



**TOWN OF MAMARONECK - VILLAGE OF LARCHMONT
COASTAL ZONE MANAGEMENT COMMISSION**

Monday, May 20, 2019

**7:30 PM, Mamaroneck Town Center, 1st Floor - Conference Room D, 740 W.
Boston Post Road, Mamaroneck, NY 10543**

Approval of Minutes

Agenda Items

1. 22 Winged Foot Drive

Old Business

New Business

Meeting Adjournment

Any physically handicapped person needing special assistance in order to attend the meeting should call the Town Administrator's office at 381-7810.

**Town of Mamaroneck - Village of Larchmont
Coastal Assessment Form (CAF)**

Applicants, or the appropriate municipal agency, shall complete this Coastal Assessment Form (CAF) for proposed actions which are subject to Local Consistency Review (see Waterfront Revitalization Law §§234-1 through 234-5 in the Code of the Town of Mamaroneck and §§292-1 through 292-4 in the Code of the Village of Larchmont). This assessment is intended to supplement other information used by the Bi-Municipal Coastal Zone Management Commission in making a determination of consistency with the Town of Mamaroneck and Village of Larchmont Local Waterfront Revitalization Program.

Upon completion of this form, it should be submitted as part of a complete application package for review. If assistance or further information is required for Town of Mamaroneck matters, please contact the Town of Mamaroneck Environmental Planner at (914) 381-7845. For Village of Larchmont matters, please contact the Village of Larchmont Building Inspector at (914) 834-6210.

PLEASE PRINT OR TYPE ALL ANSWERS.

A. GENERAL INFORMATION

Will the proposed action be undertaken by a municipal agency? Yes [] No [☒]

If yes, please list agency or agencies and contact person(s): _____

If no, please complete the applicant information:

Name of Applicant: Jonathan + Pamela Weinberg
Street Address: 22 Winged Foot Dr.
City, State, Zip: Larchmont, NY 10538
Phone: 917-579-8799 Fax: _____ Email: JRW Weinberg@yahoo.com

Location and ownership of property for which action is proposed:

Section: R-20 Block: 4 Lot: 300
Owner of Property: Jonathan + Pamela Weinberg
Street Address: 22 Winged Foot Dr.
City, State, Zip: Larchmont, NY 10538
Phone: 917-579-8799 Fax: _____ Email: JRW Weinberg@yahoo.com

Size of property (square feet): 22,777.58 Is the property now developed? Yes [☒] No []

Will project require a zoning variance? Yes [] No [☒]

If yes, briefly describe: Single family Residence and Yard

Describe any unique/unusual landforms on the project site (rock outcroppings, swales, etc.):

None

Percentage of site which contains slopes of 25% or greater: +/- 15%

Are there streams, lakes, ponds or wetlands existing within or contiguous to the project area?

If so, describe (name, size, characteristics): Wetland system offsite on leather stocking trail. 100' wetland buffer extends onto property.

Will the action require approval by a state or federal agency? Yes [] No [☒]

If yes, specify which state or federal agency and attach a copy of pending application and any relevant information and/or documentation to this form: _____

B. DESCRIPTION OF SITE AND PROPOSED ACTION

Provide a written description of the nature and the extent of the proposed action. Attach plans or additional information as necessary and/or required by application procedures.

Please see attached wetland permit application materials filed with the Planning Board.

C. COASTAL ASSESSMENT

Check either "Yes" or "No" for each of the following questions:

1. Will the proposed action be located in, or contiguous to, or have a **potentially adverse effect** upon any of the following designated resource areas?

	Yes	No	Maybe
a. Significant fish or wildlife habitat or designated critical environmental area	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Scenic resources of local significance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Natural protective features in an erosion hazard area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

NOTE: If the answer to any of the above questions is "Yes", please explain in Section D any measures which will be undertaken to mitigate the adverse effects.

2. Will the proposed action have a **significant effect** upon:

	Yes	No	Maybe
a. Commercial or recreational use of fish and wildlife resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Scenic quality of the coastal environment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Development of future, or existing water dependent uses	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Land or water uses within a small harbor area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Stability of the shoreline	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Surface or groundwater quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Existing or potential public recreation opportunities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Structures, sites or districts of historic, archeological or cultural significance to the local area, state or nation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3. Will the proposed action **involve or result in** any of the following:

	Yes	No	Maybe
a. Physical alteration of land along the shoreline, land underwater or coastal waters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Expansion of existing public services or infrastructure in or near undeveloped or low density areas of the coastal area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Filling, dredging, excavation or mining in coastal waters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Reduction of existing or potential public access to or along the shore	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Development within a designated flood or erosion hazard area	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Development of a natural feature that protects against flooding or erosion	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Replacement of eroded sand or soil	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Construction or reconstruction of erosion protective structures	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Any change in surface or groundwater quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Removal of trees from the site	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Project details:

	Yes	No	Maybe
a. If the project is to be located adjacent to the shore:			
1. Does the project require a waterfront site in order to function	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will water-related recreation be provided	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will public access to shore or state owned underwater lands be provided	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will it replace a recreational or maritime use	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Do essential public services and facilities presently exist at or near the site	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- Please explain any of the above answers that may need further clarification in Section D.**

D. COMMENTS AND ADDITIONAL EXPLANATION: (continue on back if necessary)

Please see attached responses to items:
1A, 1B, 2F, 3E, 3i, 3J, 4A, 4G, 4i

WEINBERG RESPONSES TO THE COASTAL ASSESSMENT FORM (CAF)

1. Re: 1a & 1b – Potential Impact on a Critical Environmental Area and a Resource of Local Significance

- a) The subject property backs up to and is adjacent to the Leather Stocking Trail (LST) Open Space Preserve, which has been designated as a Critical Environmental Area (CEA) by the Town of Mamaroneck. The subject property is not, however, a CEA. An offsite wetland system is located in this part of the LST and the wetland buffer extends onto the subject property. Therefore, it is important that careful protection to the wetland system on the LST property is in place. This project proposes to protect and improve the wetland buffer (on the subject property) to the LST by removing previously placed yard debris including clippings, branches, etc. within the wetland buffer and also remove invasive species in the wetland buffer and then replant the area with appropriate native species to increase wildlife habitat and foraging opportunities on the property, increase plant species diversity on the subject property and increase the filtration of stormwater flows draining from the property toward the wetland on the LST property. Here, the new plantings, combined with the proposed pervious retaining wall will effectively act to slow down and filter stormwater runoff of pollutants before flows reach the wetland, thereby providing a measure of water quality maintenance and improvements to storm flows entering the wetland.
- b) The LST is of local significance because it serves as a highly functional and attractive passive recreational feature to residents in the form of walking, hiking and biking trails. This project will not affect the functionality of the LST in any way.

2.f Re: Potential Effect on Surface Water Quality

As described above, the combination of the proposed new wetland buffer enhancement plantings, along with the new retaining wall will serve to improve the quality of the water runoff currently flowing to the wetland system on the LST. In the existing condition, surface water runs off of the sloping lawn directly into the wetland buffer and offsite wetlands on the LST. In the proposed condition, the drainage pattern remains the same, but the slope of the lawn is decreased, which will slow runoff towards the wetlands. In addition, the new segmented block retaining wall is equipped with a gravel infiltration trench behind the wall to encourage storm flows travelling toward the wall to be intercepted by the wall and gravel trench, which encourages stormwater infiltration into the soils. Also, the removal of the decaying organic debris from the wooded wetland buffer (placed there by the previous owner) will decrease excessive nutrients being leached into the wetland system. The proposed native mitigation plantings will also serve as a vegetative filter strip between the subject property and wetlands on the LST property. Thus, we believe that this project will provide an enhanced wetland buffer system to the wetlands on the LST.

3.c Re: Potential Impact to a Flood Zone, Changes in Water Quality and Removal of Trees

The offsite wetland system on the LST is likely a Flood Zone Area, given its low position in the landscape. The subject property is not, however, located in a Flood Zone. This project creates no new impervious areas, so there will be no increase in the volume of

stormwater runoff entering the wetland system on the LST. However, because it is proposed to lessen the gradient in the backyard of the subject property and add a retaining wall with a gravel infiltration interceptor trench behind it, we believe that the rate of storm flows leaving the property will be reduced, thereby lessening the effects of flooding in the wetland system on the LST. Surface water quality will be enhanced by this project and has been discussed in item #2.

3.j Re: Removal of Trees

There is one 28" oak tree in poor and dangerous condition that will be removed as part of this application. The tree is leaning toward the house and represents a safety hazard.

4.b Re: Flood Prone Area

See response to item #3c, above.

4.g Re: Potential Impact on Wetlands


There are no wetlands on the subject property that will be impacted. Rather, the wetland is approximately 33' (south?) of the rear property line and, therefore, the proposed work occurs between 33' and 100' of the wetland on the LST property. As described above, we do not believe that there will be a negative impact on the wetland system on the LST, but rather, as a result of the project the current wetland buffer to the subject offsite wetland will be enhanced and improved.

4.i Re: Practice of Best Management Practices (BMP)

All work associated with this project will adhere to the standards and principals of the Westchester County Best Management Practices for Sediment & Erosion Control.

I certify that I am the above described applicant and that the information contained on this form and on the attached survey/site plan(s) is(are) accurate to the best of my knowledge.

Date: May 10 2019



Signature of Applicant

Prepared by: (if different than the applicant)

Name and Title: Jeri Barrett, Landscape Architect
Agency/Company: J.D. Barrett & Associates, LLC
Street Address: 109 Spout Hill Rd.
City, State, Zip: Easton CT 06612
Phone: (203) 372-5805 Fax: (203) 372-0499 Email: jeri@jdbarrett.com

I certify that I prepared this Coastal Assessment Form for the above described applicant and that the information contained on this form and on the attached survey/site plan(s) is(are) accurate to the best of my knowledge.

Date: 5.10.19 20


Signature of Preparer

REVISED 2/1/18

Town of Mamaroneck
 Building Department
 740 West Boston Post Road
 Mamaroneck, New York 10543
 (914) 381-7830

Application for Appearance Before the Planning Board

FOR OFFICE USE ONLY:

Type of Application: _____
 Case No.: _____ Fees Paid: _____
 Date(s) of Staff Meeting(s) and/or Pre-submission Conference(s): _____
 Date(s) of Hearing(s): _____
 Action Taken: _____ Date of Action: _____

TO THE TOWN OF MAMRONECK PLANNING BOARD:

The undersigned hereby applies for a Wetland Permit

for the use (or continued use) of property ("Property") in the Unincorporated Section of the Town of Mamaroneck, as shown on the attached documents:

Property Information:

Street
 Address: 22 Winged Foot Drive
 Zoning Designation: R-20 Tax Block: 4
 Lot: 300
 Present use of
 Property: Single Family Residence
 Proposed use of
 Property: Single Family Residence

Property Owner Information:

Name: Jonathan & Pamela Weinberg
 Mailing
 Address: 22 Winged Foot Dr. Larchmont, NY 10538
 Email: jrweinberg@yahoo.com

Phone
Number:

917-579-8799

Applicant Information (If not the Property Owner):

Name:

Mailing
Address:

Email:

Phone
Number:

If the Applicant is not the owner attach Property Owner's signed authorization for this Application.

