
Mamaroneck, NY 10543  
Signature(s) \_\_\_\_\_

Name(s) \_\_\_\_\_  
Address \_\_\_\_\_  
Mamaroneck, NY 10543  
Signature(s) \_\_\_\_\_

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Address \_\_\_\_\_  
Mamaroneck, NY 10543  
Signature(s) \_\_\_\_\_



Name(s) \_\_\_\_\_

Address \_\_\_\_\_

Mamaroneck, NY 10543

Signature(s) \_\_\_\_\_

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Signature(s) \_\_\_\_\_

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Mamaroneck, NY 10543

Signature(s) \_\_\_\_\_

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Name(s) \_\_\_\_\_

Address \_\_\_\_\_

Mamaroneck, NY 10543

Signature(s) \_\_\_\_\_

## Jakub Tatka, MD

1019 Greacen Point Rd.  
Mamaroneck, NY 10543  
914-471-5551  
jakubtatka@gmail.com

November 3, 2024

James Contini  
Acting Building Inspector  
Village of Mamaroneck  
169 Mount Pleasant Ave.  
Mamaroneck, NY 10543



Dear Mr. Contini,

This petition letter is to make you and the Village of Mamaroneck Building Department aware that the neighbors to the 1011 Greacen Point Road construction ("Project") are signing this letter to request that a building permit should NOT be granted for the construction as currently planned.

Attached to this letter are names, addresses and signatures of neighbors that have reviewed the Project Site Plan, and we the neighbors strongly support the VOM Building Department denying the building permit and referring the Project back to the VOM Zoning Board of Appeals and VOM Planning Board for reevaluation because of the concerns that the Project does not meet the VOM nor NYS Building Code, did not provide sufficient notice to neighbors per VOM Code 372-3, did not obtain all of the necessary zoning variances, has features that will present "concerns related to the public health, safety and welfare" of the surrounding community and lastly, will require the (unnecessary and excessive) removal of the majority of the trees and plant life on the 1011 Greacen Point Road property.

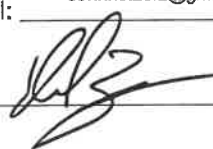
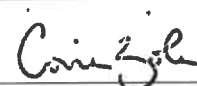
We would like the project to be reevaluated by the Village of Mamaroneck and modified, if necessary, to address our concerns.

Sincerely,

   
Francesca Ortenzio, MD and Jakub "Kuba" Tatka, MD  
1019 Greacen Point Rd  
Mamaroneck, NY 10543

cc: Village Board

Name(s) Corinne and Neil Zola  
Address 1000 Greacen Point Rd Mamaroneck, NY 10543  
Phone or email: corinne.zola@gmail.com

Signature(s)   Date: 11 / 05 / 2024

## Jakub Tatka, MD

1019 Greacen Point Rd.  
Mamaroneck, NY 10543  
914-471-5551  
jakubtatka@gmail.com

November 3, 2024

James Contini  
Acting Building Inspector  
Village of Mamaroneck  
169 Mount Pleasant Ave.  
Mamaroneck, NY 10543

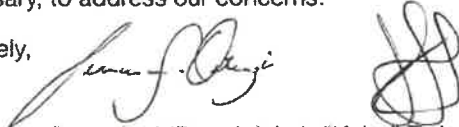
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We would like the project to be reevaluated by the Village of Mamaroneck and modified, if necessary, to address our concerns.

Sincerely,



Francesca Ortenzio, MD and Jakub "Kuba" Tatka, MD  
1019 Greacen Point Rd  
Mamaroneck, NY 10543

cc: Village Board

Name(s)

Martine T Fleishman

Address

1209 Greacen Point Road Mamaroneck, NY 10543

Phone or email:

914-450-0253

Signature(s)



Date: Nov / 5 / 2024

## Jakub Tatka, MD

1019 Greacen Point Rd.  
Mamaroneck, NY 10543  
914-471-5551  
jakubtatka@gmail.com

November 3, 2024

James Contini  
Acting Building Inspector  
Village of Mamaroneck  
169 Mount Pleasant Ave.  
Mamaroneck, NY 10543

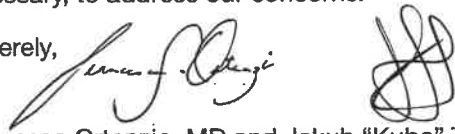
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We would like the project to be reevaluated by the Village of Mamaroneck and modified, if necessary, to address our concerns.

Sincerely,



Francesca Ortenzio, MD and Jakub "Kuba" Tatka, MD  
1019 Greacen Point Rd  
Mamaroneck, NY 10543

cc: Village Board

Stanley Fleishman

Name(s)

1209 Greacen Point Road

Address

Mamaroneck, NY 10543

917.299.1156

Phone or email: adnimg@gmail.com

DocuSigned by:

11/5/2024

STANLEY FLEISHMAN

Signature(s)

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

23C04E364BF8473...

## Jakub Tatka, MD

1019 Greacen Point Rd.  
Mamaroneck, NY 10543  
914-471-5551  
jakubtatka@gmail.com

November 3, 2024

James Contini  
Acting Building Inspector  
Village of Mamaroneck  
169 Mount Pleasant Ave.  
Mamaroneck, NY 10543

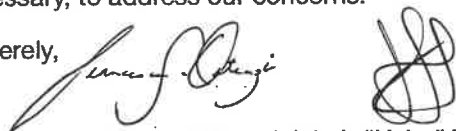
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We would like the project to be reevaluated by the Village of Mamaroneck and modified, if necessary, to address our concerns.

Sincerely,



Francesca Ortenzio, MD and Jakub "Kuba" Tatka, MD  
1019 Greacen Point Rd  
Mamaroneck, NY 10543

cc: Village Board

Bella and Benjamin Cohen

Name(s)

1115 Greacen Point Road

Address


Mamaroneck, NY 10543

914-843-4341

Phone or email:

11/4/2024

Signature(s)

DocuSigned by:  
  
077EAT7395220R51...

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





Date: Monday Sept 8, 2025

Chairperson O'Rourke and Esteemed Members of The Planning Board  
Village of Mamaroneck  
123 Mamaroneck Avenue  
Mamaroneck, NY 10543

Dear Esteemed Members of the Planning Board and To All Others Whom This May Concern,

Thank you for your service to the community. I have lived with my husband, 2.5 yr old son and beloved dog in 1019 Greacen Pt Rd since 2019.

The 1011 Greacen Pt Rd project must be moved away from setbacks and planned estate must be scaled down, including the 15,088sq ft home (as per Tectonic Engineering see previously submitted report).

My formal letter follows the series of photographs. The currently planned 1011 Greacen Pt Rd project would drastically change our lives, how we use our house, nature and the community. Photos focus primarily on the Southern property line, although you can refer to the site itself to see the impacts on all sides of the property. All photos taken with an iPhone 14 Pro, taken at 1X (standard/normal lens) focal length. No editing was done to any photos, except red lines to indicate trees for removal per plans and privacy over license plate numbers.



**Our existing driveway (1019) with car on left side of photo and our house. Existing evergreen and deciduous buffer between the lots. 1011 on right in photo. Photo taken from public road on Sunday 9/7/25.**



**RED CROSSHATCH = planned cutting of mature existing buffer on property line and other nearby planned cuttings. Photo taken from public road on Sunday 9/7/25.**





**This is our existing (1019) driveway, car parked next to our main use door in mid driveway as exists now. Photo taken from road, same as photo on right. Photo taken Sunday 9/7/25.**



**RED CROSSHATCH = planned cutting of existing mature evergreen and deciduous buffer. Our 1019 driveway. Car parked next to main use door, mid driveway as exists now. Photo taken**



**Existing evergreen and deciduous mature buffer along Southern property line of 1011, taken from public road, in front of the gravel driveway 1011 project created. 1019 is located to left (South), not pictured. Photo taken Sunday 9/7/25.**

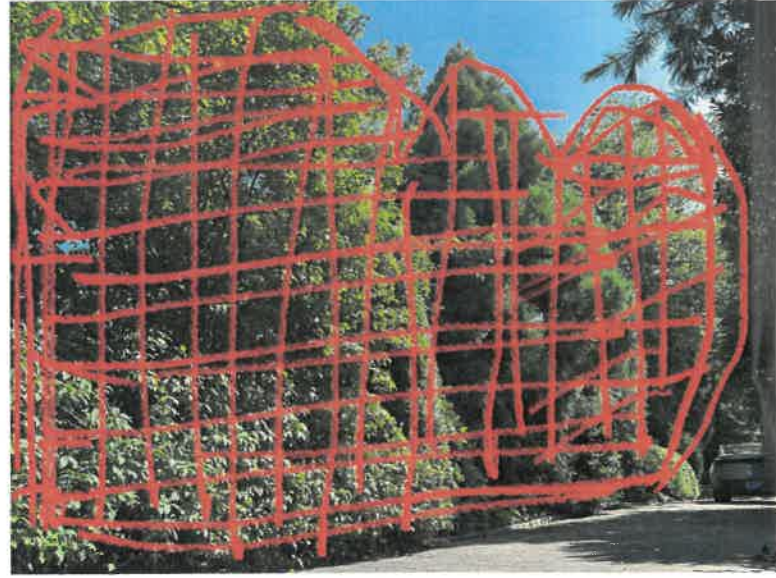


**RED CROSSHATCH = planned cutting of existing mature evergreen and deciduous buffer and other trees nearby. Existing evergreen and deciduous mature buffer along Southern property line of 1011, taken from public road in front of Southern part of 1011. Photo taken Sunday 9/7/25.**





**Our driveway (1019) with existing evergreen and deciduous mature buffer along Southern edge of 1011. Taken posterior aspect of 1019 driveway looking Northeast. Photo taken Tuesday 9/9/25.**



**RED CROSSHATCH = planned cutting of existing mature evergreen and deciduous buffer. Our driveway (1019) with existing evergreen and deciduous mature buffer along Southern edge of 1011. Taken posterior aspect of 1019 driveway looking Northeast. Photo taken Tuesday 9/9/25.**



**Our existing mainly used door with mailbox (1019) located mid driveway. Photo taken standing on Belgian block far edge of our driveway, as close to 1011 as possible while on Belgian block paver. Tuesday 9/9/25.**



**Existing view from our main use doorway (1019 side door - see door in photo left of this one ) with existing evergreen and deciduous mature buffer along property lines. SEE NEXT PAGE FOR PLANNED CUTTING.**

Taken standing with back against closed door, with iPhone camera at eye level. Photo taken Tuesday 9/9/25.





