

U.S. Army Corps of Engineers  
New York District

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**MAMARONECK & SHELDRAKE RIVERS  
NEW YORK  
FLOOD RISK MANAGEMENT  
GENERAL REEVALUATION REPORT  
FOR  
THE VILLAGE OF MAMARONECK**

**JANUARY 2016**

**APPENDIX E**

**REAL ESTATE PLAN**

**MAMARONECK & SHELDRAKE RIVERS  
FLOOD RISK MANAGEMENT  
GENERAL REEVALUATION REPORT  
DECEMBER 2015 Real Estate Plan**

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**Exhibits**

Exhibit “A”- Project Real Estate Maps

Exhibit “B”- Parcel Data

Exhibit “C”- Standard Estates

Exhibit “D”- Non-Federal Sponsor Capability Assessment Checklist

## 1. Preamble

Project Authorization: The Project was authorized by Section 401(a) of the Water Resources Development Act of 1986 (Public Law 99-662, 99th Congress, 2nd Session) adopted November 17, 1986.

Official Project Designation: Mamaroneck and Sheldrake River Flood Risk Management Project (the “Project”).

Project Location: The Mamaroneck and Sheldrake Rivers watershed is located along the northern coast of Long Island Sound within the New York City metropolitan area. The Mamaroneck and Sheldrake Rivers Basin lies entirely within Westchester County, New York and contains portions of the Village and/or Town of Mamaroneck, the Cities of New Rochelle and White Plains, the Towns of Harrison and Rye and North Castle, and the Village of Scarsdale.

Non-Federal Sponsor: The Non-Federal Sponsor is the New York State Department of Environmental Conservation (the “Sponsor” or “NYSDEC”). The local sponsor is the County of Westchester. If approved, the project will be cost-shared 65% Federal – 35% Non-Federal.



## **2. Statement of Purpose**

The purpose of this Real Estate Plan (REP) is to present the overall plan describing the minimum real estate requirements for the construction, operation, maintenance, repair and rehabilitation herein referred to as the Nationally Economic Development Plan “NED Plan” or “Plan” or “Project”. This REP is an appendix to the General Reevaluation Report (GRR) to update the studies performed for the 1977 Feasibility Report and the 1989 General Design Memorandum (GDM) prepared by the New York District Corps of Engineers (the “District”).

## **3. Project Purpose and Features**

a. **Project Purpose:** The purpose of the Project is to provide reduction of the flood damage to the Village of Mamaroneck, Westchester County, New York and surrounding areas. The NYSDEC requested for the Army Corps of Engineers to re-evaluate the flood risk in the Mamaroneck and Sheldrake River Basin. The District reviewed several plans and identified the National Economic Development Plan (NED Plan). The NED Plan is a technically feasible, environmentally acceptable and economically justified solution for the flood risk of the study area.

b. **Plan of Improvements:** The following describes the Project components for this Plan.

This Plan includes channel modification work along both the Mamaroneck and Sheldrake Rivers, with various channel widths, depths and lengths. This Plan includes channel widening and deepening along the Mamaroneck and Sheldrake Rivers within the Village of Mamaroneck.

The river will be realigned to its confluence to Mamaroneck Harbor with a 25 foot wide by 8 foot high, 350 foot long culvert that will be installed under the railroad station parking lot to alleviate the poor channel alignment. Trapezoidal channel improvements will consist of a natural bed channel with side slopes of one vertical on two and a half horizontal (1:2.5), and concrete retaining walls will be used where space is limited. Removal and replacement of retaining walls and utilities will be necessary along the channel. Riprap will be used in areas with high velocities. Several small bridges will be removed and one bridge will be replaced.

The Non-Federal Sponsor will need to execute the Channel Easement along with the “Authorization for Construction”.

c. **Required Lands, Easements, and Rights-of Way (LER):** The following describes the LER required for the NED Plan. The parcel data and Standard Estates are provided in Exhibit “B” and “C” respectfully. The NED Plan requires a total of 14.33 acres in permanent easements and 7.80 in temporary easements. This alternative impacts a total of 110 parcels, 88 privately-owned and 22 publicly-owned.



1. Channel Improvement Easement (Standard Estate No. 8): The NED Plan requires the acquisition of approximately 14.333 acres in Channel Improvement easements impacting approximately 96 Parcels.