Applicant's Representative and Consultant Information (complete as applicable):

Landscape
Architect:

Name:

Jeri Barrett, RLA JD Barrett & Associates, LLC

Mailing
Address:

109 Sport Hill Rd, Easton, CT 06612

Email:

jeri@jdbarrett.com

Phone
Number:

203-372-5805

Engineer:

Name:

Mailing
Address:

Email:

Phone
Number:

Surveyor:

Name:

Thomas C. Merritts Land Surveyors, P.C.

Mailing

Address:

394 Bedford Rd Pleasantville, NY 10570

Email:

Phone

Number:

914 - 769 - 8003

Attorney:

Name:

Mailing

Address:

Email:

Phone

Number:

Reasons for Application:

This Application is submitted for the following reasons:

Proposed importation of fill in backyard to be supported by low retaining wall in order to provide expanded level playing area for homeowners' children. Work occurs within regulated wetland buffer.

Name of each Town official, employee or member of the Planning or Zoning Board with a financial interest in the Property and/or this Application: NA

THIS APPLICATION IS TO BE SUBMITTED WITH ALL THE APPLICABLE MATERIALS REFERENCED ON THE APPLICABLE CHECKLIST(S) AND WITH ALL OTHER MATERIALS, IF ANY, REQUIRED BY ALL APPLICABLE STATUTES.

TWELVE (12) SETS OF COMPLETE AND ACCURATE PLANS AND MATERIALS, AS REQUIRED BY THE APPLICABLE STATUTES, MUST ACCOMPANY THIS APPLICATION.

FIRST AMERICAN TITLE INSURANCE COMPANY

Title No. 675-W-4343

SCHEDULE A

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Mamaroneck, County of Westchester and State of New York, known and designated as a portion of Lot No. 45 as shown on a certain map entitled "Map of Property belonging to Fenimore-Cooper Park, Inc., Section G, Town of Mamaroneck, Westchester County, N.Y.", dated January 27, 1925, made by John M. Farley, C.E. and filed in the Westchester County Clerk's Office, Division of Land Records, formerly Register's Office of Westchester County as Map No. 2804, and which portion of lot is more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Winged Foot Drive distant 726.40 feet southerly along the said easterly side of Winged Foot Drive from the southerly end of a curve with a radius of 20 feet connecting the southerly side of Fenimore Road with the easterly side of Winged foot Drive;

RUNNING THENCE on a course South 74 degrees 57' 30" East 125.22 feet to a point;

THENCE South 46 degrees 59' 40" East 142.91 feet (143.91 feet per survey) to a point on the northwesterly side of Cross County Parkway;

THENCE along the northwesterly side of Cross County Parkway, in a southwesterly direction on a curve to the left with a radius of 1600.00 feet, a distance of 95.00 feet to a point;

THENCE North 66 degrees 29' 36" West 187.26 feet to a point on the easterly side of Winged Foot Drive;

RUNNING THENCE along the easterly side of Winged Foot Drive, in a northerly direction on a curve to the left with a radius of 167.04 feet, a distance of 100.00 feet to the point or place of BEGINNING.

TOGETHER with an Easement 10 feet in width along the southeasterly side of Lot No. 7 on Map No. 11343 for Sanitary Sewer purposes, as recited in Liber 5830 page 289 and as limited and defined by Agreement in Liber 11693 page 186.

FOR CONVEYANCING ONLY

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

TOGETHER with all the right, title and interest of the party of the first party, of, in and to the land lying in the street in front of and adjoining said premises.

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 30th day of July, 2015

BETWEEN

David O. Strauss and Karen F. Strauss, residing at 22 Winged Foot Drive, Larchmont, New York 10538

party of the first part, and

Jonathan R. Weinberg and Pamela B. Weinberg, Husband and Wife, residing at 19 Mohegan Road, Larchmont, New York 10538

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Mamaroneck, County of Westchester, State of New York, more particularly described in:

See Schedule "A" attached hereto and made a part hereof.

Being and intending to be the same Premises conveyed to Grantors by Deed dated 7/26/1999 recorded on 1/24/2000 in the Westchester County Clerk's Office in Control Number 993620349.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all premise herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The work "party" shall be construed as if it read "parties" when ever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


David O. Strauss


Karen F. Strauss

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE

State of New York, County of Westchester) ss:
On the 30th day of July in the year 2015 before me,
the undersigned, personally appeared

David O. Strauss

personally known to me or proved to me on the basis
of satisfactory evidence to be the individual(s) whose
name(s) is (are) subscribed to the within instrument
and acknowledged to me that he/she/they executed
the same in his/her/their capacity(ies), and that by
his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the
individual(s) acted, executed the instrument.

State of New York, County of Westchester) ss:
On the 30th day of July in the year 2015 before me,
the undersigned, personally appeared

Karen F. Strauss

personally known to me or proved to me on the basis
of satisfactory evidence to be the individual(s) whose
name(s) is (are) subscribed to the within instrument
and acknowledged to me that he/she/they executed
the same in his/her/their capacity(ies), and that by
his/her/their signature(s) on the instrument, the
individual(s), or the person upon behalf of which the
individual(s) acted, executed the instrument.

(signature and office of individual taking acknowledgment)

RONALD J. DAMICO

Notary Public, State of New York

No. 01DA4924153

Qualified in Westchester County

Commission Expires August 22, 2018

(signature and office of individual taking acknowledgment)

RONALD J. DAMICO

Notary Public, State of New York

No. 01DA4924153

Qualified in Westchester County

Commission Expires August 22, 2018

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State of _____; County of _____ ss:

On the _____ day of _____, _____ before me, the undersigned, personally appeared _____
personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed
to the within instrument and acknowledged to me that she/they executed the same in her capacity, and that by her signature
on the instrument, the individual, or the person upon behalf of which the individual acted, Executed the instrument, and that
such individual made such appearance before the undersigned in _____

(signature and office of individual taking acknowledgment)

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACT

Title No. _____

Strauss

TO

Weinberg

DISTRICT

SECTION 2

BLOCK 4

LOT 300

COUNTY or TOWN Westchester

STREET ADDRESS

22 Winged Foot Drive

Larchmont, New York 10538

Recorded at Request of

RETURN BY MAIL TO:

Stephen J. M. Brotmann, Esq.

2 Westchester Park drive, Suite 108

White Plains, New York 10604

Reserve this space for use of recording office

CERTIFICATION

**As Secretary of the Zoning Board of Appeals of the Town of Mamaroneck,
I hereby certify that the following is the resolution adopted by the
Zoning Board of Appeals at the meeting held November 30, 2016**

After review, on motion of Irene O'Neill, seconded by Jonathan Sacks the following resolution was proposed and adopted unanimously, 4-0).

Ayes Arthur Wexler, Chairman, Irene O'Neill, Jonathan Sacks, Stephen Marsh

Nays: None

WHEREAS, Pam and Jonathan Weinberg, (the "Applicant") requested a variance for the installation of 3 new air conditioning condenser units on the premises located at 22 Winged Foot Drive and known on the Tax Assessment Map of the Town of Mamaroneck as Block 204, Lot 300; and

WHEREAS, the Building Director declined to issue such permit on the grounds that the plans submitted failed to comply with the Town of Mamaroneck Zoning Ordinance (the "Zoning Code") with particular reference to Sections 240-35B(2)(a), 240-35B(2)(b), and 240-69; and

WHEREAS, the Applicant submitted to this Board an application for relief from setback requirements from the Zoning Code; and

WHEREAS, the Board examined the plans, inspected the site, reviewed the application and has heard all persons interested in this application after publication of a notice thereof and a public hearing thereon; and

WHEREAS, this is a Type II action having no significant impact on the environment pursuant to 6NYCRR§ 617 et. seq. and accordingly, no further action under SEQRA is required, and

WHEREAS, the Zoning Board of the town of Mamaroneck makes the following findings as required; and

1. The Board finds that the benefit to the applicant from the granting of the variance outweighs any detriment to the health, safety and welfare of the neighborhood or community. In reaching this conclusion, the Board considered the following factors.

- A. Whether an undesirable change will be produced in the character of the neighborhood or detriment to nearby properties will be created by granting of the variance.

The Board finds that granting the variance will not produce an undesirable change in the character of the neighborhood or detriment to nearby properties because the units are sufficiently far (55 feet) and higher (6 feet) than nearest impacted neighbor. In addition, the Board noted that a fence, berm and plantings provide sound insulation and visually buffer the units.

- B. Whether the benefit sought by the applicant can be achieved by some means feasible to the applicants other than an area variance.

The Board finds that the benefit sought by the applicant cannot be achieved by some method feasible to the applicant not requiring a variance because the proposed location minimizes the impact to neighbors and the only other potential location would be infeasible because it is adjacent to a bedroom.

- C. Whether the area variance is substantial.

The Board finds that the variance is not substantial relative to the large size of the property and the significant distance to the most effected neighbor.

- D. Whether the proposed variance will have an adverse impact on the physical or environmental conditions in the neighborhood.

The Board finds that the variance will not adversely impact the local physical or environmental conditions because the DBA level (60) is low and the homeowner intends to shield the units with evergreens.

- E. Whether the difficulty is self-created.

The Board finds that the difficulty is self-created, but that this factor is not determinative under the circumstances presented.

2. For the reasons stated above, the granting of the variance is in harmony with the general purposes and intent of the Town of Mamaroneck Zoning Ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
3. For reasons stated above, the variance is the minimum necessary to alleviate the difficulty detailed in the application yet also preserves and protects the character of the neighborhood and the health safety and welfare of the community.

NOW, THEREFORE, BE IT

RESOLVED, that the subject application be and the same is GRANTED, subject to the following conditions:

GENERAL CONDITIONS

1. This variance is limited to the construction shown on the submitted plans as conditioned and/or modified in accordance with the direction of the Board as agreed to by the Applicant.

2. The Applicant shall submit plans reflecting any conditions or modifications as above for the review and approval of the Building Inspector prior to the granting of the building permit.
3. The Applicant shall obtain a building permit within (6) months of the filing of this resolution.
4. The building permit shall be void if construction is not started within (6) months.
5. Construction shall be in compliance with the plans submitted in connection with this application, as conditioned or modified pursuant to the direction of the Board.

This decision shall be filed with the Town Clerk as provided in Section 267-a(2) of the Town Law.

Prepared by


Francine M. Brill

Zoning Board of Appeals Secretary

CERTIFICATON

As Secretary of the Zoning Board of Appeals of the Town of Mamaroneck,
I hereby certify that the following is the Resolution adopted by the
Zoning Board of Appeals at the meeting held on July 21, 2015

After review, on motion of Evans Simpson, seconded by Arthur Wexler the following resolution was proposed and ADOPTED unanimously (3-0).

Ayes: Arthur Wexler, Chairman, Evans Simpson, Jeffery King

Nays: None

Absent/Excused: Seth Marcus, Irene O'Neill, Jonathan Sacks, Alternate

WHEREAS, Jonathan and Pam Weinberg, requested a variance to construct a 1 story front addition and a 1 story side kitchen addition and a 1 ½ story rear addition on the premises located at 22 Winged Foot Drive and known on the Tax Assessment Map of the Town of Mamaroneck as Block 204, Lot 300.

