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To: Chair ZBA

From: VoM HCZMC

Subj: VoM HCZMC – Advisory SEQRA Recommendation to the ZBA re Waverly

Date: May 8, 2019

The VOM HCZMC, an involved agency in the SEQR process for the proposed project at 416 Waverly Ave, Mamaroneck, NY, the Project, met twice, the monthly April 17, 2019 meeting and a Special Meeting on May 6, 2019, and reviewed the documents provided, listened to the Applicants, and reviewed the SEQR guidelines, below, in order to recommend to the ZBA whether a positive or negative declaration should be rendered for the Project.

Based on this process the VoM HCZMC, at the May 6, 2019 meeting, voted unanimously to recommend that the ZBA make a positive declaration for the Project, and include HCZMC in the future parts of the SEQR process. The HCZMC believes this Project has the potential for significant adverse environmental impacts on our environment our community character, and the health and safety of our residents.

This recommendation for a positive declaration is based on:

SEQR - 617.7

1. To require an EIS for a proposed action, the lead agency must determine that the action may include the potential for at least one significant adverse environmental impact.
2. To determine that an EIS will not be required for an action, the lead agency must determine either that there will be no adverse environmental impacts or that the identified adverse environmental impacts will not be significant.

Specifically:

- **Add'l information required** to justify a Negative Declaration is not available including but not limited to:
 - Soil, groundwater and aquifer water testing to determine levels, flows and contaminants to determine that no adverse enviro impacts will occur during excavation, grading and during periodic flooding events
 - A phase 1 and 2 Environmental assessment
 - A review of local pollution in the area including neighboring properties and known local pollution sites
 - An assessment of flooding hazards for the site from the 50, 100 and 500 year storms, (site is in a floodplain) and the potential impacts on human safety and health from flooding and the potential pollutant washouts.

- Information and documentation of the cultural, historical, architectural and archaeological resources of the site and buildings:
 - The site contains 2 buildings over 50 years old, one, an iconic early 20th Century railroad style warehouse
 - Also, a Native American site was previously identified not far from this site.
- **Information received**, which indicates the potential for significant adverse environmental impacts based on SEQR 617.7 C1 – **Criteria for Determining Significance**
 - ***(I) a substantial adverse change in existing air quality, ground or surface water quality or quantity***
 - The Project is located in the industrial area of Mamaroneck, The Flats, which has been in use as an industrial area for many years. This use as an industrial area, particularly prior to current enviro regulations, was subject to all types of pollution from chemicals which entered air, soil and water and has known pollutants and superfund sites. These existing pollutants have the potential to be disturbed during and after construction and pose a significant adverse environmental impact.
 - ***(IV) - the creation of a material conflict with a community's current plans or goals as officially approved or adopted***
 - The Village of Mamaroneck is planning a revitalized Industrial area, **The Maker Zone**, and has spent thousands of dollars during this planning process. The Project, at the corners of Fenimore and Waverly, may become part of the Gateway to the Village's Vision for the revitalized industrial area, the '**Maker Zone**'. The current project, a 'big box' storage facility does not fit the plans, goals or vision for this revitalized 'Maker Zone' either physically, culturally or aesthetically.
 - The proposed Project will require several variances re height, setback etc. which is indicative of a fundamentally flawed planning approach in the concept and design of the proposed project, not in conformance with existing regulations and the community's vision for the area.
 - ***(V) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character***
 - Community Character and Adaptive Re-use - Two buildings on this site are over 50 years old and are of an era of culture that Mamaroneck is trying to protect. The wooden frame building is an iconic, early 20th Century railroad warehouse building, which would be ideal for the new 'Maker Zone'. The second, corner building, is a unique structure, recognized and well known by many community members, also be a good fit for the 'Maker Zone'.

- The proposed project, a 'big box' storage facility, is totally out of character with the other buildings in this area and the proposed community vision for a re-vitalized industrial area, 'The Maker Zone'
- **(VI) - a major change in the use of either the quantity or type of energy**
 - The proposed project will use significantly more energy than current uses, and will be moving toward a different type of power, community solar.

In conclusion, the HCZMC recommends the ZBA make a positive declaration for the Project and proceed with the EIS based upon the information HCZMC believes is still required and upon the information provided. The HCZMC requests to be part of the process, including scoping.