

# **MAMARONECK SELF-STORAGE BUILDING ADDITION**



## **Final Environmental Impact Statement**

**Lead Agency:**

Village of Mamaroneck – Zoning Board of Appeals

January 5, 2023

**Mamaroneck Self-Storage Building Addition  
Waverly Avenue/Fenimore Road  
Village of Mamaroneck  
Westchester County, New York  
(Tax Map #8-111-29-42)**

**FINAL ENVIRONMENTAL IMPACT STATEMENT**

**SEQRA Classification:**

Unlisted Action

**Lead Agency:**

Village of Mamaroneck  
Zoning Board of Appeals  
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**January 2023**

Date of Acceptance: January 5, 2023

Available at: <https://www.village.mamaroneck.ny.us>

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## **Table of Contents**

### **Chapter I Introduction & Description of the Proposed Action**

I. Project Description .....	I-2
II. Project Reviews & Approvals .....	I-11

### **Chapter II Index of DEIS Comments**

### **Chapter III Responses to DEIS Comments**

III.A Land Use & Zoning .....	III.A-1 - 27
III.B Natural Resources .....	III.B-1
III.C Hazardous Materials & Public Health .....	III.C-1 – 7
III.D Flooding & Flood Zone Impacts .....	III.D-1 – 7
III.E Historic Resources .....	III.E-1
III.F Visual Resources .....	III.F-1 – 9
III.G Utilities .....	III.G-1
III.H Traffic & Transportation .....	III.H-1 -5
III.I Economic & Fiscal Resources .....	III.I-1 – 6
III.J Building Demolition & Construction .....	III.J-1
III.K Miscellaneous .....	III.K-1 - 3

## **Appendix**

### **Table of Contents**

A	Comment Letters
B	Public Hearing Transcripts
C	Prior Approvals for Self-Storage Building
D	Traffic & Parking Study
E	Sewer & Water Calculations
F	Flood Storage Analysis
G	Phase I Environmental Site Assessment
H	Phase II Environmental Site Assessment

# **Chapter I.**

## **Introduction & Description of the Proposed Action**

## I – INTRODUCTION AND DESCRIPTION OF THE PROPOSED ACTION

### INTRODUCTION

This Final Environmental Impact Statement (FEIS) has been prepared in accordance with the requirements of Article 8 of the New York State Conservation Law, the State Environmental Quality Review Act (SEQRA) and the associated implementing regulations as set forth in 6 NYCRR part 617. This FEIS describes the evolution of the proposed Mamaroneck Self Storage Building Addition and responds to comments received concerning the Draft Environmental Impact Statement (DEIS).

The FEIS is organized as follows:

- I. Introduction and Description of the Proposed Action** – Includes a description of the initial project, proposed project revisions and modifications made in response to Involved Agency and public comment.
- II. Index of DEIS Comments** – Identifies all comments received both during the public hearing and in writing.
- III. Responses to DEIS Comments** – This section of the FEIS presents the responses to all of the comments received regarding the DEIS. Comments are organized by DEIS section heading. The comments are presented in ***bold italic*** typeface, followed by the response in standard typeface.
- IV. Appendix** – The Appendix includes relevant FEIS correspondence, public hearing transcripts and reports and studies in their entirety.

The DEIS, accepted as complete on February 4, 2021 and filed on or about March 5, 2021, is hereby incorporated in full, by reference.

#### **I. Project Description:**

The proposed action documented in the DEIS (the “DEIS Plan”) described an expansion of the existing 4-story, 40,492 square foot Mamaroneck Self Storage facility that opened in 2015. The proposed building would contain 56,328 square feet of gross floor area (containing 321 additional storage units) within 4 stories to match the existing building, on a 14,082 square foot footprint. In order to accommodate the new building addition, all of the existing structures on the Site would be demolished, with the exception of Building B - the 1 ½ story – 2-story office building located adjacent to the Waverly Avenue/Fenimore Road intersection. Additionally, the existing parking lot would be reconfigured to accommodate 25 parking spaces and 4 loading spaces. The architectural treatment of the building addition would be identical to that of the existing self-storage building, consisting of a brick base, matching colored precast walls and a distinctive roof mansard articulated with parapet detailing.

In response to comments received during the DEIS public hearing process, the Applicant has re-envisioned the proposed development and in the Applicant’s opinion has created a project more closely aligned with the articulated goals of the Village, the proposed “Maker Zone”, the evolving character of the M-1 – Manufacturing Zoning District and the concerns of the Zoning Board of Appeals (the “FEIS Plan”).

The FEIS Plan reflects a complete re-design of the proposed building addition and a modification to how the Site will be used.

The DEIS Plan called for the demolition of 3 of the 4 remaining industrial buildings on the Site (totaling 15,604 square feet), with the exception of the existing self-storage building. Under the FEIS Plan, all of the existing industrial buildings will be razed, resulting in the removal of 18,589 square feet of existing floor area.

The new building extension would consist of 44,314 square feet of gross floor area, or a net increase of 25,725 square feet once the floor areas of the existing industrial buildings are deducted. Where the building addition presented in DEIS Plan was somewhat monolithic, the building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building, while restoring a human scale to the Site. This approach would reduce the building footprint of the addition by 1,044 square feet and the gross floor area of the addition by 12,014 square feet. The FAR for the overall site would be reduced from 2.26<sup>1</sup> to 1.92.

The height of portions of the building addition has also been reduced. The southernmost section of the building addition will be integrated with the existing self-storage building, and as such will correspond to the height of the existing building. However, moving north, the building will step down to three stories and then two stories where a terrace, broad landscaped rain garden and lawn gradually integrates the Site into the Fenimore Road streetscape. The streetscape is proposed to be further enhanced by replacing the Murphy Brothers office building located at the Waverly Avenue/Fenimore Road intersection, with a publicly accessible vest-pocket park containing decorative seasonal landscaping and benches arrayed around a circular walkway.

Site access and off-street parking and loading has also been revised and modified. Access to the Site will be provided from the existing two-way driveway on Waverly Avenue located adjacent to the existing self-storage building. The second existing driveway on Waverly Avenue will be eliminated. An exit, right-turn-only driveway will be maintained on Fenimore Road. The parking lot will be reconfigured and the number of spaces maximized to provide for 26 full-size parking stalls. 3 new off-street loading spaces are proposed adjacent to the building addition.

New stormwater management improvements are proposed including a rain garden along Fenimore Road. The building addition would be served by new utility connections. New exterior site lighting, and extensive landscaping around the entire Waverly Avenue and Fenimore Road frontages is also proposed.

The use of the building addition has also evolved from the single-use self-storage addition proposed in the DEIS. The amount of square footage devoted to the self-storage use has been reduced from 56,328 square feet to 34,270 square feet (consisting of 18,925 square feet specifically for self-storage and 15,345 square feet for circulation and mechanical rooms). The number of new storage units would also be correspondingly reduced from 321 to 160 storage units.

The balance of the building addition would be occupied by the following:

1. Murphy Brothers Contracting:
  - a. 2,157 square feet for their office operations.

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<sup>1</sup> Although the proposed FAR for the overall site had been presented as 2.43 in the DEIS, it has been updated here based on the existing self-storage building (40,492 square feet), the DEIS proposed addition (56,328 square feet), and the existing front building (Building B; 2,985 square feet) that had been proposed to remain under the DEIS Plan.

- b. 5,879 square feet for a new woodworking shop.
2. 2,008 square feet of incubator professional office space intended to support and accommodate local entrepreneurs looking to expand on their business concepts, as well as work at home professionals who need a temporary more formal work space. The space will be divided into five 10' x 12' work stations that can be reserved by the week or month. It will include high-speed internet wi-fi, a conference room that can be reserved by appointment, a kitchenette, bathrooms, other traditional office amenities and a roof-top garden and patio area. 6 parking spaces will be assigned to this use, along with a designated bicycle storage area. The building is an approximately 5-minute walk from the Metro North train station, and is within walking distance to the Mason and Sweetwater and several other apartments buildings. It is anticipated that residents of these developments would take advantage of convenient location of this incubator office space.

Table I-1 presents a summary of the existing and proposed floor areas of the Site, by use.

Table I-1 Summary of Existing and Proposed Floor Areas by Use					
	Bldg #	Building Description	Floor	Occupant & Usage	Gross Floor Area (SqFt)
Proposed Demolition	A	Barn	1	Murphy Brothers, Storage (excludes interior parking)	1,555
		Barn	2	Murphy Brothers, Storage	3,515
		Barn	1	Electricians, Office	1,000
		Barn	2	Electricians, Storage	500
		Barn	3	Holiday Storage Facility	1,752
Proposed Demolition	B	Front Building	1	Murphy Brothers Storefront	500
		Front Building	1	MBC General Contractor, Warehouse	1,185
		Front Building	2	MBC General Contractor, Office	1,300
Proposed Demolition	C	Center Building	1	Murphy Brothers, Warehouse	2,524
		Center Building	2	Murphy Brothers, Offices	3,024
Proposed Demolition	D	Side Building	1	Auto Glass, Storage/Service	612
		Side Building	2	Auto Glass, Offices	1,122
Previously Demolished	E	Rear Building	-	Demolished	-
Previously Demolished	F	Rear Building	-	Demolished	-
Existing Self-Storage Building	G	Self-Storage	4	Self-Storage	38,467
		Self-Storage	4	Circulation & Mechanical Rooms	2,025
Proposed Addition	H	Self-Storage Addition	4	Self-Storage	18,925
		Self-Storage Addition	4	Circulation and Mechanical Rooms	15,345
		Self-Storage Addition	1	Woodworking Shop	5,879
		Self-Storage Addition	2	MBC Offices	2,157
		Self-Storage Addition	3	Incubator Offices	2,008

Table I-2 presents a comparison of the principal impacts of the FEIS Plan when compared to the DEIS Plan.

Table I-2 Comparison Between DEIS Plan and FEIS Plan		
Project Element	DEIS Plan	FEIS Plan
Uses	Self-Storage Office	Self-Storage Office Woodworking Shop Incubator Office Space
Gross Floor Area	99,805 sqft <sup>2</sup>	84,806 sqft
Building Addition Footprint	14,082 sqft	13,038 sqft
# Of Additional Storage Units	321	160
Building Height	4-Stories 45'	4-Stories 45'
Off-Street Parking	25	26
Off-Street Loading	4	3
Area of Disturbance	32,000 sqft	34,310 sqft
Net Excavation	220 cy (cut)	80.10 cy (cut)
Impervious Areas	40,675 sqft	39,235 sqft
Water Usage	24.9 gpm	24.9 gpm (no change) <sup>3</sup>
Wastewater Generation	150 gpd	255 gpd <sup>4</sup>
Peak Hour Traffic	8 AM trips 10 PM trips	14 AM trips 21 PM trips

As more fully documented in the DEIS, the FEIS Plan will incorporate the same energy-efficient measures as the existing award-winning building. It is the goal of the Applicant to operate a net-zero facility.

The FEIS Plan is presented in Figures I-1 – I-11.

The impacts of the FEIS Plan are summarized below.

#### A.) **Land Use & Zoning:**

The FEIS Plan reduces the scale and size of the proposed building addition and as such is more zoning compliant than the DEIS Plan. Seven variances however, would still be required.

Table I-3 presents the zoning compliance of the FEIS Plan.

<sup>2</sup> Although the proposed GFA for the overall site had been presented as 107,087 square feet in the DEIS, it has been updated here to include the existing self-storage building (40,492 square feet), the DEIS proposed addition (56,328 square feet), and the existing front building (Building B; 2,985 square feet) that had been proposed to remain under the DEIS Plan.

<sup>3</sup> The proposed building includes four bathrooms, 1 service sink and 1 water fountain. Based upon the New York State Plumbing Code, Appendix E, the existing removal of fixtures from the existing buildings plus the new building will utilize an estimated 32 water supply fixture units. The peak flow rate for site is 24.9 gpd. Refer to Appendix E.

<sup>4</sup> Based upon the New York State Department of Environmental Conservation's Design Standards for Intermediate Sized Wastewater Treatment Systems (2014), the expected hydraulic daily load is 15 persons per day per shift. It is anticipated that there will be 1-shift of 17 employees at the facility, therefore the total daily hydraulic loading is 255 gpd. Refer to Appendix E.

Table I-3 FEIS Plan Zoning Compliance				
Zoning Criteria	Required/ Permitted	Existing	Proposed	Variance Required
Minimum Lot Area (SqFt)	10,000	44,156	44,156	--
Minimum Lot Width	50	134	134	--
Building Coverage				
Area (SqFt)	22,078	20,081	23,094	1,016
Percentage	50%	45%	52%	2%
Floor Area Ratio (FAR)	1.0	1.34	1.92	0.92
Maximum Gross Floor Area	44,156	59,081	84,806	40,650
Impervious Surface Coverage				
Area (SqFt)	N/A	41,653	39,235	--
Percentage	N/A	94.3%	88.9	--
Maximum Building Height				
Stories	3	4	4	1 story
Feet	45'	45'	45'	
Minimum Yard Requirements				
Front (Waverly)	Note 1	0'	0'	--
Front (Fenimore)	10'	0.4'	10'	--
Rear (Southeast)	None	2'	2'	--
Rear (Southwest)	None	3'	3'	--
Off-Street Parking	124	52	26	98
Off-Street Loading	8	0	3	5

**Note 1** – HEIGHT BUILDING – The vertical distance to the highest level of the highest point of the roof if the roof is flat or mansard or to the mean level between the eaves and the highest point of the roof if the roof is any other type, measured from the average level of the existing grade prior to construction adjacent to the exterior walls of the building.

**Note 2** - In the case of corner lots, the Planning Board shall establish reasonable setbacks from the street pursuant to §342-79.

**Note 3** – Front yard setback from Fenimore Road is an existing non-conforming condition. The addition at Fenimore Road is proposed beyond the 10-foot minimum yard setback.

**Note 4** – Existing off-street parking associated with site buildings to remain shall not be reduced in accordance with §342-55, Existing uses, and shall not be required to comply with current off-street parking requirements.

Table I-4 demonstrates the difference between the variances required for DEIS Plan compared to the FEIS Plan. As noted, the building coverage, FAR and gross floor area variances have been reduced, the height remains unchanged, the off-street parking variance has been decreased by one space, and the off-street loading variance has been increased by one space.



Table I-4 DEIS Plan - FEIS Plan – Variance Comparisons			
Variance	Required	DEIS Plan	FEIS Plan
Building Coverage	22,078 sqft 50%	25,834 sqft 59%	23,094 sqft 52%
Floor Area Ratio	1.0	2.26 <sup>5</sup>	1.92
Maximum Gross Floor Area	44,156 sqft	99,805 sqft <sup>6</sup>	84,806 sqft
Maximum Building Height	3 stories	4 stories	4 stories
Off-Street Parking	124	25	26
Off-Street Loading	8	4	3

### **B.) Natural Resources:**

The FEIS Plan will not result in any appreciable change to the limited impacts to the Site's natural resources documented in the DEIS. The Site is currently essentially fully developed, with no open or vacant land. The FEIS Plan will increase the Site disturbance to 34,310 square feet from the 32,000 square feet required for the DEIS Plan. This increase is required to allow for the demolition of the existing Murphy Brothers office building located on the corner of Waverly Avenue and Fenimore Road, which would be replaced by a new vest-pocket park. The overall amount of impervious area will actually be slightly decreased from 40,675 square feet under the DEIS Plan, to 39,235 square feet under the FEIS Plan.

The proposed method of constructing of the FEIS Plan remains the same as that presented for the DEIS Plan. The building addition has no basement and will be constructed on a slab foundation. Minimal site excavation will be required consisting of 150 cubic yards of cut and 69.9 cubic yards of fill, resulting in a net cut of 80.1 cubic yards. No adverse impacts to groundwater, subsurface geology or soil conditions would result from the FEIS Plan. The same Excavation Work Plan described in the DEIS will updated and implemented for the FEIS Plan.

### **C.) Hazardous Materials & Public Health:**

As documented in the DEIS, some soil samples exceeded the Unrestricted Use Soil Cleanup Objectives, which is the most restrictive guideline. However, there are no exceedances for the proposed use as presented in the FEIS Plan. The results of soil sampling for VOCs, SVOCs, TAL metals and PCBs indicate that no petroleum hydrocarbon constituents, metals or PCBs were detected above NYSDEC Restricted Use Soil Cleanup Objectives for commercial properties at any of the boring locations where these constituents were tested.

Any impacted soil encountered during excavation will be addressed and disposed of in accordance with the Excavation Work Plan. If an underground storage tank is encountered during construction, it will be addressed in accordance with all applicable NYSDEC and WCDOH regulations, and will be closed-out properly. A Community Air Monitoring Plan (CAMP) will be implemented, which will determine if soil off-gassing will occur and what measures will need to be implemented should that occur. A geotechnical engineer will prepare

<sup>5</sup> Although the proposed FAR for the overall site had been presented as 2.43 in the DEIS, it has been updated here based on the existing self-storage building (40,492 square feet), the DEIS proposed addition (56,328 square feet), and the existing front building (Building B; 2,985 square feet) that had been proposed to remain under the DEIS Plan.

<sup>6</sup> Although the proposed GFA for the overall site had been presented as 107,087 square feet in the DEIS, it has been updated here to include the existing self-storage building (40,492 square feet), the DEIS proposed addition (56,328 square feet), and the existing front building (Building B; 2,985 square feet) that had been proposed to remain under the DEIS Plan.

a pre-construction survey and install monitoring equipment on adjacent structures to ensure their integrity.

During the review of the DEIS, it was noted that certain chlorinated VOC levels in groundwater samples exceed NYSDEC Ambient Water Quality Standards. However, groundwater will not be used for potable purposes, and if any dewatering is required, the pumped groundwater will be treated prior to being discharged, or collected and properly disposed of. While well below levels that would result in a threat to public health, or trigger further environmental investigation, the FEIS Plan will include a vapor barrier of sub-slab depressurization system.

The FEIS Plan calls for the demolition of all of the existing buildings on the Site (except for the existing self-storage building), including the office building located on the corner of Waverly Avenue and Fenimore Road, which was to remain under the DEIS Plan. As noted in the DEIS, these buildings may contain asbestos, lead paint or PCB's which may require abatement and/or proper disposal during the demolition process.

**D.) Flooding and Flood Zone Impacts:**

The site lies within the Special Flood Hazard Zone (AE), and the FEIS Plan will fully comply with Chapter 186 of the Village Code: Flood Damage Protection. Although storage of floodwaters is not required within the building, the building design has been revised to include wet floodproofing in order to maximize flood storage on-site. In addition to flood storage within the proposed wet floodproofed buildings, other flood storage on the site consists of the parking and landscaped areas. The flood storage volume was calculated at 1-foot intervals from the lowest elevation on site (21) to the flood elevation (EL. 26). As demonstrated in the Volumetric Calculations (Figure I-11 and Appendix F), the cumulative storage for each elevation up to and including the 100-year flood elevation increases over the existing conditions of the site. The FEIS Plan results in a 31,091 cubic foot increase in flood storage, which in turn corresponds to a theoretical reduction in the 100-year floodplain, thereby reducing the impact of a flood event on surrounding properties. As was the case with the DEIS Plan, the FEIS Plan will be required to carry flood insurance.

**E.) Historic Resources:**

As documented in the DEIS, no designated historic resources are located on, or in the immediate vicinity of the Project Site. No adverse impacts will result from the FEIS Plan.

**F.) Visual Resources:**

The FEIS Plan represents a significant modification to the size, scale, mass and design of the Proposed Action. The new building extension would consist of 44,314 square feet of gross floor area. Where the building addition presented in the DEIS Plan was somewhat monolithic, the building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building. This approach would reduce the building footprint of the addition by 1,044 square feet and the gross floor area of the addition by 12,014 square feet. The FAR would be reduced from 2.26<sup>7</sup> to 1.92.

<sup>7</sup> Although the proposed FAR for the overall site had been presented as 2.43 in the DEIS, it has been updated here based on the existing self-storage building (40,492 square feet), the DEIS proposed addition (56,328 square feet), and the existing front building (Building B; 2,985 square feet) that had been proposed to remain under the DEIS Plan.

The height of the building addition has also been reduced. The southernmost section of the building addition will be integrated with the existing self-storage building, and as such will correspond to the height of the existing building. However, moving north, the building will step down to three stories and then two stories where a terrace, broad landscaped rain garden and lawn gradually integrates the Site into the Fenimore Road streetscape. The streetscape is proposed to be further enhanced by replacing the Murphy Brothers office building located at the Waverly Avenue/Fenimore Road intersection, with a publicly accessible vest-pocket park containing decorative seasonal landscaping and benches arrayed around a circular walkway.

The FEIS Plan is illustrated in project renderings depicted in Figures I -6 through I-8.

**G.) Utilities:**

The FEIS Plan is being designed as a “Net Zero” building, and as such will be highly energy efficient. The utility demands of the FEIS Plan remain similar to those documented in the DEIS. No adverse impacts have been identified.

**H.) Traffic & Transportation:**

The FEIS Plan eliminates an existing driveway on Waverly Avenue, closest to the Fenimore Road intersection. This modification has the potential to improve traffic operation conditions in this area.

The FEIS Plan will result in the generation of a total of 14 AM peak hour vehicle trips and 21 PM peak hour vehicle trips (combined inbound and outbound). These volumes represent a minor increase above the volumes attributed to the previous plan presented in the DEIS. Given the relatively low volume of trips generated by the FEIS Plan, no significant degradations in Levels of Service or traffic operating conditions would result from the FEIS Plan.

Pursuant to Zoning Code Section 342-56, manufacturing and storage uses require 1 parking space for every 750 square feet of gross floor area, but not less than 1 space for every 2 employees. The 5,879 square foot woodworking shop would therefore require the provision of 8 parking spaces and the existing and proposed self-storage space (74,762 square feet) would require 101 parking spaces. Retail/service business uses require 1 parking space for every 350 square feet of gross floor area. The 2,157 square foot Murphy Brothers office would require 7 spaces. Office uses require 1 parking space for every 250 square feet of gross floor area. The 2,008 square foot incubator office would require 8 parking spaces. Therefore, the total number of parking spaces for the FEIS Plan required by Section 342-56 would be 124 parking spaces.

As fully documented in the DEIS, the Village’s off-street parking requirement for the proposed use significantly overestimates the actual number of spaces required for a self-storage facility (refer to Chapter III. H). While the Village parking requirement would be 124 spaces, the Institute of Transportation Engineers’ (ITE) publication “Parking Generation”, 5<sup>th</sup> Edition, was used to determine the anticipated parking demand, as discussed below. The Applicant is seeking a variance for the deficiency in the number of required parking spaces.

The Mamaroneck Self Storage facility currently has 1-2 employees on-site at any one time. With additional units, this could increase to a maximum of 4 employees on-site at times. A self-storage facility of a total of 429 units, based upon the Institute of Transportation Engineers’ (ITE) publication “Parking Generation”, 5<sup>th</sup> Edition, would generate a peak parking demand of 6 spaces, inclusive of the employee spaces.

The Murphy Brothers Contracting portion of the Site will have four full time office staff on-site which are projected to use four parking spaces. Murphy Brothers Contracting will generally not generate any visits from the general public or contractors. There were previously 19 parking spaces designated for five businesses that parked on-site. That usage will be replaced by the self-storage building addition, and thus the overall parking demand will be reduced. Many of these contractors/businesses have already moved or are no longer in business since the previous studies were performed and thus are no longer parking there.

The Woodworking Shop is projected to utilize three parking spaces while the Incubator Offices are projected to utilize approximately six parking spaces. Thus, a total of approximately 19 parking spaces could be utilized if all of the uses were to peak at the same time.

With the proposed self-storage facility addition and the modifications to the layout of the Site, there will be 26 parking spaces provided on-site, which is one more space than the DEIS Plan. Three (3) loading spaces are also proposed, in addition to the on-street parking spaces along Waverly Avenue. The three loading spaces will be utilized by the patrons of the self-storage facility, thus freeing up even more parking spaces.

The Village's Code permits the utilization of "Shared Parking", referred to as "Joint Parking", in Section 342-56 B. Shared Parking is the principle where different land uses would have their peak parking demands at different times during the day/week and thus can utilize or "share" the same parking space during different periods. As described above, there will be ample parking even without the principles of share parking being applied.

#### **I.) Economic & Fiscal Resources:**

The DEIS documented the demand for self-storage space with the market area surrounding the Site. The FEIS Plan reduces the amount of self-storage space from 56,328 square feet and 321 storage units to 34,270 square feet and 160 storage units. While less economically beneficial to the Applicant, this additional self-storage space would serve to meet a portion of the unmet market demand.

The Murphy Brothers office space and the woodworking shop are not revenue generating spaces for the applicant, but would be included within the assessed value of the property, and generate tax revenue for the various taxing jurisdictions.

The incubator office space is designed as a commercial activity, and will clearly meet the demand for temporary office space which has become increasingly necessary as a result of the pandemic.

As the FEIS Plan involves a smaller building, it is likely that the \$81,604 of projected real estate taxes would be correspondingly reduced.

Although the number of self-storage employees was only increased by one between the DEIS Plan and FEIS Plan, it is anticipated that the 2,008 square feet of office incubator space will result in a new temporary and transient work force at the Site.

As noted in the DEIS, the FEIS Plan will meet an existing market demand, provide increased tax revenues, while incurring negligible demand on municipal services.

## J.) Building Demolition & Construction

The FEIS Plan will require the demolition of all of the existing buildings on the Site. It is anticipated that the short-term building demolition and construction related impacts for the FEIS Plan will be quite similar to those documented for the DEIS Plan. No significant adverse impacts are anticipated.

## II. Project Reviews and Approvals:

Pursuant to the provisions of SEQRA, Involved Agencies are those agencies which have an approval authority in conjunction with the Proposed Action. It is anticipated that the same permits and approvals will be required for the FEIS Plan as documented for the DEIS Plan. Table I-5 documents required permits and approvals.