Once again, our existing view from our main use doorway (1019 side door - see door in photo left of this one ) with existing evergreen and deciduous mature buffer along property lines. Taken standing with back against closed door, with iPhone camera at eye level. Photo taken Tuesday 9/9/25.



Once again, our existing view from our main use doorway (1019 side door **RED CROSSHATCH** = existing evergreen and deciduous buffer on property lines planned for removal/ cutting

**ORANGE CROSSHATCH** = our Holly tree that blocks in this photo trees/ shrubs planned for removal/cutting. **ESSENTIALLY: ALL TREES/PLANTS FOR REMOVAL IN PHOTO.**

Taken standing with back against closed door, with iPhone camera at eye level.



**View of Southern property line of 1011 from posterior aspect of our driveway (1019), taken standing next to property line on 1019 side. Photo taken Tuesday 9/9/25.**



**RED CROSSHATCH** = example of deciduous trees adjacent and nearby property line for planned removal/ cutting. **View of Southern property line of 1011 from posterior aspect of our driveway (1019), taken standing next to property line on 1019 side. Photo taken Tuesday 9/9/25.**

### 1. Critical Safety Concerns Posing Risk to Life and Property

We are directly next to the southern property line of the 1011 project. My primary door that is used most often with mailbox sits mid-driveway, only a few feet from the proposed 15,088 sq ft estate (per Tectonic Engineering). This proximity, combined with a steep 1:1 slope of fill (replacing the unnoted retaining wall), is unsafe, especially given past flooding post-Hurricane Ida, see previous letter submitted detailing devastation from **flash flooding** and the huge project to flood proof our home, which was successfully completed. Despite our mitigation efforts, the water table's rise threatens my family. The downhill curve past 1011 worsens this for all below, this is an environmental issue for this area due to drainage impacts.

### 2. Oversized Scale

The 15,088 sq ft house per Tectonic Engineering (up from 12,000 sq ft) dwarfs my little over 3,000 sq ft home and others. This poses danger in a known flood area and adjacent to Wetlands. I await transparent, impartial recalculation by a Village-hired engineer. When errors were first seen in the 1011 plans, it was not apparent to me that the "retaining wall", now the steep 1:1 slope of soil/land fill with unreliable ground cover (no, I will not put my faith that soil will be retained in torrential downpours and flooding in acultivar creeping juniper) was but a symptom of a much larger problem: the inappropriate, largeness of the house and project.

### 3. Permit and Wetland Review

Re-examining the circumstance under which the Building Permit was issued is also an option. Did the Village Manager who stamped the Building Permit after the Acting Builder Inspector left just days prior to the present Building Inspector taking office actually thoroughly review this project? Does the manager stand by their determination? The DEC's May 2025 Class II wetland designation adds urgency for an Article 24 permit review. "Grandfathering" in something that has not been built yet is a ludicrous concept when classification is updated to reflect current status of land and how it must be treated to be safe amongst other attributes.

**This is a real life safety and quality of life issue to those who already live and are established here in real homes, not line drawings. We have already experienced traumatic flooding as have many others. Scaling down the home SIGNIFICANTLY is an option.**

**The risks of a single-family 15,088 sq ft house (per Tectonic Engineering) combined with additional impervious surface does substantiate any arguable benefit when it endangers others' lives and homes such as ours, let alone the effects on the NYS DEC Wetlands.**

The above, bolded statement, should usurp any other concern. Quite literally, safety first.

I urge you to deny and require significantly revision of the plan as it stands. I urge you foremost to impose a stop work order indefinitely until all safety issues are fully addressed since it is clear that there are many facets to the permit process and thus far, there have been some errors which may allow for a loophole to occur. Please prevent that so this project can be looked at wholly, rectified in planning and then can only proceed once revised significantly.

Best,

A handwritten signature in cursive script that reads "Francesca. Ortenzio". The signature is written in dark ink and is positioned in the center of the page.

Francesca Ortenzio MD, FAAD  
1019 Greacen Point Road  
Mamaroneck, NY  
10543





## **Character of the Neighborhood Based on Existing Home Sizes**

### **Greacen Point Rd Square Footages**

Ordered by address:

920 Greacen Point Rd | 4,569 sq ft | PropertyShark

931 Greacen Point Rd | 2,299 sq ft | Realtor.com

937 Greacen Point Rd | 4,546 sq ft | Realtor.com

940 Greacen Point Rd | 3,209 sq ft | Zillow

943 Greacen Point Rd | 5,958 sq ft | Realtor.com

1000 Greacen Point Rd | 5,679 sq ft | PropertyShark

1010 Greacen Point Rd | ~7,300 sq ft (rebuilt; earlier 2,971–6,978) | Zillow + sale history

1011 Greacen Point Rd | Vacant land (1.59 acres; proposed ~12,000 sq ft build) | Zillow / Sotheby's / PB docs

1014 Greacen Point Rd | 6,814 sq ft (older record 5,233) | Redfin / PropertyShark

1019 Greacen Point Rd | ~3,205 sq ft (3,030–3,205) | Redfin / PropertyShark

1030 Greacen Point Rd | 4,080 sq ft | Realtor.com / Homes.com

1115 Greacen Point Rd | 5,931 sq ft | PropertyShark / Redfin

1120 Greacen Point Rd | 10,710 sq ft | PropertyShark / Town assessor PDF

1135 Greacen Point Rd | 7,782 sq ft | Zillow / Redfin

1140 Greacen Point Rd | 5,916 sq ft | Zillow / Trulia

1160 Greacen Point Rd | 5,203 sq ft | PropertyShark / listing

1165 Greacen Point Rd | 1,890 sq ft | PropertyShark

1170 Greacen Point Rd | 5,098 sq ft (Zillow shows 3,811 interior) | PropertyShark / Zillow

1175 Greacen Point Rd | 5,286 sq ft | Redfin (public records)

1180 Greacen Point Rd | 3,635 sq ft | PropertyShark / Zillow

1185 Greacen Point Rd | 8,094 sq ft | Redfin (public records)

1190 Greacen Point Rd | 4,322 sq ft | PropertyShark

1209 Greacen Point Rd | 8,008 sq ft | PropertyShark



1210 Greacen Point Rd | 6,283 sq ft | PropertyShark  
1230 Greacen Point Rd | 4,050 sq ft | Town assessor (valid sales PDF)  
1248 Greacen Point Rd | 4,059 sq ft | PropertyShark  
1308 Greacen Point Rd | 9,993 sq ft | PropertyShark  
1326 Greacen Point Rd | 3,600 sq ft | PropertyShark  
1350 Greacen Point Rd | 3,523 sq ft | Zillow

From biggest house to smallest:

1011 Greacen Point Rd | Vacant land (1.59 acres; proposed ~12,000 sq ft build) | Zillow / Sotheby's / PB docs  
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920 Greacen Point Rd | 4,569 sq ft | PropertyShark  
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931 Greacen Point Rd | 2,299 sq ft | Realtor.com  
1165 Greacen Point Rd | 1,890 sq ft | PropertyShark

1120 Greacen Point Rd aerial photo:



9,995 sq feet  
1.27 acre lot  
(Zillow.com)

1011 Greacen Point Rd is self-reported at ~12,000 sq feet, which makes the 1011 GP Rd house 20% larger than this home pictured above, several houses away.

The Tectonic Engineering assessment calculates the 1011 GP Rd proposed home to be over ~15,000 sq feet, which is over 50% larger than the 1120 GP Rd home pictured above.

Additionally, the lot that the 1011 GP Rd home is being constructed on is 0.93 acres. That means the 1011 GP Rd lot is 26% smaller.

A house that's 50% bigger on a lot that's 26% smaller means there's only about half the land per unit of house compared to the 10,000-square-foot home on 1.27 acres.





