



To: Mayor Torres and Members of the Village Board of Trustees

From: Dan Natchez, President of the Shore Acres Property Association (SAPOA)

RE: Formal Opposition to the MARINER Food Establishment Proposal – Harbor Island

Date: January 25, 2026

This email is being filed representing SAPOA's Board which has 224 property owner members.

We suggest that the proposal currently before the Village website for the MARINER 'food establishment' on Harbor Island on or next to the beach is premature, at best, is in violation of Federal and Village laws, and is ill conceived.

Whether one is for or against a Food Establishment on Harbor Island, there are significant issues with the proposal that is slated to be approved this coming Monday night. The proposal has barely been vetted in the public. Regardless of one's position, the Village Board seems to have already made the decision to have a 'food establishment' on Harbor Island and to move ahead to implement the specific MARINER proposal. This proposal is not well thought out nor compliant with law and has unintended consequences with particular regard to the residents of Shore Acres and Orienta.

We urge the Board not to proceed as presently proposed for the following reasons:

VIOLATION OF LAWS

- The proposed structures are "Semi-Permanent Containers – Modular, anchored" would be in a VE 14 VELOCITY FEMA ZONE and would violate the associated regulations *which the Village is charged to enforce*. Simply stated the bottom of the structural members- (bottom of the modular containers) would have to be two feet above elevation 14 (more than a half story higher than beach or adjacent ground level).

This community has already experienced the *disastrous effects* of the Village placing containers next to the water in a FEMA Zone which were then swept away in a flood creating damage and blocking the river flow.

If any private property owner or lessee would propose the MARINER approach, they would be denied by our land use boards and the building department.

- The proposal would not be ADA compliant
- The approach to the location and installation of the anchored modular containers violates the Village 's Local Waterfront Revitalization Program.

- It is also believed that it would require a NYS Department of Environmental Conservation permit as it is within the adjacent wetland buffer area.
- Village law prohibits bringing food into the harbor and picnicking.
- Village Law prohibits alcohol on Harbor Island.
- The Village is bypassing going through the Land Use Boards or even soliciting their advice.

EXCESSIVE NOISE AND COMMUNITY DISRUPTION

- A major concern for the residents of Shore Acres and Orienta is the proposed outdoor live music schedule.
- Late Night Disturbance: The proposal includes live outdoor music three days a week until 10:00 PM. This venue is directly across the water from Shore Acres Drive and other streets, where many families with young children reside. Sound carries significantly over open water, making outdoor live music far more intrusive than a land-locked venue.
- This will also adversely affect residences in Orienta
- Inconsistent Standards: The Village currently restricts the Shore Acres Point Corporation's clubhouse to no noise after 9:00 PM with zero exceptions. It is unreasonable to allow a commercial entity to operate with louder, outdoor music for longer hours than the closest venue is permitted.

PUBLIC SAFETY AND INCREASED TRAFFIC

- Residential Safety: The influx of patrons consuming alcohol at this location will increase traffic creating a direct safety hazard for children, families and pedestrians, due to its close location to the playground, soccer, tennis, and boating facilities as well as those passively enjoying the park.
- Insufficient Vetting: The community has not been presented with a clear plan on how the Village intends to monitor alcohol consumption and ensure the safety of the surrounding neighborhoods. Simply stating that the MARINER staff will prevent the taking of alcoholic beverages away from the immediate area, or will monitor consumption is insufficient. The staff would have no legal authority to do so, and without a new law which could impose such a limitation, there could be no enforcement by Village authorized staff.

ENVIRONMENTAL and LICENSE AGREEMENT TERM SHEET,

- Debris: So-called biodegradable cups and food containers are easily blown elsewhere including into the harbor with just light breeze. They don't biodegrade overnight, rather we will see them washing up on our beautiful beaches for years to come.
- ANCHORING: The proposal also calls for digging up a portion of the beach and installing rock as a foundation for the anchored modular containers. This means losing part of the beach in the area that is the most used. The use of the proposed helix screw anchors would

require cables or other line attachments to the ‘modular containers’ that would have to be affixed at higher than ground level to the container, creating potential trip hazards.

- The Marinar has proposed providing on site prepared gourmet food. It is believed that would require a full kitchen. How are the utilities going to be provided without permanently disturbing and altering the pavilion and the beach?
- There is nothing that talks about what happens after one year if the Village or the Mariner decides they do not wish to continue. Who restores the beach and other alterations?
- Our Village is fortunate to have many restaurants which attract people to dine here. The Village is trying to create additional approaches for bringing people to the Village, and is spending money to ‘beautify’ portions of Mamaroneck Avenue. The irony of the pending proposal is that it creates competition to the local restaurants, which are still struggling to recover from the pandemic and other inflationary issues.

The Village needs to lead by example -not do as I say but not as I do .

It should also be pointed out that many people who are interested in the proposal before your Board could not find the link to the virtual meeting . If one goes to the Village website and clicks on agendas for board meetings or on the first page of the website announcing the agenda and that the meeting is virtual – there is NO link to join the meeting. The link can be found in the WINTER WEATHER ALERT posting about half way down that screen’s information. And then if you click on it you cannot join unless you have an account with the Village. Not the best way to encourage public participation.

Thank you for your consideration.

Respectfully,

Dan Natchez
President,
Shore Acres Property Owners Association