2. Temporary Work Area Easement (Standard Estate No. 15): The NED plan requires the acquisition of approximately 7.80 acres in Temporary Work Area Easements impacting a total of 83 parcels.

d. Appraisal Information: An appraisal cost estimate was prepared in November 2014 identifying the land values for this alternative. The land values for this plan are as follows:

<b><u>NED Plan</u></b>	
<b><u>Easement Type</u></b>	<b><u>Value</u></b>
Channel Improvement Easements-----	\$483,826
Temporary Work Area Easements----	\$2, 655,602
Contingency (10%)-----	\$313,943
<b>Total NED Plan: <u>\$3,453,371</u></b>	

**4. Non-Federal Sponsor Owned Lands:**

The Sponsor owns no LER required for the plan.

**5. Non-Standard Estates**

There are no proposed non-standard estates for the plan.

**6. Existing Federal Projects**

There are no known existing Federal projects that lie either fully or partially within the plan.

**7. Federally-owned Lands**

There are no Federally-owned lands included as part of the LER required for the plan.

**8. Navigational Servitude**

This Project does not require LER within navigable waterways; therefore, navigational servitude does not apply to the Project.

**9. Maps**



The Project real estate maps are provided in Exhibit “A”.

**10. Induced Flooding**

There is no induced flooding associated with this Project.

**11. Baseline Cost Estimates for Real Estate**

The following is the total 01-Lands and Damages costs for the plan:

<u>Real Estate Cost</u>	<u>NED Plan</u>	<u>Total</u>
Incidental Cost-----		\$1,216,800
Acquisition Cost-----		\$3,453,371
20 % Contingency (less Land Payments)-----		<u>\$243,360</u>
<b>Total Lands and Damages (01- Account)-----</b>		<b><u>\$4,913,531</u></b>

To avoid double accounting, a 20% contingency was only applied to the Incidental Cost because a contingency is already embedded in the Acquisition Costs through the appraisal cost estimate. Upon approval of the Plan, the Project will be cost-shared (65% Federal and 35% Non-Federal).

The following is the total 02-Relocation costs for the plan:

<u>Real Estate Cost</u>	<u>NED Plan</u>	<u>Total</u>
Relocation Cost-----		\$5,150,815
63 % Contingency-----		<u>\$3,039,744</u>
<b>Total Relocations (02- Account)-----</b>		<b><u>\$8,190,559</u></b>

**12. Compliance with Public Law 91-646**

There are no anticipated relocation assistance benefits; as authorized by Public Law 91-646, for the plan.

**13. Minerals and Timber Activity**



There are no present or anticipated mineral extraction or timber harvesting activities in the plan.

**14. Land Acquisition Experience and Capability of the Non-Federal Sponsor**

An assessment of the Sponsor’s land acquisition experience and capabilities is provided in Exhibit “D”.

**15. Zoning:**

Application or enactment of zoning ordinances is not anticipated for the Project.

**16. Acquisition Schedule**

The following acquisition schedule will apply to the selected alternative.

<u>Milestone</u>	<u>Date</u>
PPA Execution-----	TBD
Sponsor’s Notice to Proceed with Acquisition-----	TBD
Phase 1 Authorization for Entry for Construction-----	TBD
Phase 1 Certification of Real Estate-----	TBD
Phase 1 Ready to Advertise for Construction-----	TBD

**17. Facility and/or Utility Relocations**

There are existing sanitary sewer and water pipelines that will be required to be relocated for implementation of the plan. The quantity of pipe work in the NED Plan is 10,703 LF, resulting in an increase of approximately \$1.1 million into the 02-Account for relocations.

The Plan requires the removal of three public bridges. These bridges will not be replaced, however, a fourth bridge, the Waverly Bridge, will be removed and replaced, thus, allocating an additional \$3.4 million into the 02-Account for relocations.

**18. Hazardous, Toxic, and Radioactive Waste (HTRW)**

The ITT Sealectro Site, a New York State Superfund Site, is located along the Sheldrake River within the project area, where retaining walls will be installed. Prior to construction, the District test soils for VOCs and will contact the NYSDEC Remediation staff to determine if contaminated soils are to be disturbed. Soils removed as part of construction may require handling and disposal in accordance with NYSDEC standards.