**12,000-15,000 sq feet**  
**0.93 acre lot**

**9,995 sq feet**  
**1.27 acre lot**

Greacen Point Rd

Greacen Point Rd

Greacen Point Rd

Google

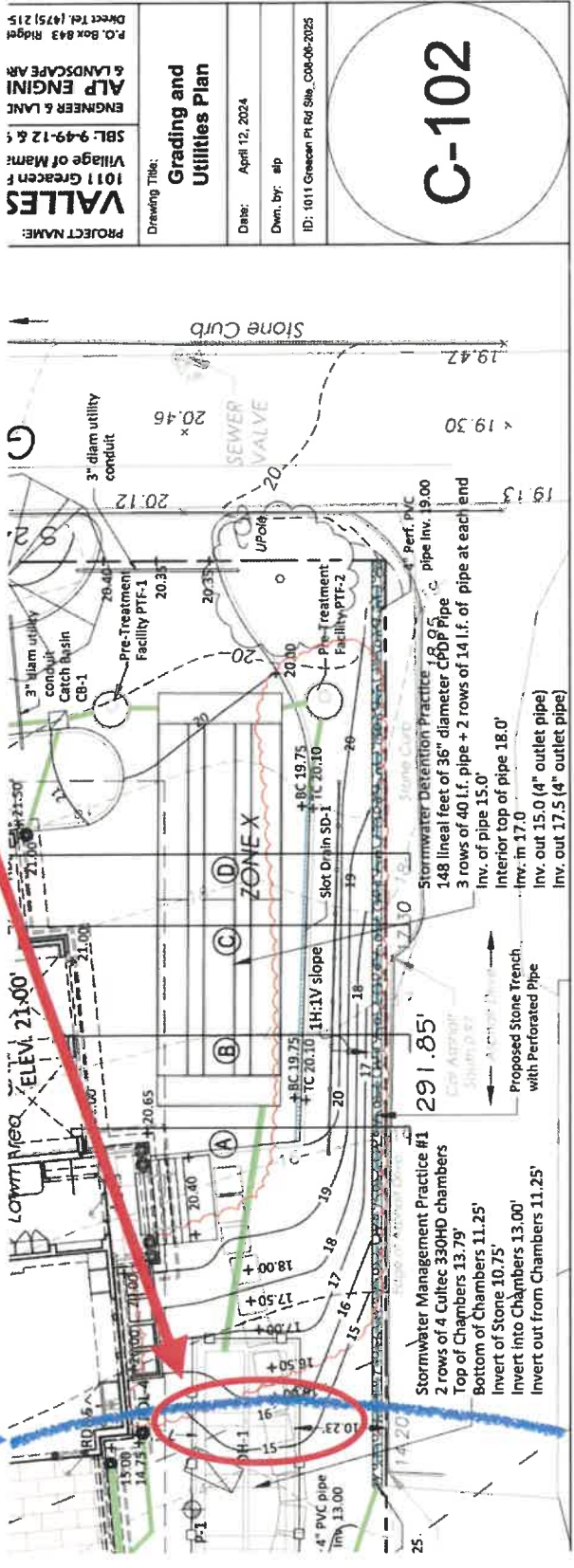




Latest plans show new fill and grading in the wetland buffer, requiring a new wetland permit.

Blue line:  
VOM Wetland Buffer

New fill due to stair removal





## Robert Gaudioso

---

**From:** Silver, Ellen  
**Sent:** Monday, December 30, 2024 4:06 PM  
**To:** Kathleen Gill  
**Cc:** Nora Lucas; Sally Roberts; DeRose, Maria; Kushnick, Dan; Mayor Sharon Torres  
**Subject:** Re: URGENT - confirm receipt of email - emergency stop work order for 1011 Greacen pt rd Mamaroneck

Thank you, Kathleen. Happy to hear they will be getting a timely response. I walked by the sight today and it is hard to envision such a large project abutting the wetlands.

Ellen Silver  
Trustee  
Village of Mamaroneck



On Dec 30, 2024, at 1:26 PM, Kathleen Gill <KGill@vomny.org> wrote:

Good afternoon,

The Building Department advised the owner today that the wall, as currently described on the plans, has not been approved and requires a variance from the Zoning Board of Appeals and amended Site Plan approval from the Planning Board.

The owner indicated an intention to substantially modify the height and location of the wall in order to avoid further approvals. The revised plans will be submitted to the Building Department next week for review. If the amended plans require a zoning variance, then the previous determination will be rescinded and a new determination issued identifying the approvals required.

In the meantime, the owner agreed to cease all construction activity until the amended plans are reviewed and a determination is issued by the Building Department.

Unless there is any objection, I will send this update to the individuals who sent emails today asking for a stop work order.

Kathleen

<Outlook-Original .png>

**Kathleen Gill**

Village Manager

Village of Mamaroneck

123 Mamaroneck Avenue

Mamaroneck, NY 10543

Phone 914-777-7703

Fax 914-777-7760

E-mail [KGill@vomny.org](mailto:KGill@vomny.org)

The information contained in this communication, including any attachments, is privileged and confidential information intended only for the use of the individual to whom it was addressed. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this in error, please contact the sender and delete or destroy the material.

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**From:** Nora Lucas <[nlucas@vomny.org](mailto:nlucas@vomny.org)>

**Sent:** Monday, December 30, 2024 11:47 AM

**To:** Sally Roberts <[sroberts@vomny.org](mailto:sroberts@vomny.org)>

**Cc:** Kathleen Gill <[KGill@vomny.org](mailto:KGill@vomny.org)>; DeRose, Maria <[mderose@vomny.org](mailto:mderose@vomny.org)>; Kushnick, Dan <[dkushnick@vomny.org](mailto:dkushnick@vomny.org)>; Mayor Sharon Torres <[storres@vomny.org](mailto:storres@vomny.org)>; Silver, Ellen <[esilver@vomny.org](mailto:esilver@vomny.org)>

**Subject:** Fw: URGENT - confirm receipt of email - emergency stop work order for 1011 Greacen pt rd Mamaroneck

I just checked e-mail and did not receive an e-mail from him on October 22, 2024 ...but in my second search it came up under "Files".....

---

**From:** Francesca Ortenzio <[glowwithmd@gmail.com](mailto:glowwithmd@gmail.com)>

**Sent:** Monday, December 30, 2024 11:36 AM

**To:** Mayor and Board <[mayorandboard@vomny.org](mailto:mayorandboard@vomny.org)>; Mayor Sharon Torres <[storres@vomny.org](mailto:storres@vomny.org)>; Nora Lucas <[nlucas@vomny.org](mailto:nlucas@vomny.org)>; mrawlings@vomny.org <[mrawlings@vomny.org](mailto:mrawlings@vomny.org)>; lreid@vomny.org <[lreid@vomny.org](mailto:lreid@vomny.org)>; lyoung@vomny.org <[lyoung@vomny.org](mailto:lyoung@vomny.org)>

**Cc:** Kuba Tatka <[jakubtatka@gmail.com](mailto:jakubtatka@gmail.com)>

**Subject:** URGENT - confirm receipt of email - emergency stop work order for 1011 Greacen pt rd Mamaroneck

Dear All

Thank you for your time.

I wrote to you all on October 22, 2024 and have yet to receive a reply. I have an automated reply with no significant content from the Mayor.

Please confirm receipt of this email.

There is an incredibly dangerous property planned and with permits located at 1011 Greacen Point Road. This impression is held by numerous professionals who have stamped their letters and are willing to elucidate.

Please consider empowering the building inspector to place a stop work order until this can be further examined. It is within his purview legally we have been advised.



A great deal of very concerning safety issues exist.

We know our local government is here to help protect citizens and we appreciate you all.

Please respond. Please provide a name of a government official you would like us to contact, I am prepared to go to any lengths since this is a safety issue.

Summary of only some issues including retaining wall within setbacks and grossly inadequate water mitigation system for 12,000 sq ft house provided below.

There is an appeal meeting February 6th.

We have a great deal of professionals including engineers, architects who have examined this and deemed it dangerous. Their opinions and calculations will be elucidated fully.

Please immediately call the Village of Mamaroneck Building Department. We are aware that critical thinking takes courage.

Even if a village attorney says you can't.....well, I can prove that a building inspector can place a work stop order legally. The risk benefit analysis is a no-brainer in everyone's opinion; do not work on land abutting wetlands when the plans have been shown to be dangerous and have changed in ways that may magnify dangers.

Everyone's name who receives notice and does nothing becomes a part of the problem. Your names will be attached to this precedent breaking project and I have to believe that you probably would not be in favor of the violations occurring.

This is under your watch.

Please listen and communicate immediately with the building inspector overseeing 1011 Greacen point road.

I know sometimes as public officials you might not want to get involved. Unfortunately, this is an area with a flood history and something is being built unsafely according to professionals.

Ask the building inspector who took office only days after a village manager Ms Gill signed a building permit, what he as building inspector and Sam Harrison what they really think.

Come visit the site. Look. We live at 1019 Greacen point road. The lot is 1011 Greacen point road; look at the wetlands, the high water table.

How this passed permits; systems errors perhaps.

Also plans morphed over time. We all tried to support this family in building a house and our support was misappropriated.

12,000 sq ft w garage pool virtual golf simulator deep in basement retaining wall in setbacks, inadequate mitigate tanks.

If I am in the basement with my baby and flash flooding occurs and has been predicted to worsen because of this project and I can't get out; it was all because no one wanted to say anything. Just because permits are granted doesn't mean it's safe. It's been shown to us to be quite the opposite.

