# Chapter IV.A

# Land Use, Zoning & Community Plans

## IV. A. - LAND USE, ZONING & COMMUNITY PLANS

### INTRODUCTION

This section of the DEIS evaluates the potential impacts of the Proposed Action on existing patterns of land use in and around the Project Site. This section also compares the Proposed Action to the recommendations for the Site and surrounding area as set forth in the Village of Mamaroneck Comprehensive Plan, and other long-range comprehensive plans. The Proposed Action's consistency with the existing M-1 zoning regulations will also be evaluated.

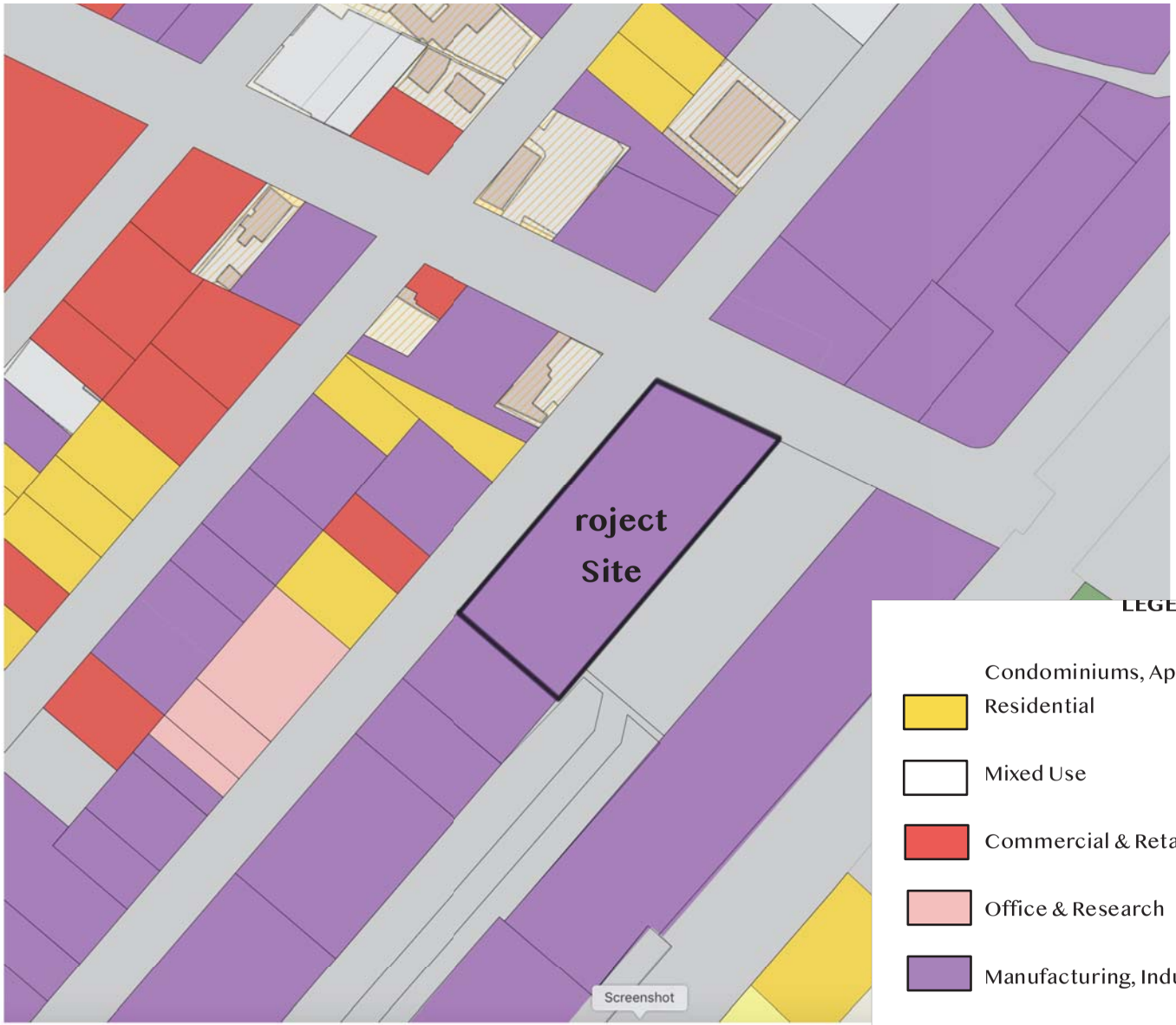
### 1.) EXISTING CONDITIONS

#### (a.) Generalized Land Use

The Project Site lies within the Village's "Industrial Area" as defined in the 2012 Comprehensive Plan. As illustrated on Figure IV.A -1, the site and the majority of the parcels immediately surrounding the Site are classified as "Manufacturing, Industrial and Warehousing." Figure IV.A – 2 depicts the land use pattern within ¼ of the Site, which clearly demonstrates that the Project Site lies in the heart of the Industrial Area. The Metro North, New Haven Line serves to distinctly define the eastern edge of the Industrial Area from the residential neighborhoods to the east. The traditional industrial character of the Industrial Area has been evolving for many years, and today includes a fairly broad array of industrial, commercial and non-residential uses.

#### (b.) On-Site Land Uses:

The Project Site currently supports 5 buildings. The south side of the Site supports the 4-story, 40,492 square foot Mamaroneck Self Storage facility. The north side of the Site is characteristic of the balance of Waverly Avenue, and supports a group of one and two-story, ageing warehouse buildings. As illustrated on Figure II-5, Building C is a 2-story 2,985 square foot concrete block building located in the center of the site, which houses the Murphy Brothers Contracting office and warehouse space. Along the eastern edge of the central portion of the Site is the remnant of the former lumber yard's storage racks and a 2-story, 1,734 square foot concrete block building (Building D) which houses an auto glass business. Building A is located in the




LEGEND

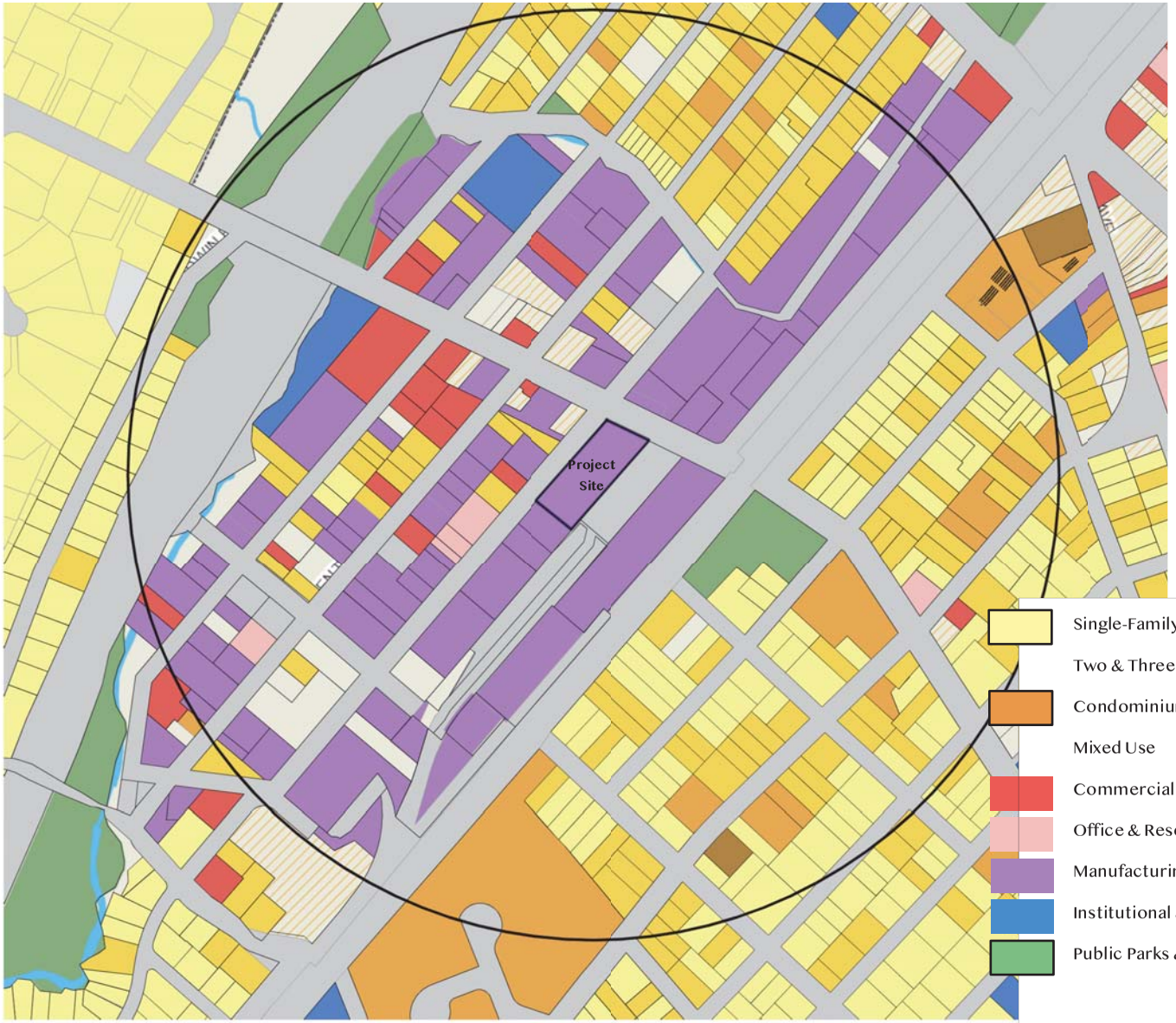
- Condominiums, Apartments & Multi-Family Residential
- Mixed Use
- Commercial & Retail
- Office & Research
- Manufacturing, Industrial and Warehousing

Scale:
0 50' 100'

# Generalized Land Use

E S N W

Figure
IV.A-1




# Land Use within ¼ Mile of Site

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E S N W

Figure IV.A-2

northeast corner of the Site, and is an 8,322 square foot, 2-story wood frame "barn" that supports a holiday storage facility, an electrician's office and storage and Murphy Brothers Contracting storage. In the northwest corner of the Site, adjacent to the Waverly Avenue/Fenimore Road intersection is Building B - a 1 ½ story to 2-story, 2,485 square foot stucco building that contains the Murphy Brothers Storefront and Murphy Brothers Contractors office and warehouse space.