## **19. Project Support**

Local officials and residents all appear to be supportive of the Project. No opposition has been expressed by public or private persons or organizations on the implementation of the proposed Plan.

## **20. Notifications to Non-Federal Sponsor**

Based on its past sponsorship of other Army Corps of Engineers water resource (Civil Works) projects and ongoing discussions during the Project's Feasibility phase, the Non-Federal Sponsor is aware of the risks of acquiring LER required for the Project prior to the signing of the PPA. However, upon the approval of the Plan for the Project, in accordance with paragraph 12-31, Chapter 12, ER 405-1-12, Real Estate Handbook, 20 Nov 85, a formal written notice identifying the risks associated with acquiring the LER for the Project prior to the full execution of the PPA will be provided to the Sponsor.

## **21. Other Issues**

a. One Station Plaza, Mamaroneck Train Station, situated within the Project Area is listed on the National Register of Historic Places. There are a number of properties identified as eligible for the New York State and National Registers located within the Project Area, including the Ward Avenue Bridge, the stone wall thematic historic district and the Metro North Railroad Bridge. These historic properties will be adversely by project activities. A Memorandum of Agreement executed in consultation with the New York State Historic Preservation Office and interested parties will be required.

b. The Memorandum of Agreement will outline the mitigation required to minimize the adverse effect to the Ward Avenue Bridge and the stone retaining walls as well as a process to determine any required mitigation for the non-structural elements and the project activities at the central abutment of the Metro-North Bridge, as elements and activities are determined.

c. There are no known existing encumbrances (i.e., easements, rights-of-way, etc) that would affect, or be affected by, the Project.

## **22. Point of Contacts:**

The point of contact for this Real Estate Plan is, Real Estate & Real Property Support Branch Chief, Erica Labeste, who may be contacted at (917) 790-8461 or via email: [Erica.A.Labeste@usace.army.mil](mailto:Erica.A.Labeste@usace.army.mil). The undersigned, Chief, Real Estate Division, Noreen D. Dresser may be contacted at (917) 790-8430 or via email: [Noreen.D.Dresser@usace.army.mil](mailto:Noreen.D.Dresser@usace.army.mil).



**23. Recommendations:**

This report has been prepared in accordance with Paragraph 12-16 of Chapter 12 of the Real Estate Handbook, Corps of Engineers Regulation ER 405-1-12. It is recommended that this report be approved.

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NOREEN DEAN DRESSER  
District Chief, Real Estate Division  
Real Estate Contracting Officer



**Exhibit “A”**  
**Real Estate Maps**







**Legend**

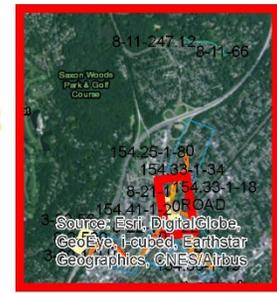
- PERM CHANNEL EASEMENT
- TEMPORARY\_EASEMENT
- Mamaroneck Town Parcels
- Rye Town Parcels
- mmv\_strud\_poly

World Boundaries and Places World Imagery



**U.S. ARMY CORPS OF ENGINEERS, N. Y. DISTRICT  
REAL ESTATE PLAN OF EASEMENTS FOR  
MAMARONECK SHELDRAKE CHANNEL, NEW YORK  
ALT. 1Z**

Parcels in Mamaroneck and Rye  
are labeled by the Print Key  
Example: 5-8-112 = Block 508 Lot 112  
Harrison Parcels are labeled by Parcel ID





**Legend**

- PERM CHANNEL EASEMENT
- TEMPORARY\_EASEMENT
- Mamaroneck Town Parcels
- Rye Town Parcels
- mmv\_strud\_poly

1 inch = 300 feet

World Boundaries and Places



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Habib Soltani: Real Estate Division/Civil Engineer/GIS





**Legend**

- PERM CHANNEL EASEMENT
- TEMPORARY\_EASEMENT
- Mamaroneck Town Parcels
- Rye Town Parcels
- mmv\_strud\_poly