I am genuinely scared. This is the impression I receive from the outside hired professionals and frankly common sense from having lived here.

Please let's get on this! Let's make sure this is built safely so the family moving in is safe and those around them.

Immediate stop work order is requested. I have placed them in past.

If the plans are to change based on Feb 6th appeal; then the trees might still be needed for mitigation. Trees were about to be cut down the other day, once cut they can't be uncut. Husband got a stop work order for that. But that was temporary.

We need assurance this will be examined.

To anyone on their team who says they were not going to cut trees I have photos and videos and witnesses.

Best

Francesca Ortenzio, MD FAAD

Email Confidentiality Notice: The information contained in this transmission is privileged and confidential

On Oct 22, 2024, at 5:36 PM, Francesca T <glowwithmd@gmail.com> wrote:

Dear Mayor and Trustees,  
October 22, 2024

Thank you in advance for your time to read this public safety issue which could result in pain, injury or death if the current plan for 1011 Greacen Point Road is not altered.

We live in 1019 Greacen Point Road. In the empty lot next to us, 1011 Greacen Point Road, there is a planned 12,000 sq ft home with a pool either within or abutting the wetlands from our understanding **with a nearly 7 foot high retaining wall with straight drop onto our driveway due to elevation on their property** (based on the understanding of every professional we have spoken to thus far including 4 independent architects and a 5th architect, that of 1011 himself).

The major safety concern we have as from the perspective of both of us being civilians, neighbors, parents and physicians is:

The planned retaining wall for 1011 Greacen Point Road:

All architects consulted have calculated the wall to reach nearly 7 feet high (one licensed architect calculated 7.5 ft in one area, see attached letter from Path Architecture) right alongside our asphalt driveway, with only 12 inches of buffer between our asphalt driveway and the vertical nearly 7 foot high wall (from our understanding and the understanding of the consulted architects).

-This wall is a retaining wall so their property will be elevated with their proposed driveway only feet away from the 12 inch lip of wall that exists on the 1011 Greacen Point Road facing side.

**-The height nearly or exceeding 7 foot wall combined with a meager setback of 12 inches with no variance obtained for fencing yields a scenario in which a person, vehicle or even a pet could experience pain, injury or death by driving over the edge or falling over the edge a straight nearly 7 foot drop onto asphalt.**

-Plantings will not suffice to stop a car, person, snow/ice, debris from landscaping/gardening, bicycle etc. from falling the nearly 7 feet straight drop onto the asphalt of our driveway, from their driveway.

-My husband and I have seen thousands of injuries as physicians; this mechanism of injury (fall from top of wall) is very plausible and most definitely results in pain, injury or death.

-On Fairway Lane in Orienta, a car drove off a similar such wall (much smaller wall as is my understanding) and landed in the neighbors pool. Analogous situation to this, however, this is on a much higher and grander scale in our understanding.

-Even if this wall somehow meets code which the 4 architects we consulted with said it did not;  
**This feature of the retaining wall is in opposition to Condition #1 of The Village of Mamaroneck Planning Board Site Plan Approval and Wetland Permit Resolution For 1011 Greacen Point Road SBL: 9-93C-19 (Town: 9-49-12 & 9-49-230).**

-This safety issue meets all criteria of Condition #1 since public safety is greatly at risk (delivery vans, paid workpeople etc), homeowners themselves (we made them aware, their architect is aware), our child, other children etc.

Condition #1 on page 4 of the pdf attached for the site approval states that:

**"If the Building Inspector determines that, as a result of concerns related to public health, safety, and welfare, minor changes are necessary to complete the work authorized by the approved plans, The Building Inspector may, allow such changes and amend the building permit(s) accordingly. The applicant must submit amended plans reflecting the approved changes. If the Building Inspector determines that concerns related to the public health, safety and welfare require a change in the approved plans but that change is not minor, any deviation from or change in the approved Plans must be approved by the Planning Board by amendment to this approval."**

Whether this project passed every permit process is not relevant to the fact that there is an overt and glaring safety hazard that could easily endanger our lives and anyone else. It appears this project passed zoning and planning approvals without having had the Village Engineer review the plans first based on our and others' understanding. Many people have noted this to be unusual. The fact that the DEC was not notified of this project in any manner to our knowledge and several professionals knowledge, also seems amiss.

I do not think anyone will expect and prepare for such a drop and this is why an accident would seem inevitable.

According to the 4 architects we consulted and the the architect of 1011, the wall is best seen on C-102 (attached as well as the actual wall design). These images and the height calculations are easily interpreted by an architect and engineer and people familiar with such types of plans. Hopefully, they are helpful.

All 4 architects we consulted with wondered why the garage was not rotated 90 degrees, since this eliminates the need for any turning radius and therefore no wall would be needed!  
We were told by the architect of 1011 (please feel free to confirm that with him) that the garage door placement was for aesthetic reasons.

In essence; an aesthetic choice for the planned 1011 Greacen Point Road home was chosen over the welfare and safety of ourselves, themselves and the community.

We are sure you agree, aesthetics can not trump safety in a situation that is this tangible and one that can be altered (we have been repeatedly advised it can be).

In addition to being unsafe and unfair to the community, this type of feature (wall of nearly 7 ft with straight drop to asphalt) invites litigation in the event that something unfortunate would occur (accident leading to injury). We want to go on record as saying we do not consent to having a feature so close to us to that would invite such a safety hazard and be a cause of pain, injury or death.

We are grateful that the application process involves several steps and approvals, if not for that, the Building Permit may have been issued before this was fully elucidated. So, we believe in the system of checks and balances, and in this instance, the Village of Mamaroneck and the Building Dept. has the power to literally save lives.

We understand there have been many changes at the Village of Mamaroneck Building Dept, and James Contini (Asst Bldg Inspector) and Samuel Harrison (Code Enforcement Officer) are doing an amazing job. They have been so generous with their time and expertise and are working hard. But, they have a large workload and are likely under great pressure.

We implore you to get involved in some manner since this is such a preventable safety hazard AND such a new precedent in regards to dangerous building features in the Village of Mamaroneck. A PDF of this letter is also attached for reference and documentation if needed. I have cc'd my husband, Jakub "Kuba" Tatka, MD as well.

Thank you so much for your time and consideration.

Sincerely,  
Francesca Ortenzio, MD  
Jakub "Kuba" Tatka, MD  
James Tatka (22 months old)

Francesca Ortenzio MD, FAAD

Email Confidentiality Notice: The information contained in this transmission is privileged and confidential

<site plan resolution page 4 condition 1.pdf>

<Architect letter Golka reg 1011.pdf>

<Path Architecture letter reg 1011 greacen pt rd.pdf>

<C-102 of 1011GreacenPointRoadRevisedEngineeringPlans-1 page 3.pdf>

<wall design of 1011 greacen point road.pdf>

<our letter regarding 1011 Greacen Pt Rd.pdf>





## **Robert Gaudioso**

---

**From:** Samuel Harrison  
**Sent:** Thursday, November 7, 2024 4:45 PM  
**To:** mmoelis@gmail.com  
**Cc:** James Contini; Charles Strome; Brittanie O'Neill; Daniel Segal; Mary E. Desmond  
**Subject:** 1011 Greacen - Violation and Stop Work Order  
**Attachments:** 0557\_001.pdf; 0558\_001.pdf

Good afternoon Mr. Valles,

Yesterday we received a complaint that work on your property at 1011 Greacan Point Rd had begun without a permit. Upon investigation we discovered that the complaint was valid, and work had begun before permits were issued. Attached is an Order to Remedy Violation and a copy of the Stop Work Order that has been posted on site. All construction activities are to cease immediately. No work can be done until permits are issued.

Please acknowledge receipt of this email and note that per Village code, Email is an acceptable form of service for this legal document.

Feel free to reach out with any questions you may have.

Thanks,

**Sam Harrison**  
Code Enforcement Officer



**Village of Mamaroneck**  
169 Mount Pleasant Avenue  
Mamaroneck, NY 10543

Phone: 914-777-7731  
Fax: 914-777-7792  
E-mail: [sgharrison@vomny.org](mailto:sgharrison@vomny.org)  
Website: <https://www.village.mamaroneck.ny.us/>



Village of Mamaroneck  
169 Mt. Pleasant Ave  
Mamaroneck, New York 10543  
914-777-7731

11/07/2024

# LEGAL NOTICE

WHEREAS violations of the **CODE OF THE VILLAGE OF MAMARONECK NEW YORK**  
Have been found on these premises, it is hereby ordered that all person cease, desist from and

## STOP WORK

Work without a permit

KEVIN VALLES & MADELYN MOELIS  
Located at 1011 GREACEN PT RD MAMARONECK NY, 10543

All person acting contrary to this order, removing, or mutilating this notice are subject to legal actions.