WHEREAS, the Building Director declined to issue such permit on the grounds that the plans submitted failed to comply with the Town of Mamaroneck Zoning Ordinance with particular reference to Sections 240-35B(1), 240-35B(2)(b) and 240-69,

WHEREAS, the applicant submitted an application for a variance to this Board for reasons set forth in such application, the addition as proposed has a side yard of 13 feet 8 ½ inches where 15 feet is required; has a total side yard of 29 feet 3 7/8 inches where 40 feet is required, and further the addition increases the extent by which the building is nonconforming for a residence in an R-10 Zone District.

WHEREAS, the Board examined the plans, inspected the site, reviewed the application and has heard all persons interested in this application after publication of a notice thereof and a public hearing thereon.

WHEREAS, this is a Type II action having no significant impact on the environment pursuant to 6NYCRR§ 617 et, seq. and, accordingly, no further action under SEQRA is required; and

WHEREAS, the Zoning Board of the Town of Mamaroneck makes the following findings as required by New York State Town Law §267-b:

1. The Board finds the benefit to the applicant from the granting of the variance outweighs any detriment to the health, safety and welfare of the neighborhood or community. In reaching this conclusion, the Board considered the following factors.
 - A. Whether an undesirable change will be produced in the character of the neighborhood or detriment to nearby properties will be created by granting of the variance.

The Board finds the proposed addition will not produce an undesirable change because it is architecturally consistent with the majority of the proposed expansion and will be within the existing footprint.

- B. Whether the benefit sought by the applicant can be achieved by some method feasible to the applicants other than an area variance.

The Board finds that there is no reasonable alternative because given the slope of the property, there is no feasible way to expand the house to create usable space without a variance.

- C. Whether the area variance is substantial.

The Board finds that the variance is not substantial because on one side the encroachment extends only minimally into the required side yard and on the other side there is no increased encroachment.

- D. Whether the proposed variance will have an adverse impact on the physical or environmental conditions in the neighborhood.

The Board finds that there will be no adverse impact on the physical or environmental conditions of the neighborhood because the increase in bulk and encroachments into the side yards are minimal.

- E. Whether the difficulty is self-created.

The Board finds that the difficulty is self-created, but not determinative under the circumstances presented.

2. For the reasons stated above, the granting of this variance is in harmony with the general purposes and intent of the Town of Mamaroneck Zoning Ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
3. For reasons stated above, the variance is the minimum necessary to alleviate the difficulty detailed in the application yet also preserves and protects the character of the neighborhood and the health safety and welfare of the community.

NOW, THEREFORE, BE IT

RESOLVED, that the subject application be and the same is GRANTED, subject to the following conditions:

GENERAL CONDITIONS:

1. This variance is limited to the construction shown on the submitted plans as conditioned and/or modified in accordance with the direction of the Board as agreed to by the Applicant.

2. The Applicant shall submit plans reflecting any conditions or modifications as above for the review and approval of the Director of Building prior to the granting of the building permit.
3. The Applicant shall obtain a building permit within (6) months of the filing of the Resolution.
4. The Building permit shall be void if construction is not started within (6) months.
5. Construction shall be in compliance with the plans submitted in connection with this application, as conditioned or modified pursuant to the direction of the Board.

This decision shall be filed with the Town Clerk as provided in Section 267-a(2) of the Town Law.

Prepared by



Francine M. Brill

Zoning Board of Appeals Secretary

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.

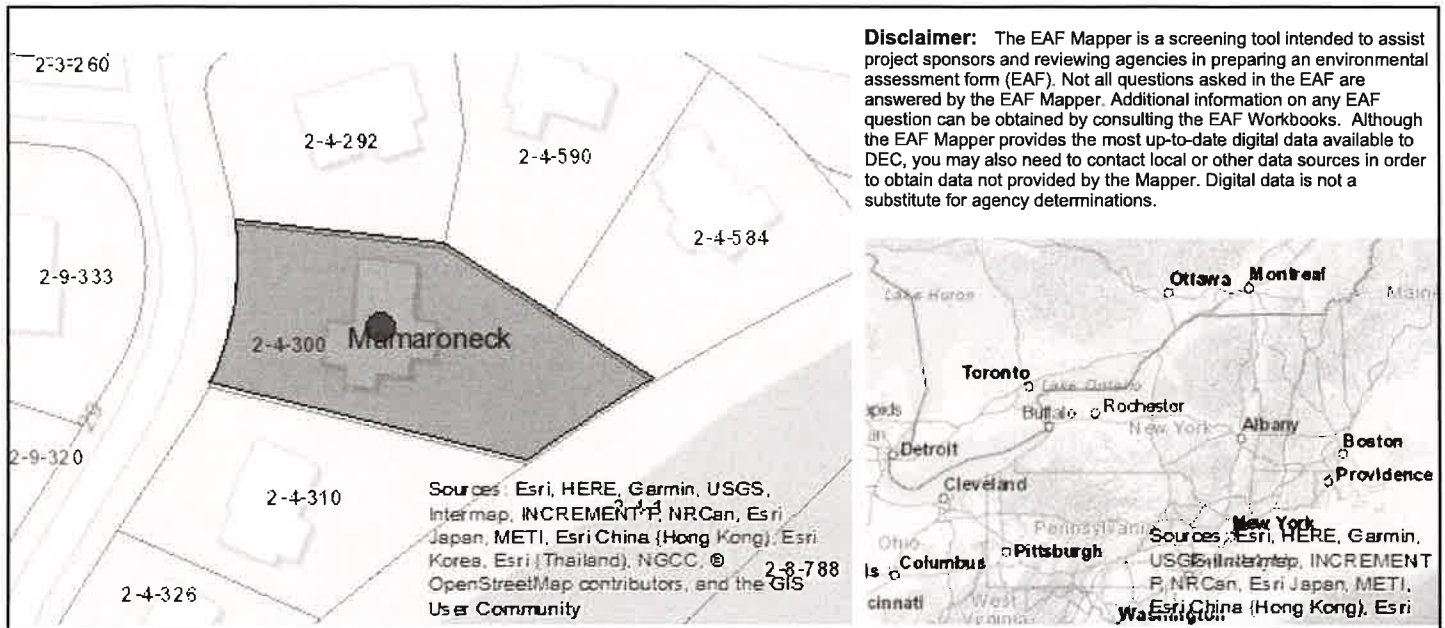
Part 1 - Project and Sponsor Information									
Name of Action or Project: <i>Weinberg Property</i>									
Project Location (describe, and attach a location map): <i>22 Winged Foot Rd. Larchmont</i>									
Brief Description of Proposed Action: <i>Proposed importation of fill within wetland buffer to be supported by low retaining wall in order to provide expanded level playing area for homeowner's children.</i>									
Name of Applicant or Sponsor: <i>Jonathon & Pamela Weinberg</i>		Telephone: <i>917 579-8799</i>							
		E-Mail: <i>jrweinberg@yahoo.com</i>							
Address: <i>22 Winged Foot Drive</i>									
City/PO: <i>Larchmont</i>		State: <i>NY</i>	Zip Code: <i>10538</i>						
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="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 2px;"><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 governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 2px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
NO	YES								
<input checked="" type="checkbox"/>	<input type="checkbox"/>								
<table style="width: 100%;"> <tr> <td style="width: 60%;">3.a. Total acreage of the site of the proposed action?</td> <td style="width: 40%; text-align: right;"><u>0.52</u> acres</td> </tr> <tr> <td>b. Total acreage to be physically disturbed?</td> <td style="text-align: right;"><u>0.10</u> acres</td> </tr> <tr> <td>c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</td> <td style="text-align: right;"><u>0.52</u> acres</td> </tr> </table>				3.a. Total acreage of the site of the proposed action?	<u>0.52</u> acres	b. Total acreage to be physically disturbed?	<u>0.10</u> acres	c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>0.52</u> acres
3.a. Total acreage of the site of the proposed action?	<u>0.52</u> acres								
b. Total acreage to be physically disturbed?	<u>0.10</u> acres								
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>0.52</u> acres								
4. Check all land uses that occur on, adjoining and near the proposed action. <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 type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland									

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) 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 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: _____	NO <input type="checkbox"/>	YES <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 <input type="checkbox"/>	YES <input type="checkbox"/>	NA
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NA
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input 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"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Jonathan R. Weinberg</u> Date: <u>2/7/19</u>		
Signature: <u><i>Jonathan R. Weinberg</i></u>		

PRINT FORM

Page 3 of 3



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Town Of Mamaroneck
740 W Boston Post Rd
Mamaroneck, NY 10543