**(c.)** **Neighboring Land Uses:**

The uses immediately adjacent to the Project Site are characteristic of the Industrial Area. As a corner lot, the Site is bounded by Waverly Avenue to the west, Fenimore Road to the north, and a CSX railroad spur to the east. Across the street to the north at 545 Fenimore Road, is a one-story, 4,500 square foot office building. Moving to the east at 525 Fenimore Road is a two-story, 7,138 office building. Located to the east, across the CXS railroad spur, is a one-story, 16,000 square foot warehouse building. To the west of the project Site, across Waverly Avenue is a one-story light industrial building. Moving south on Waverly the next building is a 2 ½ story, multi-family apartment building, containing 4 dwelling units. The next building to the south is a one-story, 6,050 square foot industrial building that supports the Hudson Valley Baking Company. The last building across from the southern end of the Site is 427 Waverly Avenue, a one-story, 980 square foot building that supports C&S Foreign & Domestic Car Service. Finally, directly south of the Project Site is a one-story, 7,988 square foot building housing Wish Auto and National Photo Color Corp.

**(d.)** **Industrial Uses Within ¼ Mile of the Site:**

A variety of typical light industrial uses are located within ¼ mile of the Project Site. By far, the most predominate uses are auto body shops and auto dealer storage lots. Other uses in the area consist of contractor and building supply lots, lawn, landscape design (Blondies Treehouse located in the old Gutta-Percha Rubber factory) and tree care business, home remodeling businesses, printers and sign companies, athletic and fitness facilities including Westchester Squash, Westchester Judo Club and a UFC Gym, the Optimum

facility, as well as the Village's Recycling Center and Department of Public Works.

**(e.) Development Trends and Approval Activity:**

No significant recent development activity has taken place in the M-1 district. An application for a new office building has been submitted for 526 Fayette Avenue[1].

Development activity has occurred in proximity to the M-1 District, primarily within the C-1 District; including The Mason (270 Waverly), Decadent Ales (139 Hoyt), Grand Street Lofts (690 Mamaroneck Avenue), Aquatots Swim School (120 Madison) and Mamaroneck Center (805 Mamaroneck Avenue).

It is anticipated that once adopted, The Maker Zone will facilitate additional development in the Industrial Area.

**(f.) Existing M-1 Zoning:**

The M-1 – Manufacturing District is located in an area of the Village known as "The Flats" and extends from Rockland Avenue in the south, to Plaza Avenue in the north, and from then Metro North New Haven railroad line in the east to the New England Thruway in the west.

The following uses are permitted in the M-1 District:

***Principal Uses:***

- Manufacturing, assembling, converting, altering, finishing, cleaning or other processing and incidental storage of products and materials, provided that only gas, oil or electricity is used as a fuel, except as permitted by the Building Inspector upon his finding that such other heating installation is expected to be free of nuisance characteristics and will have no adverse effect on neighboring uses.
- Wholesaling, storage and warehousing, but not the storage or housing of livestock or other animals, junk, scrap, paper, rags or any similar materials, gasoline, fuel oil, fuel gas and kerosene, except incident to and in amounts not exceeding those customarily required for a motor vehicle filling station.

[1] According to Greg Cutler, Village Planner.

- Printing and publishing
- Off-street parking lots or garages
- Business, professional or governmental offices and banks
- Research laboratories
- Any municipal uses of the Village of Mamaroneck
- Transformer stations and customary accessory uses
- Retail uses, including restaurants within 150 feet of the center line of Fenimore Road

### *Accessory Uses:*

- Off-street parking and loading and signs as permitted by the Village Sign Ordinance
- Fences, walls or retaining walls
- Underground motor-fuel storage tanks, accessory to permitted principal uses
- Retail uses, including restaurants

### *Special Permit Uses:*

- Home improvement design centers
- Indoor recreation facilities
- Art and film studios and dance and music instruction
- Adult uses
- Motor vehicle filling/service stations, public garages and motor vehicle repair/body shops

These uses are governed by the following dimensional, height and bulk regulations, as set forth in the Schedule of Minimum Requirements for Non-Residential Districts, §342, Attachment 3 of the Zoning Code.

**Table IV.A-1**
**M-1 Manufacturing District - Dimensional Regulations**

| Minimum Lot Area | Minimum Lot Width/ Frontage | Maximum Building Coverage | Maximum F.A.R. | Maximum Height | Front Yard | Side Yard | Rear Yard |
|---|---|---|---|---|---|---|---|
| 10,000 sqft | 50' | 50% | 1.0 | 3 stories 45' | None(3) | None | None |

(3) – Footnote 3 in §342, Attachment 3 reads: *"In the case of corner lots, the Planning Board shall establish reasonable setbacks from the street under the provisions of §342-79. A minimum front yard of 10 feet shall be maintained along Fenimore Road."*

**(g.) Existing Variances:**

On October 3, 2013, the Zoning Board of Appeals granted the following variances to allow for the construction of the existing Mamaroneck Self Storage facility:

- Article VI, Section 342-38 – Schedule of Minimum Requirements – Floor Area Ratio of 1.0 permitted, 1.34 proposed – **variance granted.**

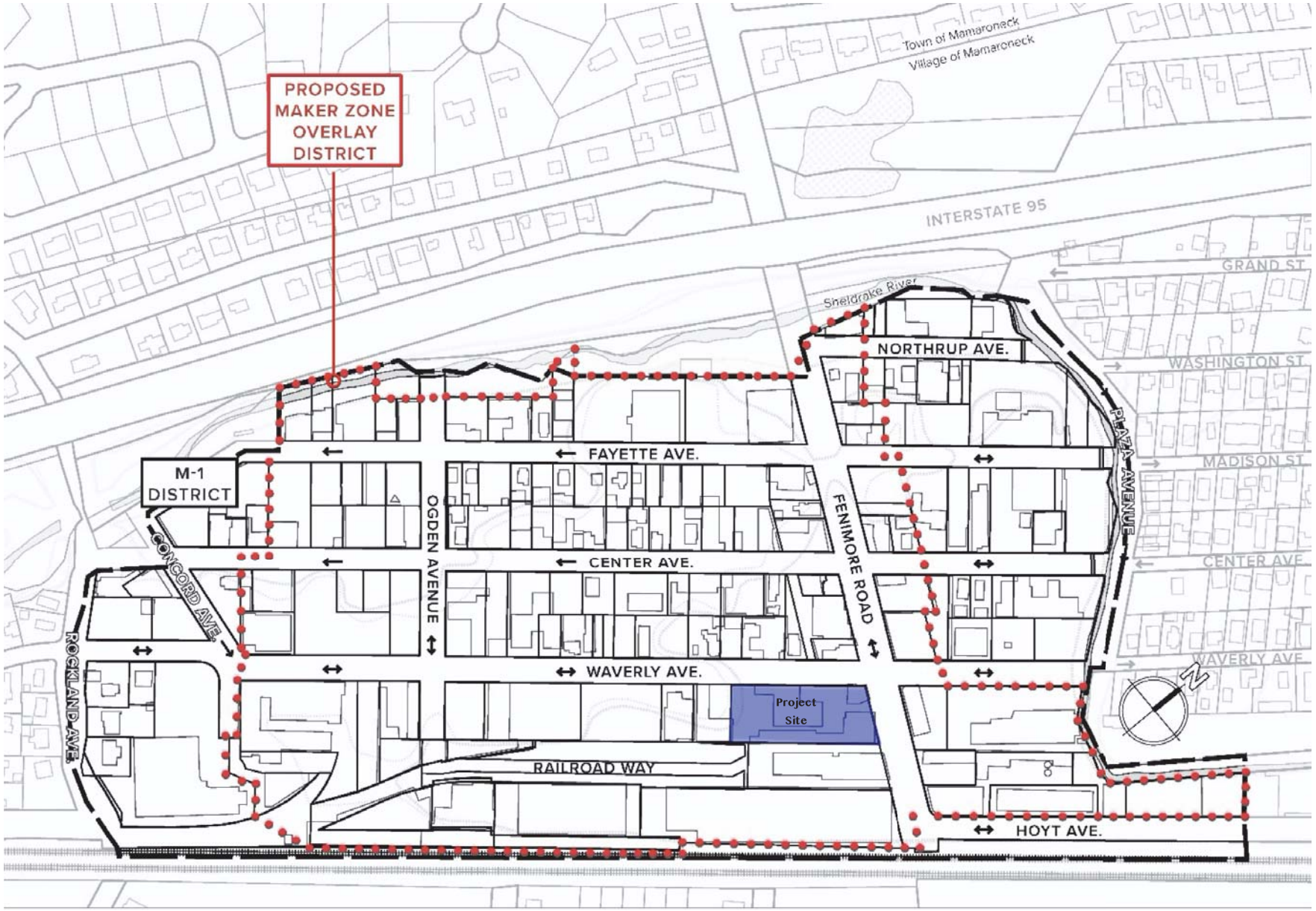
- Article VI, Section 342-38 – Schedule of Minimum Requirements – Number of stories, 3 permitted, 4 proposed – **variance granted.**

- 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 Parking Requirements – Parking spaces, 89 required, 52 proposed – **variance granted.**

**(h.) Proposed Maker Zone Overlay District:**

The purpose of the proposed Maker Zone Overlay District (MZOD) (Figure IV.A-3) is to create incentives to grow the "maker" economy in Mamaroneck while enhancing the industrial uses that currently exist within the area. The maker economy is characterized by creation, learning, collaboration, and a vibrant public life. The new uses and related provisions in the proposed MZOD will serve as an economic engine for jobs, diversify the existing business environment, increase tax revenue, and promote environmentally-sensitive development. The MZOD is based upon recommendations from nearly five years of research conducted by Village staff, the Industrial Area Land Use Subcommittee (IAC), and two teams of consultants, with full participation and guidance from the public.




*Source: Harriman/The Chazen Companies*

Scale:
N.T.S.