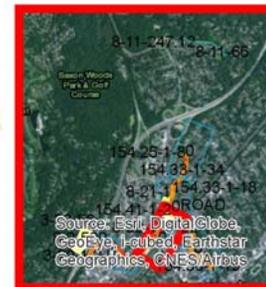
1 inch = 300 feet

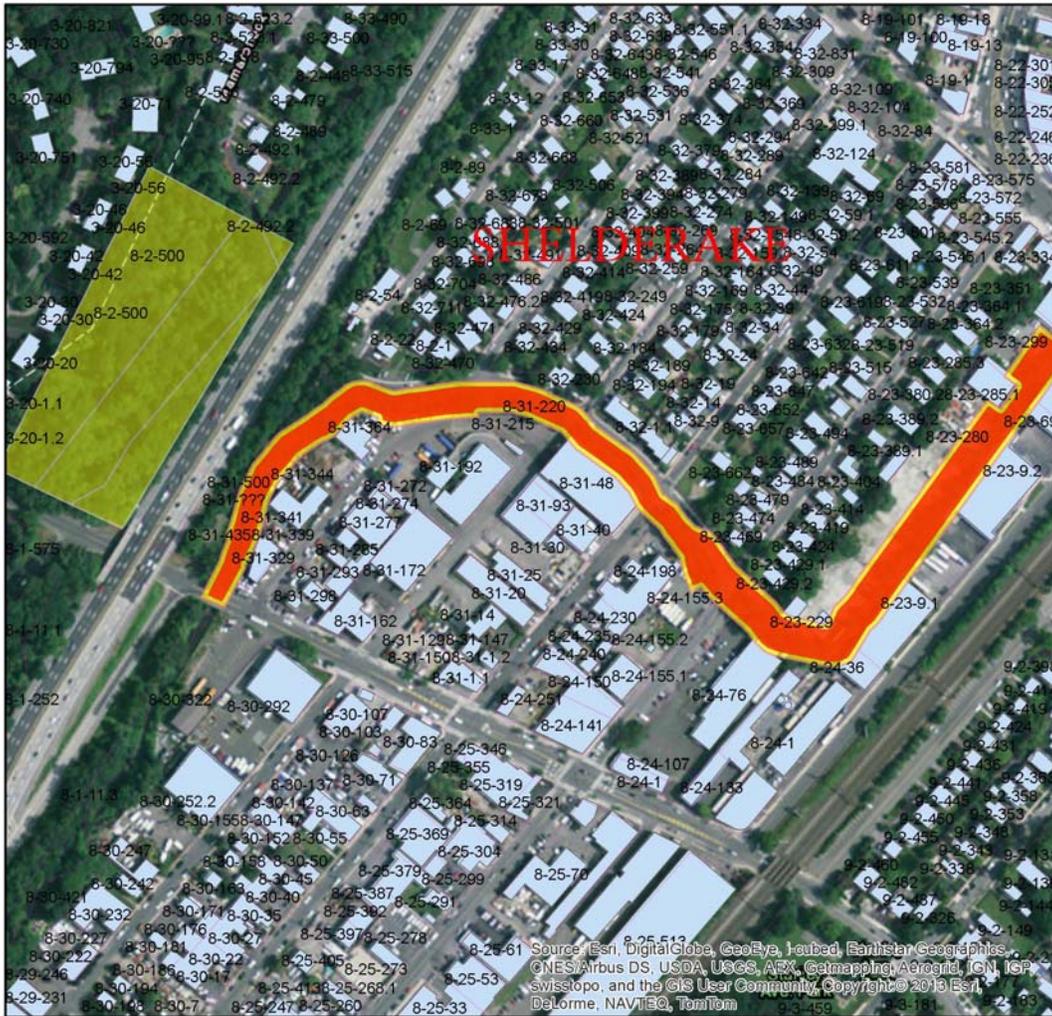
World Boundaries and Places World Imagery



**U.S. ARMY CORPS OF ENGINEERS, N. Y. DISTRICT  
REAL ESTATE PLAN OF EASEMENTS FOR  
MAMARONECK SHELDRAKE CHANNEL, NEW YORK  
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1 inch = 300 feet

World Boundaries and Places World Imagery



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REAL ESTATE PLAN OF EASEMENTS FOR  
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Habib Soltani: Real Estate Division/Civil Engineer/GIS