Table I -5 Project Reviews and Approvals	
Involved Agency	Approval/Review
<b>Village of Mamaroneck</b>	
Zoning Board of Appeals	▪ SEQRA review and adoption of Findings, variance approval
Planning Board	▪ Site Plan approval
Architectural Review Board	▪ ARB approval
Building & Engineering Department	▪ SWPPP ▪ Building Permits ▪ Flood Plain Development Permit
Department of Public Works	▪ Street/Sidewalk Opening Permit
Harbor & Coastal Zone Management Committee	▪ LWRP Consistency Review
<b>Westchester County</b>	
Health Department	▪ Sanitary sewer and water supply approval
Planning Board	▪ 239-m referral
<b>New York State</b>	
Department of Environmental Conservation	▪ SWPPP
Parks Recreation & Historic Preservation	▪ Cultural resources review

The list of Involved and Interested Agencies for the FEIS Plan include:

### Lead Agency:

Village of Mamaroneck Zoning Board of Appeals  
Village Hall  
169 Mount Pleasant Avenue  
Mamaroneck, New York 10543

### Involved Agencies:

Village of Mamaroneck Planning Board  
Village Hall  
169 Mount Pleasant Avenue  
Mamaroneck, New York 10543

Village of Mamaroneck Board of Architectural Review  
Village Hall  
169 Mount Pleasant Avenue

Mamaroneck, New York 10543

Village of Mamaroneck  
Harbor & Coastal Zone Management Commission  
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Westchester County Planning Board  
Westchester County Department of Planning  
148 Martine Avenue, Room 432  
White Plains, New York 10601

Westchester County Department of Health  
25 Moore Avenue  
Mount Kisco, New York 10549

New York State Department of Environmental Conservation  
21 South Putt Corners Road  
New Paltz, New York 12561

New York State Department of Environmental Conservation  
625 Broadway  
Albany, New York, 12207

New York State Office of Parks Recreation and Historic Preservation  
HP Field Services Bureau  
Peebles Island  
P.O. Box 189  
Waterford, New York, 12188

**Interested Agencies:**

Village of Mamaroneck Police Department  
Police Headquarters  
169 Mount Pleasant Avenue  
Mamaroneck, New York 10543

Village of Mamaroneck Fire Department  
Fire Department Headquarters  
146 Palmer Avenue  
Mamaroneck, New York 10543

Village of Mamaroneck  
Flood Mitigation Advisory Committee  
Village Hall  
169 Mount Pleasant Avenue  
Mamaroneck, New York 10543

Village of Mamaroneck  
Vision Zero Committee  
Village Hall

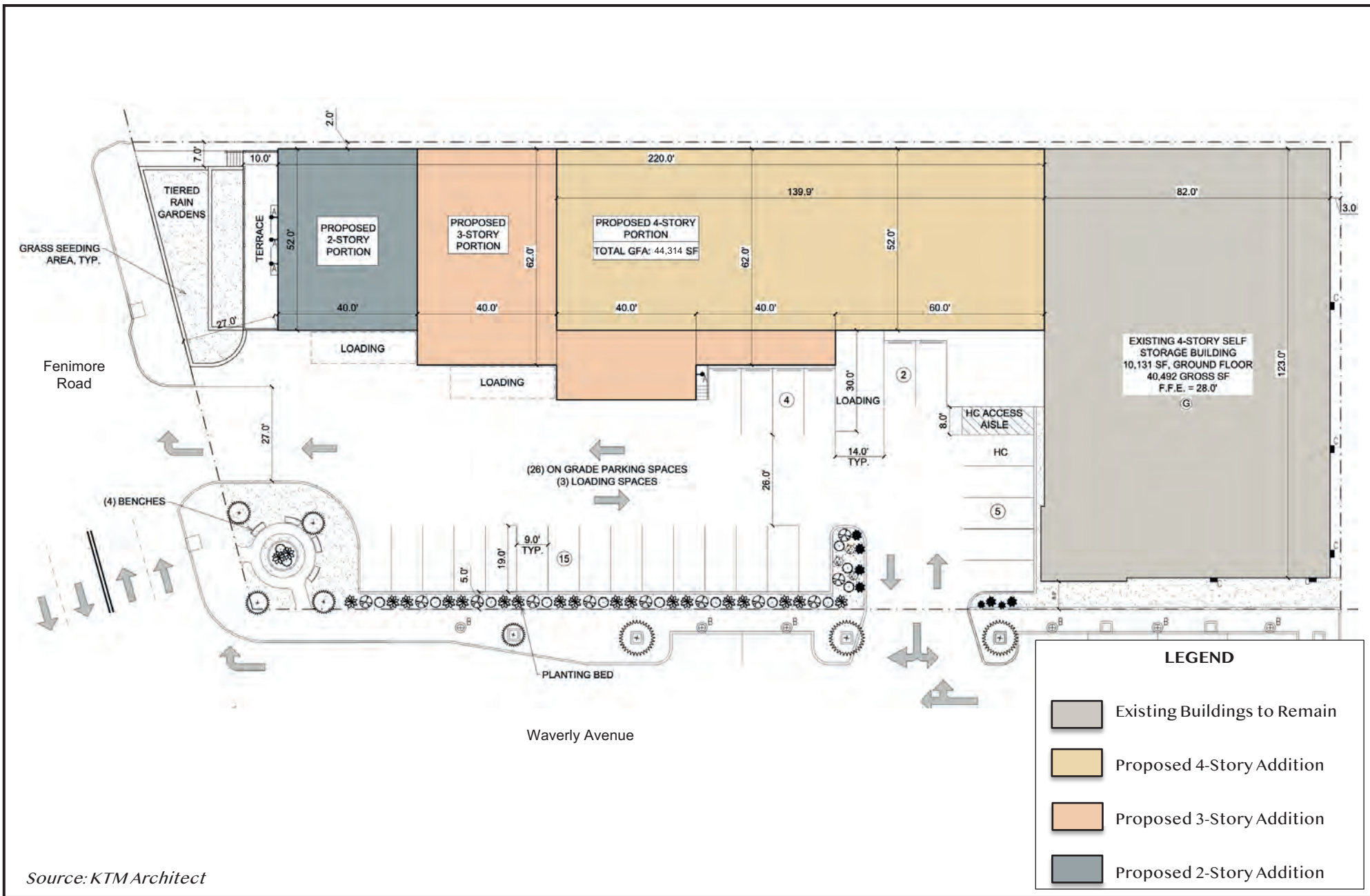
169 Mount Pleasant Avenue  
Mamaroneck, New York 10543

Village of Mamaroneck  
Traffic Commission  
Village Hall  
169 Mount Pleasant Avenue  
Mamaroneck, New York 10543

**Notices Only:**

Environmental Notice Bulletin – Environmental Permits ([enb@dec.state.ny.us](mailto:enb@dec.state.ny.us))







[illegible]

The site plan illustrates the proposed development, including the existing three-story self-storage building and new construction elements. Key features include:

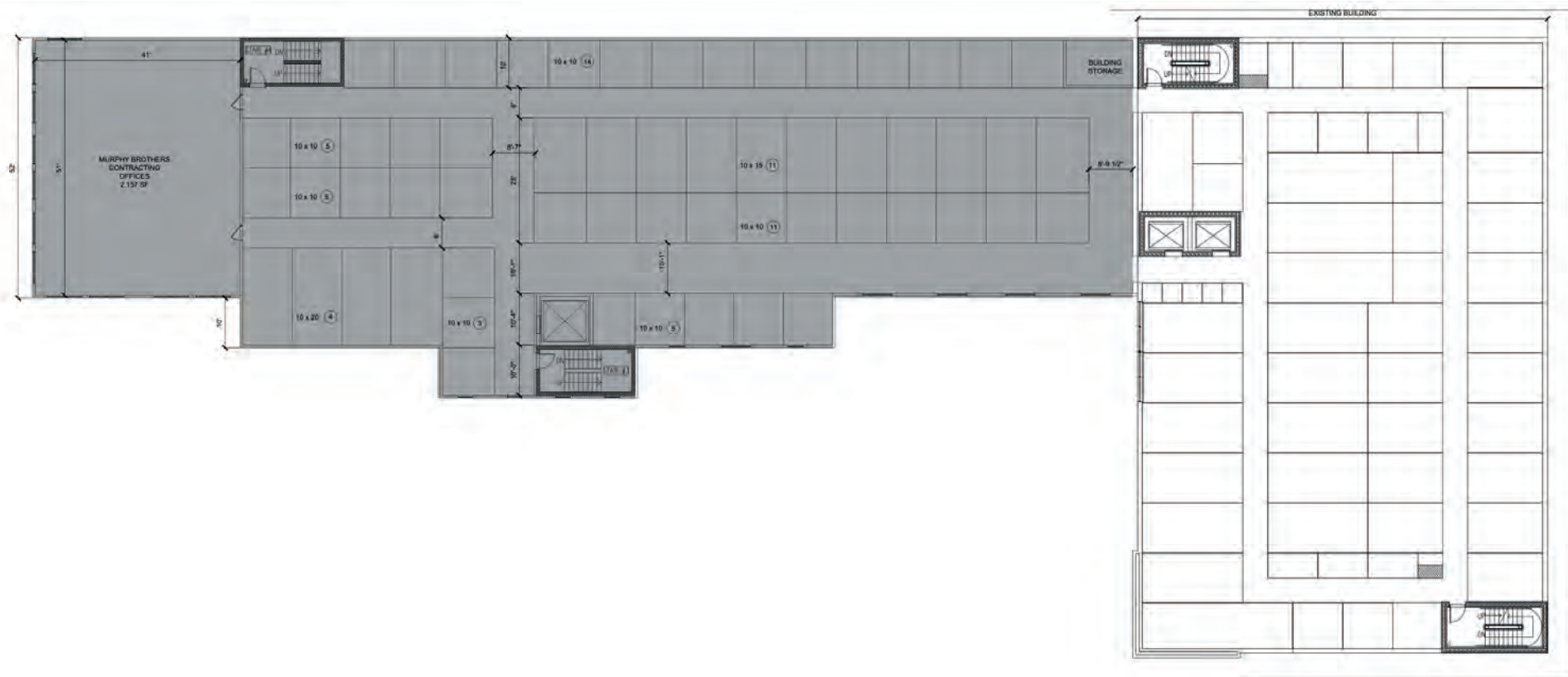
- Existing Building:** A three-story self-storage facility measuring 10,131 SF ground floor and 40,462 gross SF total. It includes a fire escape (F.E.) and a north arrow.
- New Construction:** A two-story addition totaling 44,314 SF GFA, divided into three portions: a proposed 2-story portion (orange), a proposed 1-story portion (yellow), and a proposed 2-story portion (grey).
- Parking and Loading:** The plan shows 28 on-grade parking spaces and three loading zones (loading docks) adjacent to the building.
- Landscaping and Amenities:** Features include tiered gardens, grass seeding areas, benches, and a planting bed along the street frontage.
- Dimensions and Orientation:** Various dimensions are provided for building sections, parking stalls, and setbacks. A north arrow indicates the orientation of the site.

Scale: 0 15' 30'



Figure  
I-1A





PROPOSED ADDITION & ALTERATIONS

Source: KTM Architect

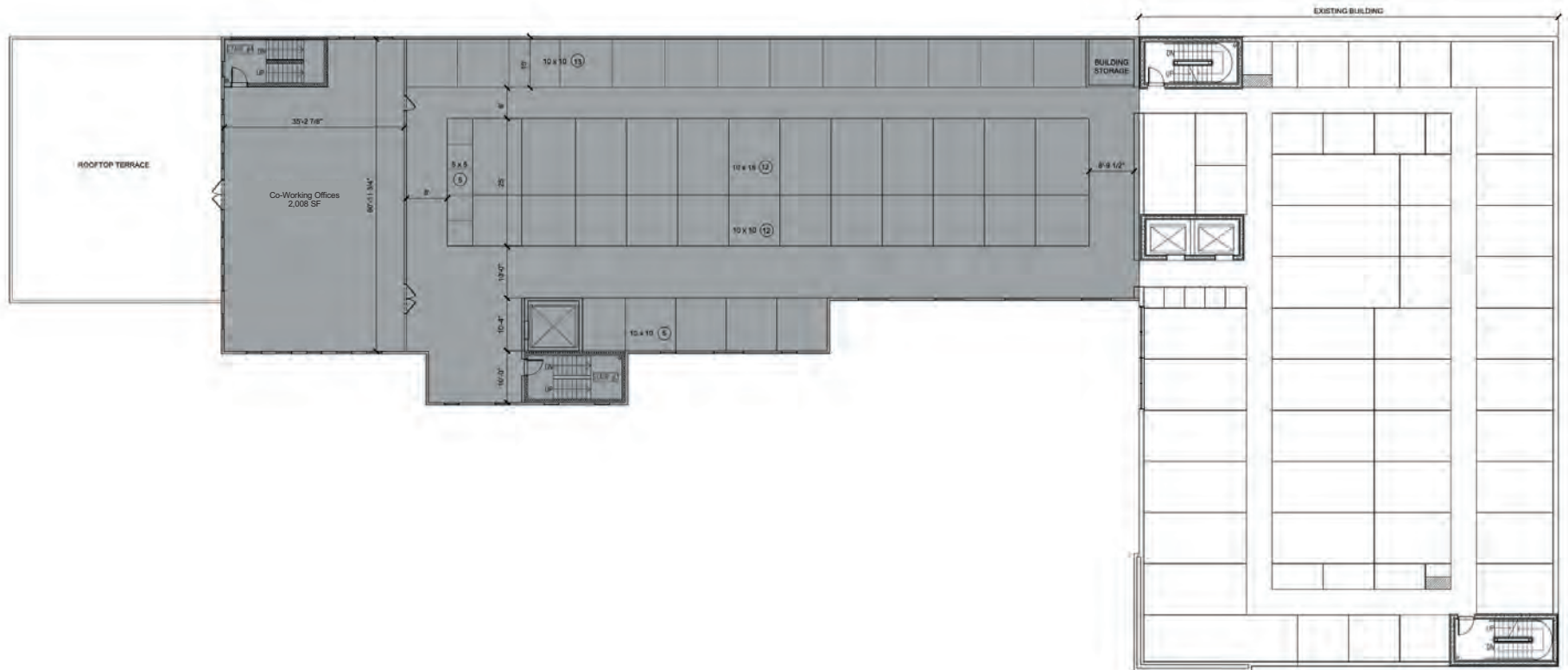
## Second Floor Plan



Figure  
I-3

Scale:  
0 15' 30'





PROPOSED ADDITION & ALTERATIONS

Source: KTM Architect

## Third Floor Plan

Scale:  
0 15' 30'



Figure  
I-4







Source: KTM Architect

Scale:  
N.T.S.

# Project Rendering View to the Southeast



Figure  
I-6





Source: KTM Architect

Scale:  
N.T.S.

# **Project Rendering** **View to the East**



Figure  
I-7





Source: KTM Architect

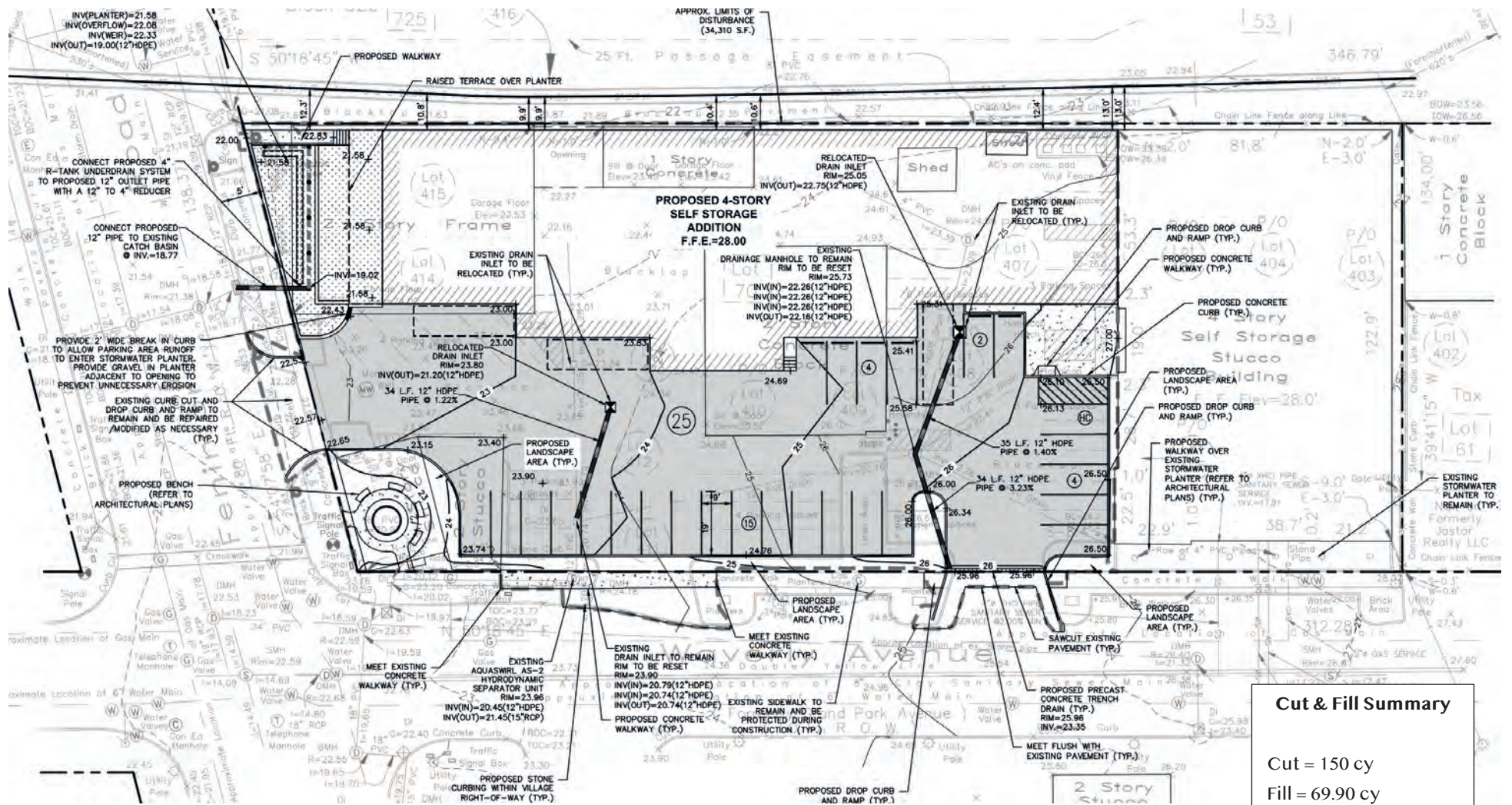
Scale:  
N.T.S.

# Project Rendering View to the Southwest



Figure  
I-8





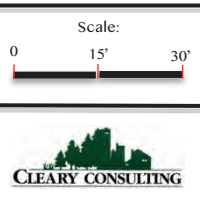
### Cut & Fill Summary

Cut = 150 cy

Fill = 69.90 cy

Net = 80.10 cy (cut)

Source: Hudson Engineering & Consulting, P.C.



# FEIS Plan

## Stormwater Management Plan



Figure  
I-9



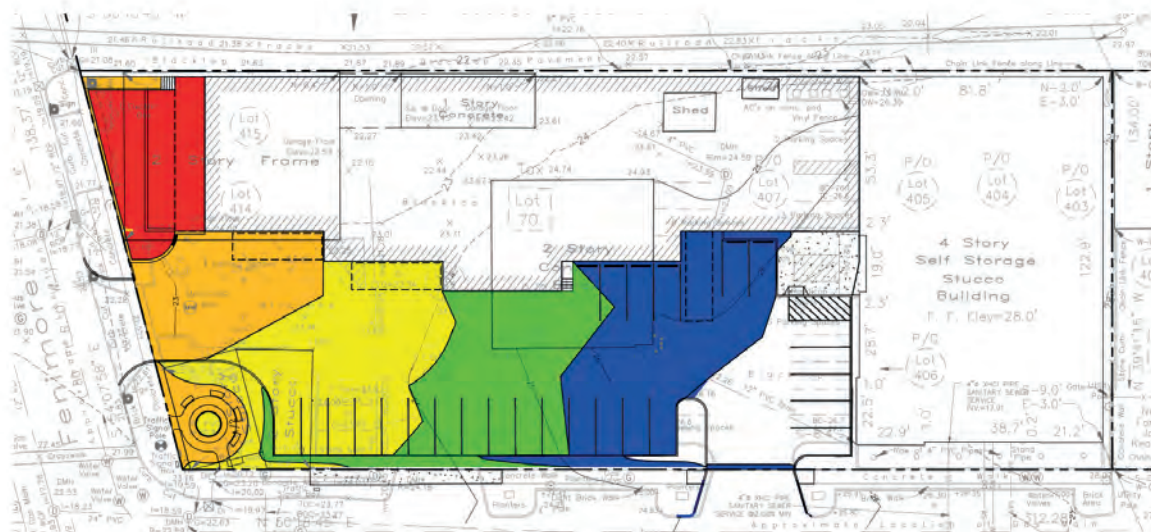






EXISTING SITE COVERAGE  
SCALE: 1"=20'

Volumetric Analysis - Existing Conditions			
Elevation	Surface Area	Incremental Storage (Cubic Feet)	Cumulative Storage (Cubic Feet)
21	0	0	0
22	235	118	118
23	2,422	1,329	1,446
24	9,523	5,973	7,419
25	13,802	11,663	19,081
26	17,092	15,447	34,528



PROPOSED SITE COVERAGE  
SCALE: 1"=20'

Volumetric Analysis - Proposed Conditions			
Elevation	Surface Area	Incremental Storage (Cubic Feet)	Cumulative Storage (Cubic Feet)
21	0	0	0
22	1,764	873	873
23	4,630	3,188	4,060
24	8,600	6,615	10,675
25	11,821	10,211	20,886
26	15,689	13,755	34,641



Source: Hudson Engineering & Consulting, P.C.

Scale:  
As Shown



# FEIS Plan Flood Storage Volumetric Calculations



Figure  
I-11

## **Chapter II.**

### **Index of DEIS Comments**

## II – COMMENT INDEX

The following is a list of the comments received during the public hearing on the Draft Environmental Impact Statement. Copies of all comment letters as well as the full transcripts from the public hearings are included in the Appendix.

### ***Town Consultants:***

Ashley Ley, AICP, AKRF, April 30, 2021

Esteban Garcia, P.E., Kellard Sessions Consulting, February 4, 2021

### ***Public Comments:***

Public Hearing Transcript, April 1, 2021

Public Hearing Transcript, May 6, 2021

The following comments have been received addressing the completeness of the FEIS

AKRF, October 6, 2021

Public Hearing Transcript November 16, 2021

Public Hearing Transcript April 26, 2022

AKRF, June 9, 2022

AKRF, August 23, 2022

# **Chapter III.**

## **Responses to DEIS Comments**

### III. A – ZONING AND LAND USE

**A-1 Comment:**

*Also, they describe the new building as fitting seamlessly integrating seamlessly with the self-storage building that's there currently. It looks like it will all be one piece, and I realize that back in -- I know the resolution was passed in 2013. I don't know if that's when the original project was submitted, but, originally, the applicant was looking for a much larger project back in 2012 or 2013, and the board turned them down, and now they're coming back to build that extra piece of the project that was actually, in my understanding, the board rejected. So this definitely seems like segmentation.*

*(Board Member Yergin, Public Hearing, April 1, 2021)*

**A-1 Response:**

**Procedural history of self-storage applications at the Project Site**

In or about 2009, the Applicant filed an application with the Planning Board seeking to construct an approximately 88,000-square foot, 578-unit self-storage facility along with a 6,400-square foot cabinet-making shop with a total of 29 parking spaces on-site.<sup>1</sup> The proposed action required site plan approval and a floodplain development permit from the Planning Board, several area variances from the Zoning Board of Appeals (“ZBA”), a determination that the project was consistent with the Local Waterfront Revitalization Program by the Village Harbor Coastal Zone Management Commission (“HCZMC”) and approval from the Architectural Review Board. The Planning Board initially declared its intent to serve as Lead Agent under SEQRA, however the ZBA objected and ultimately assumed Lead Agency status on March 4, 2010. The ZBA issued a positive declaration under SEQRA for the project, citing concerns relating to traffic, flooding and proposed building size. At that time, due to the significant costs associated with pursuing the project that had been declared to have the potential to have one or more significant adverse environmental impacts, the Applicant withdrew its application. The ZBA did not “turn the application down” or reject the proposal.

On approximately October 10, 2012, the Applicant submitted a new application for site plan approval seeking to redevelop the Property and construct the current self-storage facility that exists on the Premises today. This application proposed a 40,620-square foot self-storage facility, as opposed to the 88,000 square foot self-storage facility proposed in 2009. Under the 2012 proposal, many of the then existing uses at the facility were proposed to remain. The Planning Board assumed Lead Agency Status on November 14, 2012 and on January 30, 2013, the Planning Board issued a negative declaration finding that the project would not have the potential for one or more adverse environmental impacts.

On approximately October 3, 2013, the ZBA granted the Applicant several variances for the now existing self-storage facility on the Property. Following receipt of these variances, the Applicant proceeded to obtain a consistency determination from the HCZMC, site plan approval and a flood development permit from the Planning Board and approval from the Architectural Review Board. The Applicant then constructed the existing 40,492-square foot self-storage building, completed towards the end of 2015, that exists on the Site today.

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<sup>1</sup> See approvals from the prior self-storage project included in Appendix C.

### **The Amended Proposal (the “Project”)**

On May 10, 2018, the Applicant submitted a site plan application to the Planning Board proposing to expand its existing 40,492-square foot self-storage facility by constructing a new 56,328 square foot addition (the “Proposed Action”), for a total size of approximately 96,820-square feet. As noted above, the original application submitted in approximately 2009 proposed a smaller 88,000-square foot building. Additional approvals required for this proposal include several area variances from the Zoning Board of Appeals (“ZBA”), a determination that the Project was consistent with the Local Waterfront Revitalization Program by the Village Harbor Coastal Zone Management Commission (“HCZMC”) and approval from the Architectural Review Board.

The ZBA assumed Lead Agency status and on June 6, 2019, the ZBA issued a positive declaration determining that the Project had the potential for one or more significant adverse environmental impacts. As required by SEQRA, the Applicant prepared a Draft Environmental Impact Statement and spent seven months reviewing the DEIS with the Lead Agency.<sup>2</sup>

The Applicant has amended the Project in order to be responsive to the comments on the DEIS by the ZBA. This Project proposes an additional 160 storage units required to meet local customer demand and incorporate 700 square feet of storage- associated retail space along the Waverly Avenue frontage in the existing self-storage building. Notably, the amended proposal now currently before the ZBA seeks to incorporate a number of new uses and proposes reconfiguration of the Project Site, which were not proposed in either 2009, 2012 or initially with the 2018 original application. The Applicant proposes these Project amendments to address comments received from members of the ZBA during the DEIS process and to meet community workplace demands in response to the global pandemic.

As demonstrated in the amended site drawings enclosed herein as Appendix K, prepared by KTM Architect, dated December 22, 2022, the Applicant proposes the complete demolition of all structures on the site except the existing self-storage building. The proposed expansion to the existing self-storage building will contain the proposed 44,314-square foot addition of self-storage space, as well as the following uses:

- Approximately 5,879-square foot woodworking shop to be used by Murphy Brothers;
- Approximately 2,157 square feet of space for the Murphy Brothers Contracting offices; and
- Approximately 2,008 square feet of community office workspace.

As demonstrated by the proposed configuration of buildings and uses, this amended proposal presents a substantially different Project than the 2009 and 2012 proposals, as well as the original 2018 Project previously reviewed by the ZBA.

### **Segmentation**

Segmentation is defined as “the division of the environmental review of an action such that various activities or stages are addressed under [the SEQRA regulations] as though they were independent, unrelated activities, needing individual determinations of significance.” 6 N.Y.C.R.R. § 617.2(ah).

The State Environmental Quality Review Act (“SEQRA”) and its regulations do not prohibit segmentation of environmental review. Instead, New York State Department of Environmental

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<sup>2</sup> The Applicant submitted the DEIS on October 29, 2020.



Conservation (“NYS DEC”) SEQRA regulations recognize that “[a]ctions commonly consist of a set of activities or steps,” and “[c]onsidering only a part or segment of an action is contrary to the intent of SEQR[A].” 6 N.Y.C.R.R. § 617.3(g).

In determining whether a proposed action may have a significant effect on the environment, an agency must consider reasonably related long-term, short-term, direct, indirect and cumulative effects, including other simultaneous or subsequent actions that are: (1) included in any long-range plan of which the action under consideration is a part; (2) likely to be undertaken as a result thereof; or (3) dependent thereon. 6 N.Y.C.R.R. § 617.7(c)(2).

The issue of segmentation often arises when a project sponsor divides a project into smaller parts to avoid triggering the submission of an EIS. NYS DEC SEQRA Handbook, 4<sup>th</sup> Edition, pg. 53 (2020) (“SEQRA Handbook”). Essentially, in attempting segmentation, a project sponsor’s goal is to avoid comprehensive review of a large project and instead convince the reviewing agency to focus on an individual phase of a development.

In this instance, there has been no avoidance whatsoever of the EIS process. In fact, for the last 3 years, the ZBA has taken a hard look and conducted a comprehensive environmental review of the existing self-storage use, in conjunction with the proposed expansion and redevelopment. There is no attempt to thwart environmental review or avoid a discussion of environmental impacts.

Further, as previously discussed herein, the amended Project, is markedly different than the 2009 application for a self-storage building, both in scale and use. As opposed to the sole self-storage building contemplated in 2009 and 2012, the Applicant is proposing to incorporate community workspace, a woodworking shop and the Murphy Brothers Contracting office in the new addition, along with approximately 34,270 square feet of additional self-storage space (consisting of 18,925 square feet specifically for self-storage and 15,345 square feet for circulation and mechanical rooms). The proposed community workspace is being provided in response to the objectives of the proposed MAKER zone discussed by ZBA members during the DEIS process, as well the change in workplace demands driven by the global pandemic. The Project currently before the ZBA, as amended, could not possibly have been contemplated in the 2009 or 2012 review process. Indeed, the MAKER zone was not even proposed when the 2009 and 2012 applications were filed.

The ZBA’s comments on the DEIS question whether segmentation has occurred improperly in this instance given the existing self-storage facility and the prior application review history. The SEQRA Handbook specifically finds that a segmented review is justified and warranted when a future phase of a project may not occur.<sup>3</sup> In this instance and as noted herein, the 2009 application was withdrawn by the Applicant. Years later, a new and smaller project was submitted to the Village with no anticipation or proposed future phase. That project was approved and constructed, and the self-storage facility opened for business in 2015. Due to the success of that business, an expansion not contemplated or planned as part of the prior application was proposed in 2018, three years later. The SEQRA Handbook states that “if substantial changes to the project are proposed later, such changes shall be evaluated, and a new determination of significance made.”<sup>4</sup> That is exactly what happened in this matter and a new determination of significance was made in the pending application and the Applicant is in the midst of an EIS review.

The pending application has been reviewed by the ZBA for over 3 years. The ZBA, as Lead Agency, is undertaking a thorough, comprehensive and full environmental review of both the

<sup>3</sup> SEQRA Handbook, 4<sup>th</sup> Edition, pg. 54 (2020).

<sup>4</sup> SEQRA Handbook, 4<sup>th</sup> Edition, pg. 55 (2020)

existing and proposed development of the Project Site, as an “overall” project. The Applicant is in the midst of an Environmental Impact Statement review. The Village is not considering a part or a segment of the Project. Portions of the “overall” Project are not being excluded in the environmental review. The “whole action” is being reviewed by the ZBA, a statement made by various ZBA members on numerous occasions. This EIS is noting the procedural history, taking the hard look at the whole action and the review is not being any less protective of the environment.

**A-2 Comment:**

*Also, when they talk about that as it is in line with the Maker zone. My understanding of the Maker zone is to increase night life and pedestrian traffic and, actually, to move away from big warehouses and self-storage, so I think that’s an inaccurate statement. I know that it is a permitted use as right now in the code but I don’t believe that is in line with what the Maker zone had said.*

*(Board Member Yergin, Public Hearing, April 1, 2021)*

**A-2 Response:**

The MAKER zone is a planning concept formulated in approximately 2017 for the approximately 70-acre area that is currently primarily zoned M-1 – Manufacturing (Figure III. A-1). As of this date, the MAKER zone has not been adopted, and is therefore, not applicable to the Proposed Action.

Nevertheless, the Applicant has reviewed the MAKER zone concept, and as noted in the DEIS, believes that the Proposed Action is consistent with the goals of that initiative.

As articulated by the Industrial Area Committee in February of 2018<sup>5</sup>, the primary goal for the area is to “Revitalize the manufacturing district in Mamaroneck and enhance the sustainability of the area:

- *Preserve existing uses.*
- *Create incentives to grow the MAKER economy.*
- *Promote redevelopment that is environmentally sensitive.*
- *Establish buffers to abutting neighborhoods that are eco-friendly.*
- *Provide/encourage new recreational activities.”*

The MAKER zone is an acronym for:

- M – Manufacturing
- A – Artisanal Foods and Arts
- K – Krafts and Design Business
- E – Environmental Buffers
- R – Recreation

As set forth in the RFP issued by the Village in 2017 for the creation of the MAKER zone, the mission statement for the MAKER zone is:

*“A coordinated effort to preserve existing uses and incentivize the growth of the “maker” economy in Mamaroneck as an economic engine for jobs, tax revenue, environmentally-sensitive redevelopment, neighborhood and eco-friendly buffering, flood mitigation, and new recreational activities all aimed at the revitalization and sustainability of the manufacturing district in Mamaroneck.”*

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<sup>5</sup> Industrial Area Committee/Chazen Companies PowerPoint Presentation, February 15, 2017.