Ingles, Thomas
26 Winged Foot Dr
Larchmont, NY 10538

Ingles, Emily
26 Winged Foot Dr
Larchmont, NY 10538

Meisel-Bernstein, Jane
24 Winged Foot Dr
Larchmont, NY 10538

Weinberg, Jonathan
22 Winged Foot Dr
Larchmont, NY 10538

Weinberg, Pamela
22 Winged Foot Dr
Larchmont, NY 10538

Angell-Klaczek, Joshua & Ross, Ragne
1 Briar Del Cir
Larchmont, NY 10538

Gingold, David
3 Briar Del Cir
Larchmont, NY 10538

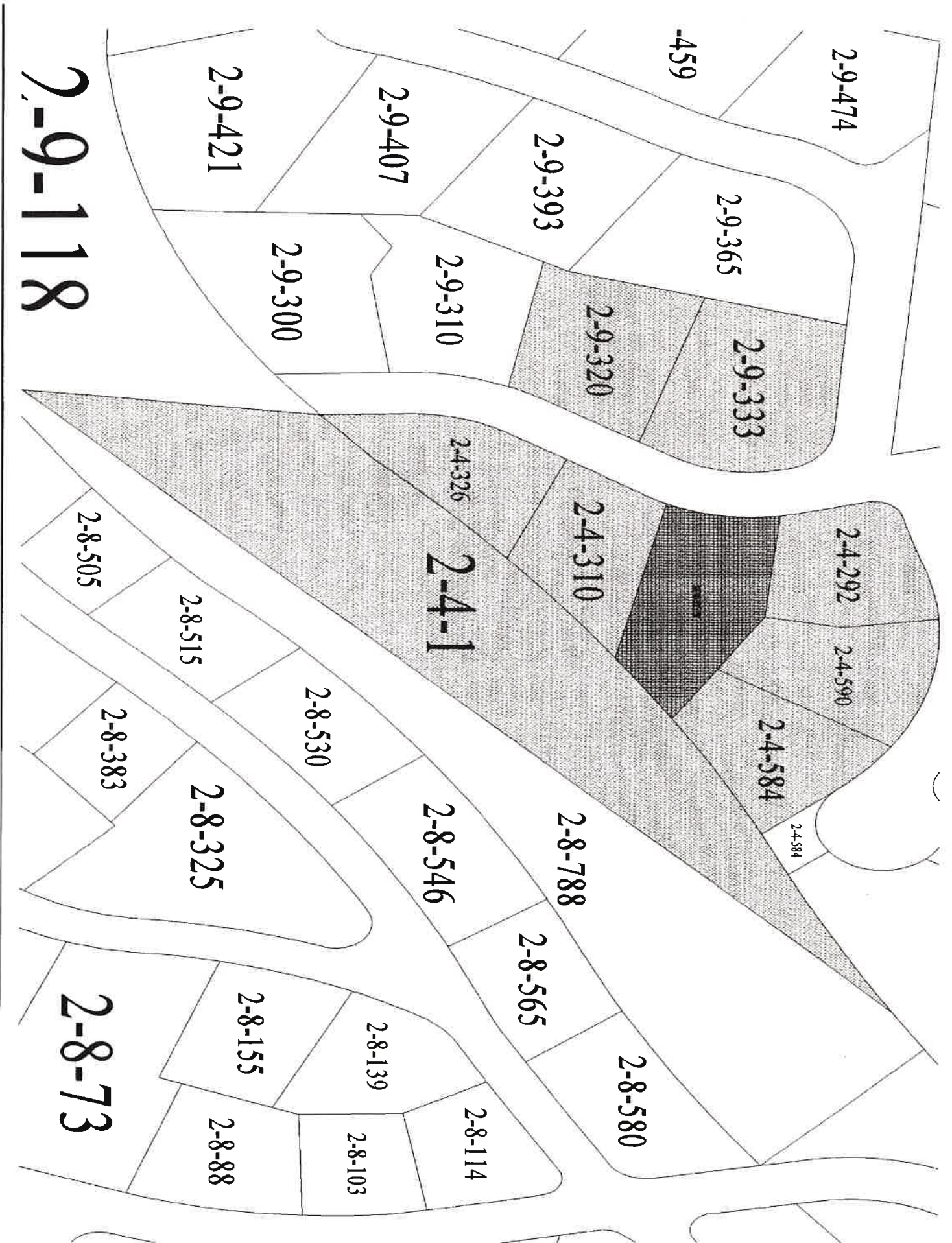
Gingold, Eden
3 Briar Del Cir
Larchmont, NY 10538

Lazar, Jeffrey & Lazar, Jamie
5 Briar Del Cir
Larchmont, NY 10538

Stern, Michael
25 Winged Foot Dr
Larchmont, NY 10538

Reiff Stern, Lauren
25 Winged Foot Dr
Larchmont, NY 10538

Wiegard, Mary Ruth
27 Winged Foot Dr
Larchmont, NY 10538





United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for **Westchester County, New York**

**22 Winged Foot Dr. Larchmont,
NY**



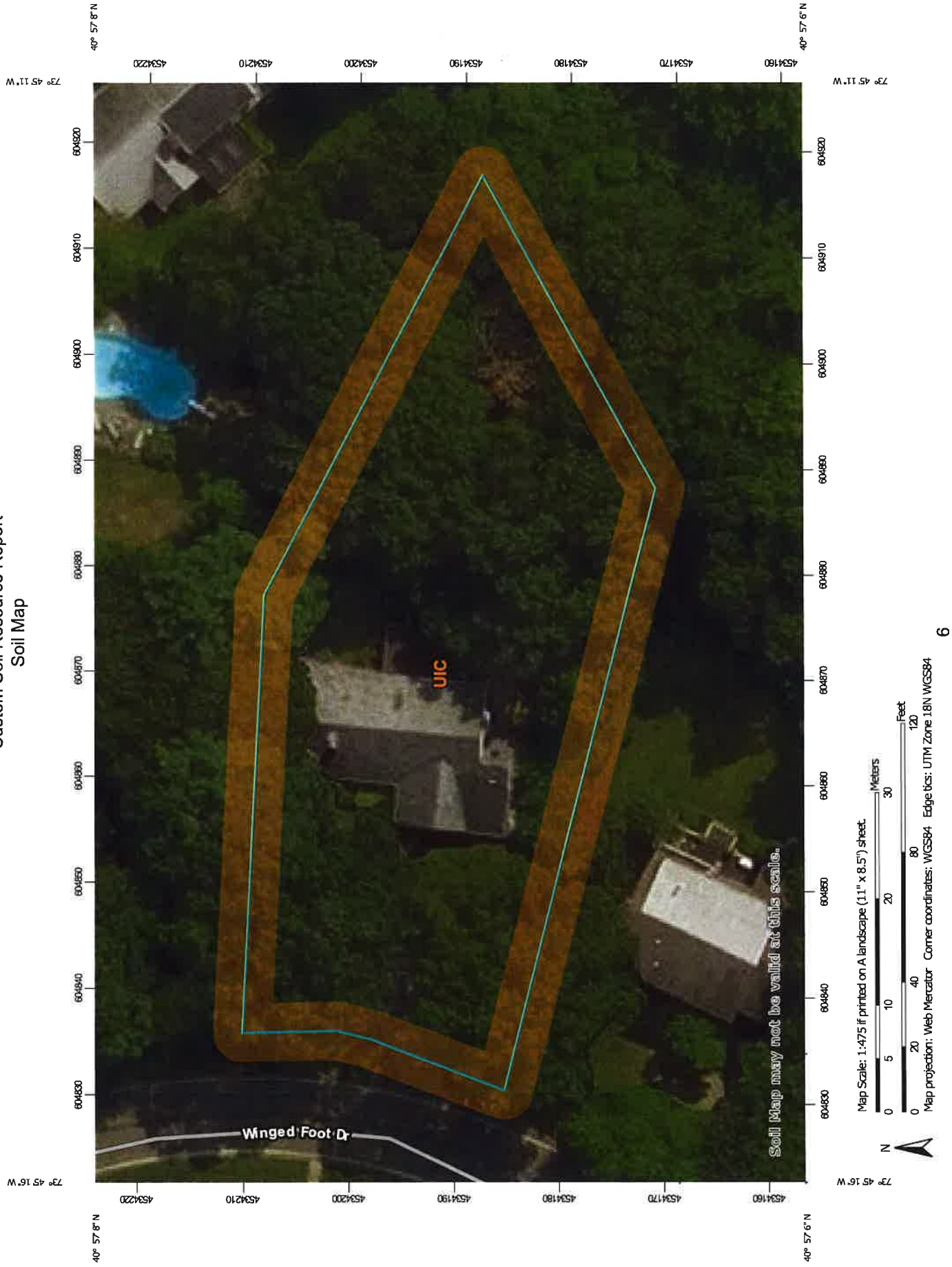
Contents

Preface..... 2
Soil Map..... 5
 Soil Map.....6
 Legend.....7
 Map Unit Legend.....8
 Map Unit Descriptions.....8
 Westchester County, New York.....10
 UIC—Urban land-Charlton-Chatfield complex, rolling, very rocky.....10

Soil Map


The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.


Custom Soil Resource Report Soil Map





MAP LEGEND


- Area of Interest (AOI)


 Area of Interest (AOI)
- Soils


 Soil Map Unit Polygons


 Soil Map Unit Lines


 Soil Map Unit Points
- Special Point Features


 Blowout


 Borrow Pit


 Clay Spot


 Closed Depression


 Gravel Pit


 Gravelly Spot


 Landfill


 Lava Flow


 Marsh or swamp


 Mine or Quarry


 Miscellaneous Water


 Perennial Water


 Rock Outcrop


 Saline Spot


 Sandy Spot


 Severely Eroded Spot


 Sinkhole


 Slide or Slip


 Sodic Spot
- Water Features


 Streams and Canals
- Transportation


 Ralls


 Interstate Highways


 US Routes


 Major Roads


 Local Roads
- Background


 Aerial Photography
- Spoil Area


 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other
- Special Line Features

 Special Line Features

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Westchester County, New York
Survey Area Data: Version 14, Sep 3, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 21, 2014—Aug 27, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
UIC	Urban land-Charlton-Chatfield complex, rolling, very rocky	0.5	100.0%
Totals for Area of Interest		0.5	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Custom Soil Resource Report

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Westchester County, New York

UIC—Urban land-Charlton-Chatfield complex, rolling, very rocky

Map Unit Setting

National map unit symbol: bd7n
Elevation: 100 to 1,000 feet
Mean annual precipitation: 46 to 50 inches
Mean annual air temperature: 46 to 52 degrees F
Frost-free period: 115 to 215 days
Farmland classification: Not prime farmland

Map Unit Composition

Urban land: 40 percent
Charlton and similar soils: 20 percent
Chatfield and similar soils: 15 percent
Minor components: 25 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Charlton

Setting

Landform: Hills, ridges, till plains
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Crest
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Acid loamy till derived mainly from schist, gneiss, or granite

Typical profile

H1 - 0 to 8 inches: loam
H2 - 8 to 24 inches: sandy loam
H3 - 24 to 60 inches: sandy loam

Properties and qualities

Slope: 2 to 15 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 5.95 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Moderate (about 7.5 inches)

Description of Chatfield

Setting

Landform: Hills, ridges
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Crest
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Loamy till derived mainly from granite, gneiss, or schist

Custom Soil Resource Report

Typical profile

H1 - 0 to 7 inches: loam

H2 - 7 to 24 inches: flaggy silt loam

H3 - 24 to 28 inches: unweathered bedrock

Properties and qualities

Slope: 2 to 15 percent

Depth to restrictive feature: 20 to 40 inches to lithic bedrock

Natural drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Low to high (0.01 to 5.95 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 1 percent

Available water storage in profile: Low (about 3.2 inches)

Minor Components

Leicester

Percent of map unit: 5 percent

Landform: Depressions

Hydric soil rating: No

Sutton

Percent of map unit: 5 percent

Hydric soil rating: No

Udorthents

Percent of map unit: 5 percent

Hydric soil rating: No

Rock outcrop

Percent of map unit: 5 percent

Hydric soil rating: Unranked

Hollis

Percent of map unit: 2 percent

Hydric soil rating: No

Sun

Percent of map unit: 2 percent

Landform: Depressions

Hydric soil rating: Yes

Palms

Percent of map unit: 1 percent

Landform: Swamps, marshes

Hydric soil rating: Yes

Jonathan & Pamela Weinberg
22 Winged Foot Drive
Larchmont, NY 10538

March 28, 2019

Mr. Ralph Engle, Chairman
Town of Mamaroneck Planning Board
740 West Boston Post Road
Mamaroneck, NY 10543

**Re: Indemnification Letter
Weinberg Wetland Permit Application
22 Winged Foot Drive, Larchmont, NY**

Dear Chairman Engle & Members of the Planning Board:

We, Jonathan and Pamela Weinberg, the owners/applicant for this Wetland Permit Application to the Planning Board, for our property located at 22 Winged Foot Drive, Larchmont, NY, Tax ID 2-4-300, do hereby indemnify and hold the Town or its representative harmless against any damage or injury in connection with the activities for which this permit is being sought.

Thank you for your assistance with this project.

Sincerely,

Pamela Weinberg
Jonathan Weinberg

March 28, 2019

Mr. Ralph Engle, Chairman
Town of Mamaroneck Planning Board
740 West Boston Post Road
Mamaroneck, NY 10543

**Re: Weinberg Wetland Permit Application
22 Winged Foot Dr. Larchmont
Proposed Improvements to Backyard/Filling and Retaining Wall**

Dear Chairman Engle & Members of the Planning Board (PB):

On behalf of our clients, Pamela and Jonathan Weinberg, we are providing the PB with 14 copies of the application materials for the PB's review in support of a Wetlands and Watercourses Permit for proposed site work in the homeowners' backyard, portions of which occur within the 100' wetland buffer to an off-site wetland. The following supporting documents and plans are provided for the PB's review and consideration of the application.

