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Memorandum

To: Village of Mamaroneck Zoning Board of Appeals
From: Ashley Ley, AICP
Date: November 12, 2020
Re: 416 Waverly Avenue Preliminary DEIS
CC: William Long, AICP

A. INTRODUCTION

The Village of Mamaroneck Zoning Board of Appeals (ZBA) has reviewed the revised preliminary Draft Environmental Impact Statement (DEIS), received October 29, 2020, for the Mamaroneck Self-Storage Building Addition located at 416 Waverly Avenue in the Village of Mamaroneck, NY (Tax Map #8-111-29-42). The preliminary DEIS was revised to address the completeness comments raised by the ZBA and its consultants. At its February 6, 2020 meeting, the ZBA declared the DEIS incomplete and required its revision subject to the comments raised at the February 6, 2020 meeting as memorialized in a written memorandum dated February 7, 2020, the AKRF memorandum dated January 17, 2020, and the Kellard Sessions memorandum dated February 4, 2020. The following memorandum recites the ZBA's February 7, 2020 comments in *italics*, new and follow-up comments are presented in **bold**. The bold responses will be discussed at the November 16, 2020 work session and edited per comments from the ZBA members.

B. ZBA COMPLETENESS REVIEW COMMENTS

GENERAL COMMENTS

The following comments have applicability to each chapter of the DEIS.

- 1. The DEIS should be more clear about the Build Year date. In particular, Chapter I Executive Summary, Chapter II Project Description, and Chapter IV.J. Building Demolition & Construction should discuss the build year.*
Comment addressed. A build year of 2021 is anticipated.
- 2. The list of "No Build" projects considered in the DEIS should be more clearly identified and analyzed. The Applicant should also check with the Village of Mamaroneck Building Department regarding potential No Build projects. In particular, the DEIS should consider the proposed restaurant use at 524 Waverly Avenue.*

Comment addressed. A discussion of the No Build condition was added to DEIS page IV.H-4. In regards to the restaurant, potential traffic from that use is accounted for in the growth rate.

3. *Discussion of potential impacts and benefits should be framed within the context of the subject area being analyzed. For example, the land use section should not discuss traffic or flooding. Also, the green building discussion should be more focused in Chapter II Project Description and Chapter IV.G Utilities.*

This comment has not been addressed.

4. *The existing and proposed character of the buildings and surrounding community is subjective. As applicable, discussions should be framed as the "Applicant's opinion." Specifically, terms such as "architecturally distinct," "unsightly," and "catalyst," are subjective. Where feasible, discussion of community character should be based on adopted community planning documents and the document, including page number, should be cited.*

Comment addressed.

CHAPTER I EXECUTIVE SUMMARY

5. *The Executive Summary should be updated as necessary to address the above "general" comments and the chapter specific comments presented below.*

Comment addressed.

CHAPTER II DESCRIPTION OF THE PROPOSED ACTION

6. *The massing study provided is difficult to interpret and needs more context. Heights and stories of nearby buildings should be provided. In addition, street level views should be provided. A discussion of the building in the context of the neighborhood should be provided.*

Comment partially addressed. Street level views were provided. However, the heights and stories of nearby buildings were not added to Figure II-17.

7. *The discussion of building height should include height with the parapet.*

Comment addressed.

8. *The Project Description should include more discussion of the proposed height, lot coverage, and other dimensional zoning factors. In addition, it should describe the specific area variances needed.*

Comment addressed. See new Table II-1.

9. *The community solar and green building discussions should be concentrated in the relevant sections of the Project Description and Chapter IV.G Utilities.*

This comment has not been addressed.

10. *The proposed hours of operation should be discussed.*

11. **Comment addressed.** The hours of operation would be Monday – Friday 9:00 am – 6:00 pm, Saturday 9:00 am – 5:00 pm and Sunday 11:00 am - 4:00 pm.

CHAPTER IV.A. LAND USE & ZONING

12. *The DEIS should include more discussion of the proposed height, lot coverage, and other dimensional zoning factors. Specifically, the DEIS should expand the discussion of the specific area variances needed.*

Comment addressed.

13. *The DEIS should include a discussion of the anticipated demand and need for loading zones on the Project Site.*

Comment partially addressed. It is the Applicant's opinion that the Village Code's parking and loading requirements for self-storage exceed demand. This statement should refer the reader to the more detailed analysis in Chapter IV.H.