As depicted on Figure III.A-1, the MAKER zone is comprised of two overlay areas, a Retail Overlay and a Mixed-Use Overlay, within which the Site is located. Buffer and park areas are envisioned along the perimeter of the area. The following uses are encouraged in these areas:

**Retail Overlay**

- Indoor recreational facilities
- Micro-alcohol establishments
- Theaters
- Higher education uses
- Art and film studios and dance and music instruction
- Boutique hotels

**Mixed-Use Overlay**

- All uses outlined above plus mixed-use with retail on the ground floor and office or manufacturing above.
- Live-work units.

As thoroughly documented in the Chapter IV.A of the DEIS, the area where the MAKER zone is proposed, locally known as “The Flats” is overwhelmingly dominated by light industrial, automotive, warehouse and similar land uses. This land use pattern has evolved from a more heavily industrialized character, to what exists there today. The uses proposed for the MAKER zone reflect the future land use goals of the Village of Mamaroneck and do not reflect existing land use characteristics of the area. While those uses may in time be drawn to the district, the current pattern of land use will likely remain prevalent for the foreseeable future.

The FEIS Plan has been developed to more closely align with the goals of the MAKER zone, while continuing to make an economically viable use of the Site today. The FEIS Plan will remove all of the pre-existing non-conforming structures on the Site that related more to the prior lumber yard operation. The development will support an existing business, and result in an expansion of the area's economy and tax base, in a manner that is extremely environmentally sensitive (through the development of a “net-zero” building), while improving and enhancing the public streetscape along both Waverly Avenue and Fenimore Road, and by creating a new publicly accessible vest-pocket park at the northwest corner of the Site. All of the Site's public frontages allow for improved and unrestricted pedestrian circulation. Importantly, the FEIS Plan will result in an increase in flood storage on-site, thereby benefitting the flood conditions of the surrounding area.

It is important to bear in mind that uses that create “night life and increase pedestrian traffic” such as restaurants, retail uses, theaters, etc., are essentially prohibited in the M-1 zoning district with the exception of a limited area within 150’ of Fenimore Road, so currently, there is no night life, or places for the general public to walk to. As noted above, if the MAKER zone is adopted, that may begin to change, but likely incrementally, and over a prolonged period of time.

Finally, it is anticipated that the new uses at the Site, including the woodworking shop that will be used as an educational resource and the incubator office space, will enliven the Site, certainly more than the prior proposals and the existing operation of the Site.

**A-3 Comment:**

*And then in the end, I appreciate the additional renderings that were added from the very first draft of the DEIS and I have to say that I feel that that is an enormous impact on visually on the neighborhood, that there is no other kind of warehouse that takes over a property like that, that*

*it is the combination of the mass and the height. It has an enormous [inaudible] on the lot and in my mind, I realize there's industrial purposes and they're not super attractive purposes in the industrial area, yet none of them are of that size. When they get to be this size, in my mind, it's turning it into an urban type of feeling in the community. It's taking away from the sense of a Village that has an area where there's some contractors and there's car repair and there is some warehousing to a certain extent but it's of a smaller nature. When I see this kind of size of a structure, it definitely seems to be – tending to be an urban environment rather than a village environment.*

*(Board Member Yergin, Public Hearing, April 1, 2021)*

**A-3 Response:**

Comment noted. The FEIS Plan reflects a complete redesign of the building, as well as its use. The new building extension would consist of 44,314 square feet of gross floor area, or a net increase of 25,725 square feet once the floor areas of the existing industrial buildings are deducted. Where the building addition presented in DEIS Plan was somewhat monolithic, the building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building.

It should also be noted that the three buildings of The Mason, located just north of the site are of a similar size and scale as the FEIS Plan. A number of the industrial buildings in the area have much larger footprints, and very large square footages (the adjacent Artic Glacier Ice building, the KRB building, Marvel Industries among others) although they are not as tall.

**A-4 Comment:**

*Given more substantively, I want to clarify one thing that came up and they talked about this being an addition and this is a new thing and the other thing was approved before. Let's just go back a little bit. First application made on this property which I'm aware, obviously there may have been others, concerned a permit to build a building about the size of the existing building plus what they have proposed. The board issued a positive declaration which was issued in an ENB, the Environmental Notice Bulletin at the time, and went not to what it had gotten to. At that point shortly thereafter the application was withdrawn or abandoned and in lay of it, they cut the project significantly. I think about 50 percent, I'm not gonna just mention square footage, but about half. And that's where they went and that was not paused at. Now they're back to take the second half, and to me, that's probably what we would call segmentation about as clear as you can be.*

*(Board Member Neufeld, Public Hearing, April 1, 2021)*

**A-4 Response:**

See response to comment A-1 above. As noted previously herein, the proposal currently before the ZBA is markedly different than the 2009 and 2012 proposals, both in scale and use.

**A-5 Comment:**

*Not only is it just not a question of segmenting but to suggest that it is not impacting the first building is silly because even if it hadn't been a segmentation of the application initially, the buildings are being integrated into one. There's structural changes on both, and they're all going to be integrated. The new site, the whole area, the parking, et cetera. So I think it's not fair to characterize it nor have I ever heard this characterized as an addition. It is a structural change of the area. It is basically going back to, and I don't know if the planners have looked at this, the*

*original application which was probably about what, you mentioned it earlier, about five years ago, something like that.*

*(Board Member Neufeld, Public Hearing, April 1, 2021)*

**A-5 Response:**

The building proposed in the FEIS Plan will be structurally integrated with and physically connected to the existing self-storage building. The spaces within the building will share common utility and mechanical equipment. By any definition, the Proposed Action is an addition to the existing self-storage building.

As explained more fully in Response A-1, the Proposed Action envisioned in the FEIS Plan could not have been contemplated in 2009, and regardless of whether one believes the Proposed Action represents “segmentation” the Proposed Action is undergoing the most thorough environmental review available to the Lead Agency, allowing for the Proposed Action to be judged on its merits.

**A-6 Comment:**

*So they filled up the first and now they’re going to bootstrap. I think that’s the segmentation concern.*

*(Board Member Neufeld, Public Hearing, April 1, 2021)*

**A-6 Response:**

See response to comment A-1 above.

**A-7 Comment:**

*And one last thing and that is what is going to be left there? Because I was always baffled. I had thought they were going to be removing a lot of the extra buildings as part of the first building, but I was incorrect on that or it wasn’t complied with or I was just probably incorrect, but what’s going to be left here? And how does that impact the property? Because this is by, anyone’s standard, if you take this amount of land and you look at that amount of structural improvement, I would be hard-pressed to find anything close to it in Mamaroneck or adjacent communities, so it’s obviously a very serious concern.*

*(Board Member Neufeld, Public Hearing, April 1, 2021)*

**A-7 Response:**

The FEIS Plan calls for demolishing all of the existing buildings on the Site (with the exception of the existing self-storage building). In total 18,589 square feet of existing older, non-conforming buildings will be razed. The new building extension is 44,314 square feet, resulting in a net increase of 25,725 square feet of gross floor area.

**A-8 Comment:**

*The DEIS, this is actually in the executive summary but it’s also repeated in the chapter on land use zoning and community plans, it talks about as demonstrated by the continued operation of the existing self-storage that is more fully documented, it generates no impact there for the self-storage. It’s entirely compatible with the existing surrounding uses. And I disagree. I do not think that the fact that it is consistent with the existing building means that it will not have an impact or make it appropriate. In fact, one of the concerns I had, which again is also repeated later, is that this future zoning will be the maker zone which is discussed here. The maker zone seeks to have more foot traffic and other traffic. This use, which keeping the traffic down will, in fact, have a significant impact on the future of the area and the development of the maker*

*zone because it's not adding any – it's taking up an enormous site without adding any people to the area, and, therefore, it will not support the surrounding community.  
(Chairwoman Kramer, Public Hearing, May 6, 2021)*

**A-8 Response**

See response to comment A-2 above. Throughout the DEIS and FEIS, the Applicant has endeavored to demonstrate how the Proposed Action does meet many of the planning goals of the MAKER zone. However, the MAKER zone has not been adopted, and it would be inappropriate, and in fact illegal for the Lead Agency to render a decision based on the Project's compliance with zoning that has not been adopted.

The FEIS Plan now includes uses that will increase foot traffic, and the revised design of the building addition is smaller and more compatible with a pedestrian scale.

**A-9 Comment:**

*I notice and this is probably a technical that I noticed. I think it's interesting that in the existing zoning compliance when they're showing, they talk about the existing and they never provide the existing FAR, which is interesting. Yes, you can calculate it, but it isn't provided. Really should be provided. I wonder is that so we don't realize how big it is.  
(Chairwoman Kramer, Public Hearing, May 6, 2021)*

**A-9 Response:**

The existing FAR/GFA are both included on the plan set filed along with the DEIS (Sheet SY-101, Site Plan and Zoning) and was presented in the DEIS on Table I-2 on Page I.-7. Table III.A-1 indicates the FAR/GFA for the FEIS Plan.

Table III.A-1 FEIS Plan Zoning Compliance				
Zoning Criteria	Required/ Permitted	Existing	Proposed	Variance Required
Minimum Lot Area (SqFt)	10,000	44,156	44,156	--
Minimum Lot Width	50	134	134	--
Building Coverage				
Area (SqFt)	22,078	20,081	23,094	1,016
Percentage	50%	45%	52%	2%
Floor Area Ratio (FAR)	1.0	1.34	1.92	0.92
Maximum Gross Floor Area	44,156	59,081	84,806	40,650
Impervious Surface Coverage				
Area (SqFt)	N/A	41,653	39,235	--
Percentage	N/A	94.3%	88.9	--
Maximum Building Height				
Stories	3	4	4	1 story
Feet	45'	45'	45'	
Minimum Yard Requirements				
Front (Waverly)	Note 1	0'	0'	--
Front (Fenimore)	10'	0.4'	10'	--
Rear (Southeast)	None	2'	2'	--
Rear (Southwest)	None	3'	3'	--
Off-Street Parking	124	52	26	98
Off-Street Loading	8	0	3	5



**A-10 Comment:**

*Yes. I'll just ditto one of your comments. I think it was excellent. I think to say it's compatible because now there is one there, I think this is an enormous out of character construction and it involves very significant variances and I think those underscore the need to be attentive here. As I understand it, the FAR, they want to go from 1 to 2.43. They want a variance of 63,000 feet and also various parking variances.  
(Board Member Neufeld, Public Hearing, May 6, 2021)*

**A-10 Response:**

The commentary in the DEIS indicated the proposed building addition is consistent with the existing self-storage building, for which the ZBA previously granted variances. The FEIS Plan requires the area variances noted in Table III.A-1.

**A-11 Comment:**

*One thing that's unclear regarding the variances, particularly the parking ones and some of the setbacks. I think they have to indicate what buildings and what improvements there are going to be serviced by those from the existing to the proposed for the other buildings. I'd like to see so we have breakdown in a chart of how that goes because we often run into a situation where parking is given and then there's an argument over whose they are. You have a lot of different buildings here and a lot of different uses.  
(Board Member Neufeld, Public Hearing, May 6, 2021)*

**A-11 Response:**

All of the existing buildings on the Site (with the exception of the existing self-storage building) will be demolished under the FEIS Plan. The new 26 space off-street parking lot will serve the 3 uses on the Site (the self-storage facility, offices (Murphy Brothers office and incubator offices), and the woodworking space).

The Mamaroneck Self Storage facility currently has 1-2 employees on-site at any one time. With additional units, this could increase to a maximum of 4 employees on-site at times. A self-storage facility of a total of 429 units, based upon the Institute of Transportation Engineers' (ITE) publication "Parking Generation", 5<sup>th</sup> Edition, would generate a peak parking demand of 6 spaces, inclusive of the employee spaces.

The Murphy Brothers Contracting portion of the Site will have four full time office staff on-site which are projected to use four parking spaces. Murphy Brothers Contracting will generally not generate any visits from the general public or contractors. There were previously 19 parking spaces designated for five businesses that parked on-site. That usage will be replaced by the self-storage building addition, and thus the overall parking demand will be reduced. Many of these contractors/businesses have already moved or are no longer in business since the previous studies were performed and thus are no longer parking there.

The Woodworking Shop is projected to utilize three parking spaces while the Incubator Offices are projected to utilize approximately six parking spaces. Thus, a total of approximately 19 parking spaces could be utilized if all of the uses were to peak at the same time.

With the proposed self-storage facility addition and the modifications to the layout of the Site, there will be 26 parking spaces provided on-site along with three (3) loading spaces, in addition to the on-street parking spaces along Waverly Avenue. The three loading spaces will be utilized by the patrons of the self-storage facility, thus freeing up even more parking spaces.

The Village's Code permits the utilization of "Shared Parking", referred to as "Joint Parking", in Section 342-56 B. Shared Parking is the principle where different land uses would have their peak parking demands at different times during the day/week and thus can utilize or "share" the same parking space during different periods. As described above, there will be ample parking even without the principles of share parking being applied.

It is likely that during the site plan review phase of the project, specific parking spaces would be assigned to the various uses.

**A-12 Comment:**

*One thing I also would like to see addressed in the FEIS is the impact on future development and variances. We are bound principles of our precedent. We have our own administrative -- I think we have to also then say if this were to go forward, what would the impact on it be by virtue of the fact that someone could come in next door and say, by the way me too. And you can't say to them, well, you weren't here first so you're out of luck. You really do need to address what it this is doing. I think the chair said this. This is changing something dramatically and I think we have to look at them. It's not just the this that it's going to change. You then have to apply this to our future assessments. I'd like to see that looked at carefully.*  
(Board Member Neufeld, Public Hearing, May 6, 2021)

**A-12 Response:**

"Precedent" is not an environmental factor to be considered when making a determination of significance. Speculation of unrelated projects that may be proposed at a future date is not a relevant consideration in the review of this FEIS.

The Zoning Board is only bound by Precedent in the determination of an area variance request to the extent that the facts are identical. Therefore, future projects seeking similar area variances will be independently reviewed on a case by case basis under the applicable statutory criteria. The Zoning Board must apply the following statutory criteria set forth in §7-712-b of Village Law to each individual application. Specifically:

*"[T]he zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider: (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance."*

The five factors must be applied to the specific characteristics of the property and the requested variance, which are rarely, if ever identical. Further, zoning boards may consider new applications and new information when reviewing applications before them, and so long as the board provides a rational explanation for reaching a different result, the Court will not overturn the decision.



Hurley v. Zoning Bd. of Appeals of Village of Amityville, 69 A.D.3d 940, 893 N.Y.S.2d 277 (2d Dep't 2010).

**A-13 Comment:**

*This is a segmented project and I know we're considering the whole development because originally this was proposed and it was POS decked years ago, 5 years ago I guess. And then what occurred is they cut the project in half and it was no longer a POS deck. Now, they're going to the same result.*

*(Board Member Neufeld, Public Hearing, May 6, 2021)*

**A-13 Response:**

See response to comment A-1 above. As noted previously herein, the proposal currently before the ZBA is markedly different than the 2009 and 2012 proposals, both in scale and use.

**A-14 Comment:**

*And also, as I said earlier, how the different variances will apply to the different buildings and the different improvements.*

*(Board Member Neufeld, Public Hearing, May 6, 2021)*

**A-14 Response:**

All of the existing buildings on the Site (with the exception of the existing self-storage building) will be demolished under the FEIS Plan. Table III.A-1 documents the required variances.

**A-15 Comment:**

*I think I'm interested in the following question being addressed in the FEIS and that this is such a significant variance in an area that would really have almost, if this were to proceed, it would almost create a legislative change in the sense that the variances and the other approvals would actually do what a legislature would do. These are not adjustments, they're not tweaking, these are significant. I'd like to know whether or not there were discussion, requests, or petitions made to the trustees to change the design because the magnitude involved here, generally in my looking at this, would be, hey, this is not a variance, this is not I need a few feet or I need a small variance. This is extraordinarily significant. I'd like to know what other options in terms of accomplishing this were achieved because if you're going to say that it really fits into the community in this, well, it doesn't. It doesn't from a purely legal standpoint or we wouldn't be here.*

*(Board Member Neufeld, Public Hearing, May 6, 2021)*

**A-15 Response:**

Village Law Section 7-712-B(3) does not make a distinction or create a threshold that if a variance(s) is of a certain degree or magnitude, it should be summarily dismissed or be approved only through a legislative change. Rather, Section 7-712-B(3) requires a zoning board to apply a balancing analysis that incorporates several factors in determining whether to grant such variance(s), one of which is the substantiality of the variance. Such analysis shall be conducted herein by the ZBA.

In fact, in considering whether a variance is substantial, the Zoning Board of Appeals shall examine the totality of the circumstances within an application. See Friends of Shawangunks, Inc. v. Zoning Bd. of Appeals of Town of Gardiner, 56 A.D.3d 883, 886, 867 N.Y.S.2d 238, 241 (3d Dep't 2008) (although variances were substantial the ZBA properly determined area variances will not have a substantial impact on the community); see also Schaller v. New Paltz Zoning Bd. of Appeals, 108

A.D.3d 821, 824, 968 N.Y.S.2d 702, 705 (3rd Dep’t 2013) (upholding ZBA determination that an area variance was not substantial when compared to the nearby buildings).

The mere fact that a variance may be deemed “substantial,” or fails to meet one of the other five factors, does not preclude application of the *overall* balancing analysis. Church of Jesus Christ of Latter Day Saints v. ZBA of Town/Village of Harrison, 296 A.D.2d 460 (2d Dept. 2002) (determination that a request that was determined “substantial” did not excuse Zoning Board of Appeals from applying the overall balancing test).

**A-16 Comment:**

*I'm disappointed, overall, in the magnitude and I'm disappointed in the fact this was segmented because it's almost a bootstrap operation. Hopefully, if they can address these issues, and we can get that flooding report, then maybe we can include that in the FEIS and get some clearer understanding on this because one of the concerns I have is that whatever we do hear has to then be able to be utilized in terms of decision making by others. And if we're going to mitigate this, this is probably the place and the FEIS to try and do it. It doesn't remove the individual agencies from their options but I think we should try to do it that way.*  
(Board Member Neufeld, Public Hearing, May 6, 2021)

**A-16 Response:**

See response to comment A-1 above. As noted previously herein, the proposal currently before the ZBA is markedly different than the 2009 and 2012 proposals, both in scale and use. This comment refers to a “flooding report” that was requested in comment D-9. Flood storage documents were provided to the Village consultant engineer for review and approval. In the latest memorandum, dated October 1, 2021, the Village consulting engineer stated the outstanding comments regarding the flood storage were addressed for the purposes of SEQRA. Additional revisions may be required as the Project moves through the site plan approval process. If any changes have the potential to result in a significant adverse impact not previously analyzed additional environmental review may be required. The updated Hudson Engineering Flood Storage Analysis is included in Figure I-11 and in Appendix F.

**A-17 Comment:**

*First of all I really strongly agree with you, Robin, that you hit the nail on the head that I feel like this flies in the face of the whole MAKER space concept, everything we're doing with vision zero, and pedestrian traffic, and I just want to make two quick related points to that.*  
(Board Member Roberts, Public Hearing, May 6, 2021)

**A-17 Response:**

See response to Comment A-2.

**A-18 Comment:**

*I think the first is that from the pedestrian perspective, even if it's well lit, you're essentially creating a huge dead block right in the middle of actually where we have some really interesting new developments, so it's a dead zone, and I don't think that's what we want to come accomplish here.*  
(Board Member Roberts, Public Hearing, May 6, 2021)

**A-18 Response:**

The FEIS Plan involves streetscape landscaping improvements along both Waverly Avenue and Fenimore Road to enhance the pedestrian experience of walking along the sidewalk. Additionally,

within the Site itself, all of the existing older non-conforming buildings will be demolished and replaced with the newly configured building addition which has been reduced in scale, and broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building. As the building steps down from four to three to two stories, it incorporates a terrace, broad landscaped rain garden and lawn to integrate into the Fenimore Road streetscape. The streetscape is proposed to be further enhanced by replacing the Murphy Brothers office building located at the Waverly Avenue/Fenimore Road intersection, with a publicly accessible vest-pocket park containing decorative seasonal landscaping and benches arrayed around a circular walkway. Figure III.A-2 presents the proposed Lighting Plan.

**A-19 Comment:**

*I want to add those two quick points. I don't care as much about the appearance of the building because, again, I feel like for me what's paramount is it's just going completely against the grain of everything we're trying to do here as a community so.  
(Board Member Roberts, Public Hearing, May 6, 2021)*

**A-19 Response:**

Comment noted. See response to Comment A-2.

**A-20 Comment:**

*I'm also very concerned that it definitely is a segmented project. The two buildings are going to connect exactly together. Clearly, when you built the first building, you must've had an intent you were going to come back with a second building because it seems like a simple thing to put them together that you've designed it that way.  
(Board Member Yergin, Public Hearing, May 6, 2021)*

**A-20 Response:**

See response to comment A-1 above. As noted previously herein, the proposal currently before the ZBA is markedly different than the 2009 and 2012 proposals, both in scale and use.

**A-21 Comment:**

*Also, I'm going to add my comments that I do think that it's a large impersonable building, basically lifeless building. I don't know why we would give such huge variances for something that is just a big structure to hold things and/or that will increase the profit of the owner without giving back to the community. It's not as though we're building a theater that we don't, okay so it's a little larger, and there's some new spirit, it's a new kind of industry that we're looking for, and it's something that we're going to interact with, and a lot of people are going to get jobs with. We're giving -- we would be giving variances to build a massive structure to hold things and that's going to stay quiet, going to stay dark, and not employ a lot of people.  
(Board Member Yergin, Public Hearing, May 6, 2021)*

**A-21 Response:**

The FEIS Plan reflects a complete redesign of the building, as well as its use. The new building extension would consist of 44,314 square feet of gross floor area, or a net increase of 25,725 square feet once the floor areas of the existing industrial buildings are deducted. Where the building addition presented in DEIS Plan was somewhat monolithic, the building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building. This approach would reduce the building

footprint by 1,044 square feet and the gross floor area of the addition by 12,014 square feet. The FAR for the overall site would be reduced from 2.26<sup>6</sup> to 1.92.

The height of portions of the building addition has also been reduced. The southernmost section of the building addition will be integrated with the existing self-storage building, and as such will correspond to the height of the existing building. However, moving north, the building will step down to three stories and then two stories where a terrace, broad landscaped rain garden and lawn gradually integrates the Site into the Fenimore Road streetscape. The streetscape is proposed to be further enhanced by replacing the Murphy Brothers office building located at the Waverly Avenue/Fenimore Road intersection, with a publicly accessible vest-pocket park containing decorative seasonal landscaping and benches arrayed around a circular walkway.

**A-22 Comment:**

*I would not be inclined to give such large variances for -- with so little in return for the village. And, yes, I do think that we'd be setting a precedence and I could blocks and blocks of self-storage areas in the area and that would just be a sad thing for our village.*  
(Board Member Yergin, Public Hearing, May 6, 2021)

**A-22 Response:**

See response to Comment A-12. The FEIS Plan reflects a complete redesign of the building, as well as its use. The new building extension would consist of 44,314 square feet of gross floor area, or a net increase of 25,725 square feet once the floor areas of the existing industrial buildings are deducted. The building includes 34,270 square feet of self-storage space consisting of 160 storage units (18,925 square feet is specifically for self-storage and 15,345 square feet is for circulation and mechanical rooms), the Murphy Brothers Contracting offices comprising 2,157 square feet, a woodworking shop for Murphy Brothers Contracting that would occupy 5,879 square feet and 2,008 square feet of incubator office space.

Where the building addition presented in DEIS Plan was somewhat monolithic, the building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building.

The height of portions of the building addition has also been reduced. The southernmost section of the building addition will be integrated with the existing self-storage building, and as such will correspond to the height of the existing building. However, moving north, the building will step down to three stories and then two stories where a terrace, broad landscaped rain garden and lawn gradually integrates the Site into the Fenimore Road streetscape. The streetscape is proposed to be further enhanced by replacing the Murphy Brothers office building located at the Waverly Avenue/Fenimore Road intersection, with a publicly accessible vest-pocket park containing decorative seasonal landscaping and benches arrayed around a circular walkway.

**A-23 Comment:**

*You know, I agree with just about everybody single comment that was made tonight. I share all those concerns. I see it as concerns localized to this specific project but then also the concerns as mentioned by probably all of you of just the domino effect that this project goes through and*

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<sup>6</sup> Although the proposed FAR for the overall site had been presented as 2.43 in the DEIS, it has been updated here based on the existing self-storage building (40,492 square feet), the DEIS proposed addition (56,328 square feet), and the existing front building (Building B; 2,985 square feet) that had been proposed to remain under the DEIS Plan.

*then what's next. It creates a precedent that would be difficult to control. There's the unknown about this project but there's also the unknown of the consequences of other projects down the road because we have approved a project of this enormous.*  
(Board Member Heaney, Public Hearing, May 6, 2021)

**A-23 Response:**

“Precedent” is not an environmental factor to be considered when making a determination of significance. Speculation of unrelated projects that may be proposed at a future date is not a relevant consideration in the review of this FEIS.

Further, zoning boards may consider new applications and new information when reviewing applications before them, and so long as the board provides a rational explanation for reaching a different result, the Court will not overturn the decision. Hurley v. Zoning Bd. of Appeals of Village of Amityville, 69 A.D.3d 940, 893 N.Y.S.2d 277 (2d Dep't 2010).

Please see response to comment A-1 above. As noted previously herein, the Project currently before the ZBA is markedly different than the 2009 and 2012 proposals, both in scale and use.

See also response A-12.

**A-24 Comment:**

*I have one final comment that I forgot to make which is the segmentation but since it's been mentioned. To me, there's no question that this was segmentation and be given that they originally came to the board with the full project, which was this entire project, then they withdrew that full project, and came back with essentially half the project, and now are coming because we want the -- the board voted to do what required an environmental impact statement and the applicant at that point withdrew the full variance and came back with half the variance and now it's coming back for the half that it didn't get the first time. So, I do think that was segmentation that -- I do think it was segmentation.*  
(Chairwomen Kramer, Public Hearing, May 6, 2021)

**A-24 Response:**

See response to comment A-1 above. As noted previously herein, the proposal currently before the ZBA is markedly different than the 2009 and 2012 proposals, both in scale and use.

**A-25 Comment:**

**5. The DEIS states that the proposed project is seeking the following area variances:**

- 1. Building Coverage:** 25,834 square feet is proposed where a maximum of 22,078 is permitted (3,756 SF variance)
  - 2. FAR:** 2.43 is proposed where a maximum of 1 is permitted (1.43 FAR variance)
  - 3. Gross floor area:** 107,087 square feet is proposed where a maximum of 44,146 square feet is permitted (62,932 square foot variance)
  - 4. Building height:** 4 stories is proposed where a maximum of 3 stories is permitted (1 story variance)
  - 5. Front yard (Fenimore):** 30 inches are provided where 10 feet is required (7-foot 8-inch variance)
  - 6. Off-street parking:** 25 spaces are provided where 137 spaces are required (112 space variance)
  - 7. Off-street loading:** 4 spaces provided where 8 spaces are required (4 space variance).
- (AKRF Memorandum, April 30, 2021)



**A-25 Response:**

Table III.A-1 presents the variances required for the FEIS Plan.

Table III.A-1 FEIS Plan Zoning Compliance				
Zoning Criteria	Required/ Permitted	Existing	Proposed	Variance Required
Minimum Lot Area (SqFt)	10,000	44,156	44,156	--
Minimum Lot Width	50	134	134	--
Building Coverage				
Area (SqFt)	22,078	20,081	23,094	1,016
Percentage	50%	45%	52%	2%
Floor Area Ratio (FAR)	1.0	1.34	1.92	0.92
Maximum Gross Floor Area	44,156	59,081	84,806	40,650
Impervious Surface Coverage				
Area (SqFt)	N/A	41,653	39,235	--
Percentage	N/A	94.3%	88.9	--
Maximum Building Height				
Stories	3	4	4	1 story
Feet	45'	45'	45'	
Minimum Yard Requirements				
Front (Waverly)	Note 1	0'	0'	--
Front (Fenimore)	10'	0.4'	10'	--
Rear (Southeast)	None	2'	2'	--
Rear (Southwest)	None	3'	3'	--
Off-Street Parking	124	52	26	98
Off-Street Loading	8	0	3	5

**A-26 Comment:**

*The ZBA is considering the site as a whole, and it is not clear from the chapter what aspects of the proposed variances are associated with the existing self-storage facility, existing buildings on the corner, and the proposed self-storage facility. A zoning analysis that breaks-out each of the three parts as well as the whole should be provided in the FEIS.*  
(AKRF Memorandum, April 30, 2021)

**A-26 Response:**

The FEIS Plan no longer involves the preservation of the existing older, non-conforming buildings. See response to Comment A-25.

The area variances granted for the existing self-storage building on October 3, 2013 include:

- Article VI, Section 342-38 – Schedule of Minimum Requirements – Floor Area Ratio of 1.0 permitted, 1.34 proposed – **variance granted.**
- Article VI, Section 342-38 – Schedule of Minimum Requirements – Number of stories, 3 permitted, 4 proposed – **variance granted.**
- Article VIII, Section 342-57 – Schedule of Off-Street Loading Requirements – Loading spaces, 5 required, 0 proposed – **variance granted.**

- Article VIII, Section 342-56 – Schedule of Off-Street Park Requirements – Parking spaces, 89 required, 52 proposed – **variance granted.**

**A-27 Comment:**

*It is unclear from the DEIS whether the requested front yard variance is for the existing building at the corner of the proposed self-storage facility. The proposed self-storage facility is shown as being 7 feet 8 inches from the lot line, but this is the variance requested in the Tables II-1 and IV.A-4 . However, if 7-feet 8-inches is proposed, and 10 feet is required, then the requested variance should be for 2-feet 4-inches.  
(AKRF Memorandum, April 30, 2021)*

**A-27 Response:**

The FEIS Plan no longer preserves the existing building referenced in this comment. The building will be demolished, so the variance is no longer required.

**A-28 Comment:**

*The FEIS should address the proposed setbacks from Fenimore Road in relation to the requested area variance. As noted above, clarity on the extent of the variance sought should be provided.  
(AKRF Memorandum, April 30, 2021)*

**A-28 Response:**

See response to Comment A-27.