- This explanatory **Cover Letter**, prepared by J.D. Barrett & Associates, LLC, dated March 28, 2019.
- Town of Mamaroneck Planning Board (PB) **Wetlands and Watercourses Permit Checklist** dated February 2019.
- **Application Fee** of \$200 (to be submitted under separate cover by owner)
- **Application for Appearance Before the Planning Board**, dated/notarized February 7, 2019.
- A notarized **Agent Authorization** form dated February 7, 2019.
- **Deed of Ownership** for the property.
- Previously issued **Variance Approvals** on file with the Town of Mamaroneck dated November 30, 2016 and July 21, 2015.
- A completed **Short Environmental Impact Statement** dated February 7, 2019.
- A **List of Property Owners**, with mailing addresses within 100' radius of the subject property.
- A **NRCS Custom Soil Resource Report** for the property.
- **Indemnification Letter** from the owners to the Town of Mamaroneck PB, dated March 28, 2019.
- A **Survey Map of the Property**, prepared by Thomas C. Merritts Land Surveyors, P.C. dated September 27, 2016.
- **Site Plans** for the project, prepared by J.D. Barrett & Associates, LLC, revised date of March 22, 2019, including:
 - Sheet 1 of 2 – Site Information Plan
 - Sheet 2 of 2 – Erosion Control and Planting Plan

Overview

The rear of the property at 22 Winged Foot Drive where proposed work will occur falls within the 100' buffer to an offsite wetland to the east of the subject property and, therefore, a Wetland Permit for the project will be required. It is the applicant's wish to add approximately 388 CY of fill to their backyard contained by a low retaining wall to expand the level portion of their backyard to create a flatter and more usable space in the backyard for the family's children to play upon. A segmented, interlocking concrete block retaining wall (4' height maximum) is proposed to contain the fill and limit encroachment into the wetland buffer. Temporary erosion and sediment controls are proposed to protect the off-site wetland during wall construction and earthwork operations. The new retaining wall will provide long-term stabilization of the backyard and protection to the off-site wetland. Proposed native plantings will also help stabilize the areas around the new wall and fill slope and also provide native habitat enhancement and species diversity to the property. This project was discussed with the Town's Peer Review Committee on September 21, 2018 and March 15, 2019.

Wetland Buffer Function Enhanced / No Impact to Wetland Buffer

In the existing condition the grassed backyard slopes in a southeasterly direction at a slope gradient of approximately 15-20%. The offsite wetland is located approximately 33 feet from the east property line in the wooded area beyond the subject backyard lawn area. The subject backyard functions to provide stormwater runoff to the wetland to enhance wetland hydrology and groundwater recharge functions.

In the proposed condition, the subject backyard will continue to provide the same buffer functions noted above, because the drainage patterns will not be changed. However, with the addition of the retaining wall and fill, the slope gradient will be reduced, thereby slowing down stormwater runoff toward the wetland and allowing increased stormwater infiltration into the backyard soils. The new wall will also help slow down runoff, which can help reduce flooding in the wetland below. Finally, new mitigation plantings will be installed to provide enhanced wetland buffer habitat and foraging opportunities for local wildlife, as well as long-term soil stabilization. We believe that as a result of this project, an improved wetland buffer in the subject backyard will result.

Chapter 114 – Wetland & Watercourse Narrative Response Summary

The following information is provided to respond to the Permit Application section of the Town Code, Section 14-7.

A) Permit Applications

1a. The applicants/owners of this property are Jonathan and Pamela Weinberg, 22 Winged Foot Drive, Larchmont, NY 10538-1133.

1b. The property street address is 22 Winged Foot Drive, Block 4, Lot 300, identified on the NYSDEC EAF Mapper as Lot 2-4-300.

1c. A notarized Agent Authorization Form, dated February 7, 2019 has been provided with this Wetland Permit Application that authorizes J.D. Barrett & Associates, LLC, Landscape Architects, to represent the owners in this application before the PB.

1d. This application involves the partial leveling of the owners' backyard to provide more usable, flatter yard space for their children to play upon. In order to provide a flatter backyard, it is proposed that a segmented concrete block retaining wall (4' ht. maximum) be installed in their lower backyard

and approximately 388 CY of fill and topsoil imported to create a flatter backyard. The proposed segmented block retaining wall will contain the new soil. This application is before the PB because the subject work area in the owners' backyard occurs within the 100' wetland buffer setback to an off-site wetland to the east of the owners' backyard.

1e. A completed NYSDEC Environmental Assessment Form (EAF) has been provide as part of this application to the PB.

1f. A statement from the owners stating that they shall indemnify and hold the Town or its representative harmless against any damage or injury in connection with the activities for which this permit is being sought.

2a. We have prepared Site Plans for the project, entitled Sheet 1 of 2-Site Information Plan and Sheet 2 of 2-Erosion Control & Planting Plan, last revised March 22, 2019. The plans have been prepared at an appropriate scale to clearly convey the intent of the plan. We have affixed our professional NYS Landscape Architect's seal to both plans.

2a.1 The locations of the off-site wetlands are shown on the plans. The wetland line was flagged by Stephen Coleman Environmental Consulting, LLC on September 15, 2016 and survey located by Thomas Merritts Surveyors on September 27, 2016. The surveyed wetland line and associated 100' wetland buffer occur on our site plans described in item 2a above. We note that at the time of the wetland delineation that the Town's Environmental Official, Ms. Paul, did view the wetland delineation in the field and noted that same was appropriate and acceptable.

2a.2 The vegetative cover in the subject backyard is dominated by mowed lawn with mature hardwood trees at the property edges. Minor ornamental trees and shrubs are also present in the backyard at the lawn edges by the property lines. The off-site wooded area to the east of the property that contains the wetland system and portions of the wetland buffer is dominated by mature hardwood trees such as oak and maple in the overstory. The understory consists of sparse shrubs and groundcovers, dominated by invasive shrubbery such as Japanese Wing Euonymus, Japanese Barberry and Multi-flora Rose. The ground surface is dominated by Garlic Mustard and other groundcovers. There is also a layer of debris in the wetland buffer adjacent to the applicant's property, included dumped yard clippings (by previous owners) and piled brush. It is proposed that the yard clippings and brush be removed from this area as part of this application. The applicant will also remove any invasive shrubbery that occurs on the property in the area behind (east of) the proposed retaining wall.

2a.3 We have provided a NRCS Custom Soil Resource Report for the property as part of this Wetland Permit Application. The soils on this property are identified as 100% Urban Land Charlton-Chatfield Complex, rolling, very rocky.

2a.4 We have provided the location of the proposed construction work area and construction access routed from the driveway to the subject area in the backyard on Sheet 2 of 2 of our Site Plans, entitled Erosion Control & Planting Plan. The work area is delineated on the plans by the Grading Limit Line (GLL) shown on the plan. The work area within the GLL measures approximately 4391 SF. The work area that occurs in the wetland buffer is approximately 2582 SF.

2a.5 The locations and amounts of earthwork proposed is shown on Sheet 2 of 2, Erosion Control & Planting Plan. It has been estimated that approximately 388 CY of native fill will be imported to the

subject property to create the flatter backyard. We have also identified a 28" Oak tree in the backyard, and within the 100' wetland buffer, that is proposed to be removed. This tree is leaning dangerously toward the house and is in a state of decline as it sustained damage from previous work that occurred in the subject backyard. Previous discussions with the Town's Environmental Official, Ms. Paul, concurred that the Oak tree is in poor condition and should be removed as part of this application.

2a.6 This property is serviced by City water and City sanitary sewer service that is available on Winged Foot Drive. The water service and sewer service connect from the front of the house to Winged Foot Drive and are not located in the backyard work area.

2a.7 The proposed site plans for the project includes topography in the subject area at 2' intervals. Topography was provided by the project surveyor. The site plans show both existing and proposed topography.

2a.8 In the existing condition, the backyard "sheet flows" over the lawn area to the east and the wooded area that contains the wetland and wetland buffer system. In the proposed condition the drainage runoff pattern remains unchanged, except the "sheet flows" to the offsite wetland system will be slowed down somewhat because of the proposed flatter topography and addition of the retaining wall with a gravel drainage system behind the wall, which will encourage infiltration of stormwater runoff into the sub-soils. At the Town Engineer's (TE) request, we have added a proposed perforated subsurface wall drain behind the retaining wall to allow any built-up stormwater behind the wall to pass through the wall to protect the wall from overturning or failure. The wall under-drain will discharge through the retaining wall at 20' intervals to evenly disperse any collected stormwater to the wooded area. (See plan for location of wall drain.)

2a.9 This project does not include the creation of a lake or pond.

2a.10 This project does not include the creation of a stormwater detention type system.

2a.11 We have included an Erosion Control Plan on Sheet 2 of 2, Erosion Control & Planting Plan. We have included Westchester County Recommended Best Management Practices for Erosion and Sediment Control on the plans. The plan shows the locations of proposed silt fences, slope stabilization, anti-tracking pad area, temporary soil piling areas, etc.

2a.12 The subject backyard functions to provide stormwater runoff to the wetland to enhance wetland hydrology and groundwater recharge functions. In the proposed condition, the subject backyard will continue to provide the same buffer functions noted above, but with the addition of the retaining wall and fill, the slope gradient will be reduced, thereby slowing down stormwater runoff and allowing increased infiltration into the backyard soils. The new wall will also help slow down runoff, which can help reduce flooding in the wetland below and also encourages infiltration of storm flows into the sub-soils. Finally, new mitigation plantings will be installed to provide enhanced wetland buffer habitat and foraging opportunities for local wildlife, as well as provide long-term soil stabilization. We believe that as a result of this project, an improved wetland buffer in the subject backyard will result.

2b. We do not believe that this project requires any additional County, State or Federal Permit applications.

2c. The applicant will provide the appropriate application fee for this project to the PB office under separate cover.

3. The applicant understands that in the event that an application requires the Town of Mamaroneck to incur additional expenses for technical assistance in the review of the application, the applicant shall pay the expenses incurred by the Town. The applicant shall be notified of the expenses and shall deposit said necessary funds with the Town.

Summary

We trust that the information provided to the PB is helpful to the PB's review and understanding of this project. The project team and applicant are appreciative of the PB's time, assistance and consideration for this project. Please let us know if there are any questions.