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# Maker Zone

E S N W

Figure
IV.A-3

The Maker Zone is proposed as an overlay district, meaning all of the existing uses permitted in the M-1 district remain intact, and an array of new uses are also allowed; including the following:

### *Principal Uses:*

- Maker space and small-scale production
  - [1] Maker spaces
  - [2] Fabrication labs
  - [3] Micro-alcohol establishments
  - [4] Kitchen incubators
- Innovative office environments
  - [1] Co-working spaces
  - [2] Business incubators
  - [3] Innovation offices
- Education uses
  - [1] STEM education programs
  - [2] Workforce development programs
  - [3] Satellite campuses
- Arts uses
  - [1] Work-only artist studio
  - [2] Work/live artist studio
  - [3] Art galleries
  - [4] Music and dance studios and schools
  - [5] Theaters and performance spaces
- Retail uses (<10,000 sqft)
- Food service establishments (<5,000 sqft)
- Outdoor dining (<500 sqft)
- Indoor recreation facilities (<40,000 sqft)
- Flex space

### *Accessory Uses:*

- Tasting room
- Public art

### *Special Permit Uses:*

- Art uses
- Public life
- Indoor recreation facilities (>40,000 sqft)
- Pet day care facilities
- Retail use (>10,000 sqft)
- Food service establishment (>5,000 sqft)

- Outdoor dining (>500 sqft)

The following dimensional regulations have been established for the proposed Maker Zone:

**Table IV.A-2**
**Maker Zone - Dimensional Regulations**

| Minimum Lot Area | Minimum Lot Width/ Frontage | Maximum Building Coverage | Maximum F.A.R. | Maximum Height | Front Yard | Side Yard | Rear Yard |
|---|---|---|---|---|---|---|---|
| 10,000 sqft | 50' | 50%(13) | 1.0(14) | 45' above base flood elevation | None(15) | None | None |

The following footnotes to §342, Attachment 3 as associated with the maker Zone:

13 – May be increased to a maximum of 75%, if required criteria is met and the Planning Board grants the bonus.

14 - May be increased to a maximum of 1.5, if required criteria is met and the Planning Board grants the bonus.

15 – 10' minimum front yard for Fenimore Road. 10' maximum front yard for Waverly Avenue, may be waived, if required criteria is met and the Planning Board grants the bonus.

The Maker Zone also includes new off-street parking requirements for the uses described above.

## (i.) Land Use Plans & Policies:

### 1. Village of Mamaroneck Comprehensive Plan (2012)

In 2012, the Village of Mamaroneck Comprehensive Plan was adopted, replacing the previous Master Plan adopted in 1985. Section 1.4 of the

Comprehensive Plan sets forth a series of overall Goals and Objectives, one of which reads:

> *"Make better use of industrial areas but exercise care in relation to adjacent residential areas."*

The Committee charged with overseeing the preparation of the Comprehensive Plan indicated that:

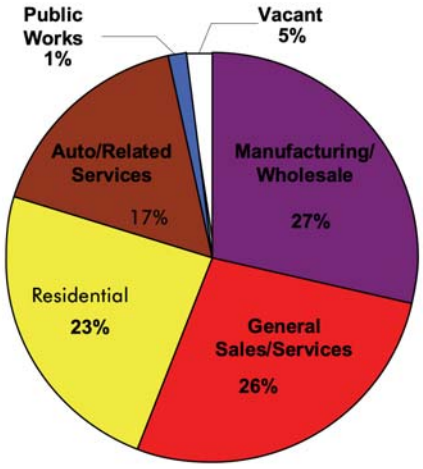
> *"...the industrial area warrants further study with an emphasis on understanding whether it remains a viable manufacturing district and what economic benefits are conferred to the Village."*

The Comprehensive Plan addressed the Industrial Area in significant detail, in part due to the finding in Section 5.4 that:

> *"Industry, including manufacturing and transportation and warehousing , has been declining in the Northeast and the U.S. as a whole since the end of World War II, and this trend is expected to continue for the foreseeable future."*

The Comprehensive Plan studied manufacturing trends, the labor force, streetscape and building conditions, flooding issues, and land use. Chart IV.A-1 presents the Industrial Area's Land Use as recorded in the Comprehensive Plan.

**Chart IV.A-1**
**Industrial Area Land Uses[2]**




The following specific Goals and Objectives were established for the Industrial Area:

**Goals:**

- *Encourage industrial and office uses within the appropriate established zones and where negative environmental and community design impacts can be minimized.*
- *Encourage those commercial and industrial establishments which are compatible with existing Village uses and with Village development goals.*

**Objectives:**

- *Examine market demand for the Industrial Area.*
- *Review studies of M-1 district, integrating relevant elements into the Plan, and consider potential rezoning of portions of the district, including along Hoyt Avenue.*

[2] Village of Mamaroneck Comprehensive Plan, 2012.

- *Identify optimum uses for this district and improvements needed to provide for such uses.*

The following recommendations for the Industrial Area established in the Comprehensive Plan:

*Parking:*

- Improve parking enforcement to eliminate double parking and storage of vehicles in the public right-of-way. This will aid the free flow of traffic including pedestrian and vehicular traffic through the district.

- Encourage private property owners to upgrade open parking lots and auto-related uses.

- Analyze industrial area for potential public parking sites for acquisition that would address parking shortages.

- Encourage private property owners to provide appropriate screening for all parking areas.

*Auto-Related Uses:*

- Encourage the screening and buffering of unsightly auto-related uses.

*Hi-Tech Business:*

- Promote the industrial area for continued growth in new hi-tech businesses. This includes working with service providers to upgrade utilities such as power supply and cable services necessary for hi- tech businesses to flourish.

*Waverly Avenue:*

- Implement the streetscape improvements recommended in the 2004 study to Waverly Avenue. This includes sidewalk widening, elimination of multiple curb cuts, the addition of street trees and street lighting.

*Truck Traffic:*

- Review the industrial area in terms of physical constraints to truck access. Opportunities to improve street configurations and alter parking controls may provide better access for commercial truck traffic, especially on Waverly Avenue.

*Residential Zoning:*

- Review the suitability of rezoning a portion of Hoyt Avenue to residential use. This includes a number of commercial lots that were vacated after the spring 2007 floods. Hoyt Avenue has close proximity to the train station and the Village's downtown, similar to other recent high-density residential developments, including the Sweetwater apartment building on Bishop Avenue.

*Economic Development:*

- Create a salaried downtown coordinator position for the Village's retail and industrial area that would be funded by public and private money. Focus on retaining and attracting new businesses to these areas.

*Flood Mitigation and Open Space:*

- Develop strategies to acquire private lands adjacent to the Sheldrake River as part of the Village's open space network and for flood mitigation. See Chapter 6 for more detail on current plans to address flooding.

*Utilities:*

- Work with Con Ed and Verizon to improve utilities and power services to the entire Industrial Area.

**2. Comprehensive Plan Update, First Draft October, 2019**

This update fulfills the recommendation set forth in the 2012 Comprehensive Plan, to review the plan after 5 years to keep it dynamic and to reflect the evolving needs and values of the community. This effort

also provides more focused attention on resiliency and environmental sustainability and residential neighborhood character.

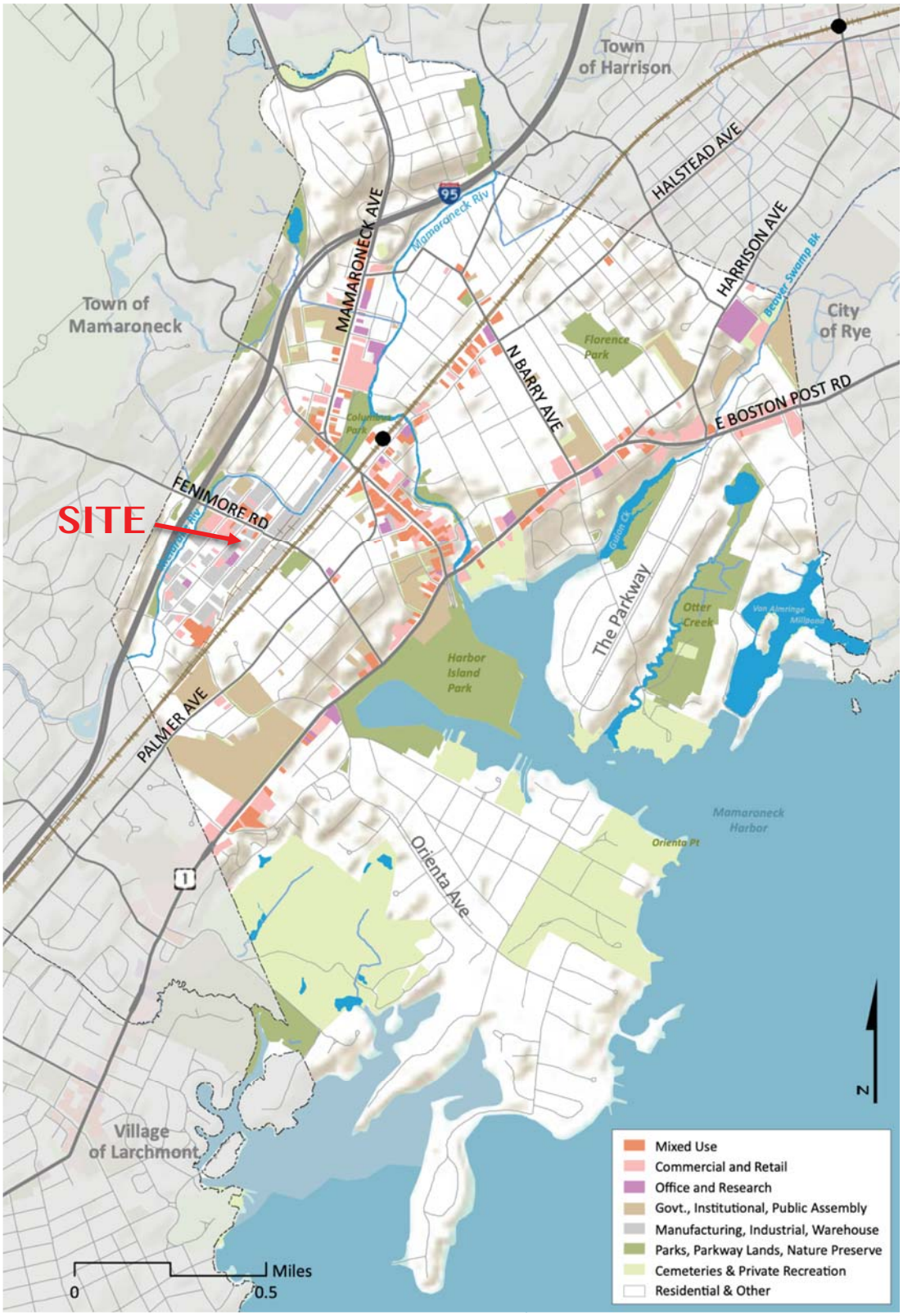
The Plan consists of the following sections:

- A Framework for a Sustainable Village;
- Residential Neighborhood Character;
- Land Use & Development;
- Historic Preservation;
- Transportation Systems;
- Environmental Protection, Open Space & Resilience; and
- Municipal, Parks & Recreation and Cultural Facilities.