14. *As described, the existing site may not be in compliance with the conditions of the existing variances, in particular in regards to parking. The existing conditions on the site, and the requirements of the prior variance approval, should be more fully discussed.*

Comment addressed.

15. *As required by the Scoping Document, this chapter should analyze the Proposed Action's consistency with each of the current land use plans and policies specified, and compared to existing neighborhood buildings not just the existing storage facility.*

Comment addressed.

16. *As required by the Scoping Document, this chapter should analyze the project's consistency with the proposed "Maker Zone Overlay District" and applicable use and dimensional requirements.*

Comment addressed.

17. *The DEIS should address the consistency of the Proposed Project with the Village's Transit Oriented Development (TOD) planning studies and goals.*

Comment partially addressed. A discussion of the Village's TOD planning studies was added to Chapter IV.H.

18. *The DEIS should address the consistency of the Proposed Project with the Village's Vision Zero Planning initiative.*

Comment partially addressed. A discussion of the Village's Vision Zero Planning initiative was added to Chapter IV.H.

19. *A zoning map with a 1/4 mile radius around the Project Site should be provided.*

Comment addressed. See Figure IV.A-2.

CHAPTER IV.B. NATURAL RESOURCES

20. *Page IV.B-3 should refer to "anticipated" not "no impacts."*

This comment has not been addressed.

21. *The anticipated amount of excavation and fill should be quantified.*

Comment addressed.

CHAPTER IV.C. HAZARDOUS MATERIALS & PUBLIC HEALTH

22. *The DEIS should explain the program for testing for lead and asbestos.*

This comment has not been addressed.

23. *A Phase 2 ESA should be provided as required by the Scoping Document.*

Comment addressed. However, please refer to AKRF memo dated 11/5/2020 for comments.

CHAPTER IV.D. FLOODING & FLOOD ZONE IMPACTS

24. *It is unclear as to whether or not the Proposed Project would meet the requirements of the flood regulations.*

Comment addressed.

25. *The DEIS should more clearly state the base flood elevation and the finished floor elevation.*

26. *It appears that the proposed interior stairs would be below the base flood elevation. This should be clarified.*

Comment addressed. No enclosed spaces are proposed below the base flood elevation.

27. *The location of the building mechanicals identified. Would they all be located above the base flood elevation?*

Comment addressed. New and replacement electrical equipment, heating, ventilating, air conditioning, plumbing connections, and other service equipment shall be located at or above the base flood elevation.

28. *The DEIS should include information specific to the Project Site.*

Comment addressed.

29. *The DEIS should note whether or not flood insurance is required.*

Comment addressed. Because the Site is located within the AE zone, flood insurance is mandatory as is compliance with floodplain management standards.

30. *The Flood Mitigation Advisory Committee should be added as an Interested Agency.*

Comment addressed.

31. *The DEIS should clarify whether or not the existing and proposed buildings have, or would have, basements.*

Comment addressed. The existing self-storage building does not have a basement, and the proposed self-storage building would not have a basement.

32. *The method of flood proofing the buildings should be described.*

Comment addressed. The building would be constructed two feet above the base flood elevation.

33. *The DEIS should clarify the existing and proposed permeable and impermeable surfaces, and whether or not any of the existing deteriorated asphalt areas should be considered permeable.*

Comment addressed.

CHAPTER IV.F. VISUAL RESOURCES

34. *The plane of the massing diagrams makes everything appear as if they are at the same elevation and height. The base elevation and height of buildings in the diagram should be provided.*

This comment has not been addressed. Heights should be added to Figure IV.F-11.

35. *The DEIS should include more potential views of the Proposed Project from nearby cross streets. Specifically, a view from Ogden Avenue.*

This comment has not been addressed.

36. *The DEIS does not include sufficient discussion of the size of the proposed building in the context of the neighborhood and community. Specifically, the DEIS should include additional discussion of nearby buildings within the industrial area.*

Comment addressed.

37. *The DEIS should include a discussion of the potential views of the Proposed Project from off-site locations. The current text seems limited to views from on-site locations.*

Comment addressed.

38. *Additional neighborhood context photos should be provided. Buildings across the street or visible from the Project Site.*

This comment has not been addressed.

39. *The height of the proposed building should be described in greater detail. In particular, the height of the parapet should be discussed. The proposed height should be discussed in context with neighboring and nearby buildings and cross streets.*

Comment addressed.