**A-29 Comment:**

*The DEIS states the building will be a “net-zero” building in order to address Section D-3g of the Scoping Document. Supporting information should be provided to demonstrate what the Net-Zero building will include, and how these features will avoid or reduce the impacts of climate change and rising sea levels.  
(Kellard Sessions Memorandum, February 4, 2021).*

**A-29 Response:**

The Applicant has demonstrated a long-standing commitment to Green Building. The existing Mamaroneck Self Storage facility was built as the first state-of-the-art, first-of-its-kind “green” self-storage facility in Westchester County. Energy efficiency was a priority. The Applicant enrolled the project in NYSERDA’s New Construction Program (NCP), which required compliance with rigorous energy-efficiency and sustainability standards set by the program. The Applicant partnered with high performance building consultants Steven Winter Associates to develop the project to incorporate sustainable features and realize energy cost savings from their investment. Notable energy conservation measures incorporated into the existing building include:

- High-efficiency HVAC equipment including Variable Frequency Flow (VRF) heat pumps for heating and cooling, a 65% Efficient Energy Recovery Ventilation system (ERV) for mechanical ventilation;
- High-efficiency interior and exterior LED lighting on motion sensors;
- All water-saving devices;
- 8.5Kw solar shingle array on the SE & SW sides of the building;
- The building envelope is comprised of 4” rigid insulation, 4” close cell spray foam with 8” close-cell spray foam in the ceiling.

Energy savings were 52% over the baseline standard building code with over \$30,000 annual electric-cost savings. The existing Mamaroneck Self Storage energy bills currently run from \$1,400 - \$1,800 monthly (similar to the cost of the average 6,000 square foot residential home).

The Mamaroneck Self Storage project was the recipient of three prestigious awards for its energy-efficient construction:

- HBRA-CT HOBI Award: Best Green Commercial Project;
- Best of BOMA Westchester County Signature Award;
- Westchester County Earth Day Award.

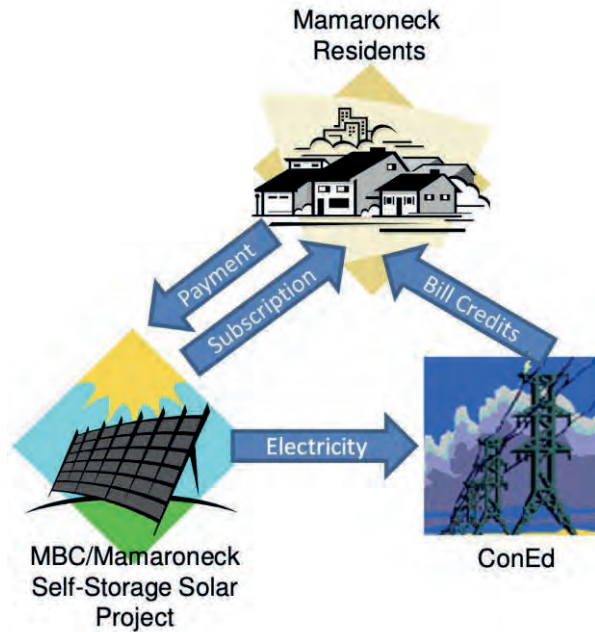
As construction was completed on the existing facility, the Applicant was awarded a NYSERDA Community Microgrid Project grant to investigate how a Community Microgrid system could be incorporated into future expansion plans in order to provide necessary affordable energy to the surrounding neighborhood in the event of natural or man-made disaster.

The FEIS Plan will incorporate the same energy-efficient measures as the existing building. It is the goal of the Applicant to operate a net-zero facility. A net zero building is one that has zero net energy consumption, producing as much energy as it uses in a year. In some months it may generate excess electricity through distributed renewables; at other times it may require electricity from the grid. On balance, it is self-supporting. As an all-electric “net-zero” building, the building itself will effectively have no carbon footprint. This is perhaps the most definitive measure the Applicant can take to minimize the overall impact on climate change, including sea level rise and flooding.

Additionally, the Applicant is proposing a Community Solar System, pursuant to NYSERDA’s Community Solar Program, consisting of the installation of roof-mounted photovoltaic solar arrays. The Applicant will partner with a NYSERDA approved Community Solar Developer to oversee the engineering, permitting, installation and operation of the Community Solar System. The Community Solar System program is designed to provide clean energy to local residents. The Applicant will install roof mounted photovoltaic solar arrays on the new building addition.

These solar arrays are connected to the existing ConEd electrical grid via a separate service connection on the Site adjacent to the existing electric meter. Electricity produced from the solar panels is sent directly into the ConEd grid. The Applicant then offers subscriptions to Mamaroneck residents for a portion of that electricity, resulting in reductions in their ConEd bills. This system democratizes solar, and affords everyone access to clean energy, even those who cannot install a solar system on their own property.





Mamaroneck Self Storage is currently enrolled in the Green Building Partnership's Green Building Certification Program, which measures the sustainability of a business's daily operation. Mamaroneck Self Storage strives to be a model of sustainability for Westchester County, in both the construction of the building as well as the operation of the business.

**A-30 Comment:**

*What are the variances that have been previously granted?  
(Chairman Neufeld, November 16, 2021 Work Session)*

**A-30 Response:**

See Response A-26 for a summary of the area variances granted for the existing self-storage building on October 3, 2013.

**A-31 Comment:**

*Segmentation is clear.  
(Chairman Neufeld, November 16, 2021 Work Session)*

**A-31 Response:**

Please see Response A-1. As noted by the ZBA's Attorney during the November 16<sup>th</sup> work session, any issues related to segmentation are cured by the EIS process<sup>7</sup>.

**A-32 Comment:**

*The growth-inducing aspects of this raises concerns over what precedent we are setting and what impact it will have on the neighborhood.  
(Chairman Neufeld, November 16, 2021 Work Session)*

<sup>7</sup> Village ZBA Attorney Charles Gottlieb, comments during November 16, 2021 work session, see LMCTV recording starting at 36:03.

**A-32 Response:**

Please see Response A-12. “Precedent” is not an environmental factor to be considered when making a determination of significance. Speculation of unrelated projects that may be proposed at a future date is not a relevant consideration in the review of this FEIS.

**A-33 Comment:**

*Have the new proposed uses to the Project (woodworking shop, incubator use) been reviewed to ensure they are permitted uses in this zoning district? What are the parking requirements for the woodworking shop and incubator use?  
(Board Member Yergin, November 16, 2021 Work Session)*

**A-33 Response:**

The woodworking shop will be operated by Murphy Brothers Contracting commercially and will not offer classes as originally proposed. Woodworking is a permitted use within the M-1 Manufacturing Zoning District, pursuant to Zoning Code Section 342-32(A)(1)(a), which permits “manufacturing, assembling, converting, altering, finishing, cleaning or other process . . . of products and materials.”

The proposed community office “incubator” space is also a permitted use in the M-1 Zoning District, which principally permits business and professional offices. Zoning Code Section 342-32(A)(1)(e).

Pursuant to Zoning Code Section 342-56, manufacturing and storage uses requires 1 parking space for every 750 square feet of gross floor area, but not less than 1 space for every 2 employees. The 5,879 square foot woodworking shop would therefore require the provision of 8 parking spaces and the existing and proposed self-storage space (74,762 square feet) would require 101 parking spaces. Retail/service business uses require 1 parking space for every 350 square feet of gross floor area. The 2,157 square foot Murphy Brothers office would require 7 spaces. Office uses require 1 parking space for every 250 square feet of gross floor area. The 2,008 square foot incubator office would require 8 parking spaces. Therefore, the total number of parking spaces for the FEIS Plan required by Section 342-56 would be 124 parking spaces.

**A-34 Comment:**

*Table I-3 – FAR is not consistent throughout the document.  
(Board Member Yergin, November 16, 2021 Work Session)*

**A-34 Response:**

The existing FAR is 1.34 and the proposed FAR is 1.92.

**A-35 Comment:**

*What will prevent the Applicant from changing the uses in the spaces once they get approvals?  
(Board Member Yergin, November 16, 2021 Work Session)*

**A-35 Response:**

Similar to any other project or application and changes of use for existing structures anywhere in the Village, other than one and two-family dwellings, the Applicant would be required to obtain amended site plan (or other additional) approval for any change of use or intensity of any existing uses. Zoning Code Section 342-75 requires site development plan approval by the Planning Board in all districts for “any change of use or intensity in use other than . . . one- or two-family dwelling[s] that will affect the characteristics of the site or increase the requirements under this

[Zoning] Code in terms of parking, loading, circulation, drainage, utilities, landscaping, or outdoor lighting.”

Additionally, building permits are required for any construction, alteration, demolition or improvement work of any building or structure. Village of Mamaroneck Building Code Section 126-4(A). When any such work is proposed, the Building Inspector will evaluate the work proposed in the application for compliance with applicable codes and standards, including the Zoning Code, and will evaluate the proposed use of the space with the occupancy classification of the building.

**A-36 Comment:**

***Concerns about proposed mass of the building and doubling the FAR from what’s allowed. What are the benefits of this? To avoid the segmentation issue, we need to look at this from scratch.***

***(Board Member Yergin, November 16, 2021 Work Session)***

**A-36 Response:**

The expansion of the self-storage facility would replace the existing older deteriorating non-conforming structures currently located on the Site with a new use that supports the Village’s revitalization efforts by providing storage space for the new transit-oriented uses being developed in the area, such as The Mason. The building addition, presented as the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing facade materials to resemble independent buildings. This treatment significantly reduces the mass of the building. This approach would reduce the building footprint of the addition by 1,044 square feet and the gross floor area of the addition by 12,014 square feet. The FAR for the overall site would be reduced from 2.26<sup>8</sup> to 1.92.

The height of portions of the building addition has also been reduced. The southernmost section of the building addition will be integrated with the existing self-storage building, and as such will correspond to the height of the existing building. However, moving north, the building will step down to three stories and then two stories where a terrace, broad landscaped rain garden and lawn gradually integrates the Site into the Fenimore Road streetscape. The streetscape is proposed to be further enhanced by replacing the Murphy Brothers office building located at the Waverly Avenue/Fenimore Road intersection, with a publicly accessible vest-pocket park containing decorative seasonal landscaping and benches arrayed around a circular walkway.

Aside from providing a much-needed expanded self-storage facility designed to meet market demand, the Proposed Action will improve the appearance of the Site and provide a stable tax ratable that will require virtually no municipal services.

Refer to Response A-1 regarding segmentation.

**A-37 Comment:**

***Clarify that the Applicant is adding to the building, but the ZBA is reviewing the impacts of the existing building and proposed addition to cure segmentation.***

***(Board Member Kramer, November 16, 2021 Work Session)***

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<sup>8</sup> Although the proposed FAR for the overall site had been presented as 2.43 in the DEIS, it has been updated here based on the existing self-storage building (40,492 square feet), the DEIS proposed addition (56,328 square feet), and the existing front building (Building B; 2,985 square feet) that had been proposed to remain under the DEIS Plan.

**A-37 Response:**

The EIS addresses the potential impacts of the “whole action” as defined in §617.3 (g) of the SEQRA regulations.

### III. A - ZONING AND LAND USE

**A-1 Comment:**

*Also, they describe the new building as fitting seamlessly integrating seamlessly with the self-storage building that's there currently. It looks like it will all be one piece, and I realize that back in -- I know the resolution was passed in 2013. I don't know if that's when the original project was submitted, but, originally, the applicant was looking for a much larger project back in 2012 or 2013, and the board turned them down, and now they're coming back to build that extra piece of the project that was actually, in my understanding, the board rejected. So this definitely seems like segmentation.*

*(Board Member Yergin, Public Hearing, April 1, 2021)*

**A-1 Response:**

**Procedural history of self-storage applications at the Project Site**

In or about 2009, the Applicant filed an application with the Planning Board seeking to construct an approximately 88,000-square foot, 578-unit self-storage facility along with a 6,400-square foot cabinet-making shop with a total of 29 parking spaces on-site.<sup>1</sup> The proposed action required site plan approval and a floodplain development permit from the Planning Board, several area variances from the Zoning Board of Appeals ("ZBA"), a determination that the project was consistent with the Local Waterfront Revitalization Program by the Village Harbor Coastal Zone Management Commission ("HCZMC") and approval from the Architectural Review Board. The Planning Board initially declared its intent to serve as Lead Agent under SEQRA, however the ZBA objected and ultimately assumed Lead Agency status on March 4, 2010. The ZBA issued a positive declaration under SEQRA for the project, citing concerns relating to traffic, flooding and proposed building size. At that time, due to the significant costs associated with pursuing the project that had been declared to have the potential to have one or more significant adverse environmental impacts, the Applicant

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<sup>1</sup> See June 20, 2018 submission to the ZBA for a comprehensive procedural history of prior self-storage proposals on the Site.



withdrew its application. The ZBA did not “turn the application down” or reject the proposal.

On approximately October 10, 2012, the Applicant submitted a new application for site plan approval seeking to redevelop the Property and construct the current self-storage facility that exists on the Premises today. This application proposed a 40,620-square foot self-storage facility, as opposed to the 88,000 self-storage facility proposed in 2009. Under the 2012 proposal, many of the then existing uses at the facility were proposed to remain. The Planning Board assumed Lead Agency Status on November 14, 2012 and on January 30, 2013, the Planning Board issued a negative declaration finding that the project would not have the potential for one or more adverse environmental impacts.

On approximately October 3, 2013, the ZBA granted the Applicant several variances for the now existing self-storage facility on the Property. Following receipt of these variances, the Applicant proceeded to obtain a consistency determination from the HCZMC, site plan approval and a flood development permit from the Planning Board and approval from the Architectural Review Board. The Applicant then constructed the existing 40,492-square foot self-storage building, completed towards the end of 2015, that exists on the Site today.

#### **The Amended Proposal (the “Project”)**

On May 10, 2018, the Applicant submitted a site plan application to the Planning Board proposing to expand its existing 40,492-square foot self-storage facility by constructing a new 56,328 square foot addition (the “Proposed Action”), for a total size of approximately 96,820-square feet. As noted above, the original application submitted in approximately 2009 proposed a smaller 88,000-square foot building. Additional approvals required for this proposal include several area variances from the Zoning Board of Appeals (“ZBA”), a determination that the Project was consistent with the Local Waterfront Revitalization Program by the Village Harbor Coastal Zone Management Commission (“HCZMC”) and approval from the Architectural Review Board.

The ZBA assumed Lead Agency status and on June 6, 2019, the ZBA issued a positive declaration determining that the Project had the potential for one or more significant adverse environmental impacts. As required by SEQRA, the Applicant prepared a Draft Environmental Impact Statement and spent seven months reviewing the DEIS with the Lead Agency.<sup>2</sup>

The Applicant has amended the Project in order to be responsive to the comments on the DEIS by the ZBA. This Project proposes an additional 160 additional storage units required to meet local customer demand and incorporate 700 square feet of storage- associated retail space along the Waverly Avenue frontage in the existing self-storage building. Notably, the amended proposal now currently before the ZBA seeks to incorporate a number of new uses and proposes reconfiguration of the Project Site, which were not proposed in either 2009, 2012 or initially with the 2018 original application. The Applicant proposes these Project amendments to address comments received from members of the ZBA during the DEIS process and to meet community workplace demands in response to the global pandemic.

As demonstrated in the amended site drawings enclosed herein, prepared by KTM Architect, dated June 28, 2021, the Applicant proposes the complete demolition of all structures on the site except the existing self-storage use. The proposed expansion to the existing self-storage building will contain the proposed 56,328-square foot addition of self-storage space, as well as the following uses:

- Approximately 5,879-square foot woodworking shop;
- Approximately 2,157 square feet of space for the Murphy Brothers Contracting offices; and
- Approximately 2,008 square feet of community office workspace.

As demonstrated by the proposed configuration of buildings and uses, this amended proposal presents a substantially different Project than the 2009 and

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<sup>2</sup> The Applicant submitted the DEIS on October 29, 2020.

2012 proposals, as well as the original 2018 Project previously reviewed by the ZBA.

### **Segmentation**

Segmentation is defined as “the division of the environmental review of an action such that various activities or stages are addressed under [the SEQRA regulations] as though they were independent, unrelated activities, needing individual determinations of significance.” 6 N.Y.C.R.R. § 617.2(ah).

The State Environmental Quality Review Act (“SEQRA”) and its regulations do not prohibit segmentation of environmental review. Instead, New York State Department of Environmental Conservation (“NYS DEC”) SEQRA regulations recognize that “[a]ctions commonly consist of a set of activities or steps,” and “[c]onsidering only a part or segment of an action is contrary to the intent of SEQR[A].” 6 N.Y.C.R.R. § 617.3(g).

In determining whether a proposed action may have a significant effect on the environment, an agency must consider reasonably related long-term, short-term, direct, indirect and cumulative effects, including other simultaneous or subsequent actions that are: (1) included in any long-range plan of which the action under consideration is a part; (2) likely to be undertaken as a result thereof; or (3) dependent thereon. 6 N.Y.C.R.R. § 617.7(c)(2).

The issue of segmentation often arises when a project sponsor divides a project into smaller parts to avoid triggering the submission of an EIS. NYS DEC SEQRA Handbook, 4<sup>th</sup> Edition, pg. 53 (2020) (“SEQRA Handbook”). Essentially, in attempting segmentation, a project sponsor’s goal is to avoid comprehensive review of a large project and instead convince the reviewing agency to focus on an individual phase of a development.

In this instance, there has been no avoidance whatsoever of the EIS process. In fact, for the last 3 years, the ZBA has taken a hard look and conducted a comprehensive environmental review of the existing self-storage use, in

conjunction with the proposed expansion and redevelopment. There is no attempt to thwart environmental review or avoid a discussion of environmental impacts.

Further, as previously discussed herein, the amended Project, is markedly different than the 2009 application for a self-storage building, both in scale and use. As opposed to the sole self-storage building contemplated in 2009 and 2012, the Applicant is proposing to incorporate community workspace, a woodworking shop and the Murphy Brothers Contracting office in the new addition, along with approximately 56,328 square feet of additional self-storage space. The proposed community workspace is being provided in response to the objectives of the proposed MAKER zone discussed by ZBA members during the DEIS process, as well the change in workplace demands driven by the global pandemic. The Project currently before the ZBA, as amended, could not possibly have been contemplated in the 2009 or 2012 review process. Indeed, the MAKER zone was not even proposed when the 2009 and 2012 applications were filed.

The ZBA's comments on the DEIS question whether segmentation has occurred improperly in this instance given the existing self-storage facility and the prior application review history. The SEQRA Handbook specifically finds that a segmented review is justified and warranted when a future phase of a project may not occur.<sup>3</sup> In this instance and as noted herein, the 2009 application was withdrawn by the Applicant. Years later, a new and smaller project was submitted to the Village with no anticipation or proposed future phase. That project was approved and constructed, and the self-storage facility opened for business in 2015. Due to the success of that business, an expansion not contemplated or planned as part of the prior application was proposed in 2018, three years later. The SEQRA Handbook states that "if substantial changes to the project are proposed later, such changes shall be evaluated, and a new determination of significance made."<sup>4</sup> That is exactly what happened in this matter and a new

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<sup>3</sup> SEQRA Handbook, 4<sup>th</sup> Edition, pg. 54 (2020).

<sup>4</sup> SEQRA Handbook, 4<sup>th</sup> Edition, pg. 55 (2020)

determination of significance was made in the pending application and the Applicant is in the midst of an EIS review.

The pending application has been reviewed by the ZBA for over 3 years. The ZBA, as Lead Agency, is undertaking a thorough, comprehensive and full environmental review of both the existing and proposed development of the Project Site, as an “overall” project. The Applicant is in the midst of an Environmental Impact Statement review. The Village is not considering a part or a segment of the Project. Portions of the “overall” Project are not being excluded in the environmental review. The “whole action” is being reviewed by the ZBA, a statement made by various ZBA members on numerous occasions. This EIS is noting the procedural history, taking the hard look at the whole action and the review is not being any less protective of the environmental. Segmentation has not occurred, and to the extent the ZBA determines otherwise, the segmented review of the overall Project is justified and acceptable given the unique facts herein and SEQRA regulations.

**A-2 Comment:**

*Also, when they talk about that as it is in line with the Maker zone. My understanding of the Maker zone is to increase night life and pedestrian traffic and, actually, to move away from big warehouses and self-storage, so I think that's an inaccurate statement. I know that it is a permitted use as right now in the code but I don't believe that is in line with what the Maker zone had said.  
(Board Member Yergin, Public Hearing, April 1, 2021)*

**A-2 Response:**

The MAKER zone is a planning concept formulated in approximately 2017 for the approximately 70-acre area that is currently primarily zoned M-1 – Manufacturing (Figure III. A-1). As of this date, the MAKER zone has not been adopted, and is therefore, not applicable to the Proposed Action.

Nevertheless, the Applicant has reviewed the MAKER zone concept, and as noted in the DEIS, believes that the Proposed Action is consistent with the goals of that initiative.



As articulated by the Industrial Area Committee in February of 2018<sup>5</sup>, the primary goal for the area is to *“Revitalize the manufacturing district in Mamaroneck and enhance the sustainability of the area:*

- *Preserve existing uses.*
- *Create incentives to grow the MAKER economy.*
- *Promote redevelopment that is environmentally sensitive.*
- *Establish buffers to abutting neighborhoods that are eco-friendly.*
- *Provide/encourage new recreational activities.”*

The MAKER zone is an acronym for:

- M – Manufacturing
- A – Artisanal Foods and Arts
- K – Krafts and Design Business
- E – Environmental Buffers
- R – Recreation

As set forth in the RFP issued by the Village in 2017 for the creation of the MAKER zone, the mission statement for the MAKER zone is:

*“A coordinated effort to preserve existing uses and incentivize the growth of the “maker” economy in Mamaroneck as an economic engine for jobs, tax revenue, environmentally-sensitive redevelopment, neighborhood and eco-friendly buffering, flood mitigation, and new recreational activities all aimed at the revitalization and sustainability of the manufacturing district in Mamaroneck.”*

As depicted on Figure III.A-1, the MAKER zone is comprised of two overlay areas, a Retail Overlay and a Mixed-Use Overlay, within which the Site is located. Buffer and park areas are envisioned along the perimeter of the area. The following uses are encouraged in these areas:

#### **Retail Overlay**

- Indoor recreational facilities

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<sup>5</sup> Industrial Area Committee/Chazen Companies PowerPoint Presentation, February 15, 2017.

- Micro-alcohol establishments
- Theaters
- Higher education uses
- Art and film studios and dance and music instruction
- Boutique hotels

#### **Mixed-Use Overlay**

- All uses outlined above plus mixed-use with retail on the ground floor and office or manufacturing above.
- Live-work units.

As thoroughly documented in the Chapter IV.A of the DEIS, the area where the MAKER zone is proposed, locally know as “The Flats” is overwhelming dominated by light industrial, automotive, warehouse and similar land uses. This land use pattern has evolved from a more heavily industrialized character, to what exists there today. The uses proposed for the MAKER zone are clearly aspirational, and do not reflect existing land use characteristics of the area. While those aspirational uses may in time be drawn to the district, the current pattern of land use will likely remain prevalent for the foreseeable future.

The FEIS Plan has been developed to more closely align with the goals of the MAKER zone, while continuing to make an economically viable use of the Site today. The FEIS Plan will remove all of the pre-existing non-conforming structures on the Site that related more to the prior lumber yard operation. The development will support an existing business, and result in an expansion of the areas economy and tax base, in a manner that is extremely environmentally sensitive (through the development of a “net-zero” building), while improving and enhancing the public streetscape along both Waverly Avenue and Fenimore Road, and by creating a new publicly accessible vest-pocket park at the northwest corner of the Site. All of the Site’s public frontages allow for improved and unrestricted pedestrian circulation. Importantly, the FEIS Plan will result in an increase in flood storage on-site, thereby benefitting the flood conditions of the surrounding area.

It is important to bear in mind that uses that create “create night life and increase pedestrian traffic” such as restaurants, retail uses, theaters, etc., are essentially prohibited in the M-1 zoning district with the exception of a limited area within 150’ of Fenimore Road, so currently, there is no night life, or places for the general public to walk to. As noted above, if the MAKER zone is adopted, that may begin to change, but likely incrementally, and over a prolonged period of time.

Finally, it is anticipated that the new uses at the Site, including the woodworking shop that will be used as an educational resource and the incubator office space, will enliven the Site, certainly more than the prior proposals and the existing operation of the Site.

**A-3 Comment:**

*And then in the end, I appreciate the additional renderings that were added from the very first draft of the DEIS and I have to say that I feel that that is an enormous impact on visually on the neighborhood, that there is no other kind of warehouse that takes over a property like that, that it is the combination of the mass and the height. It has an enormous [inaudible] on the lot and in my mind, I realize there's industrial purposes and they're not super attractive purposes in the industrial area, yet none of them are of that size. When they get to be this size, in my mind, it's turning it into an urban type of feeling in the community. It's taking away from the sense of a Village that has an area where there's some contractors and there's car repair and there is some warehousing to a certain extent but it's of a smaller nature. When I see this kind of size of a structure, it definitely seems to be -- tending to be an urban environment rather than a village environment.  
(Board Member Yergin, Public Hearing, April 1, 2021)*

**A-3 Response:**

Comment noted. It should also be noted that the three buildings of The Mason, located just north of the site are of a similar size and scale as the FEIS Plan. A number of the industrial buildings in the area have much larger footprints, and very large square footages (the adjacent Artic Glacier Ice building, the KRB building, Marvel Industries among others) although they are not as tall. The

character of the area is not distinguishable between “urban” and “village” but rather as industrial.

**A-4 Comment:**

*Given more substantively, I want to clarify one thing that came up and they talked about this being an addition and this is a new thing and the other thing was approved before. Let's just go back a little bit. First application made on this property which I'm aware, obviously there may have been others, concerned a permit to build a building about the size of the existing building plus what they have proposed. The board issued a positive declaration which was issued in an ENB, the Environmental Notice Bulletin at the time, and went not to what it had gotten to. At that point shortly thereafter the application was withdrawn or abandoned and in lay of it, they cut the project significantly. I think about 50 percent, I'm not gonna just mention square footage, but about half. And that's where they went and that was not paused at. Now they're back to take the second half, and to me, that's probably what we would call segmentation about as clear as you can be.*

*(Board Member Neufeld, Public Hearing, April 1, 2021)*

**A-4 Response:**

See response to comment A-1 above. As noted previously herein, the proposal currently before the ZBA is markedly different than the 2009 and 2012 proposals, both in scale and use.

**A-5 Comment:**

*Not only is it just not a question of segmenting but to suggest that it is not impacting the first building is silly because even if it hadn't been a segmentation of the application initially, the buildings are being integrated into one. There's structural changes on both, and they're all going to be integrated. The new site, the whole area, the parking, et cetera. So I think it's not fair to characterize it nor have I ever heard this characterized as an addition. It is a structural change of the area. It is basically going back to, and I don't know if the planners have looked at this, the original application which was probably about what, you mentioned it earlier, about five years ago, something like that.*

*(Board Member Neufeld, Public Hearing, April 1, 2021)*

**A-5 Response:**

The building proposed in the FEIS Plan will be structurally integrated with and physically connected to the existing self-storage building. The spaces within the building will share common utility and mechanical equipment. By any definition, the Proposed Action is an addition to the existing self-storage building.

As explained more fully in Response A-1, the Proposed Action envisioned in the FEIS Plan could not have been contemplated in 2009, and regardless of whether one believes the Proposed Action represents “segmentation” the Proposed Action is undergoing the most thorough environmental review available to the Lead Agency, allowing for the Proposed Action to be judged on its merits.

**A-6 Comment:**

*So they filled up the first and now they're going to bootstrap. I think that's the segmentation concern.*

*(Board Member Neufeld, Public Hearing, April 1, 2021)*

**A-6 Response:**

See response to comment A-1 above.

**A-7 Comment:**

*And one last thing and that is what is going to be left there? Because I was always baffled. I had thought they were going to be removing a lot of the extra buildings as part of the first building, but I was incorrect on that or it wasn't complied with or I was just probably incorrect, but what's going to be left here? And how does that impact the property? Because this is by, anyone's standard, if you take this amount of land and you look at that amount of structural improvement, I would be hard-pressed to find anything close to it in Mamaroneck or adjacent communities, so it's obviously a very serious concern.*

*(Board Member Neufeld, Public Hearing, April 1, 2021)*



**A-7 Response:**

The FEIS Plan calls for demolishing all of the existing buildings on the Site (with the exception of the existing self-storage building). In total 15,604 square feet of existing older, non-conforming buildings will be razed. The new building extension is 43,940 square feet, resulting in a net increase of 25,361 square feet of gross floor area.

**A-8 Comment:**

*The DEIS, this is actually in the executive summary but it's also repeated in the chapter on land use zoning and community plans, it talks about as demonstrated by the continued operation of the existing self-storage that is more fully documented, it generates no impact there for the self-storage. It's entirely compatible with the existing surrounding uses. And I disagree. I do not think that the fact that it is consistent with the existing building means that it will not have an impact or make it appropriate. In fact, one of the concerns I had, which again is also repeated later, is that this future zoning will be the maker zone which is discussed here. The maker zone seeks to have more foot traffic and other traffic. This use, which keeping the traffic down will, in fact, have a significant impact on the future of the area and the development of the maker zone because it's not adding any -- it's taking up an enormous site without adding any people to the area, and, therefore, it will not support the surrounding community.  
(Chairwoman Kramer, Public Hearing, May 6, 2021)*

**A-8 Response**

See response to comment A-2 above. Throughout the DEIS and FEIS, the Applicant has endeavored to demonstrate how the Proposed Action does meet many of the planning goals of the MAKER zone. However, the MAKER zone has not been adopted, and it would be inappropriate, and in fact illegal for the Lead Agency to render a decision based on the Project's compliance with zoning that has not been adopted.

The FEIS Plan now includes uses that will increase foot traffic, and the revised design of the building addition is smaller and far more compatible with a pedestrian scale, even though pedestrian activity along Waverly Avenue is limited.