The draft Plan provides clearer and broader overall Village-wide goals and objectives, and addresses issues not fully covered in the 2012 Plan, such as sustainability and resiliency.

In evaluating the progress of implementing the 2012 Plan, the current draft Plan addresses the Industrial Area by recognizing the development of the Maker-Zone Vision Plan (2016) and the Industrial Area Rezoning Project (2019), and indicates that these initiatives would address the goals and objective for the Industrial Area. The draft Plan makes no other recommendations for the Industrial Area. The future land use plan for the Village as reflected on the Land Use Map (Figure IV.A-4) includes the Project Site within the "Manufacturing, Industrial, Warehouse" land use category.

3. **Village of Mamaroneck Local Waterfront Revitalization Plan (Adopted)**
The Village's Local Waterfront Revitalization Plan (LWRP) adopted in 1984, provided a framework for the projection of the Village "Coastal Zone" – which was defined as the entire Village. As a result of this designation, properties far removed from the waterfront are regulated by the provisions of the LWRP.




*Source: Village of Mamaroneck, Comprehensive Plan Update – First Fill Draft 10/4/19*

| | | | |
|---|---|---|---|
| Scale: As Shown | **Regional Location Map** | N W E S | Figure IV.A-4 |
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Of the plans and policies set forth in the LWRP, none specifically apply to the Project Site or vicinity. Four policies have some degree of applicability to the Project Site, summarized as follows:

**Policy 11** – Buildings sited in the Coastal Zone shall be sited to avoid flooding.

**Policy 18** - Major actions shall be undertaken in the Coastal Zone only if they conform to State and national water quality standards.

**Policy 23** - Best Management Practices shall be used to control runoff into coastal waters.

**Policy 38** – Groundwater shall be protected.

The LWRP also designated the Site as a parcel in the Riverine Flood Hazard Area.

4. **Village of Mamaroneck Local Waterfront Revitalization Plan (Draft)**

The current draft LWRP is an update of the 1984 plan, and provides a more in-depth inventory of conditions within the Coastal Zone – which was re-confirmed to correspond to the entire Village - particularly regarding flooding conditions.

The draft LWRP also revisited the Policies section, which is summarized as follows:

**Policy 1** – This policy was expanded to ensure that all development in the Coastal Zone will enhance existing uses, is compatible with the character of the area, will not overburden existing infrastructure and will enhance the economic base of the community.

**Policy 5** - Establishes that redevelopment should occur only when public services and facilities are adequate.

**Policy 11** - Requires that flood hazards be minimized, and now include standards to achieve this.

**Policy 18** - Broadened the criteria to determine if the Coastal Zone is being protected to include land use, environmental and economic interests.

**Policy 33** – Stormwater Best Management Practices have been clarified.

**Policy 38** – The groundwater protection policy remains unchanged.

In this version of the LWRP, the Industrial Area is specifically identified, and its characteristics noted. The Proposed Projects, section d. "Continue to Implement Flood Mitigation Measures" references the 2016 USACOE "General Reevaluation Report" which addressed the 2007 flooding, and proposed various mitigation measures, not only along the Sound, but along the Mamaroneck and Sheldrake Rivers.

5. **Waverly Avenue Design Study**

The Waverly Avenue Design Study, prepared by Buckhurst Fish & Jacquemart and adopted in 2004, evaluated the streetscape conditions along Waverly Avenue from Concord Road on the south to Plaza Avenue in the north. The Study addressed land use, street edge conditions, signage, utilities, parking and urban design concerns. The Study included 5 goals for improving the streetscape; including:

- Eliminating privately stored cars along the public right-of-way and on individual property "front yards" unless they are part of a planned or approved parking lot.

- Providing clearly marked parallel parking spaces on both sides of the Avenue.
- Improving pedestrian access through the creation of sidewalks and curbing.
- Limiting the number of driveways onto Waverly Avenue. Where possible, each business should have a maximum of one driveway that opens directly onto Waverly Avenue. Supplemental driveways can be provided off of side streets where access is available.
- Improving the appearance of the street through tree planting, new lighting and other landscape treatment, ensuring coordination with the streetscape proposals for Fenimore Road.

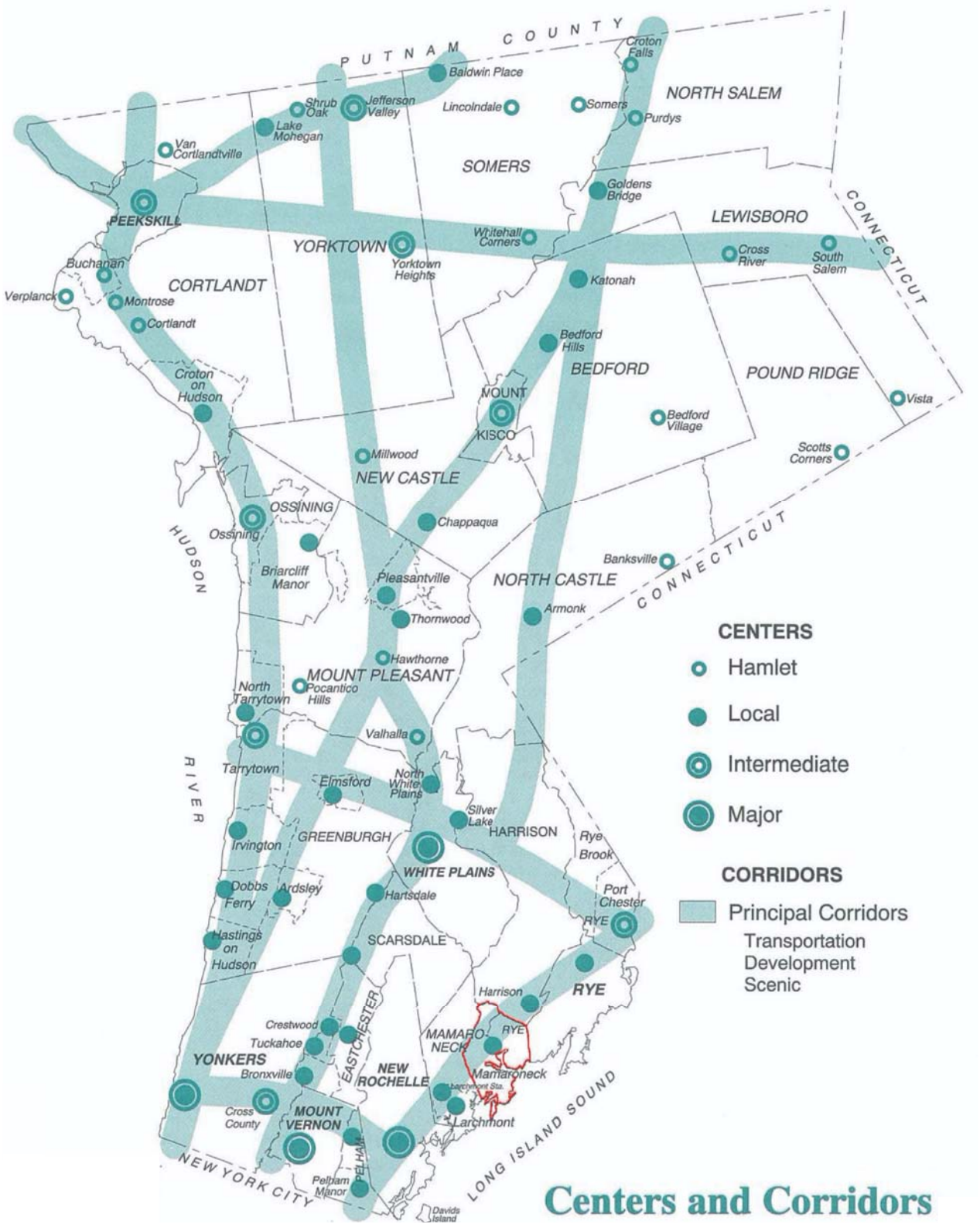
**6. Patterns for Westchester**

In 1996, Westchester County adopted *"Patterns for Westchester: The Land and the People*" (Patterns). Patterns serves as a policy document designed to guide sustainable development that "balances economic and environmental concerns and serves the needs of a changing population." Patterns offers a broader vision and context for local-level planning initiatives.

Mamaroneck is identified by Patterns as a "Local Center", within a "Principal Corridor" (Figure IV.A-5).

**7. Westchester 2025**

In 2006, the Westchester County Planning Board began a review of the County's planning policies in the context of the challenges currently facing the region. While the board found that Patterns continues to provide a solid foundation for the county's development, new critical issues require specific acknowledgement and action. As a result, the County has created Westchester 2025, an Internet-based, interactive framework for a planning partnership between Westchester and its 45 municipalities. Westchester 2025 is intended to help create a single regional vision, and to assist the Westchester County Planning Board carry out its principal responsibilities of long-range planning, advising the County Executive and Legislature on




*Source: Patterns for Westchester: The Land and The People*

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| Scale: N.T.S. | **Patterns – Centers & Corridors** | N W E S | Figure IV.A-5 |
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capital spending and bringing the County's perspective to bear on planning and zoning referrals from municipal governments.

While Westchester 2025 has not developed specific recommendations for the Village of Mamaroneck, its policies reflect the Village's land use and development goals.

**2.) FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION**

If the Proposed Acton is not developed, the Project Site would continue to operate as it operates today. The existing warehouse buildings would remain in place, accommodating various tenants. Murphy Brothers Contracting would continue to operate their businesses from the Site and the self-storage building would continue to function as it does today. No improvements to the existing buildings would be undertaken, the site and streetscape would remain unchanged, and it is unlikely that the Community Solar project would be undertaken.

**3.) ANTICIPATED IMPACTS**

**A. <u>Zoning</u>:**

The Proposed Action involves of the development of an addition to the existing 4-story, 40,492 square foot self-storage building consisting of a 4-story, 56,328 square foot structure containing 321 additional storage units and 700 square feet of ancillary retail space.

Table IV.A-3 documents the Proposed Action's zoning compliance.