Respectfully submitted,

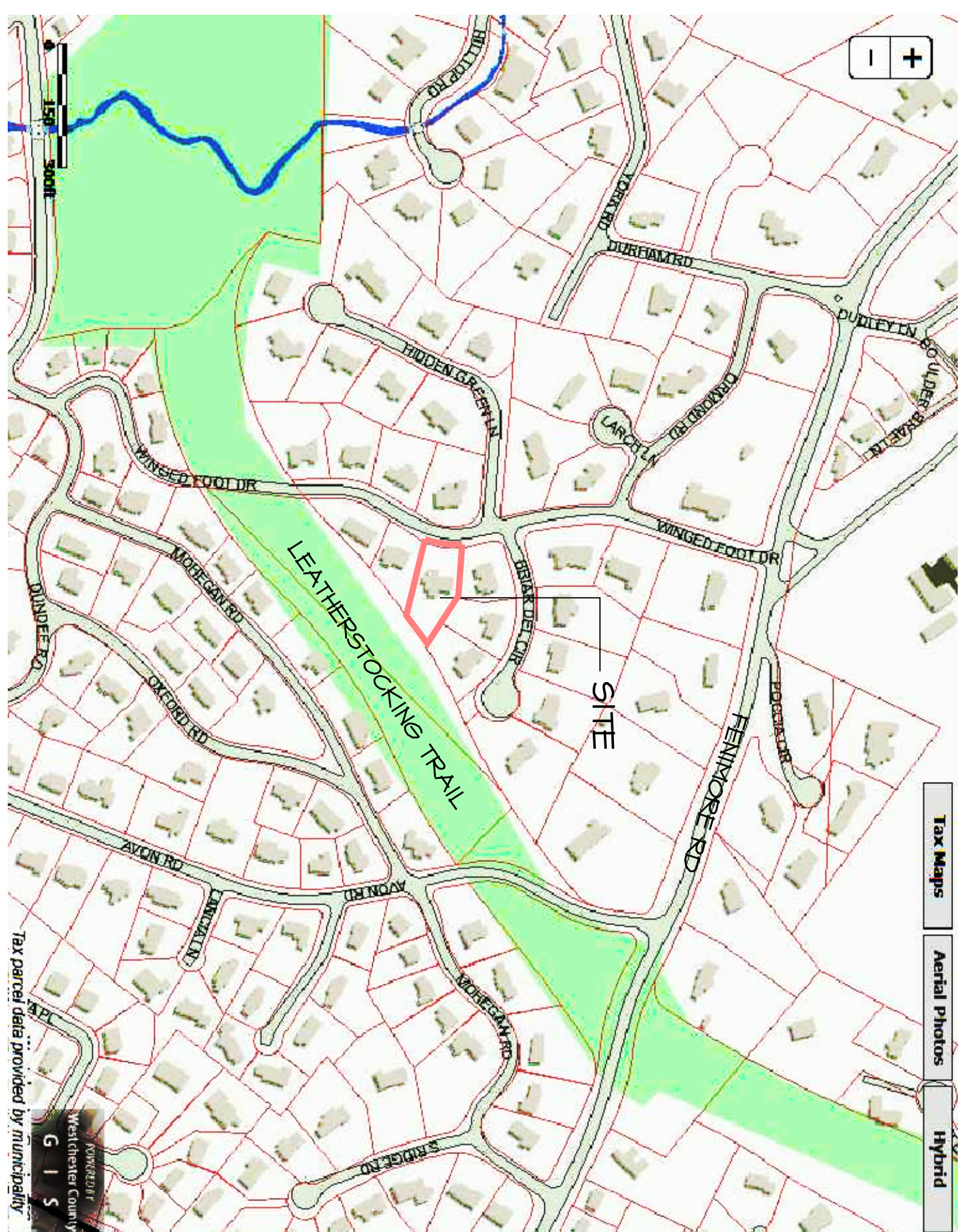


Jeri D. Barrett, R.L.A.

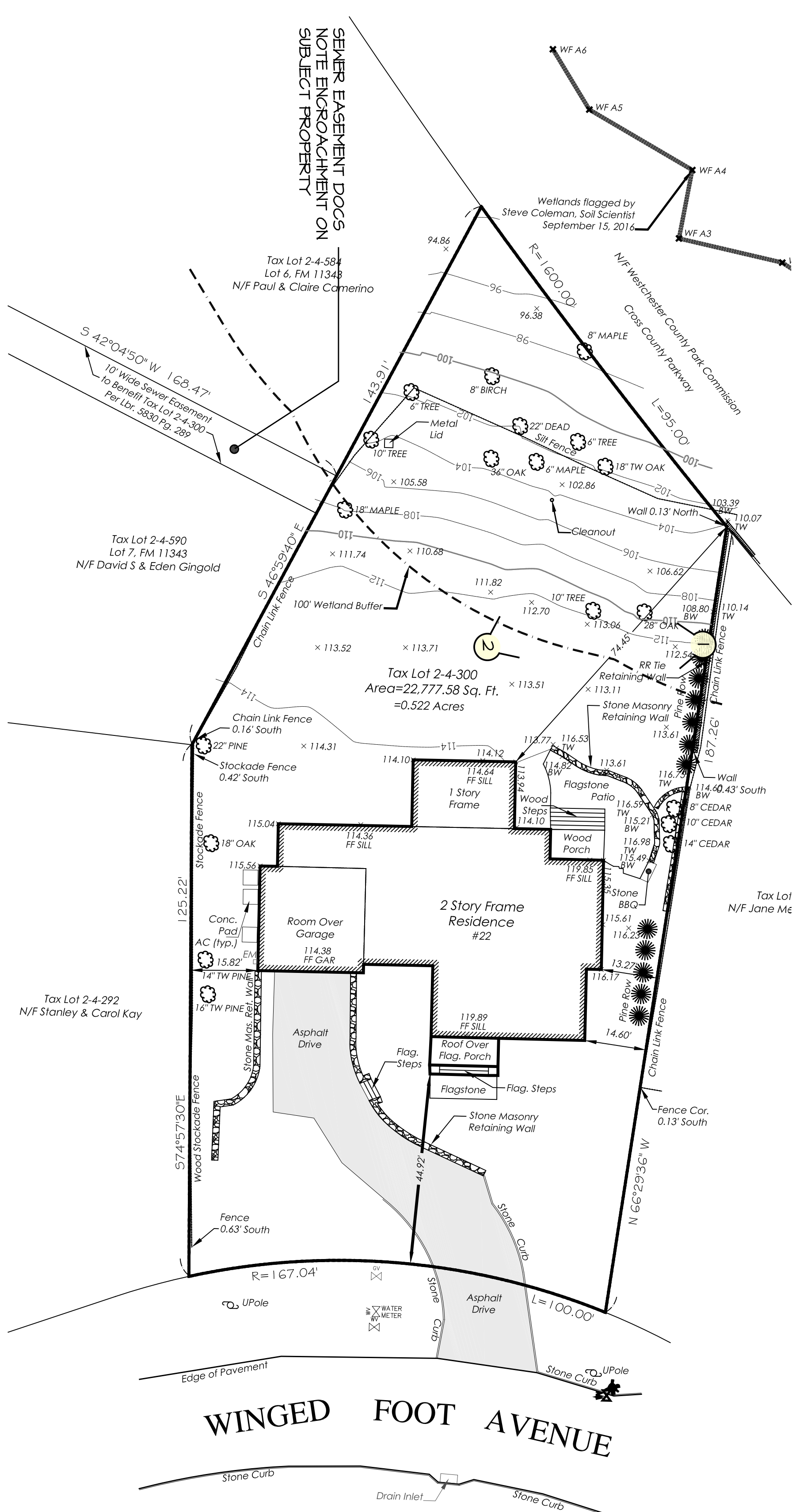
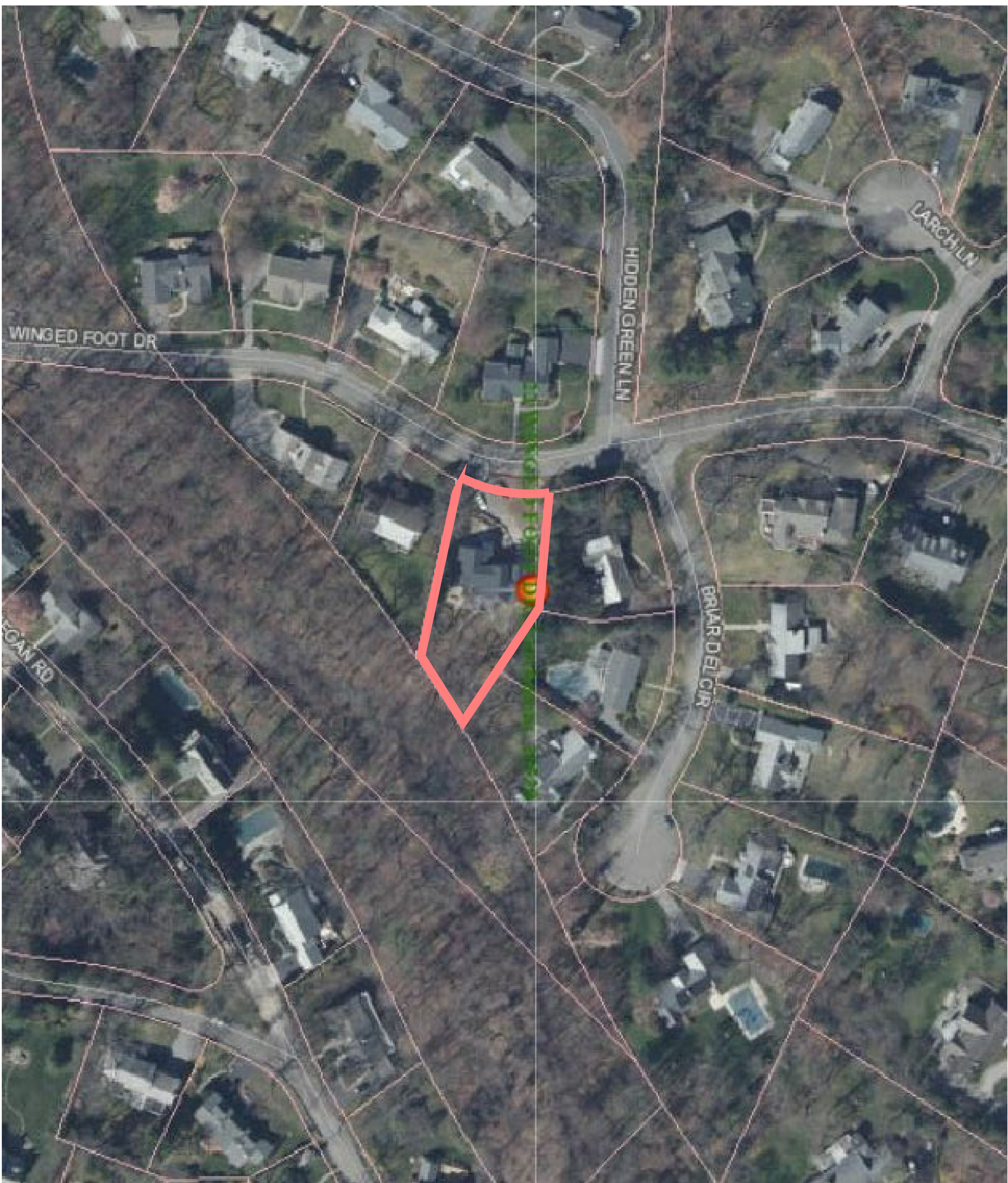
JDB:lj

Enc.

cc: Pamela and Jonathan Weinberg



AREA MAP (SOURCE: MAPPING WESTCHESTER COUNTY)