**A-9 Comment:**

*I notice and this is probably a technical that I noticed. I think it's interesting that in the existing zoning compliance when they're showing, they talk about the existing and they never provide the existing FAR, which is interesting. Yes, you can calculate it, but it isn't provided. Really should be provided. I wonder is that so we don't realize how big it is.*

*(Chairwoman Kramer, Public Hearing, May 6, 2021)*

**A-9 Response:**

The existing FAR/GFA are both included on the plan set filed along with the DEIS (Sheet SY-101, Site Plan and Zoning). Table III.A-1 indicates the FAR/GFA highlighted in red for the FEIS Plan.

Table III.A-1 FEIS Plan Zoning Compliance				
Zoning Criteria	Required/ Permitted	Existing	Proposed	Variance Required
Minimum Lot Area (SqFt)	10,000	44,156	44,156	--
Minimum Lot Width	50	134	134	--
Building Coverage				
Area (SqFt)	22,078	20,081	23,096	1,018
Percentage	50%	45%	52%	2%
Floor Area Ratio (FAR)	1.0	1.34	1.91	0.91
Maximum Gross Floor Area	44,156	59,081	84,432	40,276
Impervious Surface Coverage				
Area (SqFt)	N/A	41,653	40,383	--
Percentage	N/A	94.3%	91.5	--
Maximum Building Height				
Stories	3	4	4	1 story
Feet	45'	45'	45'	
Minimum Yard Requirements				
Front (Waverly)	Note 1	0'	0'	--
Front (Fenimore)	10'	0.4'	10'	--
Rear (Southeast)	None	2'	2'	--
Rear (Southwest)	None	3'	3'	--
Off-Street Parking	137	52	26	111
Off-Street Loading	8	0	3	5

**A-10 Comment:**

*Yes. I'll just ditto one of your comments. I think it was excellent. I think to say it's compatible because now there is one there, I think this is an enormous out of character construction and it involves very significant variances and I think those underscore the need to be attentive here. As I understand it, the FAR, they want to go from 1 to 2.43. They want a variance of 63,000 feet and also various parking variances.*

*(Board Member Neufeld, Public Hearing, May 6, 2021)*

**A-10 Response:**

The commentary in the DEIS indicated the proposed building addition is consistent with the existing self-storage building, for which the ZBA previously granted variances. The FEIS Plan requires the area variances noted in Table III.A-1.

**A-11 Comment:**

*One thing that's unclear regarding the variances, particularly the parking ones and some of the setbacks. I think they have to indicate what buildings and what improvements there are going to be serviced by those from the existing to the proposed for the other buildings. I'd like to see so we have breakdown in a chart of how that goes because we often run into a situation where parking is given and then there's an argument over whose they are. You have a lot of different buildings here and a lot of different uses.*

*(Board Member Neufeld, Public Hearing, May 6, 2021)*

**A-11 Response:**

All of the existing buildings on the Site (with the exception of the existing self-storage building) will be demolished under the FEIS Plan. The new 26 space off-street parking lot will serve the 4 uses on the Site (the self-storage facility, Murphy Brothers office, the woodworking space and the incubator office space).

It is likely that during the site plan review phase of the project, specific parking spaces would be assigned to the various uses.

**A-12 Comment:**

*One thing I also would like to see addressed in the FDIS is the impact on future development and variances. We are bound principles of our precedent. We have our own administrative -- I think we have to also then say if this were to go forward, what would the impact on it be by virtue of the fact that someone could come in next door and say, by the way me too. And you can't say to them, well, you weren't here first so you're out of luck. You really do need to address what it this is doing. I think the chair said this. This is changing something dramatically and I think we have to look at them. It's not just the this that it's going to change. You then have to apply this to our future assessments. I'd like to see that looked at carefully.*

*(Board Member Neufeld, Public Hearing, May 6, 2021)*

**A-12 Response:**

“Precedent” is not an environmental factor to be considered when making a determination of significance. Speculation of unrelated projects that may be proposed at a future date is not a relevant consideration in the review of this FEIS.

The Zoning Board is not bound by Precedent in the determination of an area variance request, unless all of the circumstances involving the requested variance are identical to a previous decision. The Zoning Board must apply the statutory criteria set forth in §7-712-b of Village Law. Specifically:

*“[T]he zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider: (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an*

*adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.”*

The five factors must be applied to the specific characteristics of the property and the requested variance, which are rarely, if ever identical. Further, zoning boards may consider new applications and new information when reviewing applications before them, and so long as the board provides a rational explanation for reaching a different result, the Court will not overturn the decision. Hurley v. Zoning Bd. of Appeals of Village of Amityville, 69 A.D.3d 940, 893 N.Y.S.2d 277 (2d Dep't 2010).

**A-13 Comment:**

*This is a segmented project and I know we're considering the whole development because originally this was proposed and it was POS decked years ago, 5 years ago I guess. And then what occurred is they cut the project in half and it was no longer a POS deck. Now, they're going to the same result.  
(Board Member Neufeld, Public Hearing, May 6, 2021)*

**A-13 Response:**

See response to comment A-1 above. As noted previously herein, the proposal currently before the ZBA is markedly different than the 2009 and 2012 proposals, both in scale and use.

**A-14 Comment:**

*And also, as I said earlier, how the different variances will apply to the different buildings and the different improvements.  
(Board Member Neufeld, Public Hearing, May 6, 2021)*



**A-14 Response:**

All of the existing buildings on the Site (with the exception of the existing self-storage building) will be demolished under the FEIS Plan. table III.A-1 documents the required variances.

**A-15 Comment:**

*I think I'm interested in the following question being addressed in the FDIS and that this is such a significant variance in an area that would really have almost, if this were to proceed, it would almost create a legislative change in the sense that the variances and the other approvals would actually do what a legislature would do. These are not adjustments, they're not tweaking, these are significant. I'd like to know whether or not there were discussion, requests, or petitions made to the trustees to change the design because the magnitude involved here, generally in my looking at this, would be, hey, this is not a variance, this is not I need a few feet or I need a small variance. This is extraordinarily significant. I'd like to know what other options in terms of accomplishing this were achieved because if you're going to say that it really fits into the community in this, well, it doesn't. It doesn't from a purely legal standpoint or we wouldn't be here.  
(Board Member Neufeld, Public Hearing, May 6, 2021)*

**A-15 Response:**

Village Law Section 7-712-B(3) does not make a distinction or create a threshold that if a variance(s) is of a certain degree or magnitude, it should be summarily dismissed or be approved only through a legislative change. Rather, Section 7-712-B(3) requires a zoning board to apply a balancing analysis that incorporates several factors in determining whether to grant such variance(s), one of which is the substantiality of the variance. Such analysis shall be conducted herein by the ZBA.

In fact, in considering whether a variance is substantial, the Zoning Board of Appeals shall examine the totality of the circumstances within an application. See Friends of Shawangunks, Inc. v. Zoning Bd. of Appeals of Town of Gardiner, 56 A.D.3d 883, 886, 867 N.Y.S.2d 238, 241 (3d Dep't 2008) (although variances were substantial the ZBA properly determined area variances will not have a substantial

impact on the community); *see also* Schaller v. New Paltz Zoning Bd. of Appeals, 108 A.D.3d 821, 824, 968 N.Y.S.2d 702, 705 (3rd Dep't 2013) (upholding ZBA determination that an area variance was not substantial when compared to the nearby buildings).

The mere fact that a variance may be deemed “substantial,” or fails to meet one of the other five factors, does not preclude application of the *overall* balancing analysis. Church of Jesus Christ of Latter Day Saints v. ZBA of Town/Village of Harrison, 296 A.D.2d 460 (2d Dept. 2002) (determination that a request that was determined “substantial” did not excuse Zoning Board of Appeals from applying the overall balancing test).

**A-16 Comment:**

*I'm disappointed, overall, in the magnitude and I'm disappointed in the fact this was segmented because it's almost a bootstrap operation. Hopefully, if they can address these issues, and we can get that flooding report, then maybe we can include that in the FDIS and get some clearer understanding on this because one of the concerns I have is that whatever we do hear has to then be able to be utilized in terms of decision making by others. And if we're going to mitigate this, this is probably the place and the FDIS to try and do it. It doesn't remove the individual agencies from their options but I think we should try to do it that way. (Board Member Neufeld, Public Hearing, May 6, 2021)*

**A-16 Response:**

See response to comment A-1 above. As noted previously herein, the proposal currently before the ZBA is markedly different than the 2009 and 2012 proposals, both in scale and use.

**A-17 Comment:**

*First of all I really strongly agree with you, Robin, that you hit the nail on the head that I feel like this flies in the face of the whole maker space concept, everything we're doing with vision zero, and pedestrian traffic, and I just want to make two quick related points to that. (Board Member Roberts, Public Hearing, May 6, 2021)*

**A-17 Response:**

See response to Comment A-2.

**A-18 Comment:**

*I think the first is that from the pedestrian perspective, even if it's well lit, you're essentially creating a huge dead block right in the middle of actually where we have some really interesting new developments, so it's a dead zone, and I don't think that's what we want to come accomplish here.*

*(Board Member Roberts, Public Hearing, May 6, 2021)*

**A-18 Response:**

The FEIS Plan involves streetscape landscaping improvements along both Waverly Avenue and Fenimore Road. In the Applicant's opinion, the experience of walking along the public sidewalk will be notably enhanced compared to the exiting condition. Additionally, within the Site itself, all of the existing older non-conforming buildings will be demolished and replaced with the newly configured building addition which has been reduced in scale, and broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building, while restoring a human scale to the Site. As the building steps down from four to three to two stories, it incorporates a terrace, broad landscaped rain garden and lawn to integrate into the Fenimore Road streetscape. The streetscape is proposed to be further enhanced by replacing the Murphy Brothers office building located at the Waverly Avenue/Fenimore Road intersection, with a publicly accessible vest-pocket park containing decorative seasonal landscaping and benches arrayed around a circular walkway.

**A-19 Comment:**

*I want to add those two quick points. I don't care as much about the appearance of the building because, again, I feel like for me what's paramount is it's just going completely against the grain of everything we're trying to do here as a community so.*

*(Board Member Roberts, Public Hearing, May 6, 2021)*

**A-19 Response:**

Comment noted. See response to Comment A-2.

**A-20 Comment:**

*I'm also very concerned that it definitely is a segmented project. The two buildings are going to connect exactly together. Clearly, when you built the first building, you must've had an intent you were going to come back with a second building because it seems like a simple thing to put them together that you've designed it that way.*

*(Board Member Yergin, Public Hearing, May 6, 2021)*

**A-20 Response:**

See response to comment A-1 above. As noted previously herein, the proposal currently before the ZBA is markedly different than the 2009 and 2012 proposals, both in scale and use.

**A-21 Comment:**

*Also, I'm going to add my comments that I do think that it's a large impersonable building, basically lifeless building. I don't know why we would give such huge variances for something that is just a big structure to hold things and/or that will increase the profit of the owner without giving back to the community. It's not as though we're building a theater that we don't, okay so it's a little larger, and there's some new spirit, it's a new kind of industry that we're looking for, and it's something that we're going to interact with, and a lot of people are going to get jobs with. We're giving -- we would be giving variances to build a massive structure to hold things and that's going to stay quiet, going to stay dark, and not employ a lot of people.*

*(Board Member Yergin, Public Hearing, May 6, 2021)*

**A-21 Response:**

The FEIS Plan reflects a complete redesign of the building, as well as its use. The new building extension would consist of 43,940 square feet of gross floor area, or a net increase of 25,361 square feet once the floor areas of the existing industrial buildings are deducted. Where the building addition presented in DEIS Plan was

somewhat monolithic, the building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building, while restoring a human scale to the Site. This approach would reduce the building footprint by 2,071 square feet and the gross floor area by 14,254 square feet. The F.A.R would be reduced from 2.43 to 2.11.

The height of the building addition has also been reduced. The southernmost section of the building addition will be integrated with the existing self-storage building, and as such will correspond to the height of the existing building. However, moving north, the building will step down to three stories and then two stories where a terrace, broad landscaped rain garden and lawn gradually integrates the Site into the Fenimore Road streetscape. The streetscape is proposed to be further enhanced by replacing the Murphy Brothers office building located at the Waverly Avenue/Fenimore Road intersection, with a publicly accessible vest-pocket park containing decorative seasonal landscaping and benches arrayed around a circular walkway.

**A-22 Comment:**

*I would not be inclined to give such large variances for -- with so little in return for the village. And, yes, I do think that we'd be setting a precedence and I could blocks and blocks of self-storage areas in the area and that would just be a sad thing for our village.*

*(Board Member Yergin, Public Hearing, May 6, 2021)*

**A-22 Response:**

See response to Comment A-12.

**A-23 Comment:**

*You know, I agree with just about everybody single comment that was made tonight. I share all those concerns. I see it as concerns localized to this specific project but then also the concerns as mentioned by probably all of you of just the domino effect that this project goes through and then what's next. It creates*



*a precedent that would be difficult to control. There's the unknown about this project but there's also the unknown of the consequences of other projects down the road because we have approved a project of this enormous.*

*(Board Member Heaney, Public Hearing, May 6, 2021)*

**A-23 Response:**

“Precedent” is not an environmental factor to be considered when making a determination of significance. Speculation of unrelated projects that may be proposed at a future date is not a relevant consideration in the review of this FEIS.

Further, zoning boards may consider new applications and new information when reviewing applications before them, and so long as the board provides a rational explanation for reaching a different result, the Court will not overturn the decision. Hurley v. Zoning Bd. of Appeals of Village of Amityville, 69 A.D.3d 940, 893 N.Y.S.2d 277 (2d Dep't 2010).

Please see response to comment A-1 above. As noted previously herein, the Project currently before the ZBA is markedly different than the 2009 and 2012 proposals, both in scale and use.

**A-24 Comment:**

*I have one final comment that I forgot to make which is the segmentation but since it's been mentioned. To me, there's no question that this was segmentation and be given that they originally came to the board with the full project, which was this entire project, then they withdrew that full project, and came back with essentially half the project, and now are coming because we want the -- the board voted to do what required an environmental impact statement and the applicant at that point withdrew the full variance and came back with half the variance and now it's coming back for the half that it didn't get the first time. So, I do think that was segmentation that -- I do think it was segmentation.*  
*(Chairwomen Kramer, Public Hearing, May 6, 2021)*

**A-24 Response:**

See response to comment A-1 above. As noted previously herein, the proposal currently before the ZBA is markedly different than the 2009 and 2012 proposals, both in scale and use.

**A-25 Comment:**

*5. The DEIS states that the proposed project is seeking the following area variances:*

- 1. Building Coverage: 25,834 square feet is proposed where a maximum of 22,078 is permitted (3,756 SF variance)*
- 2. FAR: 2.43 is proposed where a maximum of 1 is permitted (1.43 FAR variance)*
- 3. Gross floor area: 107,087 square feet is proposed where a maximum of 44,146 square feet is permitted (62,932 square foot variance)*
- 4. Building height: 4 stories is proposed where a maximum of 3 stories is permitted (1 story variance)*
- 5. Front yard (Fenimore): 30 inches are provided where 10 feet is required (7-foot 8-inch variance)*
- 6. Off-street parking: 25 spaces are provided where 137 spaces are required (112 space variance)*
- 7. Off-street loading: 4 spaces provided where 8 spaces are required (4 space variance).*

*(AKRF Memorandum, April 30, 2021)*

**A-25 Response:**

Table III.A-1 presents the variances required for the FEIS Plan.

Table III.A-1 FEIS Plan Zoning Compliance				
Zoning Criteria	Required/ Permitted	Existing	Proposed	Variance Required
Minimum Lot Area (SqFt)	10,000	44,156	44,156	--
Minimum Lot Width	50	134	134	--
Building Coverage				
Area (SqFt)	22,078	20,081 red	23,096	1,018
Percentage	50%	45%	52%	2%
Floor Area Ratio (FAR)	1.0	1.34	1.91	0.91

Maximum Gross Floor Area	44,156	59,081	84,432	40,276
Impervious Surface Coverage				
Area (SqFt)	N/A	41,653	40,383	--
Percentage	N/A	94.3%	91.5	--
Maximum Building Height				
Stories	3	4	4	1 story
Feet	45'	45'	45'	
Minimum Yard Requirements				
Front (Waverly)	Note 1	0'	0'	--
Front (Fenimore)	10'	0.4'	10'	--
Rear (Southeast)	None	2'	2'	--
Rear (Southwest)	None	3'	3'	--
Off-Street Parking	137	52	26	111
Off-Street Loading	8	0	3	5

**A-26 Comment:**

*The ZBA is considering the site as a whole, and it is not clear from the chapter what aspects of the proposed variances are associated with the existing self-storage facility, existing buildings on the corner, and the proposed self-storage facility. A zoning analysis that breaks-out each of the three parts as well as the whole should be provided in the FEIS.*

*(AKRF Memorandum, April 30, 2021)*

**A-26 Response:**

The FEIS Plan no longer involves the preservation of the existing older, non-conforming buildings. See response to Comment A-25.

**A-27 Comment:**

*It is unclear from the DEIS whether the requested front yard variance is for the existing building at the corner of the proposed self-storage facility. The proposed self-storage facility is shown as being 7 feet 8 inches from the lot line, but this is the variance requested in the Tables II-1 and IV.A-4. However, if 7-feet 8-inches is proposed, and 10 feet is required, then the requested variance should be for 2-feet 4-inches.*

*(AKRF Memorandum, April 30, 2021)*

**A-27 Response:**

The FEIS Plan no longer preserves the existing building referenced in this comment. The building will be demolished, so the variance is no longer required.

**A-28 Comment:**

*The FEIS should address the proposed setbacks from Fenimore Road in relation to the requested area variance. As noted above, clarity on the extent of the variance sought should be provided.  
(AKRF Memorandum, April 30, 2021)*

**A-28 Response:**

See response to Comment A-27.

**A-29 Comment:**

*The DEIS states the building will be a “net-zero” building in order to address Section D-3g of the Scoping Document. Supporting information should be provided to demonstrate what the Net-Zero building will include, and how these features will avoid or reduce the impacts of climate change and rising sea levels.  
(Kellard Sessions Memorandum, February 4, 2021).*

**A-29 Response:**

The Applicant has demonstrated a long-standing commitment to Green Building. The existing Mamaroneck Self Storage facility was built as the first state-of-the-art, first-of-its-kind “green” self-storage facility in Westchester County. Energy efficiency was a priority. The Applicant enrolled the project in NYSEDA’s New Construction Program (NCP), which required compliance with rigorous energy-efficiency and sustainability standards set by the program. The Applicant partnered with high performance building consultants Steven Winter Associates to develop the project to incorporate sustainable features and realize energy cost savings from their investment. Notable energy conservation measures incorporated into the existing building include:

- High-efficiency HVAC equipment including Variable Frequency Flow (VRF) heat pumps for heating and cooling, a 65% Efficient Energy Recovery Ventilation system (ERV) for mechanical ventilation;
- High-efficiency interior and exterior LED lighting on motion sensors;
- All water-saving devices;
- 8.5Kw solar shingle array on the SE & SW sides of the building;
- The building envelope is comprised of 4" rigid insulation, 4" close cell spray foam with 8" close-cell spray foam in the ceiling.

Energy savings were 52% over the baseline standard building code with over \$30,000 annual electric-cost savings. The existing Mamaroneck Self Storage energy bills currently run from \$1,400 - \$1,800 monthly (similar to the cost of the average 6,000 square foot residential home).

The Mamaroneck Self Storage project was the recipient of three prestigious awards for its energy-efficient construction:

- HBRA-CT HOBI Award: Best Green Commercial Project;
- Best of BOMA Westchester County Signature Award;
- Westchester County Earth Day Award.

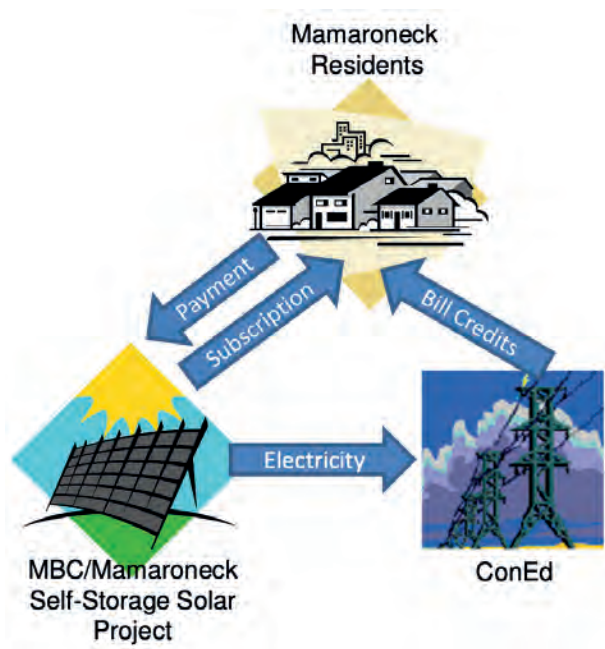
As construction was completed on the existing facility, the Applicant was awarded a NYSERDA Community Microgrid Project grant to investigate how a Community Microgrid system could be incorporated into future expansion plans in order to provide necessary affordable energy to the surrounding neighborhood in the event of natural or man-made disaster.

The FEIS Plan will incorporate the same energy-efficient measures as the existing building. It is the goal of the Applicant to operate a net-zero facility. A net zero building is one that has zero net energy consumption, producing as much energy as it uses in a year. In some months it may generate excess electricity through distributed renewables; at other times it may require electricity from the grid. On balance, it is self-supporting.



Additionally, the Applicant is proposing a Community Solar System, pursuant to NYSEERDA's Community Solar Program, consisting of the installation of roof-mounted photovoltaic solar arrays. The Applicant will partner with a NYSEERDA approved Community Solar Developer to oversee the engineering, permitting, installation and operation of the Community Solar System. The Community Solar System program is designed to provide clean energy to local residents. The Applicant will install roof mounted photovoltaic solar arrays on the new building addition.

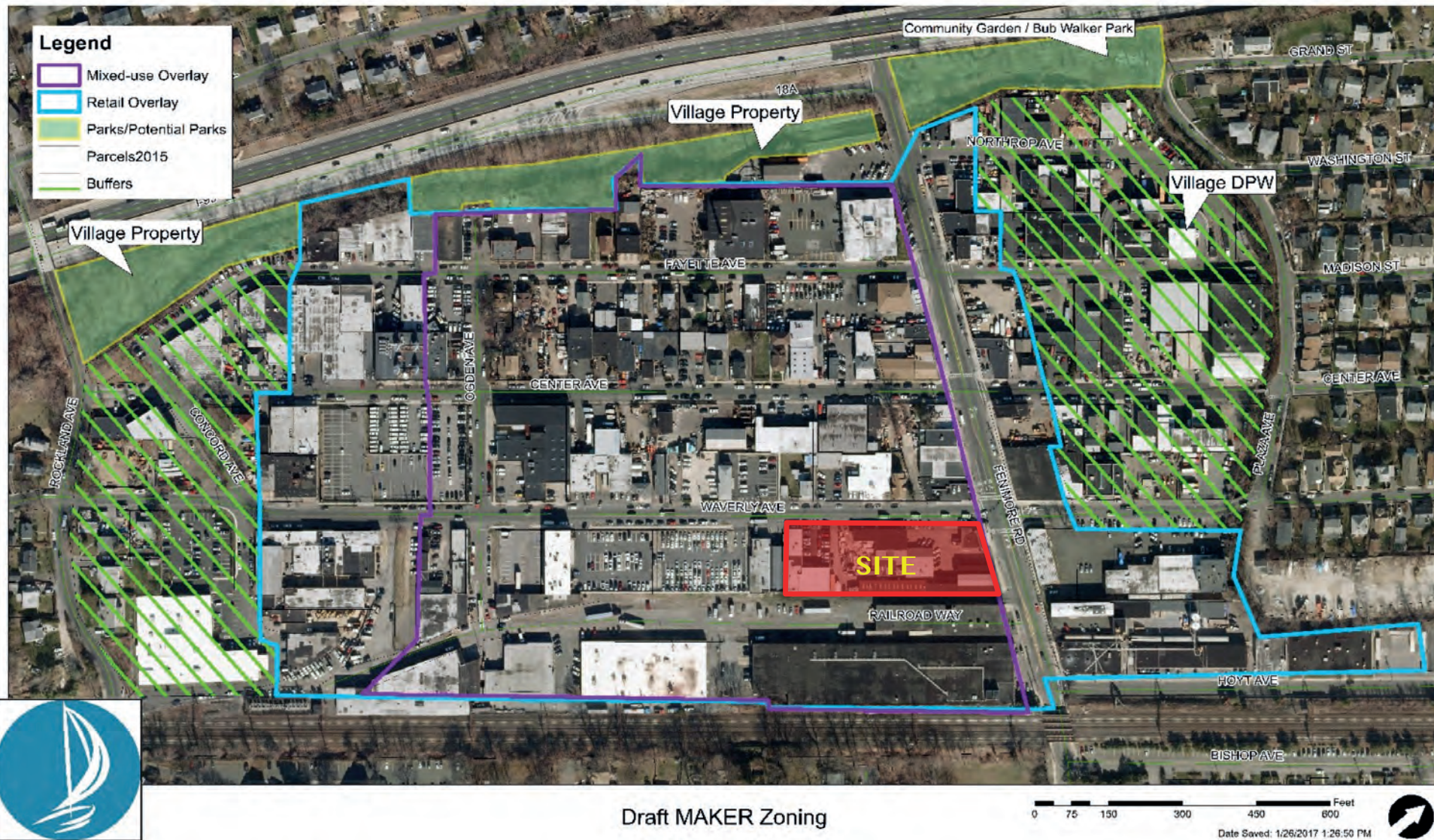
These solar arrays are connected to the existing ConEd electrical grid via a separate service connection on the Site adjacent to the existing electric meter. Electricity produced from the solar panels is sent directly into the ConEd grid. The Applicant then offers subscriptions to Mamaroneck residents for a portion of that electricity, resulting in reductions in their ConEd bills. This system democratizes solar, and affords everyone access to clean energy, even those who cannot install a solar system on their own property.



Mamaroneck Self Storage is currently enrolled in the Green Building Partnership's Green Building Certification Program, which measures the sustainability of a

business's daily operation. Mamaroneck Self Storage strives to be a model of sustainability for Westchester County, in both the construction of the building as well as the operation of the business.





Source: Village of Mamaroneck MAKER Zone RFP

Draft MAKER Zoning

# MAKER Zone

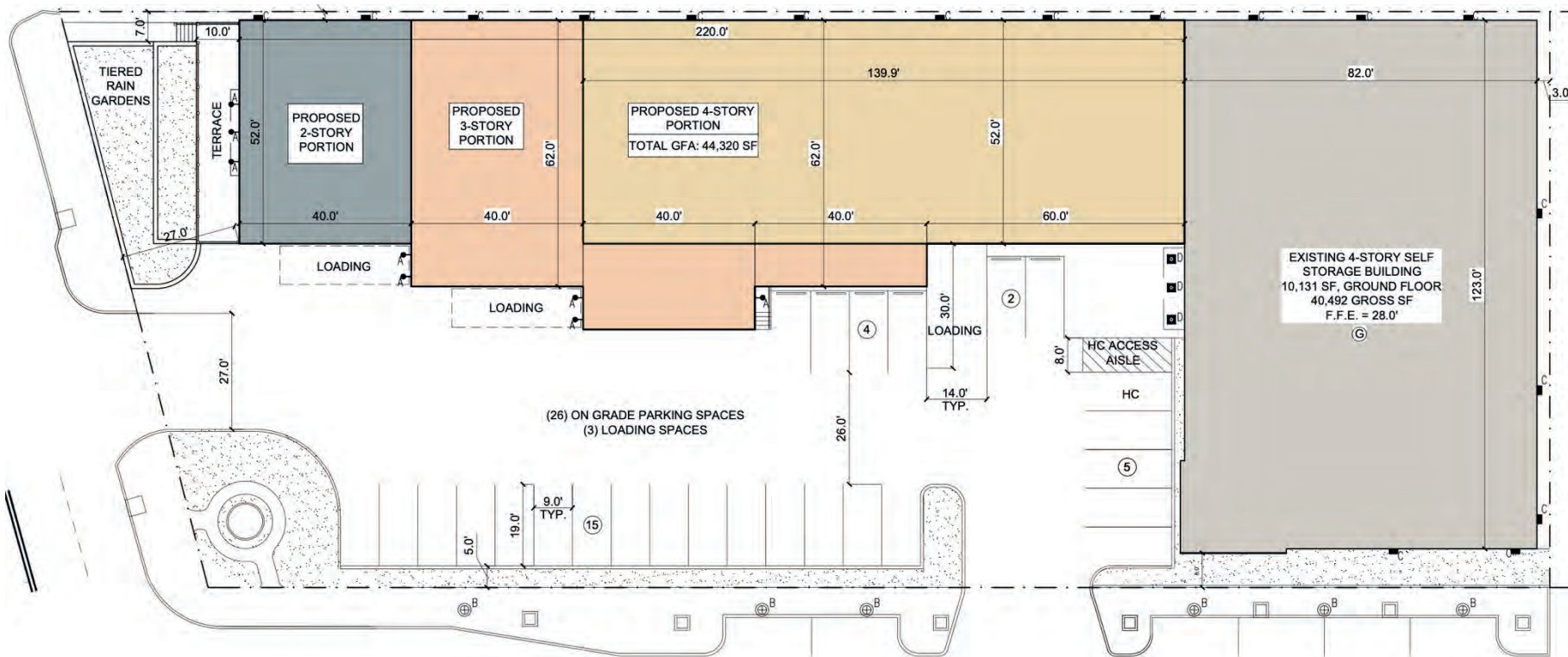


Figure  
III.A-1

Scale:  
As Shown







LIGHTING SCHEDULE								
Location	#	Location	E-Star Partner	Brand Name	Series/Style	Model Number	Description	Additional Info
EXTERIOR	A	At Canopies & Signage	-	Security Lighting Systems	Angle Reflector Wall Sconce	RLM175PMHDBS3RW12B	Gooseneck Wall Sconce	Incandescent, med. base, 200 watt max.
	B1	Waverly Avenue Walkway	DLC	Gama Sonic	Imperial II Solar Lamp	GS-97N	Solar-Powered Post Mounted Lantern	DLC Certified
	B2	Waverly Avenue Walkway	N/A	Gama Sonic	Decorative Pole	DB1	Lantern Post	-
	C	At Egress & South Façade	DLC	Security Lighting Systems	Trapezoidal Wall Sconce	TWSL30LEDWDB120PCEM	Wall Mounted Sconce	DLC Certified
	D	At Canopy Soffit(s)	DLC	Security Lighting Systems	LED Recessed Canopy Light	ECLED36G700UNVSYM5KWH	Recessed	DLC Certified

Source: KTM Architect



# Lighting Plan

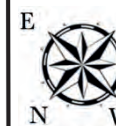


Figure  
III.A-2

### III. B – NATURAL RESOURCES

**B-1 Comment:**

*The DEIS refers to NYSDEC General Permit GP-0-15-002. However, this general permit has expired and the FEIS should cite the current version, GP-0-20-001.  
(AKRF Memorandum, April 30, 2021)*

**B-1 Response:**

Comment noted. The current NYSDEC General Permit, GP-0-20-001 is applicable.



