

July 27, 2020

The Honorable Lorraine Walsh, Mayor
and Village of Larchmont Trustees
Village Hall
120 Larchmont Ave, Larchmont, NY 10538

**Re: Centro Larchmont
Garage Access**

Dear Mayor Walsh and Honorable Trustees:

We represent Elk Chatsworth LLC, the “Applicant” on the above matter. On the July 16, 2020, the Applicant and its professional team met with the Village Planning Board to review an updated submission to the Board in response to requests made at an earlier meeting. These meetings were to enable to the Planning Board to provide the Board of Trustees comments on the application for a special permit.

We understand that the Planning Board has submitted those comments to the Board of Trustees. This communication addresses one of the principal concerns raised by the Planning Board at the July 16 meeting; the ability to provide safe vehicular access to the site via the existing 10-foot wide easement that serves the subject property.

We acknowledge and respect the diligence of the Planning Board in exercising their authority/responsibility to ensure that all new development in the Village results in a safe and improved environment. It is our presumption that in exercising this responsibility this issue would have been considered at the time of the recent site plan review for 1912 Palmer Avenue. Additionally, fully appreciating the awareness of a need for community safety by both the neighborhood and the Village authorities had there been any substantive examples of safety being an issue with the use of the easement, the Village would have taken steps many years ago to address the situation and would have certainly asked the owner of 1912 Palmer Avenue to include in its site plan the additional traffic control measures that the Applicant has agreed to provide.

For the reasons detailed hereafter, it is our professional opinion that the easement, as proposed, will continue to serve the community in a safe and efficient manner:

1. **The easement has served the subject property, 1912 Palmer Avenue and 65 Wendt Avenue safely for decades** - To the best of the Applicant’s knowledge there has never been an incident at the point of ingress or egress to the easement with either pedestrians or other vehicles. The Applicant contacted the Village Police Department which confirmed (see attached) that there is no record of any accidents occurring on the easement in the past 10 years (the period for which data was readily available). Thus, there is a long-established record of safe operations at this location. In light of the substantial long-standing empirical data, there is no basis for speculation that the easement is not safe.
2. **The level of activity on the easement will not change appreciably** - Surveys, conducted in April of 2019, when only half of the 5,800 sf of retail space located at 108-114 Chatsworth Avenue was occupied, revealed a maximum of 5 trips across the easement in the busiest hour. When the former, 5,800 sf retail space was fully and occupied, this number was more likely 10 trips in and out on the easement in the busiest hour and, more recently, the easement has seen increased activity with the construction of 1912, Palmer Avenue.

Located in the downtown business district and just a short walk from the train station, industry data indicates that the proposed 14 new residences will generate only 6 trips in the peak hour. With the potential for on-site retail parking limited to merchant employees, retail-generated use of the easement will be limited to 4 vehicles or less in the peak -hours. Thus, the total peak-hour project traffic generated by the project on the easement will be no more than 10 trips, the same or less than was previously generated on the easement by the subject property. Most of the day non-peak activity will be minimal (most likely 5 or fewer trips per hour) and far less than there would be if the existing lot were used to provide transient parking for the existing retail store area.

3. **The easement access is not unique in the Village** - It is noteworthy that driveways of the same approximate width as the easement are routinely used in the closest nearby neighborhood, all apparently without incident. These examples include active transient parking in the Village parking lot that is approximately 40 feet from the easement, the alley between Winetasters and Andersons on Chatsworth, and the large apartment building at 3-5-7 East Avenue.

At the municipal parking lot at abutting the site, the ingress lane and exit from that lot are of virtually identical dimensions as the easement and have been used safely by Village residents and visitors for many decades. The activity from this 54-parking space lot far exceeds the planned activity over the easement.

The alley between Winetasters and Andersons on Chatsworth is labeled for use by transient Winetasters customers and yet vehicles egressing the space are required to back up across the sidewalk and onto busy Chatsworth Avenue with very restricted visibility.

At the apartment building at 3-5-7 East Avenue, the building has a below grade garage that appears to accommodate a substantial number of vehicles. Entrance and exit from the garage are through a single steep driveway that is less than 10 feet wide. Visibility of the sidewalk and street on egress is severely restricted due to the steep incline. There are no traffic controls, signage or warnings on the sidewalk or driveway.

