

October 10, 2018

VIA HAND DELIVERY

Chairman Barry Weprin and  
Members of the Zoning Board of Appeals  
Village of Mamaroneck  
169 Mt Pleasant Avenue  
Mamaroneck, New York 10543

ERIC L. GORDON  
Principal Member  
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Also Admitted in CA

Re: Application of East Coast North Properties, LLC  
416 Waverly Avenue, Mamaroneck, NY

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Dear Chairman Weprin and Members of the Zoning Board of Appeals:

As you are aware, Keane & Beane, P.C., represents East Coast North Properties, LLC (the "Applicant" or "East Coast"), which owns the property located at 416 Waverly Avenue, Mamaroneck New York (the "Property")<sup>1</sup> on which Murphy Brothers Contracting, Inc. ("MBC") and Mamaroneck Self Storage ("MSS") currently operate businesses. This letter is submitted to further supplement the application for variances originally filed with the Zoning Board of Appeals ("ZBA") on June 20, 2018 and supplemented by letter dated August 14, 2018.

As discussed at the ZBA meeting held on September 6, 2018, the Applicant is submitting the following additional materials in furtherance of its contention that there are no significant adverse material impacts from the proposed expansion of the existing MSS building:

1. In response to questions concerning the response to question E.1.h on the Long Form EAF concerning contamination history, attached are the Site Records and Spill Records from the New York State Department of Environmental Conservation regarding all the sites listed in response to this question. Also attached is a summary of the status of the Site Records and maps showing the location of each of the sites where contamination was located. As set forth in the attached documents, there is no evidence that contamination on any of these other sites negatively impacts the Property or that the proposed development on the Property will result in an adverse impacts to any of these sites as a result of such contamination;

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<sup>1</sup> The address listed for the Property on the GIS Tax Mapper is 560 Fenimore Drive, Mamaroneck, New York. However, the address used for prior applications was 416 Waverly Avenue, which is also the mailing address and the Applicant's business address.

2. In response to questions regarding the response to question E.3.f on the long form EAF concerning the “archeologically sensitive” designation for the Property, the Applicant has contacted the New York State Parks Recreation & Historic Preservation Office (“SHPO”) and inquired why the area in question is designated as archeologically sensitive. The Applicant was advised by email dated September 25, 2018 from Philip A. Perazio, Historic Preservation Program Analyst - Archeologist, as follows with respect to that designation:

There is a recorded Native American archaeological site located about a third of a mile to the southeast of your project area, and several more a bit farther away. This is the basis of the ‘archaeologically sensitive’ designation. Based on the amount of development in the immediate vicinity of your property, we probably would have no archaeological concerns. However, I cannot provide an official opinion without a formal review.

(A copy of the September 25, 2018 email from Mr. Perazio is attached). Therefore, there does not appear to be any impacts on archeologically sensitive property from the proposed expansion. However, the Applicant has requested a formal review by SHPO so that there will not be any concerns regarding this issue and hopes to have a formal response before the next ZBA meeting scheduled on November 1, 2018.

3. SEQRA visual analysis demonstrating that expanded building will not have any adverse impacts on the community or any of the surrounding properties based on the size of the expanded building;
4. Report showing construction practices to minimize short term impacts;
5. List showing MSS customers by zip code/location. Since MSS opened in the fourth quarter of 2015, customers from the 10543/10538 (Mamaroneck/Larchmont) zip codes comprise almost two-thirds (2/3) of all customers and currently seventy-one (71%) percent of all current customers are from the 10543/10538 (Mamaroneck/Larchmont) zip codes;

#### 6. Hudson Engineering Materials

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7. Petition signed by neighboring property owners with respect to community impacts;

An original and fifteen (15) copies, as well as an electronic version, are being provided.

As discussed in more detail in my letter to the ZBA dated August 14, 2018, the Applicant continues to maintain that regardless of whether the project is considered a Type I action or an Unlisted action under SEQRA, that a Negative Declaration should be adopted because there are no significant adverse environmental impacts from the proposed expansion. Moreover, to the extent the ZBA disagrees, the Applicant requests that the ZBA provide further information regarding the ZBA's concerns and allow the Applicant the opportunity to address these concerns before the ZBA makes its final determination regarding environmental significance.

We look forward to discussing these issues with the ZBA at its meeting on November 1, 2018.

Thank you for your consideration.

Respectfully submitted,

Eric L. Gordon

ELG/sb  
Encls.

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cc: Lori Lee Dickinson, Esq. (via email)  
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