**Table IV.A-3**
**Zoning Compliance**

| Zoning Provision | Required | Existing | Proposed | Variance |
|---|---|---|---|---|
| Minimum Lot Area | 10,000 sqft | 44,156 sqft | 44,156 sqft | - |
| Minimum Lot Width & Frontage | 50' | 134' | 134' | - |
| Building Coverage | 22,078 sqft<br>50% | 20,891 sqft<br>45% | 25,834 sqft<br>59% | 3,756 sqft<br>9% |
| Maximum F.A.R. | 1.0 | 1.34 | 2.43 | 1.43 |
| Maximum Gross Floor Area | 44,146 sqft | 59,081 sqft | 107,087 sqft | 62,932 sqft |
| Impervious Surface Coverage | N/A (Area)<br>N/A (%) | 41,653 sqft<br>94.3% | 40,383 sqft<br>91.5% | - |
| Maximum Building Height (Note 1) | 3 Stories<br>45' | 4 Stories<br>45' | 4 Stories<br>45' | 1-Story |
| Minimum Front Yard (Waverly) | Note 2 | 0' | N/A | - |
| Minimum Front Yard (Fenimore) (Note 3) | 10' | 0.4' | 0.4' | 7' 8" |
| Minimum Side Yard | None | 2' | 2' | - |
| Minimum Rear Yard | None | 3' | 3' | - |
| Off-Street Parking | 137 | 25 | 25 | 112 |
| Off-Street Loading (Notes 4 & 5) | 8 | 0 | 4 | 4 |

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 median level between the eaves and the highest point of the roof if the roof is of 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 under the provisions of §342-79.

Note 3 – Front yard setback from Fenimore Road is an existing non-conforming condition: the addition at Fenimore is proposed within the 10' setback.

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

The building addition has been designed to match the physical characteristics of the existing self-storage building. However, the Proposed Action will require area variances for building coverage, F.A.R., impervious surface

coverage, building height, front yard setback, off-street parking and off-street loading. As set forth in the Village Code §342-92(B)(2) and (3), in making its determination whether to grant these area variances:

> *"The 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."*

The Zoning Board must apply a five-part test when evaluating the variance request. An analysis of the five-part test demonstrates that the proposed expansion will not have an undesirable effect on the character of the neighborhood or an adverse impact on the physical and environmental conditions or otherwise result in an adverse inpat to the health, safety and welfare of the community. Impacts related to the five-part test are addressed as follows:

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:***

   In the Applicant's opinion, the Proposed Action will not result in an undesirable change to the character of the neighborhood. The Site is located in the heart of the Village's Industrial Area, within the M-1 Manufacturing Zone, which is the least restrictive zone in the Village. In large measure, the character of the neighborhood was notably improved when the existing self-storage building was constructed. It represents a well-designed, architecturally appropriate building that anchors the haphazardly situated, older industrial buildings in the area, some of which are in disrepair, including buildings on the Project Site. By eliminating the majority of the remaining industrial buildings on the Site, and accommodating the building expansion, which has been designed to seamlessly blend in with the existing self-storage building, the character of the area will be further improved. Furthermore,

eliminating the existing businesses that currently occupy the balance of the Site, and constructing the expansion of the self-storage facility, will actually *reduce* vehicle trip generation from the Site. The building addition will in no way result in any detriment to nearby properties, which support industrial operations. Once completed, the Proposed Action will serve to anchor the Waverly Avenue, Fenimore Road intersection, further enhancing the character of the surrounding area.

2. ***Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than the area variance.***

The Applicant cannot achieve the benefits sought without the requested variances. A self-storage business must be of a sufficient size to ensure a viable business. While the existing facility is successful, adequately accommodating the market demand of the surrounding community in a well-planned and organized fashion, requires that the facility be physically expanded (rather than more intensively utilizing the existing building). Additionally, eliminating the warehouse and contractor businesses located on the balance of the Site and expanding the self-storage facility will assure the economic viability of the Site while simultaneously reducing detrimental impacts associated with current operations. Parking and loading space code deficiencies are a simple reflection of the Zoning Codes failure to properly recognize that actual operational characteristics of a self-storage facility – where use and parking demands are extremely low. Constructing the required number of parking spaces would result in the creation of spaces that will never be used.

3. ***Whether the requested area variance is substantial.***

It is the Applicant's opinion that the majority of the dimensional variances relating to the proposed building extension, such as the additional floor, building and lot coverage and setback variances, are

not substantial as they do not significantly exceed what would otherwise be permitted. For example, the ZBA granted the floor variance for the existing building because the building does not exceed the overall permitted height.

While the requested F.A.R. and gross floor area variances might be considered substantial from a dimensional perspective, substantiality is not measured by mathematical means alone. Instead, it must be assessed by consideration of the facts and circumstances surrounding the impact if the variances were granted. While the requested F.A.R. and gross floor area variances may be considered numerically substantial, in the Applicant's opinion, their practical impact is not. Indeed, the spatial extent of the requested variances is ameliorated by the absence of any tangible, detrimental effect that would be caused by the proposed expansion of the building. Therefore, the Applicant believes that given the totality of circumstances neither deviation should be considered substantial, absent any corresponding impacts on the neighborhood. Moreover, case law reveals that even if the variances are considered substantial, as long as the grant of the application has a rational basis and is not arbitrary and capricious, the substantial nature of the variance is not a basis for denying the application.

The Applicant has carefully considered and evaluated the required number of units that are necessary for a self-storage facility to remain as a viable long-term business. In fact, most self-storage facilities are much larger than what is being currently proposed, and the Mamaroneck Self-Storage facility is currently turning away customers.

Furthermore, the Applicant does not believe that the current contractor office and storage uses on the Site are viable long-term uses. The Murphy Brothers Contracting have found that the contracting business has changed significantly since the Site was purchased, and on-site storage, and accommodating in-house subcontractors are no longer necessary.

4. ***Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.***

   As documented more fully throughout this DEIS, the Proposed Action will not result in any significant adverse environmental impacts to the Site, neighborhood or district. In fact, the Proposed Action will actually reduce impacts, including a reduction in traffic, removal of older, aged, unsightly industrial buildings, stormwater management improvements and flooding mitigation measures, as well as the creation of a net-zero development that include a Community Solar facility that will return electricity to the grid, thereby benefitting the surrounding community.

5. ***Whether the alleged difficulty was self-created, with consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.***

   The Applicant is seeking area variances in order to improve conditions on the Site and provide a viable, long-term, successful commercial operation, that will benefit the Applicant and community, while at the same time causing minimal impacts. The Applicant is seeking the minimum area variances required in order to accomplish this goal, given the limitations of the Site, and the unique nature of the self-storage use. Therefore, even if the need for the variances is found to be self-created, this factor in and of itself, should not result in a denial of the variances. The Applicant believes that because the previous four factors overwhelmingly weigh in favor of granting the variances, and a true balance of neighborhood detriment against the applicants benefit tip decidedly in favor of the latter, whether or not the hardship was self-created is not determinate.

For these reasons, it is the Applicant's opinion that the requested variances will not result in a significant adverse zoning impact.

**B. Land Use:**

The Project Site is located within the heart of the Village's Industrial Area. Numerous land use plans and initiatives have addressed this area, all of which have acknowledged the changing characteristics of the area, while maintaining the "Manufacturing, Industrial, Warehouse" use as the fundamental underlying land use category. The proposed self-storage facility is wholly consistent with the existing and anticipated land use of this area.

The Proposed Action involves the expansion of a low-impact warehouse use which has significantly lower impacts than a traditional industrial or commercial use. Notably, the 2012 Comprehensive Plan recognizes that the majority of uses in the area are auto service related, manufacturing/warehouse or general services/ sales, which have far greater neighborhood impacts than a self-storage operation. As demonstrated by the continued operation of the existing self-storage facility, and as more fully documented throughout this DEIS, a self-storage operation generates minimal traffic, generates no detectable odors or fumes, does not produce pollution, and in this instance will consume no energy, as a net zero project. Therefore, the low-impact self-storage use is entirely compatible with the existing surrounding uses.

Additionally, the Proposed Action is fully consistent with the Village's low-environmental impact development goals for the Industrial Area.

- The LWRP recognizes that the majority of the Industrial Area is located within the floodplain and identifies flood mitigation as a critically important. The reduction in onsite impervious surface, as well as improved stormwater management methods will improve the flooding conditions and increase the storage of flood water on site. Additionally, the Proposed Action will exceed the 100-year floodplain development requirements set forth in the Village

Flood Damage Prevention Code[3] and the FEMA regulations[4] for non-residential floodplain development. In accordance with FEMA requirements, the first floor of the building will be at El. 28, 2-feet above the base flood elevation. The Proposed Action will also increase the volumetric storage onsite by 2,422 cubic feet, thereby exceeding the Village floodplain development requirements.

As a result, it is the Applicant's opinion that the proposed Action will not result in any significant adverse land use impacts.

**4.) MITIGATION MEASURES**

The following measures have been incorporated into the Proposed Action to ensure that no significant adverse zoning or land use environmental impacts will result.

- The Proposed Action creates an architecturally distinctive structure, which employs varied materials, colors, and structural elements to effectively disguise the self-storage use within the building. The building presents itself as a well-maintained commercial or office building, rather than a self-storage facility, and is the distinguishing architectural feature along Waverly Avenue.

- The Proposed Action involves demolition of the Barn (Building A) which will remove an aged and unsightly structure from the area. Additionally, two other concrete block buildings onsite ("Buildings C & D"), which have open storage areas for construction vehicles, as well as one large storage area will be demolished. The Applicant is not simply proposing to remove several unsightly buildings, it is proposing to construct a new state-of-the-art green self-storage building to the industrial area while preserving a low-impact industrial use and adding ratables for the Village.

[3] Village Code Chapter 186.

[4] 44 CFR 59, 60, 65 & 70.

- To further improve conditions within the area, the Applicant is proposing to install lighting at the rear of the proposed building to illuminate Railroad Way during evening hours.

- The Proposed Action will incorporate the same energy-efficient measures as the existing building. It is the goal of the Applicant to develop and operate a net-zero facility.

- 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. This system will provide clean energy to local residents. This effort addresses the recommendation in the Comprehensive Plan which calls for "improving utilities and power services to the entire Industrial Area."