### III. C – HAZARDOUS MATERIALS & PUBLIC HEALTH

**C-1 Comment:**

*Then I also had some questions about the borings. Now when we get to the borings, the soil borings that were taken, and I realize I understand that there was a total of nine borings that were done, and yet we only have information about six of them. I don't know what happened to boring No. 2, No. 4 and No. 8  
(Board Member Yergin, Public Hearing, April 1, 2021)*

**C-1 Response:**

Soil samples were collected in accordance with the Phase II ESA Work Plan. No soil samples were collected from Borings 2, 4 and 9 based on field screening, visual observations by the on-site geologist. The samples analyzed were biased to areas of concern or based on field screening and observations. It is typical to install more borings than samples analyzed. The samples collected provide a detailed and proper cross-section of the site conditions with respect to potential contaminants.

**C-2 Comment:**

*So those of you how are reading the document, you can see there's quite a lot of talk about there's tables with what was found in the other borings holes in the soil, and you can see that there were nine and we never hear about three of them. So I wonder why we're not hearing what were the results or were those -- were the results of those borings analyzed?  
(Board Member Yergin, Public Hearing, April 1, 2021)*

**C-2 Response:**

No soil samples were sent to the laboratory for analysis from these three locations. See response C-1.

**C-3 Comment:**

*I do know that there were two tanks that broke with hazardous materials in the past. I wondered where they were located on the lot and if that was anywhere close to where these boring samples that we don't know anything about were located.  
(Board Member Yergin, Public Hearing, April 1, 2021)*

**C-3 Response:**

The former tank locations and the close out paperwork related thereto were included in the Phase I ESA conducted at the Site. The test borings were biased to the two former tank locations and appropriate soil samples were collected and analyzed for VOCs and SVOCs related to former petroleum bulk storage at the Site. If an underground storage tank is encountered during construction, it will be addressed in accordance with all applicable NYSDEC and WCDOH regulations, and will be closed-out properly.

**C-4 Comment:**

*Another concern I've had, I've always had and brought up earlier on this when I was on the board when this was part of tech [sic] the second time as well as the first is the concern about testing. Testing meaning for contaminants in the water, et cetera, which flow. Concerned because, A, I know that the DEC had assigned an engineer to be in charge of the area because there was several sites, and I had the names at the time of the individuals because this was in an area where the applicant acknowledges that there has been some concerns with funded -- sites that were funded for correction and removal of contamination. But I was concerned with the*

*fact that the applicant never had a test made, according to what they had said, although when they built the building, there were never any soil tests. And to be very frank with everybody, that sort of concerns me as a blind eye approach because you're gonna put that money into a building, as they have done, it's there, it's -- I heard it is full and operational, you think they would have done those tests, and I'm concerned as to why they weren't.*  
(Board Member Neufeld, Public Hearing, April 1, 2021)

**C-4 Response:**

The intent of this comment is unclear. It is assumed that it is a reference to a Brownfield(s) site in the area. The Project Site is not in the NYSDEC BCP. Samples of soil and groundwater were collected and analyzed for constituents of concern based on the historic use of the Site and the findings of the Phase I ESA.

**C-5 Comment:**

*So I posed the question when this was once heard by us recently -- I guess not that recently but a couple of years ago, how do you go about finding out where to test? Because that's the key. You have to know where to test, and I think locating the areas of testing is very important. I would like to know how they found those areas.*  
(Board Member Neufeld, Public Hearing, April 1, 2021)

**C-5 Response:**

The testing was biased to "recognized environmental conditions" (RECs) based on the findings of the Phase I ESA. For example, in accordance with standard practice when conducting a Phase II EAS, a test boring and groundwater sample were collected from the former UST area.

**C-6 Comment:**

*I know I once proposed that an engineer had to be designated to explain why they picked it. And then who selected and what were the actual findings? Because when I read phrases, and I haven't seen the test data, but I saw something about well, you know, some areas are within reach, some are not, there are some things that are mostly it's okay, there are hydrocarbons, the question is you need more than that.*  
(Board Member Neufeld, Public Hearing, April 1, 2021)

**C-6 Response:**

The Phase I and Phase II ESAs were conducted by environmental professionals in accordance with all applicable NYSDEC guidelines and requirements. The reports were independently reviewed by the Village's environmental consultants. The Village's consultant recommended that, in lieu of collecting soil vapor samples, a Sub-Slab Depressurization System (SSDS) and/or vapor barrier be installed to mitigate potential vapor intrusion from chlorinated VOCs that were present in groundwater at concentrations that exceeded the NYSDEC Ambient Water Quality Standards (see Response to Comment C-7).

**C-7 Comment:**

*I think it really comes down to I'm interested in the tests and the results. Because -- particularly because of the water in the area because it's not a matter of the contaminants to remaining stable, for example in dredging situations often when you dredge, you take materials, hazardous waste that is has been embedded, and you actually can create more of a problem by circulating it than creating it to being infused with other materials in the water. So I'm very concerned about that. I don't know if there was any coordination done with the DEC, that's it.*  
(Board Member Neufeld, Public Hearing, April 1, 2021)

**C-7 Response:**

There is no dredging proposed for the Proposed Action, it is not in a waterway of the State of New York. Any soil that will be excavated will be handled in accordance with Part 375 and DER-10 Regulations. If soil needs to be disposed of, it will be pre-characterized and taken to the proper licensed facility, or it will be re-used on-site in accordance with all NYSDEC Regulations. The laboratory results for chlorinated VOCs in groundwater indicated that 1,1,2-trichloroethane (TCA) and 1,2-dichloroethane (DCA) were present in groundwater at concentrations that exceeded the NYSDEC Ambient Water Quality Standards. Although the levels are low, they are above NYSDEC standards, and soil vapor sampling and/or vapor mitigation is necessary to assess the potential impact. Since soil vapor sampling was not conducted, a vapor barrier and/or SSDS will be required as part of the building design.

**C-8 Comment:**

*There's a reference in here that hazardous materials that they say that the findings of the contamination is above the DEC standards, and that's fine. I think Ms. McCrory said something earlier. That's like the minimum, that's like the requirement. I'd like to know that sense, it's there we have had alarm bell ring and it says it's above that, what are they going to do about it, what's the real assessment, not tat whether it will be okay it's not that bad, no, it is that bad if it's past the standard. It should be below the standard significantly that's the goal.*  
(Board Member Neufeld, Public Hearing, May 6, 2021)

**C-8 Response:**

Some soils exceeded for Unrestricted Use Soil Cleanup Objectives, the most restrictive guideline. However, there were no exceedances of guidelines applicable for the proposed future site use. Nonetheless, the construction will be guided by an Excavation Work Plan (EWP), and any soil that is excavated and is impacted will be addressed accordingly under NYSDEC Regulations. There were several exceedances for SVOCs in groundwater. However, groundwater is not used for potable purposes, and if any dewatering is required, the pumped groundwater will be treated prior to being discharged, or collected and properly disposed of.

**C-9 Comment:**

*The soil vapor sampling is important as I understand it. And is it necessary to have a vapor barrier. I know that there were soil tests apparently in phase one. Were there soil tests subsequent to that. That should be addressed. And what test could not be performed because the first building was in place. So, this concerns me not just from this property but from others because of any contaminations and you have water flow underneath it.*  
(Board Member Neufeld, Public Hearing, May 6, 2021)

**C-9 Response:**

See Response to C-7. The building will be designed with an SSDS and/or vapor barrier in place as a precaution. It is common practice in an urban setting to construct a building in this manner. An SSDS and/or vapor barrier is installed under the concrete slab of the building and reduces the potential for vapor intrusion.

**C-10 Comment:**

*I'm going to reiterate and flesh out what I said last time was that I was reviewing how there were nine soil borings taken but we only got the results from six of the soil borings. I wondered what happened to the other three.*  
(Board Member Yergin, Public Hearing, May 6, 2021)

**C-10 Response:**

There were three borings that did not have soil samples sent for lab analysis. It is typical to install more borings than samples analyzed. The work plan was followed and the soil samples sent for analysis encompass the Site and were biased to RECs and/or field screening results. See response to comment C-1.

**C-11 Comment:**

*I'm also interested I know that they reported there were two tanks that had to be removed and there was a spill that had been administratively closed out, but I would be interested to know where those tanks were on the lot and how they relate to the borings and the testings that was done.*

*(Board Member Yergin, Public Hearing, May 6, 2021)*

**C-11 Response:**

The former tanks were a REC identified in the Phase I ESA and the subsequent borings, and at least two of the borings were biased to those former UST locations where soil and groundwater samples were collected.

**C-12 Comment:**

*This is some of what they've been saying. I did understand that they found SVOCs above the normal limit and the response was it likely represents background concentrations for these constituents because it's in a commercial corridor area. I was not satisfied with that it's likely something because it happens to be in the area. I thought that was really avoiding taking responsibility for doing further testing and understanding what the ramifications were of the results of those tests.*

*(Board Member Yergin, Public Hearing, May 6, 2021)*

**C-12 Response:**

The SVOC detections exceeded Unrestricted use SCOs, the most stringent soil guideline. The proposed commercial development of the Site is allowable with the SVOC detections that were observed. Any soil removed will be handled in accordance with NYSDEC Regulations. No significant SVOC exceedances were detected that would restrict the development of the Site as proposed. As discussed in Response to Comment C-7, an SSDS and/or vapor barrier will be designed and implemented.

**C-13 Comment:**

*Were the findings here. Were they supposed to be reported to the DEC, I'm not sure. I haven't asked that of the consultant but I'm not sure they were supposed to because sometimes you have to report.*

*(Board Member Neufeld, Public Hearing, May 6, 2021)*

**C-13 Response:**

Reporting to the NYSDEC will occur as required. Refer to Responses C-7, C-8, C-12, C-15 and C-16.

**C-14 Comment:**

*The laboratory results for chlorinated VOCs in groundwater indicated that 1,1,2-trichloroethane (TCA) and 1,2-dichloroethane (DCA) were present in groundwater at concentrations that exceeded the NYSDEC Ambient Water Quality Standards. The DEIS states "in professional judgement of Hydro Environmental Solutions, Inc., the levels are far below any threshold value*

*that would represent a threat to the public health, or trigger further environmental investigation related to chlorinated VOCs at the site.” Although the levels are low, they are above NYSDEC standards, and soil vapor sampling and/or vapor mitigation as part of the building design (i.e. vapor barrier and/or SSDS) should be further investigated in the FEIS.  
(AKRF Memorandum, April 30, 2021)*

**C-14 Response:**

See Response to C-7. A SSDS and/or vapor barrier will be designed as part of the building and is common practice as a precaution.

**C-15 Comment:**

*Hazardous materials was not adequate. What tests are necessary to look at now? Concern over PCB's. Thought we would have an engineers report.  
Demo may result in abatement. Mitigation should be addressed. Are VOC's reported?  
(Chairman Neufeld, November 16, 2021 Work Session)*

**C-15 Response:**

All excavated materials at the site as part of the Proposed Action will be handled in accordance with NYSDEC Regulations. The subsurface investigations conducted to date, which are extensive, have not rendered any of the on-site soils as hazardous materials. When the excavation commences for the foundation, the Excavation Work Plan (EWP) that was compiled will be followed and will include handling all excavated soils in accordance with the NYSDEC DER-10 Regulations. A Community Air Monitoring Plan (CAMP) will be implemented, and a geotechnical engineer will confirm that all surrounding existing structures will not be affected by the proposed excavation.

If dewatering to any significant degree is required, then the surrounding buildings and structures will need to be monitored so that settling does not occur. However, the multiple investigations conducted to date indicate that extensive dewatering will not be required. The existing soil beneath the site is typical urban/suburban fill; there is no remediation required other than what would be in the Excavation Work Plan. Any off-site disposal of soil will be handled properly, in accordance with all applicable NYSDEC Regulations.

The results of soil sampling for VOCs, SVOCs, TAL metals and PCBs indicate that no petroleum hydrocarbon constituents, metals or PCBs were detected above NYSDEC Restricted Use Soil Cleanup Objectives for commercial properties at any of the boring locations where these constituents were tested.

The findings of the Phase I Environmental Assessment recommend that given the likely presence of asbestos, lead paint and PCBs, proper sampling and abatement shall be undertaken prior to any further renovations, repairs or demolition.

Refer to Responses C-12 and C-13.

**C-16 Comment:**

*Excavation / Final scoping outline acknowledges high water table and contaminated soil is present:*

- *Says we have to move 1000 cubic yards of soil (DESI 550 cy) -what are the short term effects on the environment in excavating this much soil?*
- *How the removing the soil impact the water table?*



- *How will the soil be handled and will it be moved around on the site (potentially aerosolizing).*
  - *What fail-safes will be put in place to ensure that the proposed soil handling will not impact air and water quality and structural integrity of all surrounding buildings, including the roads and Railroad Way?*
  - *How will excavation on property line impact Railroad Way?*
  - *Is there any way to remediate the existing soil?*
- (Board Member Glattstein, November 16, 2021 Work Session)*

**C-16 Response:**

Soil removal will be monitored appropriately by a qualified environmental professional and will not have any short-term effects on the environment. The EWP and CAMP are in place to assure that no adverse effects occur during the excavation activities. Example: If odors or dust exceed threshold values in accordance with those outlined in the CAMP, a plan of action is implemented immediately to correct the problem (i.e.: dust suppression using water or odor suppression using foam). The water table may be impacted in the short-term if foundation structures need to be installed at a lower elevation than the observed water table. That is, localized dewatering may be necessary. Otherwise, there will be no long-term effects as the water table will return to natural conditions very quickly after the excavation and concrete structures are installed.

The soil will be handled in accordance with the EWP. Some excavated material may need to be disposed of off-site at a NYSDEC licensed disposal facility, and some may be reused on-site in accordance with NYSDEC Regulations for soil reuse. The CAMP will determine if soil off-gassing will occur and what measures will need to be implemented should that occur. Example: Water may be used to suppress dust or odors, or foam, to suppress odors. Given the results of the multiple subsurface investigations and soil sampling conducted to-date, it is unlikely that aerosolizing will occur as the soil beneath the Site does not contain extensive nor elevated concentrations of VOCs.

A geotechnical engineer will prepare a pre-construction survey and install monitoring equipment on adjacent structures to ensure their integrity through the construction period. No impacts on Railroad Way are anticipated provided proper shoring is installed in accordance with the recommendations of a structural engineer, as required.

There is no soil that will require remediation outside of the excavated areas which will need to be handled in accordance with NYSDEC regulations for urban fill. The entire Site is covered with urban fill, as is the surrounding neighborhood. There is no Site-wide soil remediation required.

**C-17 Comment:**

*No structural foundation plan.*  
*(Chairman Neufeld, November 16, 2021 Work Session)*

**C-17 Response:**

A structural foundation plan would not be designed until the building permit phase of the development. The design of the foundation will be based upon the Geotechnical report.

### III. D – FLOODING & FLOOD ZONE IMPACTS

**D-1 Comment:**

*And then I have some questions about the flooding, and what I don't understand -- I understand that the building is going to be built on slabs, so it's merely being built just on top of the ground and on slabs. I suppose then that -- I couldn't see and I didn't understand is there any gates for flooding? Is the water just displaced? Is it going to be a stone slab and then the building put on top?*

*(Board Member Yergin, Public Hearing, April 1, 2021)*

**D-1 Response:**

The proposed building design will fully comply with all applicable Federal Emergency Management Agency (“FEMA”) and Village of Mamaroneck Floodplain Development Standards. Based on the flood volumes outlined in Chapter IV.D of the DEIS, storage of flood waters is not required within the building. However, under the FEIS Plan, the buildings will be wet floodproofed to maximize flood storage on-site. Therefore, flood gates/vents will be included. The flood gates will launch automatically without the need for electricity. The complete development of the FEIS Plan results in an increase of 31,091 cubic feet of storage within the floodplain.

**D-2 Comment:**

*Because in my mind, it's really quite expansive this building. It takes up the entire width, if you want to call it, of the lot, pretty much when it's added to the other building. I think that would basically prove to just displace the water. In my mind, it's like putting something in the bathtub and all the water would spill out, so I understand that they are going to put pervious surface there so eventually things will drip down. Things evaporate, but during an actual flooding event, I don't think you can rely on it will all go down into the ground, and I do feel that the slab structure without any other way of allowing the water to move across the lot will just displace it, and I think it's a little bit of a rise in the area and it will probably push the water down into neighboring lots.*

*(Board Member Yergin, Public Hearing, April 1, 2021)*

**D-2 Response:**

In the existing conditions, the footprints of the buildings are not included as storage because they are not wet flood-proofed buildings; i.e. they are not designed to flood. The flood storage provided under existing conditions on the lot consists of the parking and landscape areas. Under the FEIS Plan, the proposed buildings will be wet floodproofed; therefore, the footprints of the proposed buildings are included as storage under proposed conditions. The flood waters stored on-site will, over time, enter the municipal drainage system as they do in the existing conditions. The FEIS Plan results in an increase of flood storage of 31,091 cubic feet, a theoretical reduction of the 100-year flood elevation and thus reduces the impact of the flood event on surrounding properties.

**D-3 Comment:**

*I'm not sure if this committee or I should say this board was actually in receipt of the standards but in any event it was made reference to by the reports by Cuddy and Feder that would be most impacted by runoff, flooding, change of grade, it would be me and/or my buildings located that abuts this. The applicant represents that there is a reduction in the total impervious surfaces at the premises. And we're going to rely on the guidance provided by the consultants that they have utilized as well as the village's consultants with regards to the efficiency of the storm water retention and storage of storm water that's installed at the property. And equally as important will be the determination that the existing municipal infrastructure would be able to*

*accommodate the runoff water per the rates that were reflected in the reports provided by the applicant and their consultants. And, obviously chair and members of the zoning board will defer and rely on the consultants' guidance that the project with respect to the regrading proposed will not result in a net increase of runoff from the property that could contribute additional ponding and standing water not only on Finamore Road but also on Railroad Way. I do know that I saw in the reports that that was addressed.*

*(Andrew Spatz, Public Hearing, May 6, 2021)*

**D-3 Response:**

The project will not negatively impact the Village's stormwater system. The FEIS Plan results in a reduction of impervious coverage over the existing condition, as well as wet floodproofed buildings to maximize on-site storage. Due to the decrease of impervious area on the Site and the increased flood storage, the FEIS Plan reduces the total volume and rate of runoff from the site tributary to the Village's system. The Stormwater Design was reviewed by the Village's consultants for conformance with the Village code and a memorandum dated October 1, 2021 from Mr. John Kellard to the Zoning Board of Appeals notes that all outstanding engineering issues were addressed for the purposes of SEQRA. Additional revisions may be required as the Project moves through the site plan approval process. See also response to comment D-2.

**D-4 Comment:**

*My name is Sue McCrory. I'm not within the notice area for this property but am concerned about flood zone compliance and what's going to be done. It's a very, very large building in an area that floods historically.*

*(Sue McCrory, Public Hearing, May 6, 2021)*

**D-4 Response:**

The "mitigation measures" section of Chapter IV.D of the DEIS outlines the steps taken to alleviate the impact of the development on flooding and the flood zone. The mitigation measures included in the FEIS Plan include a reduction of impervious cover, wet floodproofing the proposed buildings resulting in an increase in 31,091 cubic feet of storage within the floodplain, and additional construction measures to protect the building from flood damage, including as elevating the lowest floor elevation 2 feet above the flood elevation.

**D-5 Comment:**

*The misinformation involves the DEIS calling minimum flood zone rules mitigation. Minimum flood zone rules have to be met, they're not mitigation efforts so I felt that that was misrepresentative.*

*(Sue McCrory, Public Hearing, May 6, 2021)*

**D-5 Response:**

See Response to Comment D-4. While some of these items are required based on the Village's or FEMA's regulations, they remain mitigation measures to reduce the development's impact. Compliance with the Village's or FEMA's regulations does not exclude the practice from being considered a mitigation measure.

**D-6 Comment:**

*There was something in the EIS that said the owners needed flood insurance. My understanding is there's not a requirement for people to purchase flood insurance. There is, however, in the Village of Mamaroneck an absolute requirement that we meet flood construction*

*standards. With respect to that latter point, I can't tell -- the EIS kind of says we'll do that and it repeats the standards but it doesn't explain how the project will meet the standards.*  
(Sue McCrory, Public Hearing, May 6, 2021)

**D-6 Response:**

In accordance with the applicable FEMA regulations, the property requires flood insurance. The Proposed Action will comply with the building standards under Chapter 186 Flood Damage Protection of the Village of Mamaroneck Code and will be enforced through the requirements and inspections associated with the Floodplain Development Permit.

**D-7 Comment:**

*In particular, I was looking for a foundation plan which is absolutely critical for evaluating flood zone compliance in a riverine flood area. I couldn't find a foundation plan. I couldn't find confirmation whether the project was going to be wet or dry flood proofed, and I couldn't find confirmation as to whether or not the existing building has been certified as an engineer or by an engineer of being flood zone compliant. Those are missing attributes, I think. So, before we double the size or more than double the size of this storage facility, I think we need to make sure that the existing one is flood zone compliant.*  
(Sue McCrory, Public Hearing, May 6, 2021)

**D-7 Response:**

The existing buildings on the Site that are proposed to be demolished contain no floodproof features. However, the existing self-storage building, which will remain, is designed in accordance with Chapter 186 Flood Damage Prevention, including that the lowest floor elevation will be 2 feet above the Base Flood Elevation. A Floodplain Development Permit for the existing self-storage building is on file with the Building Department, and a copy is included in Appendix C. For the proposed building, the FEIS Plan has the lowest floor elevation set 2 feet above the flood elevation. Further, its design has been revised to include wet floodproofing, which will maximize flood storage on-site, within the building. Outside of the building, additional on-site flood storage includes the parking and landscaped areas, including a rain garden. The Floodplain Development Permit, necessary for construction, requires certification from a licensed engineer or architect that certifies the design and methods of construction are in accordance with accepted standards of practice. See also, FEIS Chapter I, Section I.D for details on the volumetric calculations and Chapter IV.D of the DEIS which outlines the steps taken for flood mitigation.

**D-8 Comment:**

*And I'm very worried that these large buildings are just going to push flood waters elsewhere in an area that's not well equipped to deal with them.*  
(Sue McCrory, Public Hearing, May 6, 2021)

**D-8 Response:**

There will be an increase of 31,091 cubic feet in the total on-site flood storage, provided by wet floodproofing within the proposed building, as well as exterior measures to increase permeability and reduce off-site runoff .. The increase in flood storage volume on the Site would result in a theoretical reduction of the 100-year flood plain and thus reduce the impact of a flood event on surrounding properties. See response to comment D-2.

**D-9 Comment:**

*I understand flooding was being addressed by the village engineer. I don't know if we have heard anything from the village engineer on that yet. I was told that it was being reviewed. I'd like to know what that -- occurred, what the results of that were.  
(Board Member Neufeld, Public Hearing, May 6, 2021)*

**D-9 Response:**

A revised flood storage analysis, which is included in full in Appendix F, was reviewed by the consulting engineer. Per Mr. Kellard's October 1, 2021 memorandum to the Zoning Board of Appeals, all outstanding engineering comments have been addressed to their satisfaction for the purposes of SEQRA. Additional revisions may be required as the Project moves through the site plan approval process.

**D-10 Comment:**

*The FEIS should clarify the amount of flood volume storage. On page IV.D-3 under Section IV.D.3, there is a typo in the discussion of the increase in flood volume storage. The text states "56,6549" but should be updated to "54,649" as provided in Table IV.D-1. In addition, page IV.D-2 under Section IV.D.1.b, refers to the flood volume storage analysis by Hudson Engineering & Consulting as Appendix C; however, this is actually Appendix D. In addition, the letter report included as Appendix D references an "attached volumetric analysis (Sheet C-5)" which is not included in Appendix D. This document should be included in full in the FEIS.  
(AKRF Memorandum, April 30, 2021)*

**D-10 Response:**

The revised Flood Storage Analysis is included in Appendix F.

**D-11 Comment:**

*The definition of the 500-year floodplain on Page I-11 should be changed to "0.2% chance of flooding".  
(Kellard Sessions Memorandum, February 4, 2021)*

**D-11 Response:**

The text on Page I-11 of the DEIS defining the 500-year floodplain should have read "0.2% chance of flooding".

**D-12 Comment:**

*The Flood Storage Volumetric Analysis Figures (Chapter IV.D) for both the existing and proposed conditions shall be revised to remove the buildings from the provided storage volume. If the existing and proposed buildings provide some sort of flood storage, this should be clarified. The volumetric analysis calculations should be revised accordingly.  
(Kellard Sessions Memorandum, February 4, 2021)*

**D-12 Response:**

Flood Storage Volumetric Analysis figures in Chapter IV.D were revised to remove the existing and proposed buildings from the calculations. No flood storage is provided within the existing buildings that are proposed to be demolished. The proposed buildings will be wet floodproofed and as such will provide flood storage; therefore, the proposed buildings are included in the revised flood storage analysis that is included in Appendix F.



**D-13 Comment:**

*Do we need a supplemental EIS to address flooding that occurred subsequent to the preparation of the draft FEIS?  
(Chairman Neufeld, November 16, 2021 Work Session)*

**D-13 Response:**

A supplemental EIS is not required to address flooding that occurred subsequent to the preparation of the draft FEIS. The ZBA's attorney, Charles Gottlieb, advised the ZBA at the November 16, 2021, meeting that a supplemental EIS is not required to address flooding issues and additional information regarding flooding at the property should be incorporated into the FEIS.<sup>1</sup> The Village's Planning Consultant, Ashley Ley (AKRF), also advised that the ZBA can simply request more information on the flooding concerns and that there is no need for a supplemental FEIS because these comments are consistent with comment raised previously during DEIS process.<sup>2</sup> The additional documentation on flooding, and specifically Ida, is included in this FEIS.

Pursuant to page 138 of the 2020 DEC SEQRA Handbook, "newly discovered information . . . previously undisclosed, or unevaluated impacts that may or may not have a significant adverse impact" should be examined to determine whether a supplemental EIS is required. While there was flooding throughout the Village, and in the project area, during Hurricane Ida in September of 2021, which occurred after the first draft of the FEIS was submitted to the ZBA, flooding in this area of the Village is not a new fact that has been recently discovered. Flooding occurred throughout the Village, and in the project area, in prior storms. Indeed, flooding was addressed in detail in the Applicant's DEIS<sup>3</sup> and responses to specific ZBA concerns regarding flooding were included in the FEIS.<sup>4</sup> Flooding in the project area is not a new discovery and a SEIS is not required. Moreover, the ZBA acknowledged the foregoing at this meeting and agreed that additional information may be requested and required to be included in the FEIS and thus a SEIS is not required.<sup>5</sup>

**D-14 Comment:**

*Flooding is not adequately addressed. 1<sup>st</sup> phase of the self-storage building did not work. What damage occurred and why didn't it work with new construction. How will the current proposal be different so flood damage will not take place. A FEMA compliant design is OK, but what else has been done to prevent damage?  
(Chairman Neufeld, November 16, 2021 Work Session)*

**D-14 Response:**

Chapter IV.D. of the DEIS, entitled Flooding & Flood Zone Impacts is entirely devoted to addressing flooding issues. It included a Flood Volume Storage Analysis that was prepared by Hudson Engineering & Consulting, P.C., which has subsequently been revised, reviewed and accepted by the Village's consulting engineer. The DEIS and this FEIS has documented that the proposed building design will fully comply with all applicable Federal Emergency Management Agency ("FEMA") and Village of Mamaroneck Floodplain Development Standards as set forth in Chapter 186 of the Village Code. The FEIS Plan includes a reduction of impervious cover on the Site, an increase in 31,091 cubic feet of storage within the floodplain and construction

<sup>1</sup> Village ZBA Attorney Charles Gottlieb, comments during November 16, 2021 Work Session, see LMCTV recording starting at 22:03.

<sup>2</sup> Village Planning Consultant Ashley Ley comments during November 16, 2021 Work Session, see LMCTV recording of at 24:43.

<sup>3</sup> Chapter IV.D (Flooding & Flood Zone Impacts), pages IV.D-1—4 of the March 21, 2021 DEIS.

<sup>4</sup> Response to Comments on Flooding & Flood Zone Impacts, Section III.D (pages III.D-1—7) of the September 9, 2021 FEIS.

<sup>5</sup> ZBA comments during November 16, 2021 Work Session, see LMCTV recording starting at 23:59.

measures to protect the building from flood damage such as elevating the lowest floor elevation 2 feet above the flood elevation and providing wet floodproofing.