40. *This Chapter frequently refers to the existing and proposed self-storage building as “architecturally appropriate” and “attractive.” More context/justification should be provided for these statements.*

Comment addressed.

CHAPTER IV.G. UTILITIES

41. *As required by the Scoping Document, a flow test should be provided and the results reported in the DEIS.*

Comment not addressed. The DEIS states that *“the peak flow rate for the facility is estimated at 24.9 gpm, a reduction over existing condition. Hence, no flow testing has been performed on the Waverly Avenue water line as water usage in the proposed condition is less than in the existing. The proposed improvements result in approximately a 10% reduction in the peak flow rate (approximately a 25% reduction in the daily flow rate) from the property.”*

42. *The DEIS should include more information on the size and design of the existing and proposed water service lines. Verification from Westchester Joint Water Works on the ability to serve the project should be provided.*

Comment not addressed.

CHAPTER IV.H. TRAFFIC & TRANSPORTATION

43. *The DEIS should include additional discussion and trip generation rates for the existing and proposed Murphy Brothers Contractor use.*

Comment addressed.

44. *The DEIS should provide more detail on the existing and proposed parking conditions and demand. Specifically, the DEIS should identify the existing and proposed number of self-storage units, the typical self-storage user, and the frequency that the typical user would be expected to visit the Project Site.*

Comment addressed.

45. *The DEIS should more clearly identify the existing versus proposed parking spaces, and the parking and loading variances that were granted previously. The DEIS should identify whether they are seeking a modification of the existing parking variance, or a new parking variance for the entire Project Site.*

Comment addressed. More detail is provided in Chapter IV.A.

46. *The Vision Zero Committee and Traffic Commission should be included as Interested Agencies.*

Comment addressed.

CHAPTER IV.I. ECONOMIC & FISCAL ANALYSIS

47. *The DEIS should include a more detailed discussion of the anticipated number of jobs to be lost as a result of the Proposed Project.*

Comment addressed.

48. *The DEIS asserts “all 7 businesses would find suitable sites to relocate to in the immediate vicinity of the Project Site.” However, no evidence is provided to support this discussion. Additional context and support should be provided for this statement.*

Comment addressed.

49. *The use of “average income” instead of “median income” appears to skew the data.*

Median income is not provided.

50. *The DEIS should more clearly explain the use of zip code data and why those zip codes were chosen for the analysis.*

This comment was not addressed.

51. *The projected tax revenue does not appear accurate. Existing and proposed taxes should be presented by taxing jurisdiction in a similar manner to the existing tax revenue presented in Table IV.I-1, and should consider all site buildings and features.*

Comment addressed.

52. *The DEIS should describe whether or not the loss of existing businesses on the Project Site would affect other businesses (i.e. retail stores, delis, restaurants) that define or substantially contribute to defining the character of the Village of Mamaroneck.*

Comment addressed.

53. *The DEIS should address the potential for long term impacts associated with job loss.*

Comment addressed.

CHAPTER IV.J. BUILDING DEMOLITION & CONSTRUCTION

54. *The DEIS should more affirmatively state what “will” be done to mitigate potential construction and demolition impacts.*

Comment addressed.

55. *The DEIS should more specifically state which entity would be responsible for the costs associated with the train lines should they be damaged or impeded.*

Comment addressed.

56. *More information on dust management during construction should be provided.*

Additional information was not provided. However, the DEIS does address the management of fugitive dust during construction.

CHAPTER V. ALTERNATIVES

57. *The Alternatives analysis should more clearly explain why a zoning compliant self-storage facility could not be constructed.*

This comment was not addressed. No changes were made to this chapter.

CHAPTER VI. SIGNIFICANT ADVERSE IMPACTS THAT CANNOT BE AVOIDED

58. *This chapter should be updated as necessary to incorporate the edits requested to the other DEIS chapters.*

This comment was not addressed. No changes were made to this chapter.

59. *This chapter should be updated to clarify impacts from zoning variances sought.*

This comment was not addressed. No changes were made to this chapter.

60. *The potential visual impacts seem understated.*

This comment was not addressed. No changes were made to this chapter.

61. *This chapter should be updated to remove discussions of impacts that are not defined as “significant adverse impacts” elsewhere in the document.*

This comment was not addressed. No changes were made to this chapter.