- Various land use initiatives identify flood mitigation as a critical role the Industrial Area, also known as "The Flats" for obvious reasons, plays for the Village, since most of this area is within the 100-year floodplain. The reduction in onsite impervious surface, as well as improved stormwater management methods will improve the flooding conditions and increase the storage of flood water on site. Additionally, the Proposed Action will exceed the 100-year floodplain development requirements set forth in the Village Flood Damage Prevention Code and the FEMA regulations for non-residential floodplain development. In accordance with FEMA requirements, the first floor of the building will be at El. 28, 2-feet above the base flood elevation. The Proposed Action will also increase the volumetric storage onsite by 2,422 cubic feet, thereby exceeding the Village floodplain development requirements.

- Various land use initiatives, and specifically the Waverly Avenue Design Study, identifies streetscape improvements as important to improve pedestrian safety and streetscape access. The Proposed Action involves eliminating two curb cuts, one along Fenimore Road and one on Waverly Avenue, thereby improving pedestrian safety and traffic circulation.

- To further improve the Fenimore Road streetscape, the Applicant is also proposing landscaping enhancements along Fenimore Road and Waverly Avenue. Specifically, the existing beds along Waverly Avenue will be expanded to accommodate additional plantings and 2 new planting beds will be added along Fenimore Road. The landscaping improvements will also include a deep rain garden along the Fenimore Road facade and shallower planting beds and a new street tree along the Waverly Avenue street front adorned with contemporary bench seating. The rain garden and planting beds will include plants to attract pollinators, such as Evergreen Azalea's (Blaauw's Pink), Daylilies, Green Gem Boxwoods and Lily Turf.

# Chapter IV. B

# Natural Resources

## IV. B. - NATURAL RESOURCES

### INTRODUCTION

This section of the DEIS evaluates the potential impacts of the Proposed Action on natural resources, including surface and groundwater, geology, soils and topography.

### 1.) SURFACE WATER:

**(a.)** **EXISTING CONDITIONS:**

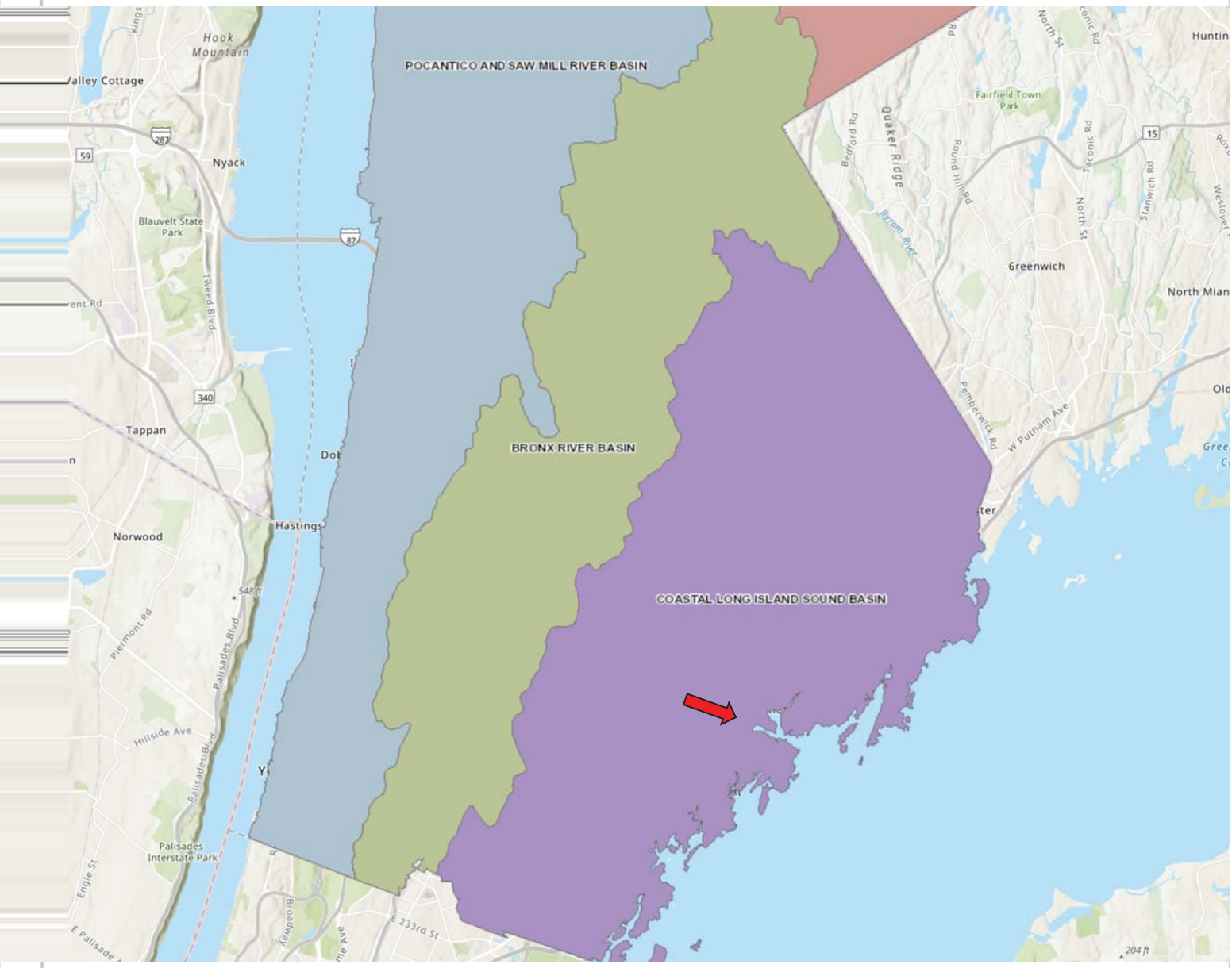
The Project Site is located within the Coastal Long Island Sound Watershed and the Sheldrake River Drainage Basin (Figures IV.B-1 and IV.B-2). No surface water features are located on, or in the immediate vicinity of the Site. The nearest surface water feature is the Sheldrake River, located approximately 800' to the north and west (Figure IV.B-3). Overland stormwater runoff from the Site travels north toward Fenimore Road, eventually intersecting the Sheldrake River, where it flows to the East Basin of Mamaroneck Harbor, and the Long Island Sound.

**(b.)** **FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION:**

The Project Site is currently developed and supports five buildings, including the existing Mamaroneck Self-Storage facility. 94% of the1.01-acre Site is covered by impervious surfaces. Stormwater runoff from these surfaces flows overland to either an existing catch basin located in the center of the parking lot or a catch basin in Waverly, where it is collected and conveyed via pipe to an existing hydrodynamic separator before entering the Village's drainage system in Fenimore Road. This system operates adequately, and if the Proposed Action were not undertaken, it would remain in place, unchanged.

**(c.)** **ANTICIPATED IMPACTS:**

The Proposed Action will reduce the amount of impervious surfaces on the Site from 41,390 square feet to 40,675 square feet, or a reduction of 715 square feet of impervious surface.




# Watersheds



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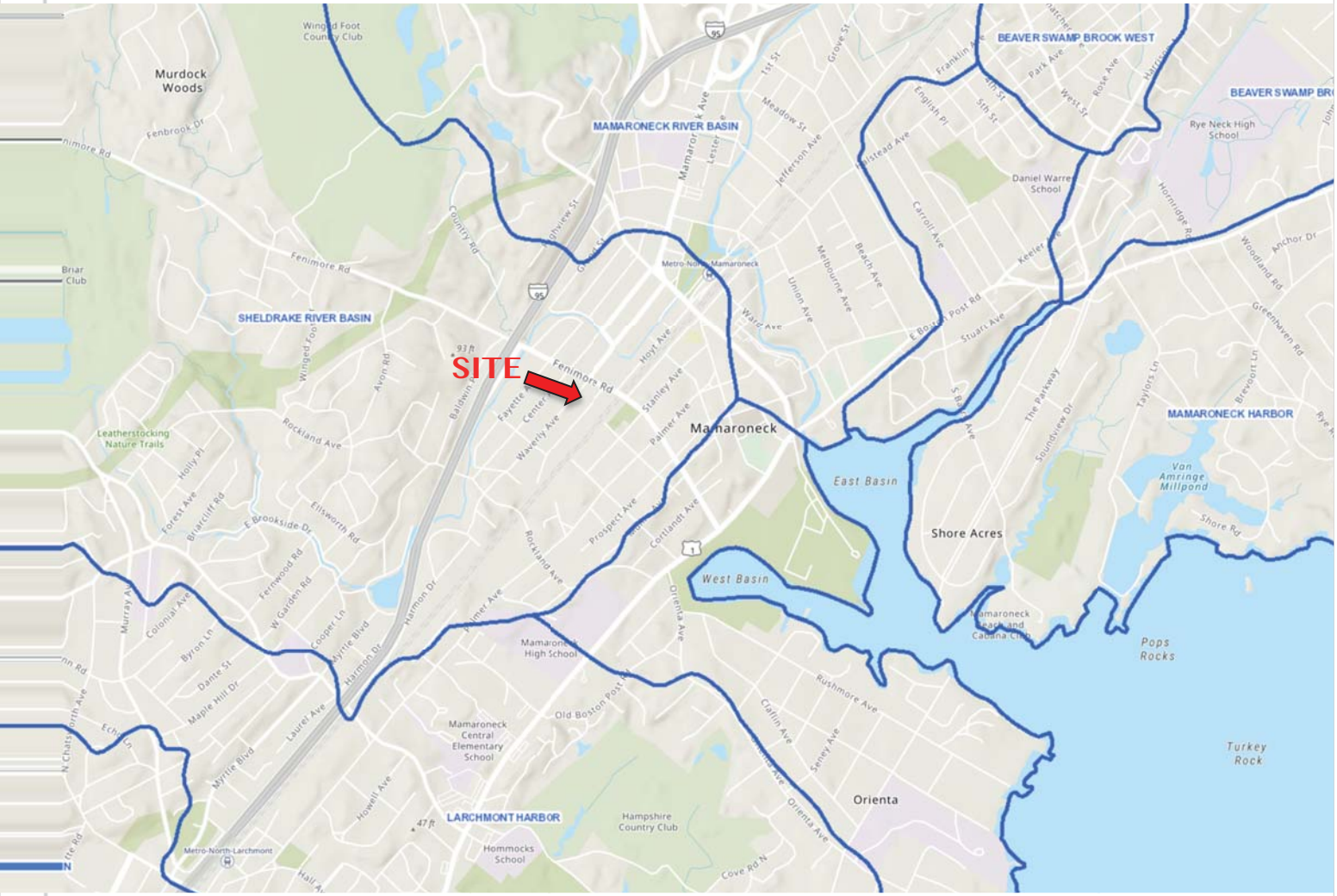


# Drainage Basins

IV.B-

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*Source: Westchester County GIS Service Center*

Scale: N.T.S.