Post under the authority of Section **350-4** of the **CODE OF THE VILLAGE OF MAMARONECK NEW YORK**

11/07/2024  
Date

Samuel Harrison  
Code Enforcement Officer

# ORDER TO REMEDY VIOLATION



Village of Mamaroneck  
169 Mt. Pleasant Ave  
Mamaroneck, New York 10543  
914-777-7731

24-0338

**NAME:** KEVIN VALLES & MADELYN MOELIS

**ADDRESS:** 301 E 80th St, Apt 12C  
New York, NY 10075

## PLEASE TAKE NOTICE THERE EXISTS A VIOLATION OF VILLAGE OF MAMARONECK CODE AND/OR NEW YORK

### STATE BUILDING CODE:

At the premises 1011 GREACEN PT RD, S-B-L: 9-93C-19 within the Village of Mamaroneck hereinafter described in that you have allowed or caused to allow:

Work without a permit

Initial Inspection Date: 11/7/2024

I observed: received a complaint that work has been done without a permit. On site there is a bobcat and an excavator, a gravel construction entrance has been created, silt fencing has been installed and a temporary electrical service pole has been installed. All in violation of Sec 350-4 of the VoM Code. No permits have been issued for this work. All work is to cease immediately and not resume until building permits are issued.

You must correct this condition on or before: **11/07/2024**

### Resolution Notes

**Cease all work immediately, remove the bobcat and the excavator from the property until building permits are issued.**

Contact, **Samuel Harrison** at Email: [sgharrison@vomny.org](mailto:sgharrison@vomny.org)

**The below noted conditions is in direct violation of: VOM Code**

350-4

§ 350-4 Building permits.

A. Building permits required. Except as otherwise provided in Subsection B, a building permit is required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, or demolition of any building or structure or any portion of a building or structure, and the installation of a solid-fuel-burning heating appliance, chimney, or flue in any dwelling unit.

B. No building permit may be issued for a building or structure that does not comply with the requirements of this Code, including the additional standards and requirements that may apply, unless those requirements have been varied in accordance with this Code. Where site development plan approval is required, a building permit may be issued only for a building or structure conforming to the approved site development plan.

C. It is a violation of this chapter to commence any work for which a building permit is required without first having obtained a building permit under this chapter authorizing that work. D. No building permit is required for the following categories of work, but the work must still comply with the Uniform Code and the Energy Code:

# ORDER TO REMEDY VIOLATION



Village of Mamaroneck  
169 Mt. Pleasant Ave  
Mamaroneck, New York 10543  
914-777-7731

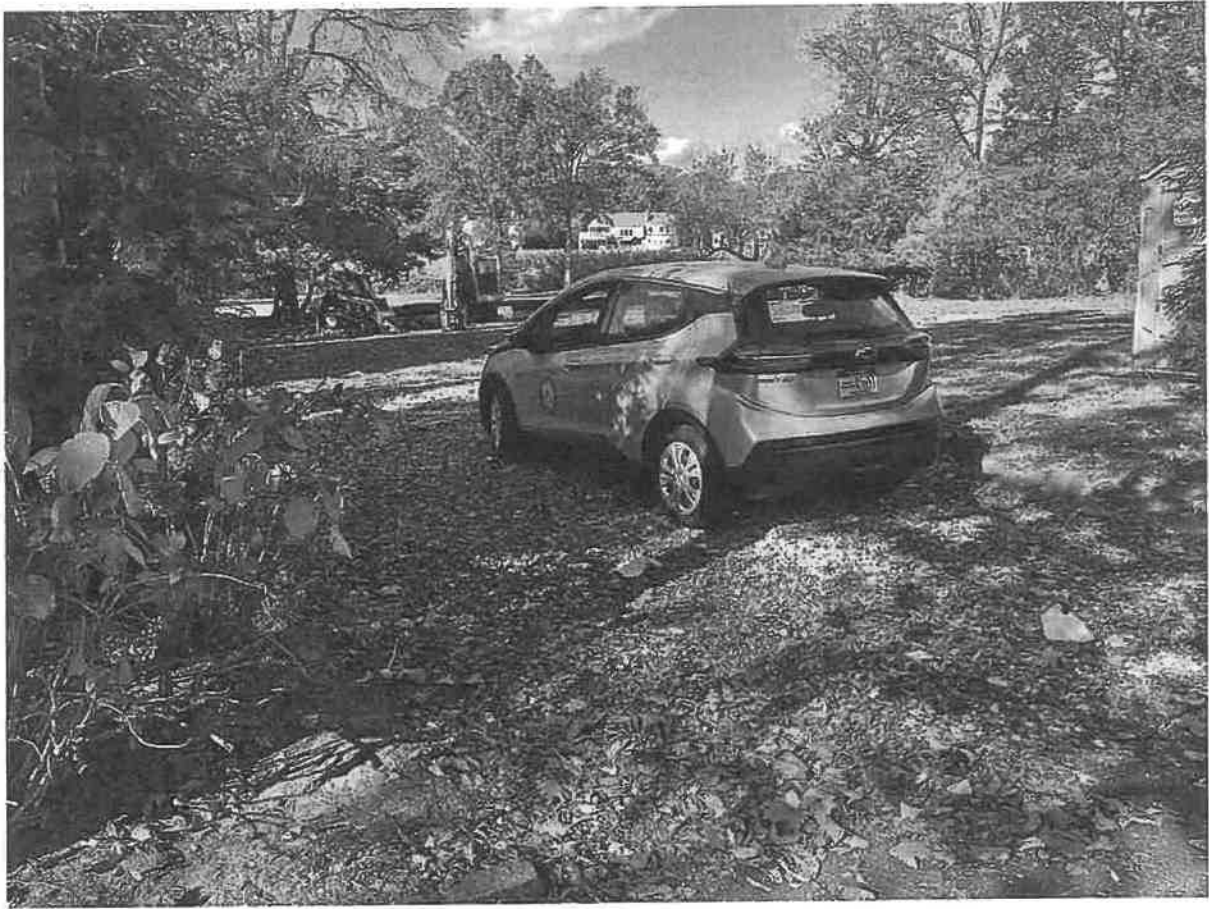
24-0338

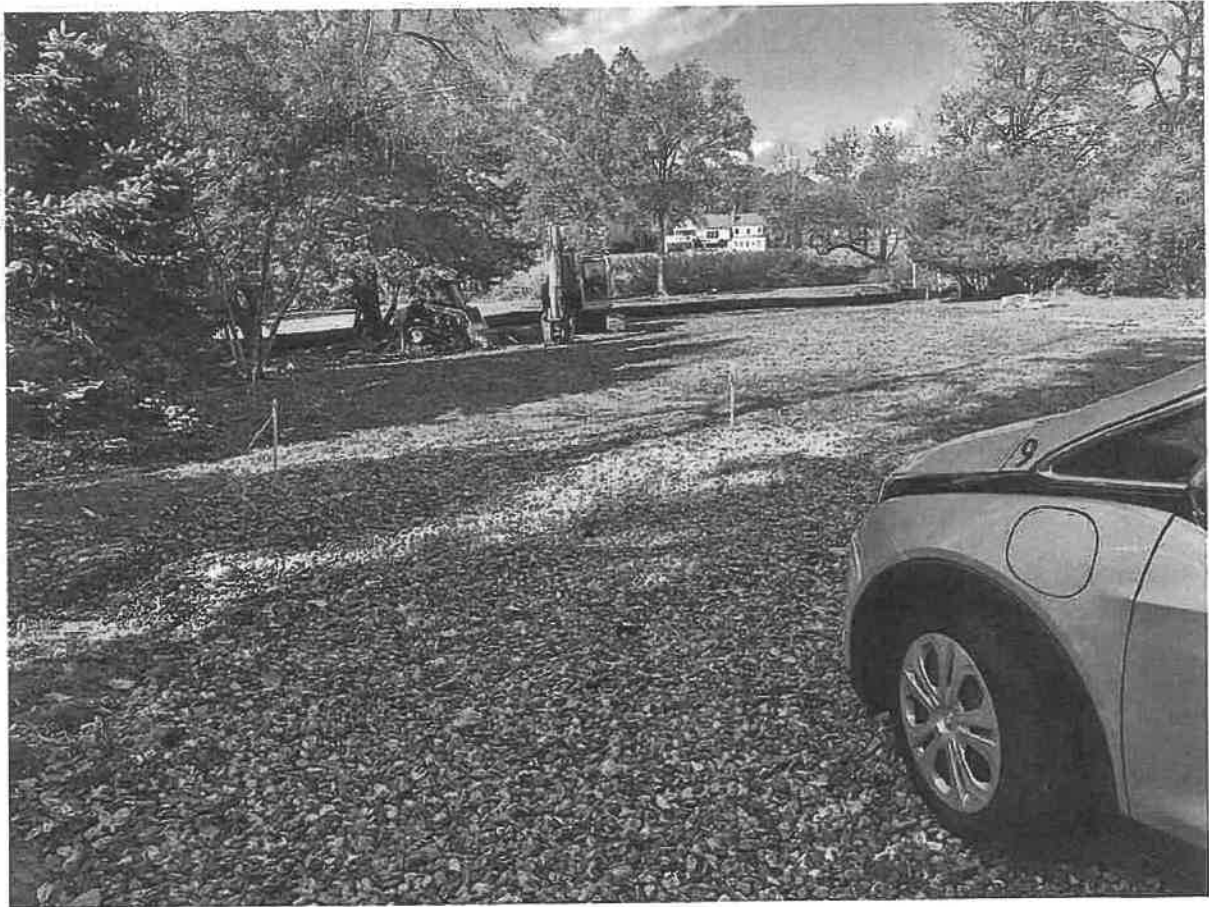
- (1) Construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses), which are used for tool and storage sheds, playhouses, or similar uses, provided the gross floor area does not exceed 144 square feet;
- (2) Construction of temporary sets and scenery associated with motion-picture, television, and theater uses;
- (3) Installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);
- (4) Installation of partitions or movable cases less than five feet nine inches in height;
- (5) Painting, wallpapering, tiling, carpeting, or other similar finish work;
- (6) Installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
- (7) Replacement of any equipment, provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or
- (8) Repairs, if the work does not have an impact on fire and life safety and does not involve any part of the structural system, the required means of egress, the fire protection system, or the removal from service of any part of the fire protection system for any period of time.

