

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

PLEASE SEE THE ATTACHED ADDENDUM DESCRIBING THE IMPACT OF THE PROJECT.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information including failure to complete a Phase 1 environmental assessment to indicate whether the site has contaminants or solid or hazardous waste, the fact that a positive declaration for a similar proposal was issued on the same site, and a general concern for public safety and health,

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the Village of Mamaroneck, Zoning Board of Appeals ("ZBA") _____ as lead agency that:

☐ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☒ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: 416 Waverly Ave. / East Coast North Properties, LLC

Name of Lead Agency: Village of Mamaroneck, Zoning Board of Appeals

Name of Responsible Officer in Lead Agency: Robin Kramer

Title of Responsible Officer: Chairman

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Betty-Ann Sherer, Land Use Coordinator

Address: 169 Mt. Pleasant Ave., Mamaroneck, NY 10543

Telephone Number: 914-825-8758

E-mail: bsherer@vomny.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**Village of Mamaroneck Zoning Board of Appeals
Lead Agency
EAF Part 3 – Reasons Supporting Determination of Significance**

The following impacts are found to be potentially significant and support a Positive Declaration of Significance. The numbering below follows areas of the environment evaluated in EAF Part 2.

Impact on Land:

(a) and (h) The site has a high-water table that is within 3 feet of construction activity and as such there is the potential for a moderate to large impact on the land/water table from potential releases on unknown contaminants.

d) The project will likely involve the excavation of more than 1,000 tons of natural material in order to import structural fill.

e) Given that construction delays are common, it is reasonable to expect that construction will last more than one year. Accordingly, it is likely that there will be a need to maintain mitigation measures over an extended period and resulting in the potential for long-term construction impacts.

Impacts on Surface Water:

i) The project may have a significant impact on water quality of water bodies within or downstream of the site of the proposed action as the area has not been thoroughly tested for contaminants or solid or hazardous waste.

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Impacts on Groundwater:

h) There is a possibility of contamination of groundwater where the property is adjacent to an unconfined aquifer as the area has not been thoroughly tested for contaminants or solid or hazardous waste.

Impact on Flooding:

b) The proposed project will result in construction in the 100-year floodplain with potential impacts to other properties nearby and downstream from the project.

c) The proposed project will result in construction in the 500-year floodplain with potential impacts to other properties nearby and downstream from the project.

g) The proposed project may result in development within a flood hazard area and in an area with known flooding.

Impact on Transportation:

f) The proposed project abuts an active freight rail spur. There is potential for a moderate to large impact on rail traffic and adverse impacts on the integrity of the railway.

Impact on Energy:

e) The total square footage of all of the buildings on the site exceeds 100,000 square feet and will therefore the project taken as a whole will involve significant heating and/or cooling when completed as it will be climate controlled at all times.

Impact on Noise, Odor and Light:

e) The proposed project will result in lighting that will create a sky-glow brighter than the existing area conditions.

Impact on Human Health:

c) The proposed project is near a state superfund sites at which it is deemed that vapor intrusion may be a concern for off-site buildings.

e) The proposed project may significantly affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health as the area is near state superfund sites.

h) The proposed project may result in a significant unearthing of solid or hazardous waste as the area has not yet been adequately tested for solid or hazardous waste.

l) The proposed project may result in the release of contaminated leachate as the area has not yet been adequately tested for contaminants.

m) The surrounding sites near the project are within 200 feet and are subject to remediation.

Consistency with Community Plans:

a) The proposed action's land use components are different from, or in sharp contrast to, current surrounding land use patterns as the project is significantly larger than other buildings in the area.

c) The proposed action is inconsistent with local land use plans and zoning regulations as it requires significant variances.

h) The proposed project is significantly larger than is permitted in the area.

Consistency with Community Character:

e) The proposed action is inconsistent with the predominant architectural scale and character as the proposed project will be significantly larger than the surrounding buildings.

g) The proposed project may significantly alter the character and aesthetics of the neighborhood.

Overall, the Zoning Board of Appeals is concerned with the potential for significant adverse environmental impacts regarding the following:

- 1) Possibility of contaminants on property that have not been adequately evaluated nor has the prospect of leaching from the property or nearby properties.
- 2) Impact on flooding because the proposed project is within a flood zone.
- 3) Inconsistent with character of the neighborhood because the proposed building is significant in size and will be built at the street line.
- 4) Excessive traffic during construction.
- 5) Possibility for significant contamination and leaching as the proposed project is close to state superfund sites.
 - a. Water table is high and there is only 2-3 ft. between project and water table.
 - b. Possibility of release of contaminants during removal of materials and contaminants from the site.
- 6) Impact on freight spur.
- 7) Previously issued a positive declaration for a similar proposal on the same site.
- 8) For the reasons stated above, there is a general concern for public safety and health.