0 0.15 0.3 0.6 0.9 1.2 Miles



**Exhibit “B”**  
**Parcel Data**



## National Economic Development Plan Parcel Data

Municipality	SEC_BLK_LOT	Channel Improvement Easement (acres)	Temporary Work Area Easement (acres)
<b>Privately-Owned Parcels</b>			
Mamaroneck	8-2-500	0.000	2.530
Rey Town	154.25-1-1	0.050	0.000
Rey Town	154.42-1-15	0.060	0.000
Rey Town	154.42-1-17	0.010	0.000
Rey Town	154.50-1-84	0.020	0.000
Rey Town	154.33-1-1	0.010	0.250
Rey Town	154.33-1-3	0.160	0.050
Rey Town	154.33-1-4	0.020	0.040
Rey Town	154.33-1-19	0.100	0.000
Rey Town	154.33-1-21	0.020	0.000
Rey Town	154.33-1-22	0.030	0.000
Rey Town	154.33-1-34	0.150	0.000
Rey Town	154.33-1-35	0.080	0.000
Rey Town	154.33-1-36	0.020	0.000
Rey Town	154.42-1-4	0.070	0.000
Rey Town	154.50-1-1	0.070	0.000
Rey Town	154.50-1-5	0.110	0.000
Rey Town	154.50-1-6	0.050	0.000
Rey Town	154.50-1-7	0.050	0.000
Rey Town	154.41-1-2	1.020	2.060
Rey Town	154.42-1-8	0.060	0.000
Rey Town	154.42-1-9	0.060	0.000
Rey Town	154.42-1-25	0.090	0.000
Mamaroneck	9-12-107	0.000	0.010
Mamaroneck	9-6-260	0.000	0.010
Mamaroneck	9-6-270.2	0.000	0.010
Mamaroneck	8_21_01	0.000	0.220
Mamaroneck	9-6-290	0.070	0.060
Mamaroneck	8_24_76	0.010	0.040
Mamaroneck	8-24-155.3	0.040	0.030
Mamaroneck	8_24_36	0.000	0.040
Mamaroneck	9-1-176	0.040	0.050
Mamaroneck	9-1-315	0.040	0.040
Mamaroneck	9-1-149	0.100	0.010
Mamaroneck	9-1-242	0.060	0.020
Mamaroneck	9-1-251	0.000	0.010
Mamaroneck	9-1-254	0.030	0.040



Mamaroneck	9-1-295	0.090	0.040
Mamaroneck	8_20_01	0.000	0.010
Mamaroneck	8-20-24.2	0.000	0.010
Mamaroneck	8_20_11	0.000	0.010
Mamaroneck	8_20_06	0.000	0.010
Mamaroneck	8-31-339	0.020	0.010
Mamaroneck	8-31-341	0.050	0.020
Mamaroneck	8-31-220	0.050	0.030
Mamaroneck	8-31-192	0.030	0.020
Mamaroneck	8-31-215	0.030	0.020
Mamaroneck	8-31-344	0.140	0.070
Mamaroneck	8-31-364	0.010	0.070
Mamaroneck	8_31_48	0.050	0.060
Mamaroneck	8-21-233	0.030	0.040
Mamaroneck	8_21_1	0.040	0.020
Mamaroneck	8-21-54.2	0.060	0.010
Mamaroneck	8-21-337	0.000	0.010
Mamaroneck	8-21-332	0.010	0.010
Mamaroneck	8-21-316	0.020	0.050
Mamaroneck	8_23_89	0.030	0.030
Mamaroneck	8_23_69	0.000	0.010
Mamaroneck	8_23_74	0.080	0.040
Mamaroneck	8-23-9.1	0.030	0.080
Mamaroneck	8-23-229	0.450	0.190
Mamaroneck	8-23-285.1	0.040	0.000
Mamaroneck	8-23-299	0.040	0.050
Mamaroneck	8-23-9.2	0.090	0.090
Mamaroneck	8-23-280	0.020	0.010
Mamaroneck	8-24-198	0.020	0.030

**Publicly Owned Parcels**

Ray Town	154.25_1_3	0.021	0.000
Ray Town	154.25_1_8	0.022	0.000
Ray Town	154.42_1_16	0.054	0.000
Ray Town	154.33_1_2	0.004	0.188
Ray Town	154.33_1_18	0.292	0.000
Ray Town	154.33_1_20	0.165	0.000
Ray Town	154.42_1_6	0.120	0.000
Ray Town	154.42_1_6	0.120	0.000
Ray Town	154.50_1_19	0.730	0.000
Ray Town	154.50_1_20	0.065	0.000
Ray Town	154.50_1_21	0.151	0.000
Ray Town	154.41_1_1	0.197	0.331