By Order of:

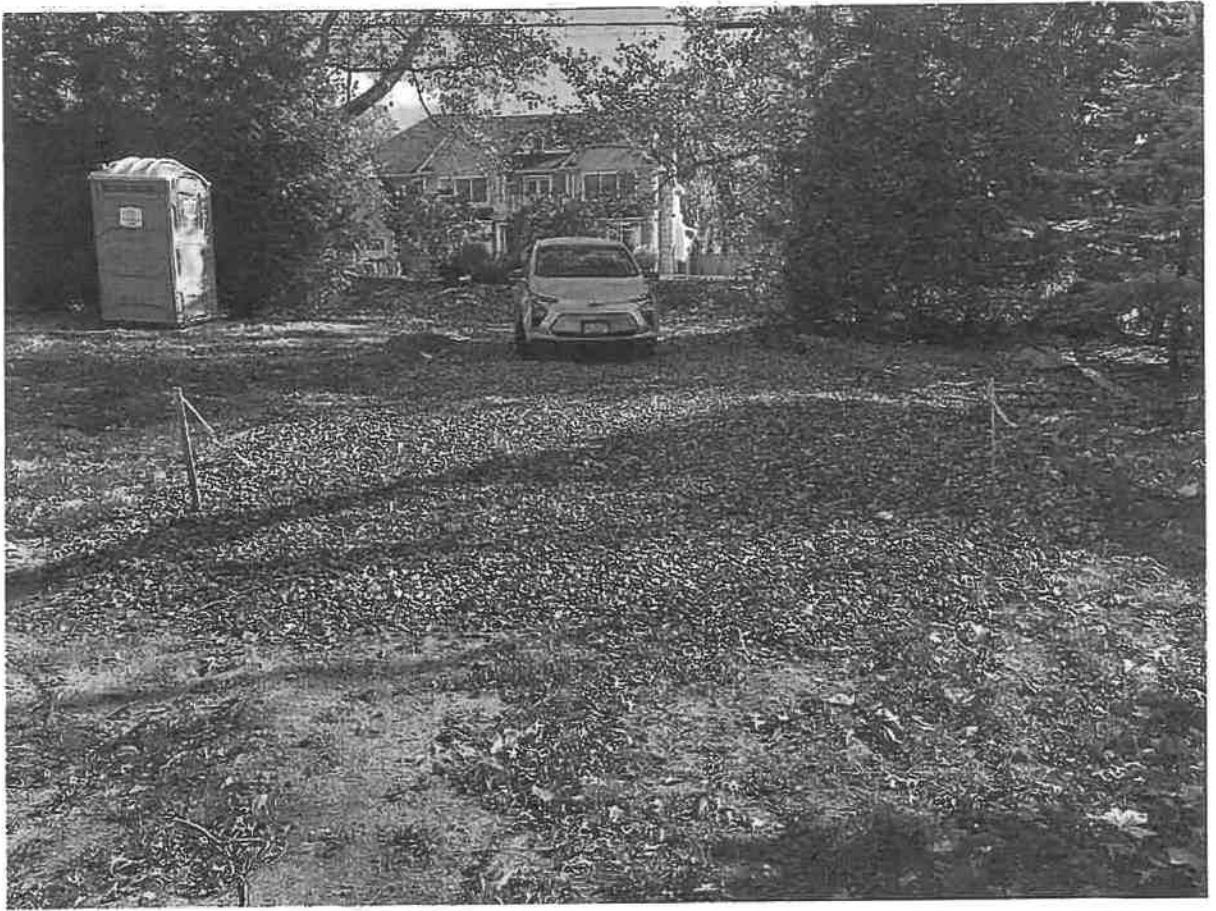
- Samuel Harrison  
Code Enforcement Officer  
11/07/2024















**David LaPierre**

RE: Time for call 1011 Grecean

January 14, 2025 at 5:18 PM EST

To: Kristen Wilson, Frank Tavalacci, Samuel Harrison, Kevin Vallès

Cc: maddy@209capital.com; Adrienne Merheb; Mary E. Desmond

Frank (And team)

DRAFT concepts attached for discussion with village only.

Grading:

It's a little more complicated than just manipulating the grades because of the average grade/stories and definition of cellar/basement. We are trying to keep the average grade number as is in order maintain the lower levels current cellar status and not become a basement/story. We were able to lower the garage floor, driveway and offset the cut by raising the AC condenser platform with fill underneath and adding a small retaining wall in front of the garage. This offsets the grade changes in front of the garage doors which translates to a lower retaining wall to the south. We will need to add steps to both the stairs to the south of the mudroom and to the stairs inside the garage. We will not exceed 36" extension over the setback with stoop steps.

Wall:

The lowest we could get the wall is 3'-6" without impacting the average grade number. Please note the footing size gets smaller to the lower wall height and we can thin up the veneer stone as well to pull back from the neighbor slightly. This could make the face of wall 14" off property line +/- and footing 8" off property line +/- . Also worth noting that the wall is 42" tall at its highest and immediately gets lower as you move towards the road to the east. By about 12' the wall is 36" tall and the length of the wall has also been reduced as well.

Guard rail/code safety issue:

Our intent is to provide 4"x4" concrete filled posts (bollards) at 5'-0" on center which we will run a metal guardrail in between on the south and west sides of the driveway. We stepped the guardrail back from the wall as well as suggested on our call yesterday.

Let me know what time everyone can discuss tomorrow. Thank you again for your continued support and willingness to work together to get this done!

Thank You,  
David A. LaPierre, RA, AIA  
Principal



O. 203.853.2524  
60 Post Road W  
Westport, CT 06880

6 West Putnam Ave  
Greenwich, CT 06830



[cardelloarchitects.com](http://cardelloarchitects.com)

---

**From:** Kristen Wilson <[kwilson@mdw.law](mailto:kwilson@mdw.law)>  
**Sent:** Tuesday, January 14, 2025 3:25 PM  
**To:** Frank Tavalacci <[ftavalacci@vomny.org](mailto:ftavalacci@vomny.org)>; David LaPierre <[dl@cardelloarchitects.com](mailto:dl@cardelloarchitects.com)>; Samuel Harrison <[sgharrison@vomny.org](mailto:sgharrison@vomny.org)>; Kevin Vallès <[valleskevin@gmail.com](mailto:valleskevin@gmail.com)>  
**Cc:** maddy@209capital.com; Adrienne Merheb <[am@cardelloarchitects.com](mailto:am@cardelloarchitects.com)>; Mary E. Desmond <[MDesmond@Abramslaw.com](mailto:MDesmond@Abramslaw.com)>  
**Subject:** Re: Time for call 1011 Grecean

Hi Frank,

First, we all appreciate the time and attention you are dedicating to the review of our project (even when you are not in the office). Second, just need to reconfirm and restate that any sketch plans that Dave/Alan send modifying the height of the retaining wall and the guardrail are only draft concepts and ideas for discussion purposes. Theoretically, we may all agree that these ideas can and should be incorporated into a final design. However, at this time, they are concepts that are not fully designed and vetted and should not be shared with anyone outside the Village staff and professionals.

Many thanks,  
Kristen

---

**From:** Frank Tavalacci <[ftavalacci@vomny.org](mailto:ftavalacci@vomny.org)>  
**Sent:** Tuesday, January 14, 2025 1:42 PM  
**To:** David LaPierre <[dl@cardelloarchitects.com](mailto:dl@cardelloarchitects.com)>; Samuel Harrison <[sgharrison@vomny.org](mailto:sgharrison@vomny.org)>; Kevin Vallès <[valleskevin@gmail.com](mailto:valleskevin@gmail.com)>  
**Cc:** [maddy@209capital.com](mailto:maddy@209capital.com) <[maddy@209capital.com](mailto:maddy@209capital.com)>; Adrienne Merheb <[am@cardelloarchitects.com](mailto:am@cardelloarchitects.com)>; Kristen Wilson <[kwilson@mdw.law](mailto:kwilson@mdw.law)>; Mary E. Desmond

<MDesmond@Abramslaw.com>

**Subject:** Re: Time for call 1011 Grecean

David. Please send me the sketch prior to our call tomorrow so I can look at it before we talk.