Recent storm events, such as Hurricane Ida represent unprecedented conditions. Based upon data collected at the Westchester County Airport Weather station, Hurricane Ida produced in excess of 10-inches of rainfall during a 4-hour period from 6:48-pm to 10:56-pm). The NYSDEC provides rainfall data for this area based upon the Type III 24-hour storm event and the 100-year storm generates 9.5-inches rainfall during a 24-hour period. The Type III storm event is a bell-shaped curve spanning a 24-hour period. While the rain generated by Hurricane Ida is slightly more than the 100-year storm event total, the rainfall intensity occurred over a 4-hour period as compared to a 24-hour period. This resulted in the intensified flooding that was experienced throughout the Village.

Flooding on the Site resulting from Hurricane Ida varied due to the change in elevations across the property. The storm produced 8 feet of floodwater in the Barn (522 Fenimore Road), 6 feet of floodwater in the corner building (560 Fenimore Road), 4 feet of floodwater in the office/shop (416 Waverly Avenue) and 4 inches of floodwater in the Self-Storage Building (426 Waverly Avenue). An approximation of Hurricane Ida flooding levels for the existing Self-Storage building and the proposed addition is depicted on Sheet A-201A in Appendix K.

There was a substantial loss of equipment, tools, inventory, etc. suffered by Murphy Brothers Contracting and other renters of first floor spaces in the barn at 522 Fenimore, the corner building at 560 Fenimore, and 408 & 416 Waverly. The FEIS Plan will eliminate all of those buildings that were so severely impacted by the flooding, and replace them with the self-storage addition that will fully comply with Chapter 186 Flood Damage Prevention, with the lowest floor elevation 2 feet above the Base Flood Elevation.

The existing self-storage building received approximately 4 inches of floodwater, which is far less than most buildings in the neighborhood. The building was closed to customers on September 2<sup>nd</sup> for safety reasons. Starting September 3<sup>rd</sup> the Applicant assisted the approximately 45 first-floor tenants with removing, drying, cleaning, and repacking the entire contents of their units. The floors and walls were thoroughly cleaned before repacking. Items too damaged to be put back into the units were disposed of. The electronic key fob system tenants use to access the facility was temporarily malfunctioning and was subsequently repaired. The elevators were also inoperable, so during the first week after the storm, the Applicant discouraged the upper floor tenants from utilizing the facility during which time the first-floor clean-up was prioritized.

A NYS DOL certified mold assessor came to the facility on multiple occasions to track the situation. The building is constructed primarily of concrete and steel. Only the office area and stairwells have sheetrock to the floor, of which the affected portions were removed immediately. Not having to remove and replace all of the interior walls between each unit played a significant role in the ability to manage the turnaround of units so quickly, unlike the other buildings on the property, which are made mostly with wood and sheetrock. Because the building is climate-controlled with a sophisticated HVAC system designed for both energy-efficiency as well as indoor air quality, adjustments to the humidification were made to essentially “dry out” the building.

**D-15 Comment:**

*Has the Village Engineer reviewed the new plan?  
(Chairman Neufeld, November 16, 2021 Work Session)*

**D-15 Response:**

Please refer to Kellard Sessions October 1, 2021 memorandum, which states that all technical engineering comments have been satisfactorily addressed for the purposes of SEQRA. Additional revisions may be required as the Project moves through the site plan approval process.

**D-16 Comment:**

***Flooding impacts – want a grading plan for the site with elevations – want to ensure we are not diverting water into Fenimore Road or Railroad Way because of our work  
(Board Member Glattstein, November 16, 2021 Work Session)***

**D-16 Response:**

Existing grading and proposed grading have been included on the Existing Conditions Plan and Stormwater Management Plan within the site plan drawings (Appendix I). Additionally, a SWPPP was provided demonstrating stormwater flow paths and calculations demonstrating compliance with the Village's stormwater management requirements (Appendix J). Lastly, at the request of the Village's Engineering Consultant, a comparison of the pre-developed and post-developed flood storage volumes have been provided (Appendix F). These documents have been reviewed by the Village's consultants for conformance to the Village's code for stormwater and flooding. Based upon the October 1, 2021, memorandum from John Kellard of Kellard Sessions to The Village of Mamaroneck Zoning Board of Appeals, any comments pertaining to stormwater mitigation or flooding have been addressed to their satisfaction for the purposes of SEQRA. Additional revisions may be required as the Project moves through the site plan approval process.

**D-17 Comment:**

***Can the Applicant be required to apply for a floodplain development permit first? Can the ZBA request that the Project be reviewed by the Floodplain Development Manager before continuing with the Lead Agency's review of the Project?  
(Board Member Yergin, November 16, 2021 Work Session)***

**D-17 Response:**

Pursuant to Village Building Department procedure, the Applicant's floodplain development permit application will be reviewed concurrently with the building permit application upon obtaining the requested area variances and site plan approval. Kellard Sessions, the Village's Engineering Consultants, is designated as the Village's Floodplain Administrator, and all floodplain development permits are issued by the Village Building Department. The Village Acting Building Inspector issued a Floodplain Development Permit for the existing self-storage building on September 26, 2014.

In the event that the Project does not comply with floodplain development standards, the Applicant would be required to amend the project or request a variance from the Planning Board, pursuant to the Village Floodplain Development Code Section 186-6(A).

Kellard Sessions has reviewed the Project and issued several comment memoranda. None of those memoranda raised concerns with floodplain development or cited areas of noncompliance with applicable FEMA or Village floodplain construction standards. To the contrary, the October 1, 2021, Kellard Sessions memorandum identifies that all comments have been addressed for the purposes of SEQRA. Additional revisions may be required as the Project moves through the site plan approval process. The Building Inspector, upon issuing a Notice of Disapproval for the Project which noted that several area variances are required, did not indicate noncompliance with the floodplain development standards.

**D-18 Comment:**

*Was a permit issued for the original building? Was the Applicant required to get a floodplain permit for the existing self-storage building?  
(Board Member Yergin, November 16, 2021 Work Session)*

**D-18 Response:**

Yes. Copies of the approved site plan, Certificate of Occupancy and Floodplain Permit are included with this submission. Refer to Appendix C.

### III. E – Historic Resources

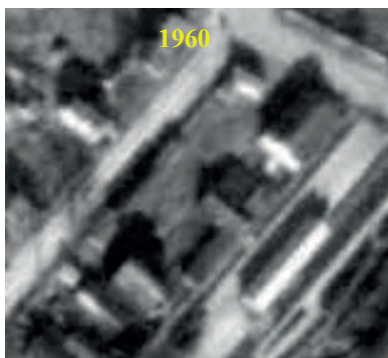
**E-1 Comment:**

*I'm also interested in the historic use of the properties. I think that should be addressed given the significant development on this property and the proposed development, what has it been. That also goes to better comprehend the alternatives and where they want to go with it. (Board Member Neufeld, Public Hearing, May 6, 2021)*

**E-1 Response:**

East Coast North Properties, LLC, a limited liability company owner by Murphy Brothers Contracting purchased the Project Site in 2000. Prior to the acquisition of the Site by the Applicant, the Site operated as the East Coast Lumber Yard.

A search of historical aerial photographs documents that the Site has supported the existing buildings since at least 1925.



An inquiry through SHPO's CRIS system indicated that none of the buildings on the Site are eligible for listing as historic structures.



### III. F – VISUAL RESOURCES

**F-1 Comment:**

*So one is that they discuss about that this is a benefit because it will demolish a dilapidated barn. I just wanted to point out that I have no problem with the design of the barn and the building. I feel that it is actually dilapidated because the property owners have not maintained it or painted it and that's the same people who are going to be putting up a mammoth storage facility. So I don't think in and of itself it is a terrible building. It is just that the property owners allowed it to be degraded, and I wanted to make that point. That if you degrade something on purpose, then you can use it as a benefit now for a different use.  
(Board Member Yergin, Public Hearing, April 1, 2021)*

**F-1 Response:**

The Project Site was purchased by the current owners in 2000. It was the long-time site of a retail lumber yard business and helps to explain why the buildings look like they do.

- (522 Fenimore) the large barn was used for interior-grade lumber storage.
- (560 Fenimore) the Waverly/Fenimore corner building was the business office (2<sup>nd</sup> floor) and retail hardware store (1<sup>st</sup> floor).
- (416 Waverly) the block building housed the mill shop.
- (408 Waverly) used for lumber storage.
- There are existing large outdoor racks used for storing exterior-grade lumber.

At the time the Murphy Brothers became owners and took over the Project Site, their construction business operated differently. To provide its service, it was necessary to employ many levels of skilled workers while stockpiling tools, equipment, trucks, and materials on-site. Today, Murphy Brothers Contracting is a Construction Management business. Over time, the need for the existing buildings and structures to operate as they were originally intended has become less and less and they are only so adaptable in their current configurations. In more recent years, some of the extra space no longer needed by Murphy Brothers Contracting was rented out to various small business enterprises and tradespeople.

The buildings in question have gone through many improvements over the years, most notably following the March 2007 floods where 4+ feet of water filled the buildings that are located in the flood zone. Following that incident, major renovation work was performed on corner building (560) and the barn (522) including new 2<sup>nd</sup> floor office spaces, roof & siding. Since 2007, other interior upgrades and necessary structural repairs have been made to the buildings. With every heavy rainfall that floods Fenimore Road, the barn (522) fills with approximately 1 foot or more of water due to the poor drainage on the intersections of Fenimore/Waverly & Fenimore/Hoyt. This flooding has resulted in repeat damage to the exterior of the building and makes the first-floor interior virtually unusable in its current state. To update the building into a wholly usable space, it would need to be leveled and rebuilt or raised to be compliant with the flood zone code of the Village. This is true regardless of its perceived maintenance.

The proposed self-storage building addition will still be able to house small business enterprises and tradespeople as it does now, only in an energy efficient structure on a property that manages its own stormwater, something that raising the barn or simply painting the existing buildings would not achieve.

**F-2 Comment:**

*When I see that, it actually fits seamlessly into the other building; they're not even trying to pretend it is a different building.  
(Board Member Yergin, Public Hearing, April 1, 2021)*

**F-2 Response:**

The Proposed Action has always been presented as an addition and not a new building. The addition will operate cohesively with and be architecturally integrated with the existing self-storage facility.

**F-3 Comment:**

*As far as my other comments go, without having the data and the detail, obviously, I have seen the pictures and I have seen the site, I think the visual concerns are extraordinary. I think it changes the qualitative aspect to a town or a village or a hamlet when you come in, it's a very different structure. I don't think -- I may be wrong, I don't think the high school is of that magnitude, maybe I'm wrong on that, but certainly for a size of this -- for a land parcel like that, it's extraordinary building both in terms of height, dimension and mass.  
(Board Member Neufeld, Public Hearing, April 1, 2021)*

**F-3 Response:**

The existing Mamaroneck Self-Storage building is 40,492 square feet in gross floor area. The building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building. This approach would reduce the building footprint of the addition by 1,044 square feet and the gross floor area of the addition by 12,014 square feet. The FAR for the overall site would be reduced from 2.26<sup>1</sup> to 1.92.

The height of portions of the building addition has also been reduced. The southernmost section of the building addition will be integrated with the existing self-storage building, and as such will correspond to the height of the existing building. However, moving north, the building will step down to three stories and then two stories where a terrace, broad landscaped rain garden and lawn gradually integrates the Site into the Fenimore Road streetscape.

An estimate of the Mamaroneck High School building complex indicates over 500,000 square feet of gross floor area. The original main building, while only three-stories in height, reflects a monumental architectural treatment, with high floor to ceiling heights. The height of the high school building to the roof parapet is nearly 60', to the top of the center peaked roof approximately 75' and the top of the cupola approximately 85'. The High School is far larger than the proposed self-storage building addition which does not exceed 45', and as such, does not represent a fair comparison.

**F-4 Comment:**

*I have relatively few to add. The first has to do with the size. I think this project is enormous. I think it looks enormous in its setting. I don't think -- I think that the attempt in the DEIS to explain why this is consistent with the area and everything else, I think there was something, oh, it's not the biggest building in the village. Maybe not, but it's the largest in this area. It is the*

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<sup>1</sup> Although the proposed FAR for the overall site had been presented as 2.43 in the DEIS, it has been updated here based on the existing self-storage building (40,492 square feet), the DEIS proposed addition (56,328 square feet), and the existing front building (Building B; 2,985 square feet) that had been proposed to remain under the DEIS Plan.

*most solid in terms of the way the structure looks, and, therefore, I think the visual impact is enormous. I do not think that the DEIS really gave it enough consideration.*  
(Chairwoman Kramer, Public Hearing, April 1, 2021)

**F-4 Response:**

This opinion is noted. The DEIS devoted an entire chapter to Visual Resources. In accordance with the Scoping Document adopted by the Lead Agency, six separate viewpoints were analyzed, and before and after dimensionally accurate photo-renderings provided for each viewpoint.

The new building extension would consist of 44,314 square feet of gross floor area, or a net increase of 25,725 square feet once the floor areas of the existing industrial buildings are deducted. Where the building addition presented in the DEIS Plan was somewhat monolithic, the building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing facade materials to resemble independent buildings. This treatment significantly reduces the mass of the building. This approach reduces the building footprint of the addition by 1,044 square feet and the gross floor area of the addition by 12,014 square feet. The proposed FAR for the overall site is reduced from 2.26<sup>2</sup> to 1.92.

The height of portions of the building addition has also been reduced. The southernmost section of the building addition will be integrated with the existing self-storage building, and as such will correspond to the height of the existing building. However, moving north, the building will step down to three stories and then two stories where a terrace, broad landscaped rain garden and lawn gradually integrates the Site into the Fenimore Road streetscape. The streetscape is proposed to be further enhanced by replacing the Murphy Brothers office building located at the Waverly Avenue/Fenimore Road intersection, with a publicly accessible vest-pocket park containing decorative seasonal landscaping and benches arrayed around a circular walkway.

**F-5 Comment:**

*Finally, we were concerned and this was also made reference to during one of your meetings was the lighting. Efforts that were to be taken to avoid on alley effect because with the increase in heights, again, if you were down on Railroad Way, and if indeed that plan comes to fruition, it would absolutely create a canyon effect and the additional lighting would alleviate, especially in the winter and fall months when the sun sets earlier, would provide more of a welcoming more environment, which we would certainly appreciate, and the applicant has taken that into consideration and we appreciate that.*  
(Andrew Spatz, Public Hearing, May 6, 2021)

**F-5 Response:**

Comment noted. See the lighting plan included as Figure III.A-2, which includes lighting specified to illuminate Railroad Way. See also the proposed nighttime views in Figures III.F-1 and III.F-3.

**F-6 Comment:**

*Then, it talks about the creation of an architecturally distinctive structure, I disagree. I do not think there's anything distinctive about the structure. I don't think it really looks particularly attractive. It is certainly much more attractive than some of the buildings that are no longer in good condition but I do not particularly think it is attractive and I don't think that the design of*

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<sup>2</sup> Although the proposed FAR for the overall site had been presented as 2.43 in the DEIS, it has been updated here based on the existing self-storage building (40,492 square feet), the DEIS proposed addition (56,328 square feet), and the existing front building (Building B; 2,985 square feet) that had been proposed to remain under the DEIS Plan.

*the building has been done in a way through offset the impact of the building on the surrounding community. It is an enormous building.*  
*(Chairwoman Kramer, Public Hearing, May 6, 2021)*

**F-6 Response:**

This opinion is noted. The opinion expressed by the Applicant that the building addition would be “architecturally distinctive” was intended to distinguish its appearance when compared to the existing industrial buildings in the vicinity of the Site, and moreover to the customary design architecture of self-storage buildings generally.

Nevertheless, the building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building. This approach reduces the building footprint of the addition by 1,044 square feet and the gross floor area of the addition by 12,014 square feet. The proposed FAR will be reduced from 2.26<sup>3</sup> to 1.92.

The height of portions of the building addition has also been reduced. The southernmost section of the building addition will be integrated with the existing self-storage building, and as such will correspond to the height of the existing building. However, moving north, the building will step down to three stories and then two stories where a terrace, broad landscaped rain garden and lawn gradually integrates the Site into the Fenimore Road streetscape. The streetscape is proposed to be further enhanced by replacing the Murphy Brothers office building located at the Waverly Avenue/Fenimore Road intersection, with a publicly accessible vest-pocket park containing decorative seasonal landscaping and benches arrayed around a circular walkway.

**F-7 Comment:**

*Then, it says the existing amount of self-storage building has established a perpetual visual character of the site. Sure, the building has established at the site should be enormous and overbuilt in a single building, but it has not established the character of the community, and I think that this building is absolutely inconsistent with the character of the neighborhood and they've done nothing to really explain how it is consistent with the neighborhood other than to talk about -- I'm not even 100 percent sure -- but they don't really do that.*  
*(Chairwoman Kramer, Public Hearing, May 6, 2021)*

**F-7 Response:**

The building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building. The height of portions of the building addition has also been reduced. The southernmost section of the building addition will be integrated with the existing self-storage building, and as such will correspond to the height of the existing building. However, moving north, the building will step down to three stories and then two stories where a terrace, broad landscaped rain garden and lawn gradually integrates the Site into the Fenimore Road streetscape.

It is important to highlight the Board of Architectural Review’s role in addressing the very issue raised in this comment. In accordance with the provisions of §6-7 A. of the Village Code, that

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<sup>3</sup> Although the proposed FAR for the overall site had been presented as 2.43 in the DEIS, it has been updated here based on the existing self-storage building (40,492 square feet), the DEIS proposed addition (56,328 square feet), and the existing front building (Building B; 2,985 square feet) that had been proposed to remain under the DEIS Plan.

Board's statutory obligation to render a decision is based primarily on a finding of excessive similarity or dissimilarity or inappropriateness of design, as defined as:

- 1) *"Excessive similarity to any other building or structure existing or for which a permit has been issued or to any other building or structure included in the same permit application, within 250 feet of the proposed site, in respect to one or more of the following features of exterior design and appearance.*
  - (a.) Apparently identical facade.*
  - (b.) Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the facade facing the street, including reverse arrangement.*
  - (c.) Other significant identical features, such as but not limited to material, roofline and height or other design elements, provided that a finding of excessive similarity shall state not only that such similarity exists, but, further, that it is of such a nature as to be expected to provide, beyond reasonable doubt, one or more of the harmful effects set forth in § 6-1.*
- 2) *Excessive dissimilarity in relation to any other building or structure existing or for which a permit has been issued or to any other building or structure included in the same permit application, within 250 feet of the proposed site, in respect to one or more of the following features:*
  - (a.) Cubical contents.*
  - (b.) Gross floor area.*
  - (c.) Height of building or height of roof.*
  - (d.) Other significant design features, such as material or quality of architectural design.*
- 3) *Inappropriateness of design in respect to one or more of the following features:*
  - (a.) Quality of architectural design.*
  - (b.) Nature of material to be used in construction.*
  - (c.) Compatibility of design features of structure with terrain on which it is to be located."*

The Proposed Action must obtain the Board of Architectural Review's approval prior to the issuance of a Building Permit.

**F-8 Comment:**

*I also think that with regard to the alternatives, I would like to see more in the way of alternative assessments, alternatives that would be less height, less size, less impact, less visual impact. If they are mentioned, they mention a few of them, but we don't see them. We don't see a real picture of how they would look and how they will impact which leads me to the visual aspect which I think chair just touched on but this is completely out of scale to the neighborhood, a huge amount of variances, and I don't really see in the diagrams that I saw in the diagrams or the photo generations that were provided, it doesn't really show the impact. It shows a nice picture of it with the sky behind it and that's not impact. The impact is that you get to see it from different locations as it presently is and then how it will change, a photograph as opposed to an artist depiction. I think those are very important. There is going to be a huge change there. I think it's totally out of character. It's just not my thinking. It's because the code makes it completely out of consistency. And so, I think we have to see for visuals in the FEIS put in there to really assess that because I think the visuals are a real serious issue.*



*(Board Member Neufeld, Public Hearing, May 6, 2021)*

**F-8 Response:**

The DEIS devoted an entire chapter to Visual Resources. In accordance with the Scoping Document adopted by the Lead Agency, six separate viewpoints were analyzed, and before and after dimensionally accurate photo-renderings provided for each viewpoint.

The FEIS Plan further reduces the mass, scale and height of the proposed building addition beyond that presented in the DEIS as recommended by the commentor and significantly opens up the site by eliminating the existing office building located on the corner of Waverly Avenue and Fenimore Road, replacing it with a vest-pocket park.

The FEIS Plan reduces the building footprint of the addition by 1,044 square feet and the gross floor area of the addition by 12,014 square feet. The FAR for the overall site is reduced from 2.26<sup>4</sup> to 1.92.

In addition to the No-Action Alternative, four other Alternatives were evaluated in the DEIS. The Visual impacts of each alternative are addressed below:

- **Alternative B – Zoning Compliant Self-Storage Building** – Developing a zoning compliant addition to the existing self-storage facility is not possible, due primarily to the excessive off-street parking requirement that has been applied to this self-storage use. In order to establish zoning compliance for the *existing* self-storage building, all of the other existing buildings on the Site would have to be demolished and an off-street parking lot created covering the entire Site. This alternative would replace the visual impact of a new building addition, with the visual impact of a large 55 space off-street parking lot, that would remain primarily vacant and unused.
- **Smaller Square Footage Self-Storage Building** - Under this alternative, the square footage of the proposed self-storage building addition would be reduced to 41,304 square feet in gross floor area. This would be accomplished by reducing the length of the addition. Under this alternative, the northern edge of the building addition would be setback off Fenimore Road by 46.3 feet. Because the building footprint is reduced (resulting in fewer storage units which impacts the economic viability of the project), the building height would be maintained at 4 stories and 45 feet.

Under this alternative the Murphy Brothers Contracting office building on the corner of Waverly Avenue and Fenimore Road would be removed. This is not a viable option because it would leave Murphy brothers without an office to support their business. The parking lot reconfigured to accommodate 34 off-street parking spaces and 4 loading spaces. This alternative would result in a slightly reduced visual impact due to the reduced building footprint. Replacing the corner office building with parking represents a different, but not necessarily better visual appearance.

- **Proposed Addition with One Less Floor** - Under this alternative, the self-storage building addition would maintain the same footprint as the Proposed Action, but would only extend

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<sup>4</sup> Although the proposed FAR for the overall site had been presented as 2.43 in the DEIS, it has been updated here based on the existing self-storage building (40,492 square feet), the DEIS proposed addition (56,328 square feet), and the existing front building (Building B; 2,985 square feet) that had been proposed to remain under the DEIS Plan.

to a height of 3 stories or 35 feet instead of the 4 stories and 45 feet in the Proposed Action. This would result in a reduced visual impact.

This reduction in gross square footage would reduce the number of storage units by approximately 1/3, which, according to the Applicant and the economic analysis provided would make this alternative uneconomically viable.

- **Adaptive Reuse of the Existing Site Buildings as Self-Storage Buildings** - Under this alternative the 15,526 square feet contained within the 4 existing Site buildings would be repurposed to support self-storage units. This alternative would result in few changes to the existing visual characteristics of the Site.

This alternative is impractical as the existing buildings are old and wholly structurally unsuited to support modern self-storage units. The cost of the improvements and renovations necessary to convert these structures would be excessive and uneconomical.

**F-9 Comment:**

*Probably the biggest thing is the visual. It's huge and it doesn't fit in there. I think a golf course could fit in there better, it's smaller, and I don't play golf.  
(Board Member Neufeld, Public Hearing, May 6, 2021)*

**F-9 Response:**

Comment noted. By way of comparison, an average 18-hole golf course is 5,000 – 7,000 yards spread over 110 – 190 acres.<sup>5</sup> The Project Site is 1.01 acres.

The building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building. The height of portions of the building addition has also been reduced. The southernmost section of the building addition will be integrated with the existing self-storage building, and as such will correspond to the height of the existing building. However, moving north, the building will step down to three stories and then two stories where a terrace, broad landscaped rain garden and lawn gradually integrates the Site into the Fenimore Road streetscape.

**F-10 Comment:**

*I also -- everybody has been talking about how massive it is. I do think it's a massive, massive and I know that we have other warehouses but they're not as large. When you have one that's this large, you have no breaks in the building to see the sky or to see the buildings behind it; so, to me, it's not a village feel, it's an urban feel. It's what you expect when you go to a manufacturing, industrial area that's actually in a large city rather than in our village feel. And just as Robin and Abby were speaking about that's definitely the maker zone initiative was to make sure that even though we have some industrial uses, and we have landscapers, and different car repairs that we're keeping it a village feel by making sure that we have a mix of uses that bring pedestrian traffic.  
(Board Member Yergin, Public Hearing, May 6, 2021)*

**F-10 Response:**

In response to this and other similar comments, the Applicant has significantly modified the proposed building addition. The new building extension would consist of 44,314 square feet of

<sup>5</sup> Golf Course Superintendents Association of America

gross floor area, or a net increase of 25,725 square feet once the floor areas of the existing industrial buildings are deducted. Where the building addition presented in DEIS Plan was somewhat monolithic, the building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building. This approach reduces the building footprint of the addition by 1,044 square feet and the gross floor area of the addition by 12,014 square feet. The FAR for the overall site would be reduced from 2.26<sup>6</sup> to 1.92.

The height of portions of the building addition has also been reduced. The southernmost section of the building addition will be integrated with the existing self-storage building, and as such will correspond to the height of the existing building. However, moving north, the building will step down to three stories and then two stories where a terrace, broad landscaped rain garden and lawn gradually integrates the Site into the Fenimore Road streetscape. The streetscape is proposed to be further enhanced by replacing the Murphy Brothers office building located at the Waverly Avenue/Fenimore Road intersection, with a publicly accessible vest-pocket park containing decorative seasonal landscaping and benches arrayed around a circular walkway.

**F-11 Comment:**

*Visual impacts – Nothing in the vicinity is shown. Enormous concern, raised by people all the time. Buildings are being demolished. The Applicant has not responded.  
(Chairman Neufeld, November 16, 2021 Work Session)*

**F-11 Response:**

In accordance with the adopted Scoping Document, Chapter IV.F. of the DEIS thoroughly evaluated the visual impacts of the Proposed Action using architectural plans, elevations, photography, 3-D renderings and photo-simulations. Visual impact analyses which compared the existing condition with the proposed condition (with the new building superimposed on the image) from 6 separate and distinct viewpoints was provided. In addition to these 6 viewpoints which clearly depict all intervening buildings and topography, a separate Neighboring Context Massing Plan was provided (Figure IV.F.-11) which accurately depicts every building in the extended area around the Site, essentially corresponding to the area of the Village known as “The Flats.”

This analysis has been supplemented with additional viewpoints from the train tracks and I-95 (see Response F-10 and Figures III.F-2 through III.F-5).

Aside from the existing self-storage building, all of the industrial buildings on-site are in visibly poor condition and are proposed to be demolished.

Please refer to response F-5 which explains how the design of the Proposed Action has evolved over time. Because the self-storage building addition will be visible, does not in and of itself, result in a significant adverse visual impact. The Applicant has continually responded to the Zoning Board’s concerns about the visual impact of the building, culminating in the FEIS Plan presented herein.

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<sup>6</sup> Although the proposed FAR for the overall site had been presented as 2.43 in the DEIS, it has been updated here based on the existing self-storage building (40,492 square feet), the DEIS proposed addition (56,328 square feet), and the existing front building (Building B; 2,985 square feet) that had been proposed to remain under the DEIS Plan.

**F-12 Comment:**  
*Submit visual renderings of what the site will look like during the day and at night from the train tracks, and I-95.*  
*(Chairman Neufeld, November 16, 2021 Work Session)*

**F-12 Response:**  
Refer to Figures III.F-1 – III.F-5



Source: KTM Architect

Scale:  
N.T.S.



# Project Rendering Nighttime View from Railroad Way



Figure  
III.F - 1





Source: KTM Architect

Scale:  
N.T.S.

## Project Rendering Daytime View from Elevated Railroad Tracks

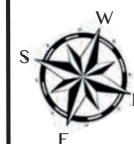


Figure  
III.F - 2



Source: KTM Architect

Scale:  
N.T.S.

## Project Rendering Nighttime View from Elevated Railroad Tracks

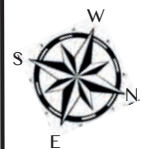


Figure  
III.F - 3





Source: KTM Architect

Scale:  
N.T.S.



## Project Rendering Daytime View from I-95



Figure  
III.F - 4





Source: KTM Architect

Scale:  
N.T.S.



# Project Rendering Nighttime View from I-95

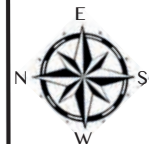


Figure  
III.F - 5

### III. G – Utilities

**G-1 Comment:**

*The existing conditions sanitary sewage section (Section IV.G.1.b) cites NYSDEC’s “Design Standards for Wastewater Treatment Works (1988)” for calculating the total daily hydraulic loading. However, the anticipated impacts sanitary sewage section (Section IV.G.3.b) cites NYSDEC’s “Design Standards for Intermediate Sized Wastewater Treatment Systems (March 5, 2014).” Appendix N (Hudson Engineering Water & Sewer Load Calculations) only cites the 1988 document for both. Both the existing and proposed calculations use the same 15 gallons per person per day per shift, but the references and assumptions should be clarified in the FEIS. (AKRF Memorandum, April 30, 2021).*

**G-1 Response:**

The calculation for sewage prepared for the DEIS were based upon NYSDEC’s Design Standards for Intermediate Sized Wastewater Treatment Systems (2014). It is noted that both documents referenced utilized the same 15 gallon per day per shift estimate for office employees. An update is provided in Appendix E.