SCALE: 1"=20'

GENERAL NOTES

1. THESE PLANS ARE PREPARED FOR REVIEW BY THE TOWN OF MAYAHECENSE PLANNING BOARD IN SUPPORT OF A WETLANDS AND WATERCOURSE PERMIT FOR PROPOSED SITE WORK IN THE HOMEOWNER'S BACKYARD.
2. PROPERTY OWNERS, CONTACTS, AND APPLICANTS FOR THIS APPLICATION ARE JONATHAN AND PAMELA WEINBERG, 22 MINNED FOOT DRIVE, LACONCHAM, VT.
3. TOPOGRAPHY, EXISTING SITE FEATURES, AND WETLAND LINES TAKEN FROM A SURVEY PREPARED BY THOMAS C. MERRITT LAND SURVEYORS DATED SEPTEMBER 21, 2016.
4. SURVEY INFORMATION FOR THE PROJECT HAS BEEN PREPARED BY THOMAS C. MERRITT, LAND SURVEYOR, 394 BEDFORD ROAD, PLEASANTVILLE, VT.
5. SITE PLANS HAVE BEEN PREPARED BY J.D. BARRETT & ASSOCIATES, LLC, EASTON, CT. LANDSCAPE ARCHITECTS AND ENVIRONMENTAL PLANNERS.
6. OFF-SITE WETLANDS WERE FLAGGED BY STEPHEN M. COLEMAN, ENVIRONMENTAL CONSULTING, 3 ASPEN COURT, ORSSINGEN, VT AND SURVEY LOCATED BY MERRITT'S SURVEYORS

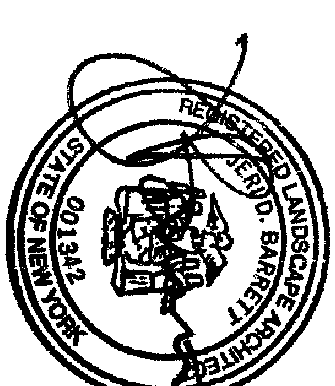


 VIEW NOW!

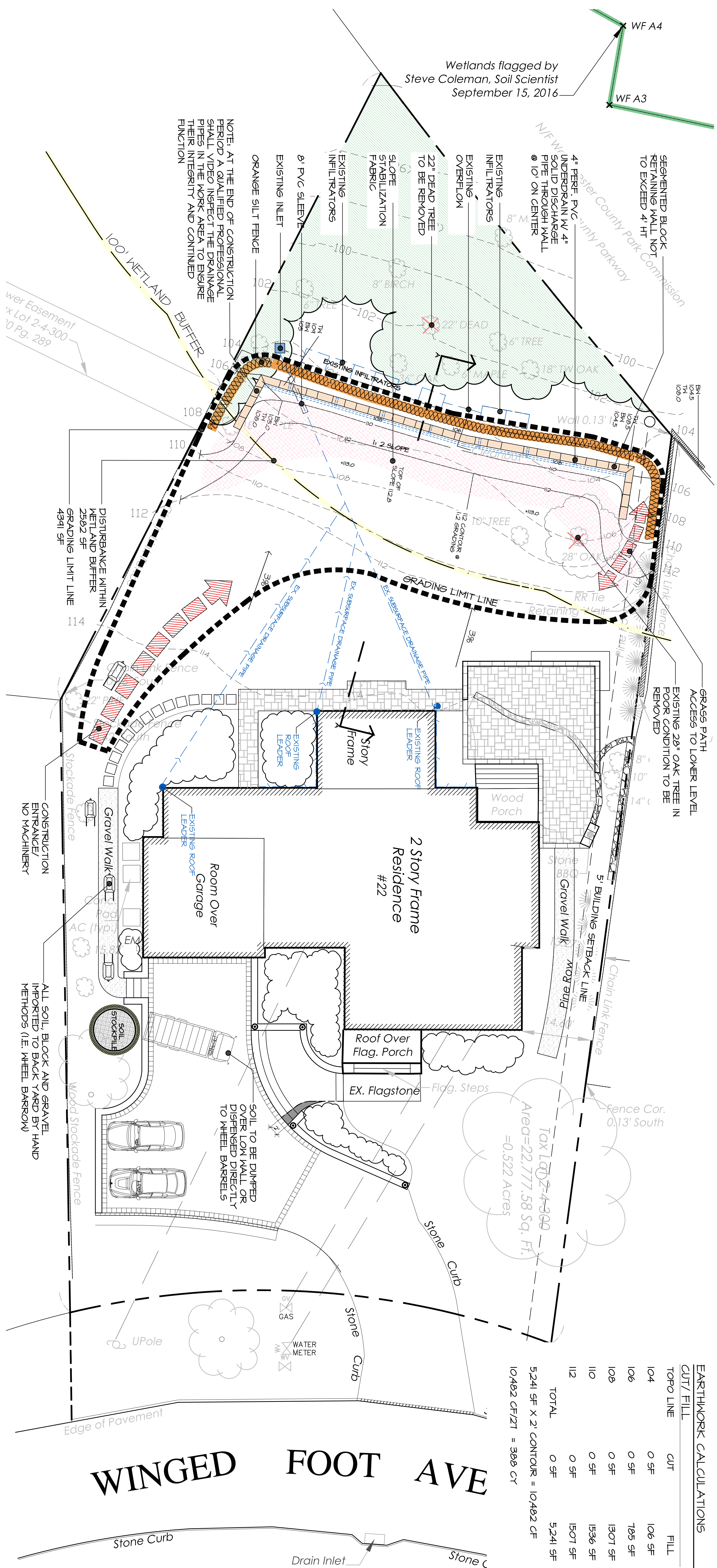


VIEW SOUTH

VIEW NORTH (1) AND SOUTH (2) OVER SUBJECT AREA WHERE FILL IS PROPOSED. PHOTOS TAKEN FOLLOWING REMOVAL OF UNAUTHORIZED FILLING IN BACKYARD (NOVEMBER/DECEMBER 2016). PROPOSED SEGMENTED WALL TO BE INSTALLED TO RETAIN FILL.

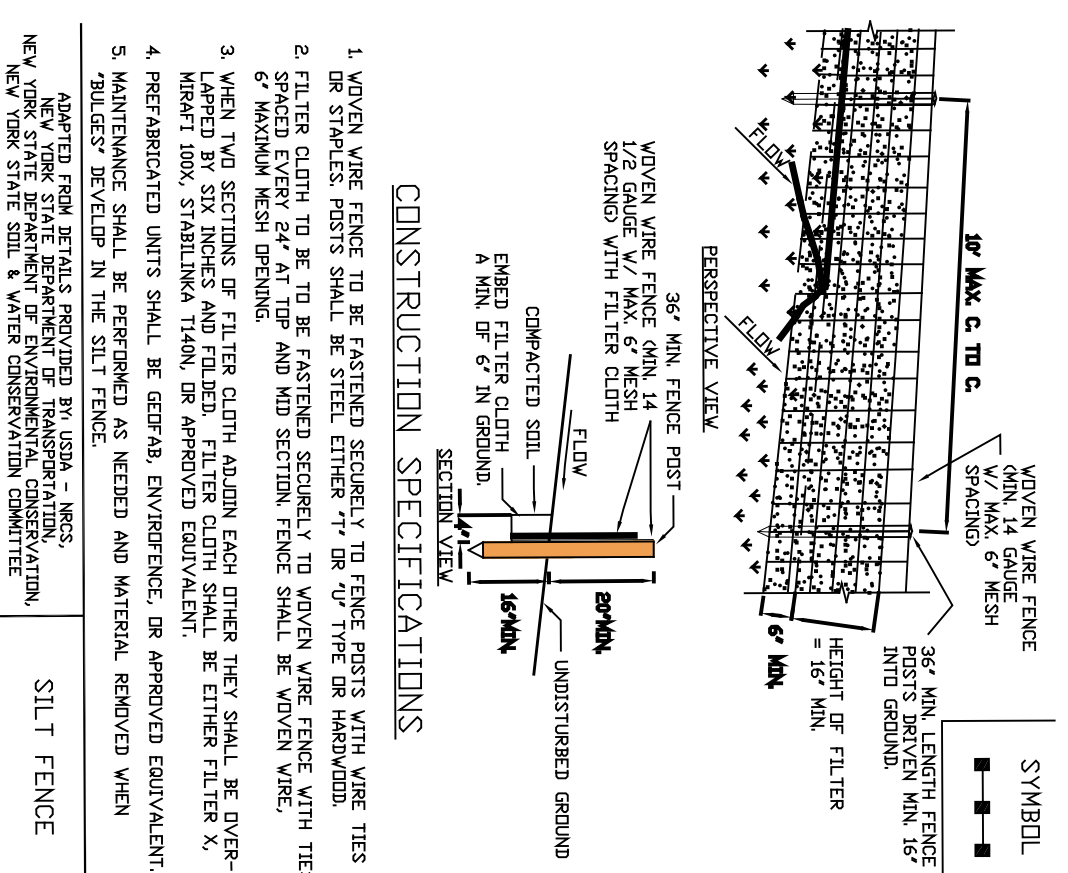


KETLAND SCIENTIST
 STEPHEN M. COLEMAN ENV. CONSULTING
 3 ASPEN COURT
 OSSINING, NY 10562
 TEL. 914.162.1289
 FAX 914.162.1289
 Sincerely,
 THOMAS C. MERITT'S LAND SURVEYORS, P.C.
 314 BEDFORD ROAD
 PLEASANTVILLE, NEW YORK 10570
 TEL. 914.763.8005 FAX 203.622.8891
 Scale: AS NOTED
 Date: February 6, 2014
 Rev Date: March 22, 2014
 SHEET: 1