Thank you. FT

Get [Outlook for iOS](#)

---

**From:** David LaPierre <dl@cardelloarchitects.com>

**Sent:** Tuesday, January 14, 2025 12:10:37 PM

**To:** Samuel Harrison <sgarrison@vomny.org>; Kevin Vallès <valleskevin@gmail.com>

**Cc:** Frank Tivolacci <ftivolacci@vomny.org>; maddy@209capital.com <maddy@209capital.com>; Adrienne Merheb <am@cardelloarchitects.com>; kwilson@mdw.law <kwilson@mdw.law>; Mary E. Desmond <MDesmond@Abramslaw.com>

**Subject:** RE: Time for call 1011 Grecean

Okay I understand that makes sense

Thank You,  
David A. LaPierre, RA, AIA  
Principal



CARDELLO  
ARCHITECTS

O. 203.853.2524

60 Post Road W  
Westport, CT 06880

6 West Putnam Ave  
Greenwich, CT 06830



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**From:** Samuel Harrison <[sgharrison@vomny.org](mailto:sgharrison@vomny.org)>  
**Sent:** Tuesday, January 14, 2025 12:09 PM  
**To:** David LaPierre <[dl@cardelloarchitects.com](mailto:dl@cardelloarchitects.com)>; Kevin Vallès <[valleskevin@gmail.com](mailto:valleskevin@gmail.com)>  
**Cc:** Frank Tavoracci <[ftavoracci@vomny.org](mailto:ftavoracci@vomny.org)>; maddy@209capital.com; Adrienne Merheb <[am@cardelloarchitects.com](mailto:am@cardelloarchitects.com)>; [kwilson@mdw.law](mailto:kwilson@mdw.law); Mary E. Desmond <[MDesmond@Abramslaw.com](mailto:MDesmond@Abramslaw.com)>  
**Subject:** RE: Time for call 1011 Grecean

I think it would be prudent for us to wait for Frank. He is the decision maker on our end, not me.

**Sam Harrison**  
Acting Assistant Building Inspector



**Village of Mamaroneck**  
169 Mount Pleasant Avenue  
Mamaroneck, NY 10543

**From:** David LaPierre <[dl@cardelloarchitects.com](mailto:dl@cardelloarchitects.com)>  
**Sent:** Tuesday, January 14, 2025 12:07 PM  
**To:** Samuel Harrison <[sgharrison@vomny.org](mailto:sgharrison@vomny.org)>; Kevin Vallès <[valleskevin@gmail.com](mailto:valleskevin@gmail.com)>  
**Cc:** Frank Tavoracci <[ftavoracci@vomny.org](mailto:ftavoracci@vomny.org)>; maddy@209capital.com; Adrienne Merheb <[am@cardelloarchitects.com](mailto:am@cardelloarchitects.com)>; [kwilson@mdw.law](mailto:kwilson@mdw.law); Mary E. Desmond <[MDesmond@Abramslaw.com](mailto:MDesmond@Abramslaw.com)>  
**Subject:** RE: Time for call 1011 Grecean

Thanks Sam – should we wait for him or is this something we can review with you?

Thank You,  
David A. LaPierre, RA, AIA  
Principal



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ARCHITECTS

O. 203.853.2524

60 Post Road W  
Westport, CT 06880

6 West Putnam Ave  
Greenwich, CT 06830



[cardelloarchitects.com](http://cardelloarchitects.com)

**From:** Samuel Harrison <[sgarrison@vomny.org](mailto:sgarrison@vomny.org)>

**Sent:** Tuesday, January 14, 2025 11:36 AM

**To:** Kevin Vallès <[valleskevin@gmail.com](mailto:valleskevin@gmail.com)>; David LaPierre  
<[dl@cardelloarchitects.com](mailto:dl@cardelloarchitects.com)>

**Cc:** Frank Tavalacci <[ftavalacci@vomny.org](mailto:ftavalacci@vomny.org)>; [maddy@209capital.com](mailto:maddy@209capital.com); Adrienne  
Merheb <[am@cardelloarchitects.com](mailto:am@cardelloarchitects.com)>; [kwilson@mdw.law](mailto:kwilson@mdw.law); Mary E. Desmond  
<[MDesmond@Abramslaw.com](mailto:MDesmond@Abramslaw.com)>

**Subject:** RE: Time for call 1011 Grecean

Good morning,

Frank is out of the office today and returns tomorrow morning.

Thanks,

**Sam Harrison**

Acting Assistant Building Inspector



**Village of Mamaroneck**

169 Mount Pleasant Avenue  
Mamaroneck, NY 10543

**From:** Kevin Vallès <[valleskevin@gmail.com](mailto:valleskevin@gmail.com)>

**Sent:** Tuesday, January 14, 2025 11:20 AM



**To:** David LaPierre <[dl@cardelloarchitects.com](mailto:dl@cardelloarchitects.com)>  
**Cc:** Frank Tavalacci <[ftavalacci@vomny.org](mailto:ftavalacci@vomny.org)>; maddy@209capital.com; Adrienne Merheb <[am@cardelloarchitects.com](mailto:am@cardelloarchitects.com)>; kwilson@mdw.law; Mary E. Desmond <[mdesmond@abramslaw.com](mailto:mdesmond@abramslaw.com)>; Samuel Harrison <[sgarrison@vomny.org](mailto:sgarrison@vomny.org)>  
**Subject:** Re: Time for call 1011 Grecean

Looping in Mary and Sam for visibility

On Tue, Jan 14, 2025 at 10:45 AM David LaPierre <[dl@cardelloarchitects.com](mailto:dl@cardelloarchitects.com)> wrote:

Frank

Whats the best time for a quick call today. We have a modified grade plan concept and modified wall design to review with you.

Thank You,  
David A LaPierre, RA, AIA  
Principal



O. 203.853.2524

60 Post Road W  
Westport, CT 06880

6 West Putnam Ave  
Greenwich, CT 06830



[cardelloarchitects.com](http://cardelloarchitects.com)

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**CARDELLO  
ARCHITECTS**

To: Village of Mamaroneck- Building department

From: David LaPierre, AIA

Cardello Architects (CA)

Date of Distribution: 01.03.2025

Re: Consistency Corrections to Permit Package to Align w/Planning Board-Approved Submittal

I would like to apologize for the confusion with the house placement. It was never our intention to move the house relative to the various land use board submittals; the Building Permit submittal should have matched the Planning Board submittal. There was an internal miscommunication/error that resulted in the house being misrepresented on the civil plans (primarily it being 'slid toward the rear lot line) on the various plans by approximately 4.5'). Corrections have been made to re-align with the intended (and previously-approved) plans, including 'sliding the house back towards the road' as intended. Further it has been brought to our attention that the civil plans had a number of numerical discrepancies – none of which have any impact on the project's compliance with VOM zoning codes; these are addressed below and identified in the attached graphic. The Zoning Compliance Table has also been updated to align with the clarifications. We apologize for any inconvenience.

Clarifications/Consistency (previously-submitted plans vs Corrected January 2, 2025 Civil Set)

Item #:	Description	Resolution	Result
1.	Northern minimum setback presented incorrectly in land use board docs as 15'	Corrected to 20'	Compliant w/ code
2.	Northern dimension was incorrect in PB doc	Corrected from 28.2' to 21'-3 ¼" (no change to 'true' dimension)	Compliant w/ code
3.	Eastern distance to road 35.4' in Building Permit set due to slide	Corrected to 30'-10" (post-slide, consistent w/ PB)	Compliant w/ code
4.	Eastern plant bed dimension 16.1' in Building Permit set due to side	Corrected to 11'-1 ½" (post-slide, consistent w/ PB)	Compliant w/ code
5.	Southern curb of driveway 5.2' in Building Permit set	Corrected to 5'-0" (consistent w/ PB)	Compliant w/ code
6.	Southern dimension was incorrect In PB doc	Corrected from 34.1' to 28'-11 3/4" (no change to 'true' dimension)	Compliant w/code
7.	Three condensers presented on south side in Building Permit Set	Corrected to four (consistent w/ PB)	Compliant w/code

Please also refer to the updated Zoning Compliance Table with further information, noting the below clarifications.

- a. As requested, calculations are presented using feet-inches versus decimals.
- b. Lot frontage
  - a. Requirement corrected from 25' to 100'. Property is compliant at 138'-8 ¼" wide.
- c. Lesser side yard
  - a. Requirement corrected from 15' to 20'
  - b. Proposed corrected from 28.2' to 21'-3 ¼".
- d. Rear Yard
  - a. Proposed corrected from 153'-8 ¾" to 189'
- e. Combined Side Yard
  - a. Proposed corrected from 62'-3" to 50'-3"
- f. Accessory structure (Pool) setback to rear lot line
  - a. Proposed corrected from 108'-10 ¼" to 141'