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# Surface Water Features

N W E S

Figure
IV.B-3

The Proposed Action will not alter the grades or elevation of the Site, and runoff patterns and direction will remain unchanged. As no surface water features are located on or near the Site, drainage patterns will remain unchanged, and a full stormwater management plan is proposed to mitigate drainage flows, and the amount of impervious surfaces will be reduced, it can be concluded that no adverse surface water impacts will result from the Proposed Action.

**(d.) PROPOSED MITIGATION MEASURES:**

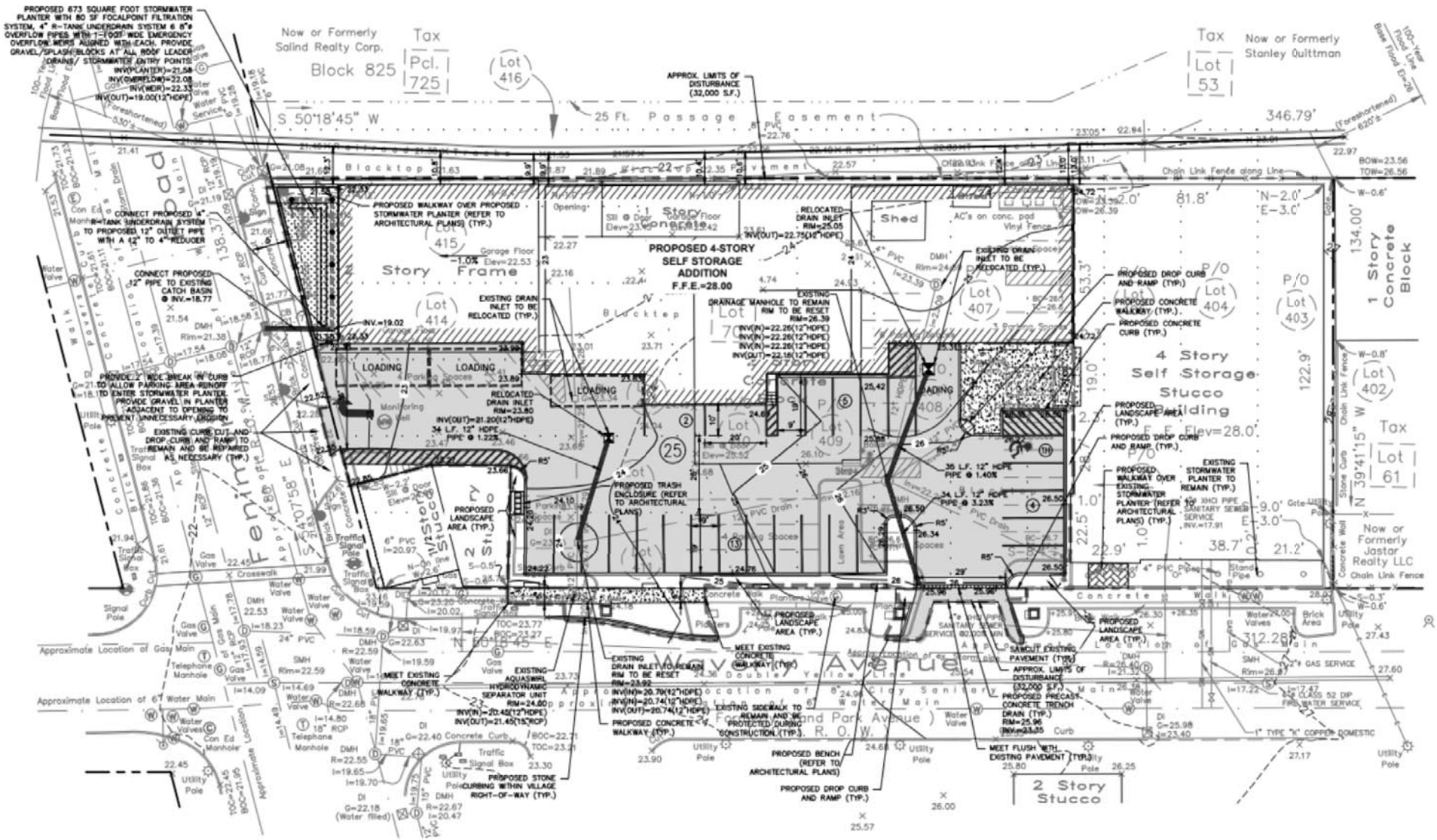
As documented in the draft Stormwater Pollution Prevention Plan (SWPPP), prepared by Hudson Engineering & Consulting, P.C., included in the Appendix, and as illustrated on the Stormwater Management Plan (Figure IV.B-4). The proposed stormwater management plan involves collecting stormwater runoff in two relocated catch basins in the parking lot, driveway trench drains or stormwater planters, where it is conveyed via 12" pipes to a hydrodynamic separator designed to accommodate and treat the entire water quality volume from the tributary area. The treated runoff is then conveyed to an existing catch basin located at the corner of Waverly Avenue and Fenimore Road, where it enters the Village's drainage system.

**2.) AQUIFERS AND GROUNDWATER:**

**(a.) EXISTING CONDITIONS:**

The Project Site is not located above an aquifer. The closest aquifer is located approximately 300' northwest of the Site, on the north side of Fenimore Road, which is classified as a stratified drift aquifer, with a yield of >100 gallons/minute (Figure IV.B-5).

A subsurface investigation by HydroEnvironmental Solutions Inc. in April of 2019 was undertaken, consisting of the installation of four soil borings in the vicinity of the proposed foundation (Figure IV.B-6) which included piezometers to measure the depth to groundwater. These piezometer readings revealed that groundwater is present beneath the Site at a depth of 3.1 feet to 4.8 feet below grade. A review of the United States Geologic Survey's National Water




*Source: Hudson Engineering & Consulting, P.C.*

Scale:
0 20' 40'

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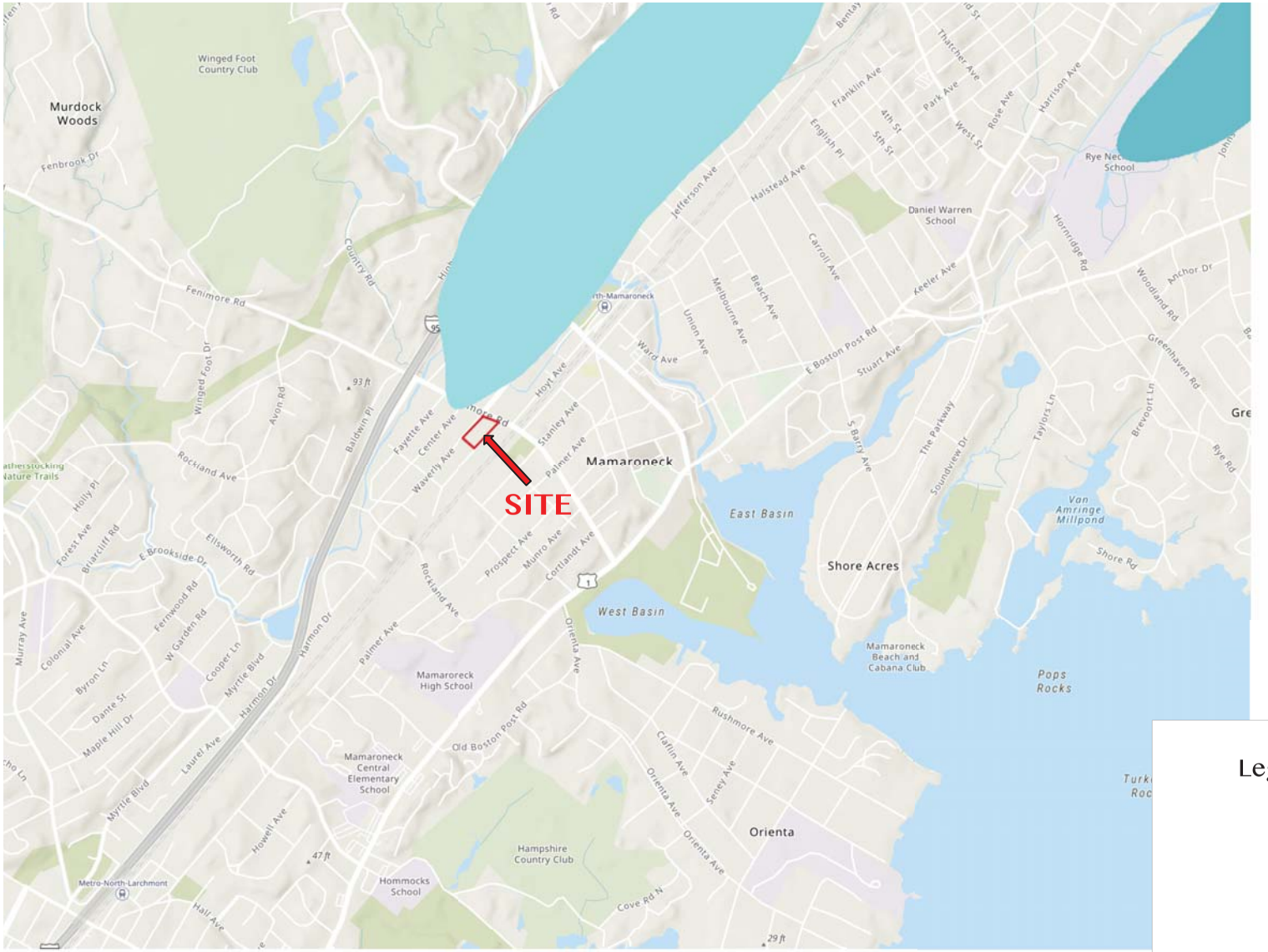
# Stormwater Management Plan

E S N W

Figure
IV.B-4




Legend

# Aquifers

Figure
IV.B-5

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Information System[1], four groundwater monitoring wells were installed in the vicinity of the Site (Figure IV.B-7). Ground water depths are identified in Table IV.B-1.

**Table IV.B-1**
**USGC National Water Information System - Depth to Ground Water**

| Well Number | Well Depth | Ground Water Elevation(1) |
|---|---|---|
| WE 141 | 300' | 12' |
| WE 144 | 600' | 28' |
| WE 145 | 450' | 40' |
| WE 27 | 331' | 5' |

(1) – Elevation below surface grade

There are currently no wells or septic systems on the Project Site that would impact ground water resources.