<b>Ray Town</b>	154.41_1_5	0.153	0.000
<b>Mamaroneck</b>	9_6_140	0.375	0.126
<b>Mamaroneck</b>	8_31_500	0.013	0.005
<b>Mamaroneck</b>	8_22_1	0.978	3.090
<b>Mamaroneck</b>	8_31_435	0.112	0.075
<b>Mamaroneck</b>	8_31_???	0.003	0.008
<b>Mamaroneck</b>	8_21_454	0.090	0.000
<b>Public Roads</b>		0.08	3.358



**Exhibit “C”**  
**Standard Estates**



### **Channel Improvement Easement (Standard Estate No. 8)**

A perpetual and assignable right and easement to construct, operate, and maintain channel improvement works on, over and across [*Section, Block, and Lot*] for the purposes as authorized by the Act of Congress approved in Section 401(a) of the Water Resources Development Act of 1986 (Public Law 99-662), including the right to clear, cut, fell, remove and dispose of any and all timber, trees, underbrush, buildings, improvements and/or other obstructions therefrom; to excavate: dredge, cut away, and remove any or all of said land and to place thereon dredge or spoil material; and for such other purposes as may be required in connection with said work of improvement; reserving, however, to the owners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

### **Temporary Work Area Easement (Standard Estate No. 15)**

A temporary easement and right-of-way in, on, over and across [*Section, Block, and Lot*] for a period not to exceed three (3) years, beginning with date possession of the land is granted to the United States, for use by the United States, its representatives, agents, and contractors as a work area, including the right to (borrow and/or deposit fill, spoil and waste material thereon) (move, store and remove equipment and supplies, and erect and remove temporary structures on the land and to perform any other work necessary and incident to the construction of the Mamaroneck and Sheldrake River Flood Damage Reduction Project Mamaroneck, New York, together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.



**Exhibit “D”**  
**Non-Federal Sponsor Capability Assessment**



**ASSESSMENT OF NON-FEDERAL SPONSOR'S  
REAL ESTATE ACQUISITION CAPABILITY**

**MAMARONECK AND SHELDRAKE RIVER  
FLOOD DAMAGE REDUCTION PROJECT  
MAMARONECK, NEW YORK**

**I. Legal Authority.**

- a. Does the sponsor have legal authority to acquire and hold title to real property for project purposes? Yes
- b. Does the sponsor have the power of eminent domain for this project? Yes
- c. Does the sponsor have “quick-take” authority for this project? Yes
- d. Are any of the lands/interests in land required for the project located outside the sponsor’s political boundary? No
- e. Are any of the lands/interests in land required for the project owned by an entity whose property the sponsor cannot condemn? No

**II. Human Resource Requirements.**

- a. Will the sponsor’s in-house staff require training to become familiar with the real estate requirements of Federal projects including P.L. 91-646, as amended? No
- b. If the answer to II.a is “yes,” has a reasonable plan been developed to provide such training? N/A
- c. Does the sponsor’s in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project? Yes
- d. Is the sponsor’s projected in-house staffing level sufficient considering its other workload, if any, and the project schedule? Yes
- e. Can the sponsor obtain contractor support, if required in a timely fashion? Yes
- f. Will the sponsor likely request USACE assistance in acquiring real estate? No



**III. Other Project Variables.**

- a. Will the sponsor's staff be located within reasonable proximity to the project site? Yes
- b. Has the sponsor approved the project/real estate schedule/milestones? Yes

**IV. Overall Assessment.**

- a. Has the sponsor performed satisfactorily on other USACE projects? Yes
- b. With regard to this project, the sponsor is anticipated to be: highly capable/fully capable/moderately capable/marginally capable/insufficiently capable. If sponsor is believed to be "insufficiently capable," provide explanation. Highly Capable.

**V. Coordination.**

- a. Has this assessment been coordinated with the sponsor? Yes
- b. Does the sponsor concur with this assessment? Yes

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NOREEN DEAN DRESSER  
Chief, Real Estate Division,  
Real Estate Contracting Officer