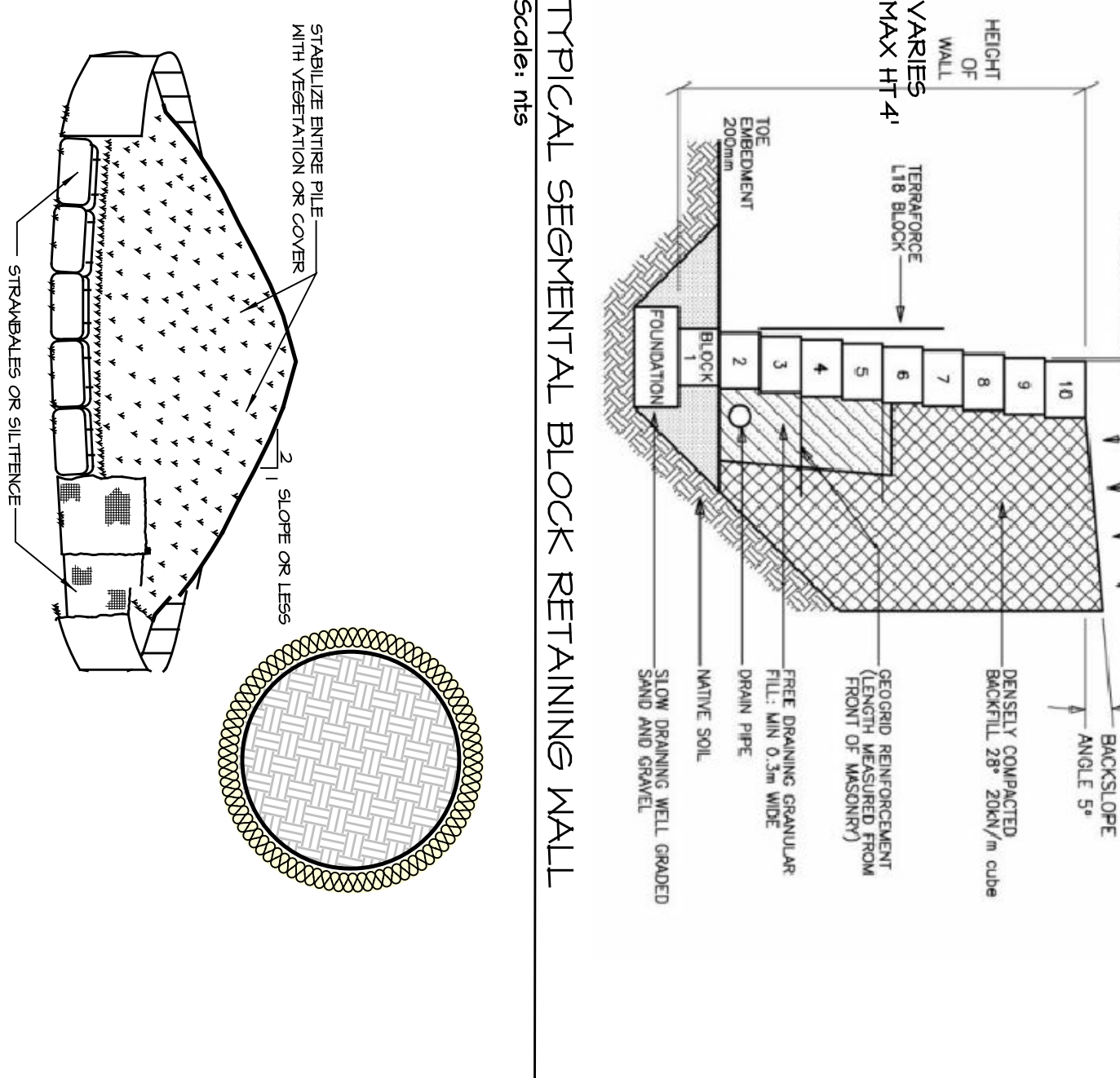
EARTHWORK CALCULATIONS			
CUT/ FILL	TOPO LINE	CUT	F
	104	0 SF	106
	106	0 SF	105
	108	0 SF	130
	110	0 SF	153
	112	0 SF	150
	TOTAL	0 SF	5.24

5.24 SF X 2' CONTOUR = 10.482 CF
 10.482 CF/21' = 300 CY



ORANGE SILT FENCE

Scale: nts

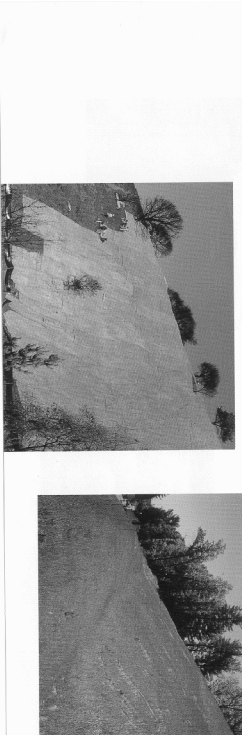
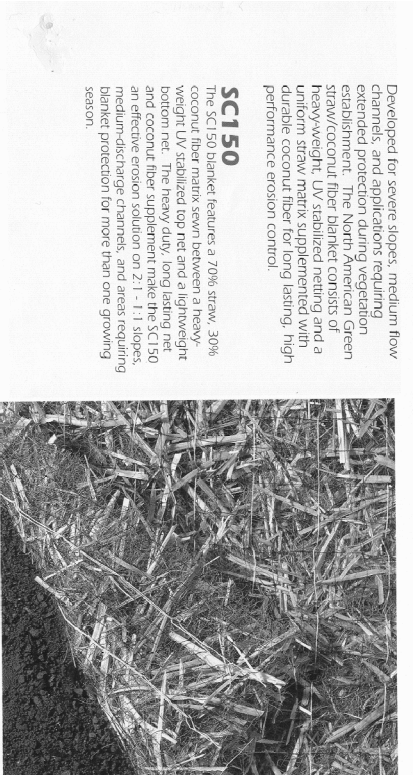


1. AREA CHOSEN FOR STOCKPILE OPERATIONS SHALL BE DRY AND STABLE.
2. MAXIMUM SLOPE OF STOCKPILE SHALL BE 1:2.
3. UPON COMPLETION OF SOIL STOCKPILING, EACH PILE SHALL BE SURROUNDED WITH EITHER SILT FENCING OR STRAWBALES, THEN STABILIZED WITH VEGETATION OR COVERED.
4. SEE SPECIFICATIONS (THIS MANUAL) FOR INSTALLATION OF SILT FENCE.

TOPSOIL STOCKPILE

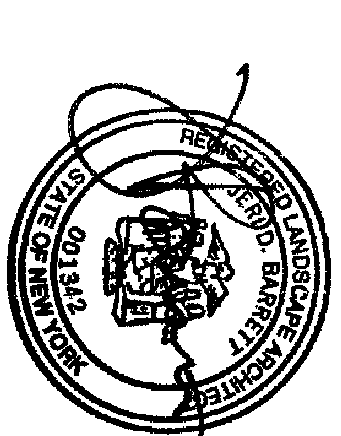
SCALE: NTS

BLANKETS



SLOPE PROTECTION MAT

SCALE: NTS



EROSION CONTROL AND PLANTING PLAN

Prepared For : _____

WEINBERG FROELICH
22 WINGED FOOT DR

LARCHMONT, NEW YORK 10538

Prepared by:

Landscape Architect/Environmental Planners

109 SPORT HILL ROAD

EASTON, CONNECTICUT 06612

Summary:

THOMAS C. MERRITTS LAND SURVEYING, INC.

394 BELFORD ROAD
PLASANTVILLE NEW YORK 10986

Tel. 914.769.8003 Fax 203.622.8800

Scale: AS NOTED

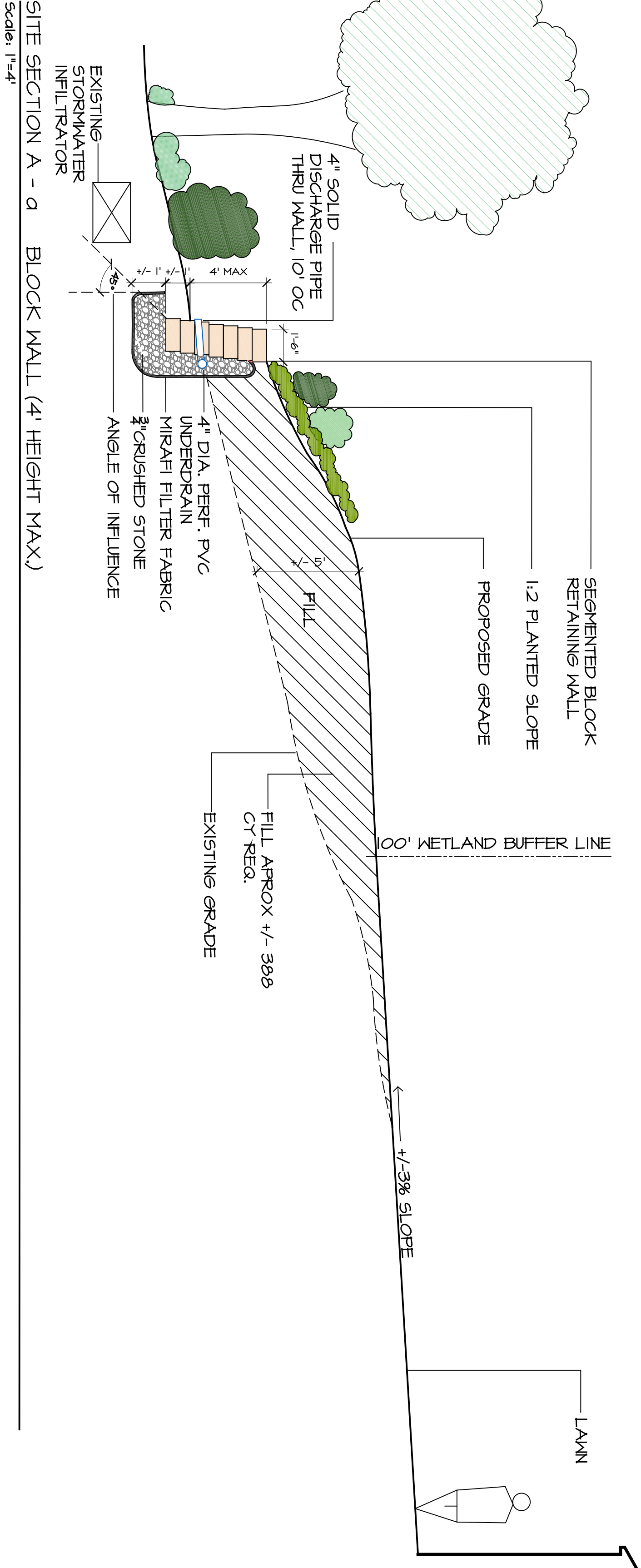
Rev Date: March 22, 2019

SHEET

2 OF 2



PLANT LIST			
Qty	Botanical Name	Common Name	Size
Shrubs			
5	Hydrangea Poniculata	Limehight Hydrangea	3 gallon
10	Ilex Verticillata	Winter Berry	3 gallon
6	Clethra alnifolia	Simmersweat	3 gallon
7	Viburnum Trilobum	American Cranberry bush	3 gallon
5	Lindera Benzoin	Spicebush	3 gallon
8	Rhododendron 'PJM'	PJM Rhododendron	3 gallon
26	Deutzia Gracilis	Slender Deutzia	3 gallon
18	Hypericum perforatum	St. John's Wort	3 gallon
Ferns			
80	Matteuccia struthioferis	Ostrich Fern	1 gallon
30	Polystichum acrostichoides	Christmas Fern	1 gallon



CONSTRUCTION SEQUENCE

1. INSTALL GEOTEXTILE AND SEDIMENT CONTROL MEASURES PER THE PLAN.
2. LOCATE EXISTING STORMWATER INFILTRATOR LINES AND PROTECT WITH ORANGE SAFETY FENCE.
3. LOCATE PROPOSED PAVEMENT, EXISTING MINIMUM SEPARATION DISTANCE TO STORMWATER SYSTEM (SEE DETAIL).
4. EXCAVATE FOR MAIL HOODING AND INSTALL 3/4" GRAVEL AND SEGMENTED BLOCKS TO MATCH EXISTING SLOPE.
5. IMPORT FILL TO REACH PROPOSED GRADES COMPACTING IN 6" LIFTS.
6. SMOOTH GRADE AND ADD TOPSOIL AS NEEDED.
7. INSTALL PLANTINGS AND SEED MIX.
8. REMOVE EROSION CONTROL MEASURES AFTER SITE FULLY STABILIZED.