These are far less desirable conditions than exist for the continued use of the easement. In these three instances, as well as others, it is our presumption that the Village would have taken remedial actions if these conditions had a history of incidents and were considered unsafe. We are aware of no data to suggest that these are unsafe conditions. Rather, the apparent absence of any incidents at this location as well as the others demonstrates that established safety of the subject easement.

4. **The users of the easement will be familiar with its limitations** – Part of the reason the easement has operated safely is that the motorists using it are all familiar with the condition of the easement. This favorable condition will not change as the easement will only be used by residents and, potentially, store employees. Thus, even without additional traffic control measures, it is our opinion that the easement would continue to operate safely with the new development.
5. **Pro-active traffic control measures will be added to the easement making for an even safer driving environment** - Notwithstanding the exemplary safety record of the easement, the Planning Board has requested, and the Applicant has agreed to enhance the safety of the easement even further. Subject to finalization of specifications and design, the Applicant will install coordinated and integrated traffic control devices at both ends of the easement. These will include devices that detect pedestrians and cars that will alert and give direction to users of the easement to prevent potential conflicts.

As indicated above, it is our professional opinion that, based on the decades-long safe operation of the easement, and because of the same, low volume and speeds along the easement by drivers who know it's environment, supplemented by the proposed new traffic control devices, the easement has and will continue to provide save access to the properties it serves, including the new development at 108-114 Chatsworth Avenue.

Very truly yours,

KIMLEY-HORN OF NEW YORK, P.C.

A handwritten signature in blue ink that reads "John Canning". The signature is written in a cursive style with a long, sweeping underline.

By: John Canning, P.E.
Project Manager

Canning, John

Subject: FW: Accident request for the Lane serving the back of 65 Wendt Avenue, 1912 Palmer Avenue and 112 Chatsworth Avenue

From: Board Secretary <dmyers@villageoflarchmont.org>

Sent: Monday, July 20, 2020 9:01 AM

To: Canning, John <John.Canning@kimley-horn.com>

Subject: FW: Accident request for the Lane serving the back of 65 Wendt Avenue, 1912 Palmer Avenue and 112 Chatsworth Avenue

Good morning,

As requested, please see information below from Lt. Olsen of the Larchmont Police department.

Kind regards,

Donna Myers

Board Secretary
Village of Larchmont
Building Department
914-834-4349 ext. 2050

From: Cecilia DePinho <clerk@larchmontpolice.org>

Sent: Monday, July 20, 2020 8:43 AM

To: Board Secretary <dmyers@villageoflarchmont.org>

Subject: Accident request for the Lane serving the back of 65 Wendt Avenue, 1912 Palmer Avenue and 112 Chatsworth Avenue

CAUTION: This email originated from outside of the organization. Do not click or open attachments unless you validate the sender and know the content is safe.

Per Lt. Olsen, from June 1 2010 to July 1 2020 there were no accidents that could be found for the area in the photo submitted for a search.

(area was the easement)

Regards,

Cecilia

Larchmont Police Clerk

Email: clerk@larchmontpolice.org

914-834-1000 x-2035

Fax: 914-834-1050

From: Canning, John [<mailto:John.Canning@kimley-horn.com>]

Sent: Friday, July 17, 2020 11:22 AM

To: Clerk@Larchmontpolice.org

Cc: Gary D. Hirsch <gdhirsch@elkhomes.com>

Subject: Accident request for the Lane serving the back of 65 Wendt Avenue, 1912 Palmer Avenue and 112 Chatsworth Avenue

Thank you for taking my call this morning:

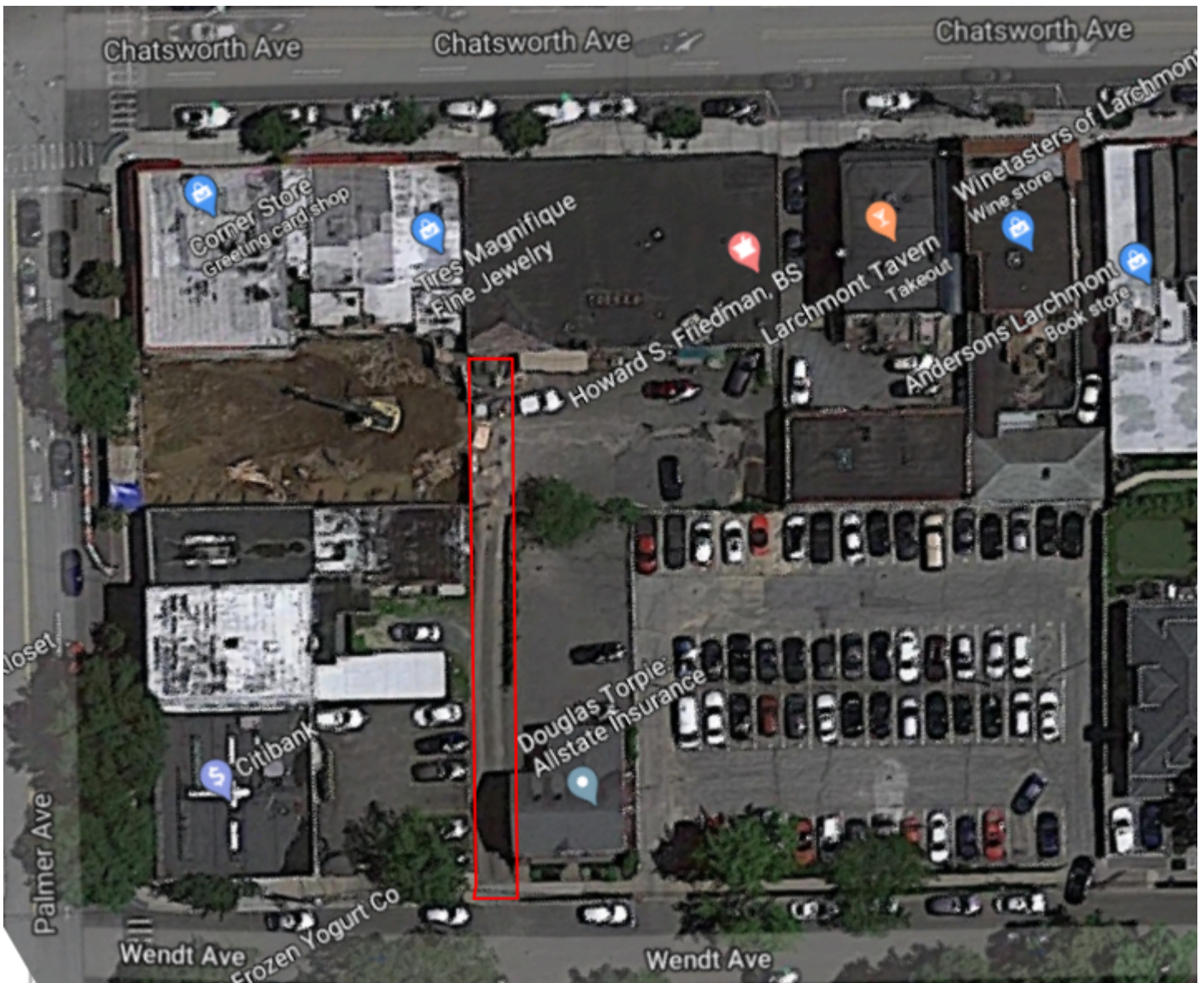
I am an engineer working for a property owner with an application (Centro) that appeared before the Planning Board last night and will appear before the Village Board on Monday night.

The Planning Board has expressed concern about the safety of the use of the lane (shown below) for continued use to access the 112 Chatsworth Avenue development.

We would like to know if the police department has any record of accidents occurring on this lane, and if so how many, from now until as far back as accident records are readily available.

Please call me if you have any questions or need clarification.

Thanks again





John Canning, P.E.

Kimley-Horn | 1 N. Lexington Ave. Suite 1575, White Plains, NY 10601
Direct Phone: 914-368-9188