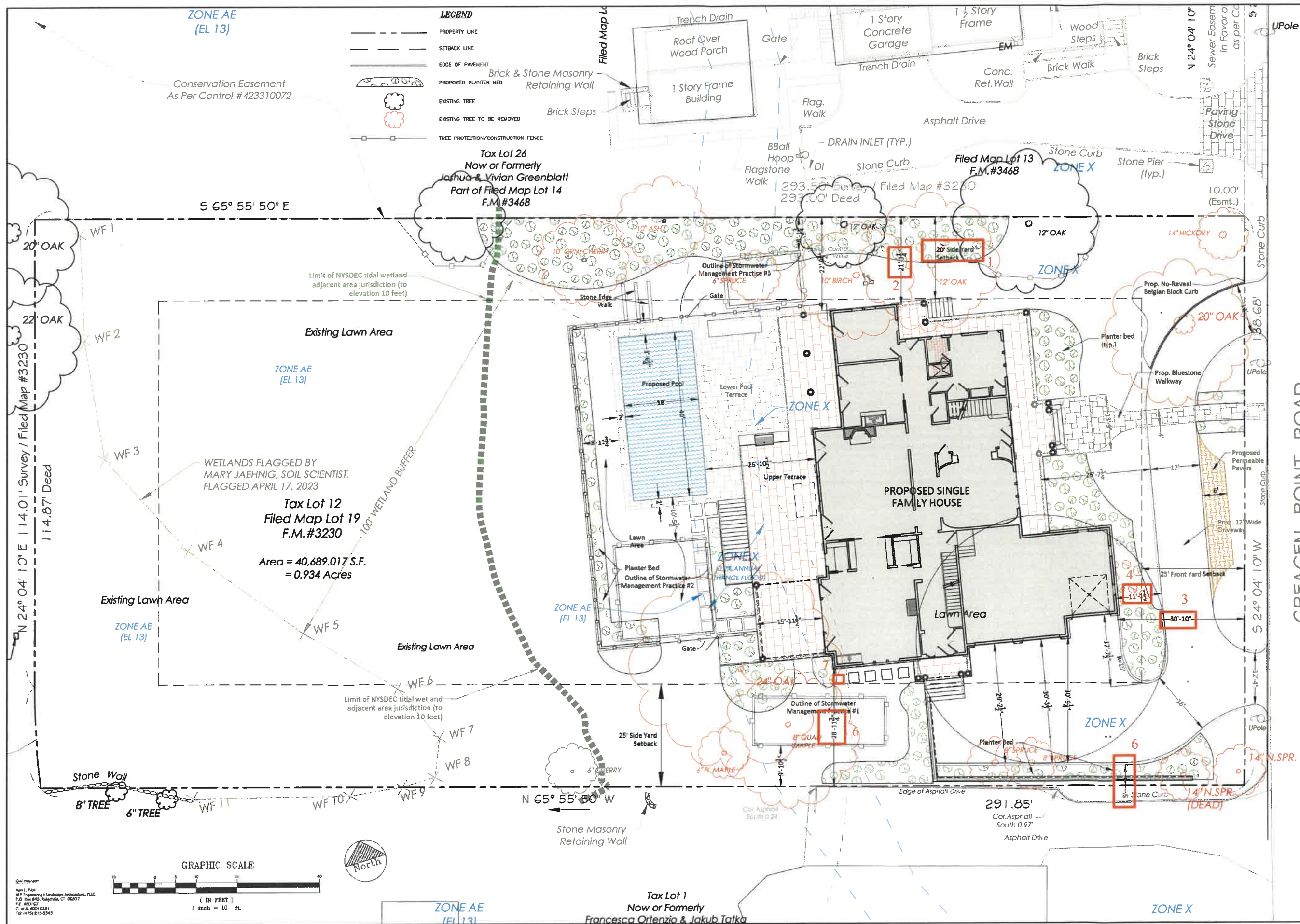
Thank you for your attention to these matters, should you need any further clarification or have questions our team will make themselves available.


Best Regards,



David LaPierre, AIA  
Cardello Architects





<b>CONSULTANTS:</b> <b>ARCHITECT:</b> Cedeillo Architects 60 Paul Road West Westport, CT 06880 Tel: (203) 665-2524  <b>SURVEYOR:</b> TC Merritts Land Surveyors 384 Bedford Road Painesville, NY 10570 Tel: (814) 769-6003													
<b>ISSUED:</b> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; padding: 2px;">Rev. as per Ping Bd, HC2MC &amp; VIL consultant comments</td> <td style="width: 40%; padding: 2px; text-align: right;">05/27/2024</td> </tr> <tr> <td style="padding: 2px;">Rev. as per Ping Bd, HC2MC &amp; VIL consultant comments</td> <td style="padding: 2px; text-align: right;">06/24/2024</td> </tr> <tr> <td style="padding: 2px;">Updated for construction</td> <td style="padding: 2px; text-align: right;">09/25/2024</td> </tr> <tr> <td style="padding: 2px;">Updated as per Village</td> <td style="padding: 2px; text-align: right;">11/07/2024</td> </tr> <tr> <td style="padding: 2px;">Resubmission to Village</td> <td style="padding: 2px; text-align: right;">11/21/2024</td> </tr> <tr> <td style="padding: 2px;">Updated as per Village</td> <td style="padding: 2px; text-align: right;">01/02/2025</td> </tr> </table>		Rev. as per Ping Bd, HC2MC & VIL consultant comments	05/27/2024	Rev. as per Ping Bd, HC2MC & VIL consultant comments	06/24/2024	Updated for construction	09/25/2024	Updated as per Village	11/07/2024	Resubmission to Village	11/21/2024	Updated as per Village	01/02/2025
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<b>OWNERSHIP AND LINE OF DOCUMENTS</b>  UNAUTHORIZED ALTERATIONS AND ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7208(2) OF THE NEW YORK STATE EDUCATION LAW.  No part of these drawings shall be copied, duplicated or altered or used in connection with any work or project other than for which they have been prepared without the express written consent of the licensed professional who prepared the document.													
<b>SEAL:</b>  <div style="text-align: center;">  </div>													
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <b>PROJECT NAME:</b>  <b>VALLES-MOELIS PROPERTY</b>          1011 Greenscen Point Road          Village of Mamaroneck, New York           SBL: 9-49-12 &amp; 9-49-230       </div> <div style="width: 45%; text-align: right;"> <b>ENGINEER &amp; LANDSCAPE ARCHITECT:</b>  <b>ALP ENGINEERING</b>          &amp; LANDSCAPE ARCHITECTURE, PLLC           P.O. Box #43 Ridgefield, CT 06477          Direct Tel: (975) 215-5343 Cell (203) 710-0387       </div> </div>													
<b>Drawing Title:</b> <div style="text-align: center; font-size: 1.2em; font-weight: bold;">       Site Layout Plan     </div>													
<b>Date:</b> April 12, 2024													
<b>Dwn. by:</b> alp													
<b>ID:</b> 1011 Greenscen Pt Rd_Site_C12-30-2024													
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# ZONING COMPLIANCE TABLE

## ONE- AND TWO-FAMILY RESIDENCES

(New Construction and Additions)

ZONE: R-20

Submitted to ZBA for 03/07/2024 by  
Cardello Architects, stamped below

Notes: Information must be based on definitions in the current Zoning Law of the Village of Mamaroneck. If not applicable, leave box blank. Check box in far-right column if variance is required (even if already approved by the ZBA).

	Existing	Required/ Permitted	Proposed	Variance Required
<b>LOT INFORMATION</b> Item # from David LaPierre "Consistency correction letter" 01.03.2025				
Lot Area (sf)	40,689.017	20,000	40,689.017	n/a
Lot Frontage (ft) Item b.	vacant lot	25' 100'	30.8' 138'-8 1/4"	n/a
Yard Setbacks (ft):	vacant lot	--	--	--
Front Yard Item 3.	vacant lot	25'	30.8' 30'-10"	n/a
Rear Yard Item d.	vacant lot	30'	153'-8-3/4" 189'	n/a
Lesser Side Yard Items 1/2/c.	vacant lot	15' 20'	28.2' 21'-3 1/4"	n/a
Combined Side Yard Item e.	vacant lot	45'	62'-3" 50'-3"	n/a
Side Yard Adjoining Street	vacant lot	n/a	n/a	n/a
<b>PRINCIPAL BUILDING INFORMATION</b>				
Gross Floor Area (sf)	vacant lot	10,986.03	11,966	yes
Building Height:	vacant lot	35'	31'-8"	n/a
Stories	vacant lot	2-1/2	2-1/2	n/a
Height to Principal Eave (ft)	vacant lot	35'	26'-0" (from avg.)	n/a
Height to Highest Roof Ridge (ft)	vacant lot	35'	37'-4"	n/a
<b>ACCESSORY STRUCTURES</b>				
<b>Detached Garage</b>				
Setbacks:	n/a	n/a	n/a	n/a
To Principal Building	n/a	n/a	n/a	n/a
To Side Lot Line	n/a	n/a	n/a	n/a
To Rear Lot Line	n/a	n/a	n/a	n/a
Building Height:	n/a	n/a	n/a	n/a
Height to Principal Eave (ft)	n/a	n/a	n/a	n/a
Height to Highest Ridge (ft)	n/a	n/a	n/a	n/a
<b>Other Accessory Structure</b> (indicate type of structure – shed, pool, etc.)				
Setbacks:	--	--	--	--
To Principal Building	vacant lot	--	26'-10.5"	--
To Side Lot Line	vacant lot	15'	27'-4-1/2"	n/a
To Rear Lot Line Item f.	vacant lot	30'	108'-10-1/4" 11'	n/a
Building Height:	--	--	--	--
Height to Principal Eave (ft)	n/a	n/a	n/a	n/a
Height to Highest Ridge (ft)	n/a	n/a	n/a	n/a
<b>BUILDING COVERAGE</b>				
Principal Building Coverage (sf)	vacant lot	14,241.16	4,258	n/a
Principal Building Coverage (%)		35%	10.46%	n/a
Accessory Building Coverage (sf)	vacant lot	0	0	0
Accessory Building Coverage (%)	vacant lot	0	0	0
<b>IMPERVIOUS SURFACE COVERAGE</b>				
Impervious Surface Coverage (sf)	vacant lot	14,241.16	6,758	n/a
Impervious Surface Coverage both (%)	vacant lot	35%	27.07%	n/a