### III. H – TRAFFIC & TRANSPORTATION

**H-1 Comment:**

*Based upon the representations made by the applicant and its consultant in the material provided to date, it appears that the nature of the concerns have been addressed and I want to break these down, specifically the Traffic and Transportation Chapter 4.H. It was absolutely imperative there were assurances at the intersection of Fenimore Road and Railroad Way would not be blocked during business hours thereby assuring the flow of traffic by vehicles and tractor trailers making deliveries and pickup for all of the building and properties located along Railroad Way.*

*There was a letter dated February 19, 2019 from Cuddy and Feder which proposed that the hours of construction would be from 8:00 a.m. to 6:00 p.m. Monday through Saturday. Obviously, with the applicant coordinating in advance with the building department, we feel very confident that the intersection and egress and access to Railroad Way would remain open so that the businesses could receive their shipments from these large tractor trailers.  
(Andrew Spatz, Public Hearing, May 6, 2021)*

**H-1 Response:**

Comment noted. The intersection of Fenimore Road and Railroad Way will not be blocked as a result of the Project and the egress and access to Railroad Way will remain open.

**H-2 Comment:**

*There was also reference to the removal of a curb cut near a barn, which we don't oppose. This is also made reference to in the DEIS as long as no additional obstructions were installed. Again, the access is absolutely imperative from Fenimore Road into Railroad Way, that's how the vehicles go from I-95 and gain access to all the buildings along Railroad Way. And it indicated nothing in the applicant's reports indicated that they were going to replace that curb with anything that can serve as an obstruction to the traffic and transportation.  
(Andrew Spatz, Public Hearing, May 6, 2021)*

**H-2 Response:**

Comment noted. There will be no obstructions from the Project that will block the access to Railroad Way.

**H-3 Comment:**

*Communication that would be held with CSX Railroad, this is absolutely imperative in advance of any construction as we do have active railroads that rail cars that come in late at night. The applicant addressed these issues during construction. The applicant would ensure that no impedances were placed in the required clearance envelope which was discussed and relayed in the DEIS, and also it would not interfere with the CSX crews operating on those tracks. Unfortunately, on that strip, if you've actually been down there, you can imagine having a railroad car, an engine I should say, very, very little room for error, but the applicant was very proactive. They reached out to CSX and they also made references that the representations that they would be in contact with the CSX train master prior to construction to ensure that the crews were aware that there was construction ongoing.*

*Obviously, the applicant would adhere to any and all identifications that would be required by CSX because that were in proximity to an active railroad, there's also control devices and mechanisms for those tracks. The report, I understand, indicates that they will also take adequate measures to address the shoring and stability of the railroad tracks in advance of*

*construction commencing. That is actually pursuant to the CSX design and construction standard specifications.*

*(Andrew Spatz, Public Hearing, May 6, 2021)*

**H-3 Response:**

Communication with CSX has been held and will continue before and during construction. Appropriate construction measures consistent with CSX design and construction standard specifications will be utilized.

**H-4 Comment:**

*Figure II-8 is the “Traffic Management Plan” for the proposed facility and Figure II-10 is the “First Floor Plan.” There are four loading spaces shown on the plan, but only three of the loading spaces have direct access to a door. It is unclear how the fourth loading space would access the loading area.*

*(AKRF Memorandum, April 30, 2021)*

**H-4 Response:**

The revised Site Plan illustrates three loading spaces to be provided. Each loading space aligns with a door leading directly to a loading area. Loading spaces are for various size loading vehicles. Typically vans & any vehicle without an elevated deck will also use loading spaces & transport items with business-provided wheeled carts via entry door to elevator lobby.

**H-5 Comment:**

*The size of the loading spaces and clarification on the maximum sized truck should be provided.*  
*(AKRF Memorandum, April 30, 2021)*

**H-5 Response:**

The majority of the vehicles will be personal automobiles, such as SUV’s, vans or pick-up trucks. Any trucks utilizing the site tend to be small based on the operational characteristics of the existing facility. The maximum size truck anticipated would be small box trucks up to an SU-30 (30-foot long) which would be rare. The size of the loading spaces are illustrated on the Site Plan. Each loading space is 30 feet long. The southernmost loading space is 14 feet wide while the other two loading spaces are 9 feet wide.

**H-6 Comment:**

*The FEIS should go into more detail on the break-down of the proposed number of parking spaces and the use of the parking spaces. It should also refer to the shared parking regulations in the Village of Mamaroneck zoning code.*

*(AKRF Memorandum, April 30, 2021)*

**H-6 Response:**

Based upon the Village’s Code, storage space is to provide one parking space per 750 square feet (sf) as is the woodworking space while office space is to provide one parking space per 250 sf and retail and/or service business space is to provide one parking space per 350 sf.

The Mamaroneck Self Storage facility currently has 1-2 employees on-site at any one time. With additional units, this could increase to a maximum of 4 employees on-site at times. A self-storage facility with a total of 429 units, based upon the Institute of Transportation Engineers’ (ITE) publication “Parking Generation”, 5<sup>th</sup> Edition, would generate a peak parking demand of 6 spaces,

inclusive of the employee spaces. The retail use that was previously proposed in conjunction with the self-storage facility has been eliminated from the Project.

The Murphy Brothers Contracting portion of the Site will have 4 full time office staff on-site which are projected to use 4 parking spaces. Murphy Brothers Contracting will generally not generate any visits from the general public or contractors. There were previously 19 parking spaces designated for five businesses that parked on-site. That usage will be replaced by the self-storage building addition, and thus the overall parking demand will be reduced. Many of these contractors/businesses have already moved or are no longer in business since the previous studies were performed and thus are no longer parking there.

The Woodworking Shop is projected to utilize 3 parking spaces while the Incubator Offices are projected to utilize approximately 6 parking spaces. Thus, a total of approximately 19 parking spaces could be utilized if all of the uses were to peak at the same time.

With the proposed self-storage facility addition and the modifications to the layout of the Site, there will be 26 parking spaces provided on-site along with three (3) loading spaces, in addition to the on-street parking spaces along Waverly Avenue. The 3 loading spaces will be utilized by the patrons of the self-storage facility, thus freeing up even more parking spaces.

The Village's Code permits the utilization of "Shared Parking", referred to as "Joint Parking", in Section 342-56 B. Shared Parking is the principle where different land uses would have their peak parking demands at different times during the day/week and thus can utilize or "share" the same parking space during different periods. As described above, 26 off-street parking spaces total are proposed where the estimated demand is approximately 19 total spaces and therefore, based on the analysis adequate parking is projected to be provided.

Refer to Response A-33 and Response H-11 for a breakdown of required parking by use.

**H-7 Comment:**

*A truck turning path movement (AutoTurn) analysis should be provided for the largest anticipated size truck for movements to and from the loading bays.  
(AKRF Memorandum, April 30, 2021)*

**H-7 Response:**

A truck turning path movement (AutoTurn) analysis is provided for the largest anticipated size truck (SU-30) for movements to and from the loading bays. It will be rare that an SU-30 truck will be utilized at the Site, but it is illustrated that an SU-30 can enter and exit each loading area. Depending upon what parking spaces are occupied, a slight second maneuver may be required to back into a loading space at times (Figure IV-H-1). Additional truck turning path movement diagrams showing an SU-30 exiting the Waverly Avenue driveway (left- and right-turning exits) will be provided during site plan review. In addition, driveway modifications at the Fenimore driveway to channelize vehicles for the right turn only exit will be evaluated during site plan review.

**H-8 Comment:**

*Will parking be assigned?  
(Chairman Neufeld, November 16, 2021 Work Session)*

**H-8 Response:**

The parking will not be assigned. It will follow the principals of Shared Parking.

**H-9 Comment:**  
*How were the parking calculations made?*  
*(Chairman Neufeld, November 16, 2021 Work Session)*

**H-9 Response:**  
As described in the revised Traffic Study, the parking calculations were performed utilizing the Institute of Transportation Engineers (ITE) publication “Parking Generation”, 5<sup>th</sup> Edition, and information provided for the Project including size and number of employees, consistent with the previous parking calculations. Supporting documentation for the Project is contained in the Traffic Study Appendix (Appendix D).

**H-10 Comment:**  
*Confusion over parking counts. Need a chart for the new uses proposed and associated parking requirements for each.*  
*(Chairman Neufeld, November 16, 2021 Work Session)*

**H-10 Response:**

TABLE H-1 PROJECTED PARKING GENERATION	
Scenario	Weekday
	Parking Demand
429 Self Storage Units (including 269 Existing and 160 Additional Units)	6
Woodworking Shop	3
Incubator Offices	6
MBC Offices	4
<b>Total</b>	<b>19</b>

**H-11 Comment:**  
*Parking table needs to reflect new proposed uses  
(Board Member Yergin, November 16, 2021 Work Session)*

**H-11 Response:**

TABLE H-2 REQUIRED OFF-STREET PARKING BY USE	
USE	REQUIRED PARKING
Existing Self Storage Facility	55
Self-Storage Addition	46
Woodworking Shop	8
Incubator Offices	8
MBC Offices	7
<b>Total</b>	<b>124</b>

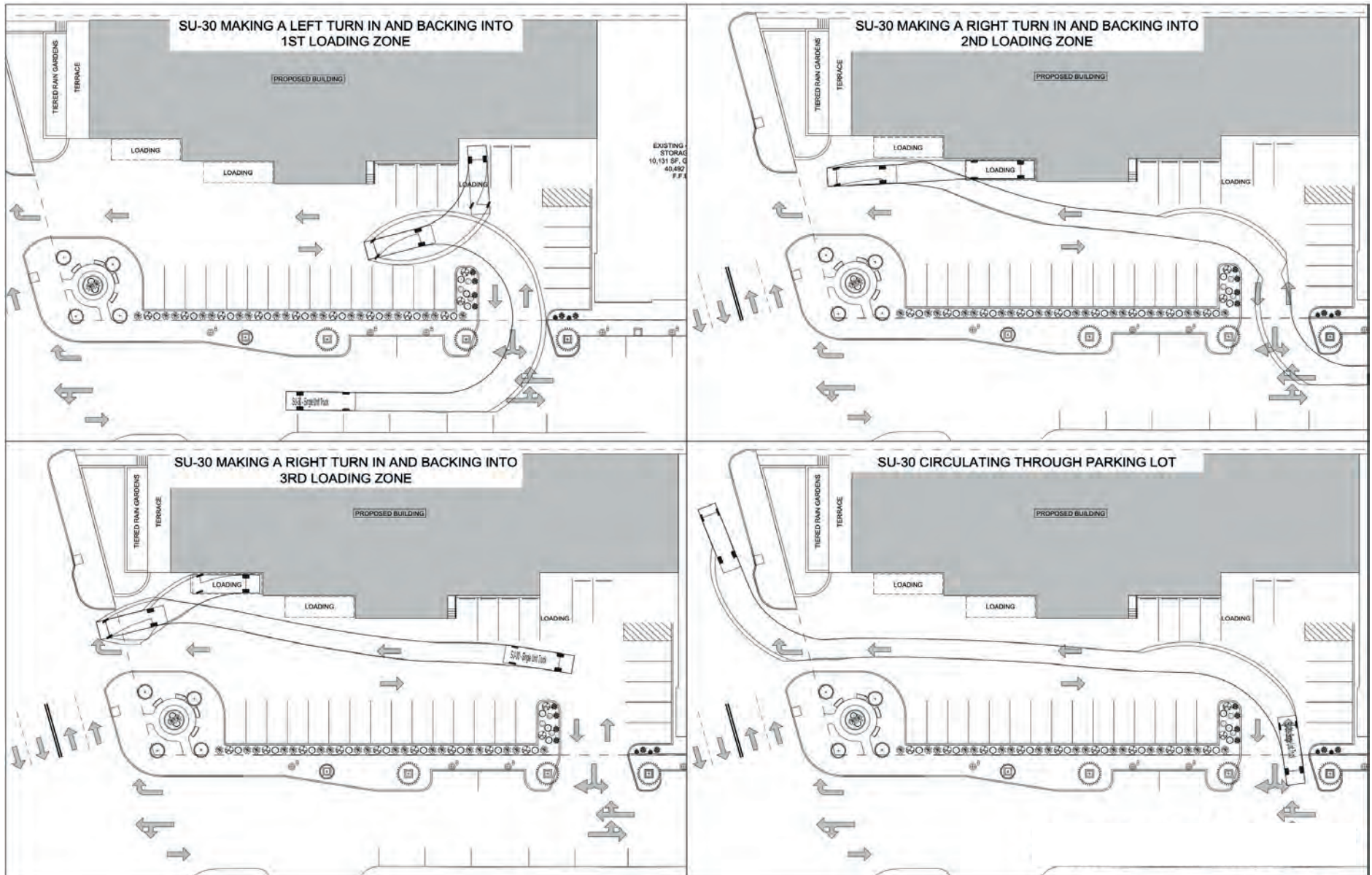
**H-12 Comment:**  
*Parking numbers are inconsistent in the document.  
(Board Member Yergin, November 16, 2021 Work Session)*

**H-12 Response:**  
The parking calculations are contained in the revised Traffic Study (Appendix D). Table H-1 summarizes the anticipated peak parking demand for each proposed use. Not all of the peaks for the respective uses will occur at the same time. There are also three loading zones provided which will reduce the number of parking spaces used for the self-storage facility.

**H-13 Comment:**  
*Needs to be updated for new uses, not just trip data provided. Requests a full updated traffic analysis.  
(Board Member Kramer, November 16, 2021 Work Session)*

**H-13 Response:**  
A revised updated Traffic Study with the traffic analysis has been prepared for the new uses (Appendix D). The findings of the Traffic Study remain the same, that there is no traffic impact and more than sufficient parking is provided.





Source: DTS Provident Design Engineering, LLP

Scale:  
N.T.S

# Truck Turning Movement Plan



Figure  
IV-H-1

### III. I – Economic & Fiscal Analysis

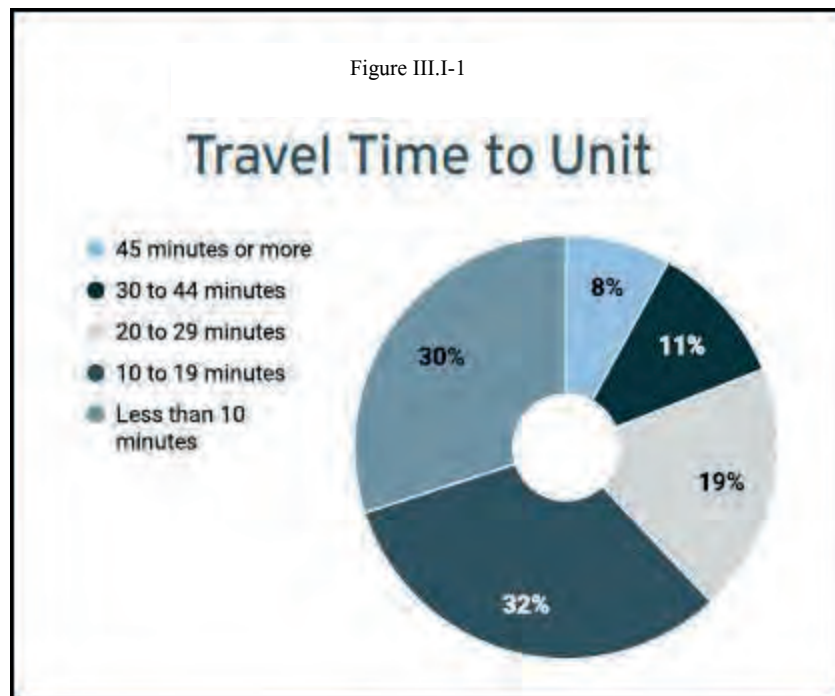
#### I-1 Comment:

*The second thing is there's a lot of discussion about need for this because people -- now it's clear that the people need storage, and I know that in early on there was a showed how many residents were from the Village of Mamaroneck, but it actually wasn't residents of the Village of Mamaroneck; I think it was based on the zip code and it's a little -- was a little -- two zip codes, and as I recall, I didn't get the sense -- two things: First of all, I'm not sure why just because you live in the Village of Mamaroneck you need to have your storage in the Village of Mamaroneck. I don't think that there's any need -- necessarily a need for storage facility in the Village of Mamaroneck. So I don't think you dealt with that question at all well.  
(Chairwoman Kramer, Public Hearing, April 1, 2021)*

#### I-1 Response:

According to current rental data, 71% of Mamaroneck Self Storage clients come from the Larchmont-Mamaroneck community and 16% are from other parts of Westchester. The other 13% come from a wide variety of locations such as Manhattan, Massachusetts, Georgia, and California.

National research shows that 62% of all storage customers travel 19 minutes or less between their residence and their storage unit with 30% traveling less than 10 minutes. When you consider typical local Westchester traffic, 19 minutes of driving could be well under 10 miles.



There are other options: (according to Google Maps)

- Cube Smart in Tuckahoe is 5.8 miles away and a 16-minute drive
- Clutter in Yonkers is 11 miles away and a 24-minute drive
- Safeguard on the Larchmont/New Rochelle border is 2.1 miles away and a 7-minute drive
- Westy's in Port Chester is 5.7 miles away & a 14-minute drive

There are many reasons people find themselves needing self-storage. These reasons include lack of closet space in their rental apartment or condo, selling one's house and downsizing, home renovations, or storing inventory for a home business to one of life's more sensitive events such as the loss of a job, a sudden relationship break-up, or the death of a loved one.

Where people choose to rent is greatly influenced by the cost, what they are storing, their need and ability to access those items, and how comfortable they feel at the facility.

Some people use their storage for seasonal items and access their units infrequently to pick up and drop off beach chairs, sporting equipment, bicycles, and paddle boards in the summer and then holiday decorations and heavier clothing and snow shovels in the winter. Some people have lost a loved one, or have an elderly parent moving to assisted living, and are tasked with moving said loved one's personal belongings into storage while the house is prepared for sale or in anticipation of siblings or family members coming to town to divide things.

Mamaroneck Self Storage currently has over 25 locally operated (Mamaroneck and Larchmont) businesses, nonprofits, restaurants, houses of worship, realtors, home businesses, outreach programs, etc. that use storage for their inventory or professional records.

**I-2 Comment:**

*I will say that when I lived in Manhattan I had our storage in -- we had our storage in Queens, and now that we live in Mamaroneck we have our storage in Yonkers. I see no need to have our storage facility in Mamaroneck nor do I think there is something inherently necessary about having a storage facility in the same Village that you live in.  
(Chairwoman Kramer, Public Hearing, April 1, 2021)*

**I-2 Response:**

See Response I-1.

**I-3 Comment:**

*Also the DEIS they talked about it needed to be a certain size because if it wasn't a certain size, it wouldn't be profitable, and I'm thinking -- they seem to be then was the one building that they have, the one building is that not profitable for them? That I think they're slightly somewhat disingenuous then when they went ahead and built that one. If that is not enough for them to make a profit and they need this extraordinary size added to it, then that's definitely segmentation because you always knew you weren't making enough money with the first one and you were just waiting around to make the second one. You did that because, I would assume, that it's been operating I believe for seven plus years that you have been making a profit, and so I think that that statement doesn't make sense to me that you need this mammoth building otherwise you wouldn't be able to make a profit. That's self-served. You would definitely make more, but that's the necessity for that size.  
(Board Member Yergin, Public Hearing, April 1, 2021)*

**I-3 Response:**

Mamaroneck Self Storage has been serving the community storage needs of hundreds of clients since opening its doors in October of 2015. Currently, the facility is operating at 95-100% capacity. Potential clients are turned away on a consistent basis because either MSS cannot meet their time schedules to move in or cannot provide the size unit they require. MSS is confident that these potential client needs can be accommodated once the building addition is constructed. The self-storage facility has been successful. However, maintaining the other existing buildings on the Site, which have long since outlived their purpose, particularly in an area prone to flooding, is no longer

economically viable. Also, the Murphy Brothers Contracting business will benefit from having a new flood-compliant office space. See response A-1.

**I-4 Comment:**

*I guess, you know, as far as the consistency with the community, the question I have on that and I did not see this but I may have missed it is, is who is this serving? Is this serving residents or is this drawing people into the area who don't have such a facility where they are or elect to utilize this one? Because I think that is also in terms of the needs of a community and its goals. (Board Member Neufeld, Public Hearing, May 6, 2021)*

**I-4 Response:**

According current MSS rental data, 71% of Mamaroneck Self Storage clients come from the Larchmont-Mamaroneck community and 16% are from other parts of Westchester. The other 13% come from a wide variety of locations such as Manhattan, Massachusetts, Georgia, and California. See response to comment I-1.

The use of the building addition has evolved from the single-use self-storage addition proposed in the DEIS. The amount of square footage devoted to the self-storage use has been reduced from 56,328 square feet to 34,270 square feet (consisting of 18,925 square feet specifically for self-storage and 15,345 square feet for circulation and mechanical rooms). The number of new storage units would also be correspondingly reduced from 321 to 160 storage units.

The balance of the building addition would be occupied by the following.

1. Murphy Brothers Contracting:
  - a. 2,157 square feet for their office operations.
  - b. 5,879 square feet for a new woodworking shop.
2. 2,008 square feet of incubator professional office space intended to support and accommodate local entrepreneurs looking to expand on their business concepts, as well as work at home professionals who need a temporary more formal work space. The space will be divided into cubical work stations that can be reserved by the week or month. It will include high-speed internet wi-fi, a conference room that can be reserved by appointment, other traditional office amenities and a roof-top patio area.

**I-5 Comment:**

*The next point related to what Dave was just talking about drawing customers in, is you're actually not going to draw customers in for self-storage. They're going come in cars. They're going to drop their storage off, and they're going to drive away. There's no incentive for them to stick around or to do business in the neighborhood. (Board Member Roberts, Public Hearing, May 6, 2021)*

**I-5 Response:**

Businesses in the Industrial Area surrounding Mamaroneck Self Storage are light commercial or service-oriented, such as the many automobile repair establishments. According to the Applicant, presently, even if self storage clients wanted to “stick around and do business in the immediate neighborhood”, their options are extremely limited. The Applicant has stated that the nature of utilizing self-storage is such that the client performs the action of bringing or taking away their possessions and then leaves the facility. For some this takes 10 minutes, and for others all day.



Since approximately 29% of current customers are from out of town or out of state, when they come to the facility they may be there for several hours or a few days in a row and may seek restaurant or retail uses within the neighborhood or nearby commercial areas.

It is anticipated that the new uses at the Site, including the woodworking shop that will be used as an educational resource and the incubator office space, will enliven the Site, certainly more than the prior proposals and the existing operation of the Site. A new publicly accessible vest-pocket park is proposed at the corner of Fenimore Road and Waverly Avenue, in the location of the existing Murphy Brothers office building.

**I-6 Comment:**

*And I know I made mention of this last time in 4a-21, the applicant said that it cannot achieve the benefits sought without the requested variances, the size of the variances. And, again, they built one building and said that that was -- came to the DBA, said they wanted to build this building. I assume that that was a profitable building. It sort of seems like now you need more to actually make it profitable; otherwise, if you don't need more, that's not a good argument that you need to make it a certain size to make it profitable because you already built one that's still huge but not as big, so that's either a false argument or you were holding this second part of the project in your back pocket if you knew that you needed to add this extra space to make it profitable.*

*(Board Member Yergin, Public Hearing, April 1, 2021)*

**I-6 Response:**

See Response to Comment I-3.



### III. J – BUILDING DEMOLITION & CONSTRUCTION

**J-1 Comment:**

*I'd like to know more about the interplay between the buildings and how much construction is going to change on them.*

*(Board Member Neufeld, Public Hearing, May 6, 2021)*

**J-1 Response:**

The addition will require removal of a portion of the existing façade & roof at the intersection of the addition. While the building addition will be structurally integrated into the existing self-storage building, it has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building, while restoring a human scale to the Site. This approach would reduce the building footprint by 1,044 square feet and the gross floor area by 12,014 square feet. The F.A.R would be reduced from 2.26<sup>1</sup> to 1.92. All setbacks & variances are specified & illustrated. Additionally, the FEIS Plan involves the demolition of all of the existing buildings on the Site, with the exception of the existing self-storage building.

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<sup>1</sup> Although the proposed FAR for the overall site had been presented as 2.43 in the DEIS, it has been updated here based on the existing self-storage building (40,492 square feet), the DEIS proposed addition (56,328 square feet), and the existing front building (Building B; 2,985 square feet) that had been proposed to remain under the DEIS Plan.

### III. K – MISCELLANEOUS

**K-1 Comment:**

*Yeah, I'll start with from the time I came back to this Board, I've been asking for a full copy of the DEIS, repeatedly, in writing, on the telephone. I finally went over and I said I will come over to get one, and what I got was about, oh, looks like about three quarters -- half inch of paper, but it doesn't include all of the pertinent information and the schedules and everything. I have not read them. I was told that I could access them. There are thousands of pages of them. I don't have the ability. I couldn't pull it off the system. I need it. I want a copy, and I brought that up at the last meeting and I said I wanted it so that I can review it because the tables usually have a lot to do with this. So, obviously, my preference would be, and I certainly repeat my request. If I'm -- that's not gonna be the basis for my vote because I don't want to be unfair to anybody but I need to see it and I would hope that we would stay open particularly since there are two members not here.*

*(Board Member Neufeld, Public Hearing, April 1, 2021)*

**K-1 Response:**

Full hard copies of the DEIS and Appendix were submitted to the Village for each Board member, and an electronic digital copy was also provided, in full accordance with the Village's submission requirements.

**K-2 Comment:**

*And my final comment is really on the overall. When you first -- when this was first coming to the Board, we made it very clear to the applicant that all of the board members needed hard copies, and so we were each given two volumes. One had all of the appendices, and one had the material itself. Subsequent to that, and this is not the applicant's fault, I certainly asked the Village planner whether or not we needed to keep all of that and they said no, we would be getting complete new information and I threw out -- actually, I recycled all of the paper because there was an awful lot of paper and used it for all of my home printing during the COVID era. We never got a complete. You kept sending us piecemeal pieces, and as Dave points out, we got some of them in hard copy. We didn't get the rest. I do not believe it is acceptable for you to have done it only on line. I think that is an unacceptable way to submit it. I think it is impossible for people on their home screens to sit on my screen, what is it, thirteen inches? Very difficult to read anything nor am I gonna print it out on my own computer. I think the applicant should have provided a complete new copy of everything. It was so clear to the applicant that this had to be hard copy. I will tell you that when it is time for your final EIS you must provide an entire hard copy for every single board member and make sure that they get it.*

*(Chairwomen Kramer, Public Hearing, April 1, 2021)*

**K-2 Response:**

No piecemeal submissions were ever made to the Village. Full and complete hard copies were submitted for the completeness review as well as the final "complete" version of the DEIS.

**K-3 Comment:**

*Yes, just along the lines of segmentation. I think it would help this board if someone wanted to request that the applicant provide and maybe with the assistance from Amber the full administrative record from the prior approval including the original application, withdraw of the application, Chair, that you had just mentioned, as well as an any meeting minutes and approvals so that this board can properly assess what had happened historically versus what is happening now.*

(Mr. Gottlieb, Public Hearing, May 6, 2021)

**K-3 Response:**

The following materials have been provided to the Village:

- documentation from the 1<sup>st</sup> application which was withdrawn for consideration in March of 2009
- hard copy of the approval plans plus C of O for the current Mamaroneck Self Storage facility. Please note that a FOIL request was submitted to the Village of Mamaroneck for the “*full administrative record from the prior approval*”, however, in correspondence received from Agostino Fusco, Clerk-Treasurer of the Village of Mamaroneck dated November 16, 2021, the Applicant was told that the records sought could not be located after a diligent search (see Appendix C).

**Procedural history of self-storage applications at the Project Site prior to the pending application:**

In or about 2009, the Applicant filed an application with the Planning Board seeking to construct an approximately 88,000-square foot, 578-unit self-storage facility along with a 6,400-square foot cabinet-making shop with a total of 29 parking spaces on-site.<sup>1</sup> The proposed action required site plan approval and a floodplain development permit from the Planning Board, several area variances from the Zoning Board of Appeals (“ZBA”), a determination that the project was consistent with the Local Waterfront Revitalization Program by the Village Harbor Coastal Zone Management Commission (“HCZMC”) and approval from the Architectural Review Board. The Planning Board initially declared its intent to serve as Lead Agency under SEQRA, however the ZBA objected and ultimately assumed Lead Agency status on March 4, 2010. The ZBA issued a positive declaration under SEQRA for the project, citing concerns relating to traffic, flooding and proposed building size. At that time, due to the significant costs associated with pursuing the project that had been declared to have the potential to have one or more significant adverse environmental impacts, the Applicant withdrew its application. The ZBA did not “turn the application down” or reject the proposal.

On approximately October 10, 2012, the Applicant submitted a new application for site plan approval seeking to redevelop the Property and construct the current self-storage facility that exists on the Premises today. This application proposed a 40,620-square foot self-storage facility, as opposed to the 88,000 self-storage facility proposed in 2009. Under the 2012 proposal, many of the then existing uses at the facility were proposed to remain. The Planning Board assumed Lead Agency Status on November 14, 2012 and on January 30, 2013, the Planning Board issued a negative declaration finding that the project would not have the potential for one or more adverse environmental impacts.

On approximately October 3, 2013, the ZBA granted the Applicant several variances for the now existing self-storage facility on the Property. Following receipt of these variances, the Applicant proceeded to obtain a consistency determination from the HCZMC, site plan approval and a flood development permit from the Planning Board and approval from the Architectural Review Board. The Applicant then constructed the existing 40,492-square foot self-storage building, completed towards the end of 2015, that exists on the Site today.

<sup>1</sup> See approvals from the prior self-storage project included in Appendix C.

- K-4 Comment:**  
*Error in III.K.2, which indicates that the application was withdrawn, when it was “pos-dec’d.”*  
*(Chairman Neufeld, November 16, 2021 Work Session)*
- K-4 Response:**  
Please see the procedural history of the self-storage application as presented in response K-3.
- K-5 Comment:**  
*Do we have a topographic survey?*  
*(Chairman Neufeld, November 16, 2021 Work Session)*
- K-5 Response:**  
The topographic survey has been part of all prior site plan submissions, and is included in the full size plan set included as FEIS Appendix I.
- K-6 Comment:**  
*Can we have a copy of the site plan approval for the existing building?*  
*(Chairman Neufeld, November 16, 2021 Work Session)*
- K-6 Response:**  
Copies of the approved site plan and Certificate of Occupancy are included in Appendix C.