**(b.) FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION:**

If the Proposed Acton is not developed, the Project Site would continue to operate as it operates today, and would continue to have no impact on groundwater resources or the nearby aquifer.

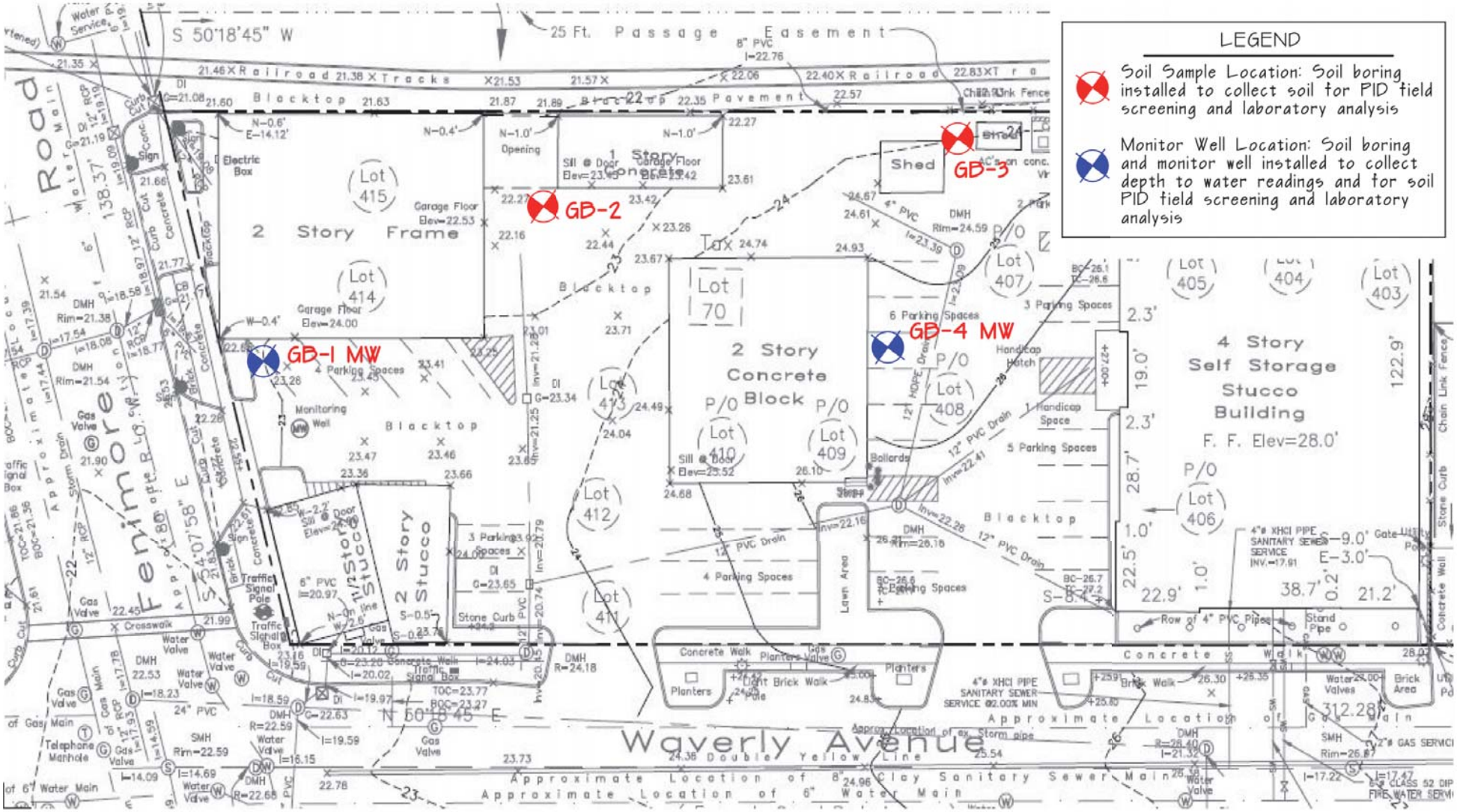
**(c.) ANTICIPATED IMPACTS:**

The proposed building extension will utilize the same construction as the existing self-storage building. Basements are not feasible due to the Site's location within the floodplain. The first-floor elevation will be set 2' above the base flood elevation. As a result, minimal excavation is required. As the Proposed Action does not involve the use of wells, subsurface sanitary disposal systems, or require extensive excavation, no impacts to groundwater will occur.

**(d.) PROPOSED MITIGATION MEASURES:**

As no impacts to groundwater resources or the nearby stratified drift aquifer will result from the Proposed Action, no specific mitigation measures are required. As noted above, the building extension will be constructed on a slab

[1] URL: https://nwis.waterdata.usgs.gov/ny




*Source: HydroEnvironmental Solutions, Inc.*

Scale: 0 20' 40'

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# Soil Boring and Monitoring Well Locations

N W E S

Figure IV.B-6


*Source: USGS National Water Inventory System*

| Scale: N.T.S. | **USGS National Water Inventory System**<br>**Depth to Ground Water** | N W E S | Figure IV.B-7 |
|---|---|---|---|

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foundation, and no wells or subsurface sanitary disposal systems are proposed. As described more fully below, and erosion and sedimentation control plan is proposed to reduce or eliminate any potential impact to groundwater resources.

## 3. GEOLOGY, SOILS AND TOPOGRAPHY:

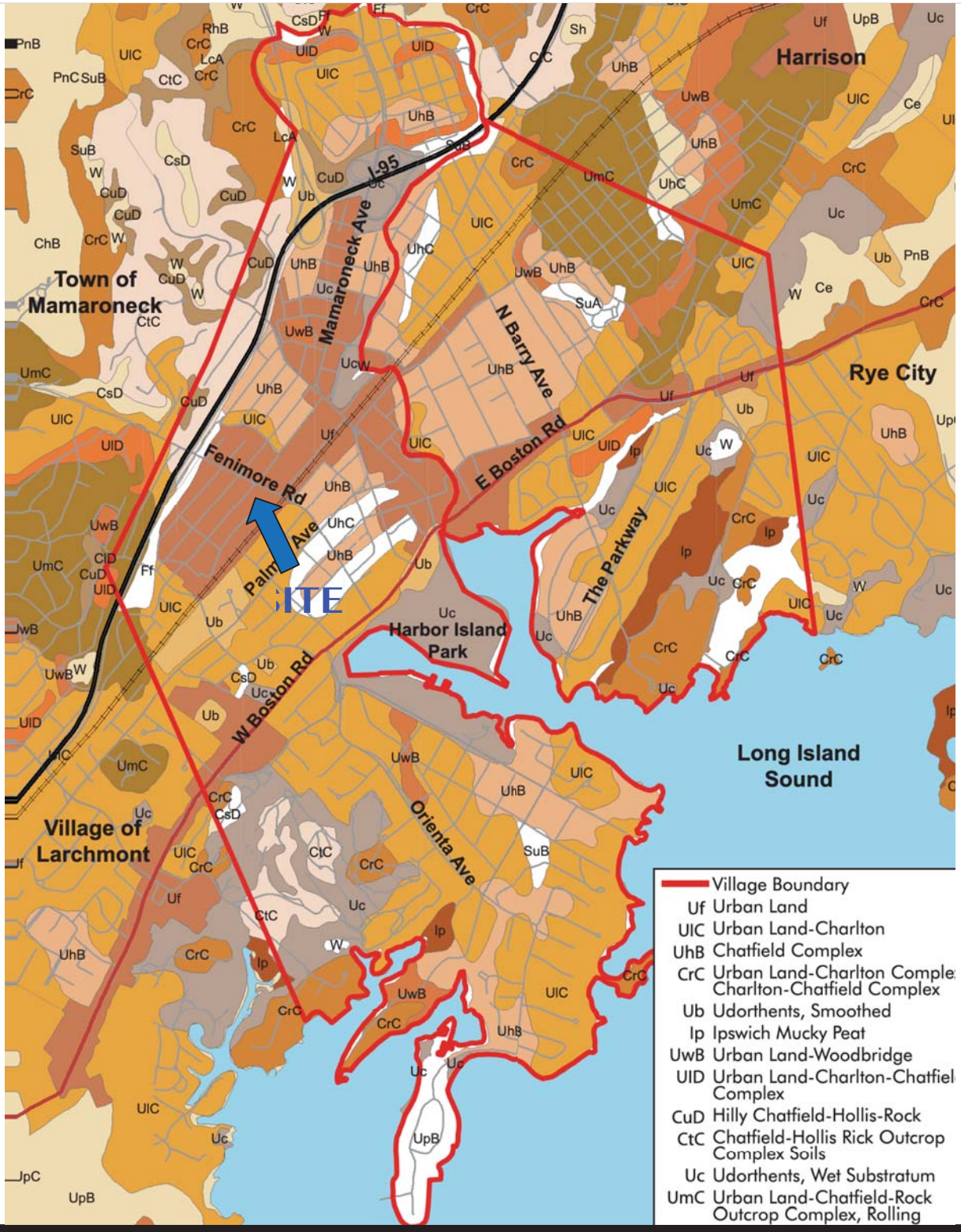
### (a.) EXISTING CONDITIONS:

The Project Site, and all of lower Westchester County, is located within the New England Upland Physiographic Province, and its extension the Manhattan Prong. This province consists of a series of late pre-Cambrian to early Paleozoic metamorphic rocks. The rocks within this region are highly folded and faulted, the result of one or more past episodes of what geologists characterize as compressional deformation. These folds, faults, fractures and formations lie predominantly in a northeasterly direction. The eastern side of Westchester County rests on the upper edge of the unsubmerged portion of the Continental Shelf, which soured out to form Long Island Sound. The principal bedrock that underlies and influences the topography includes Fordham gneiss, Manhattan schist and Inwood marble.

Unconsolidated surface materials are predominately of glacial origin. Stratified drift deposits occupy the lower areas, while till deposits cover the hillsides.[2]

As documented on Figure IV.B-8, the soils on the Project Site are composed entirely of Urban Land (Uf). Urban land soils consist of areas where at least 60% of the land surface is covered by buildings or impervious surfaces. These areas have been altered to accommodate development, and consist primarily of Udorthants and fill material. The Boring Logs (included in the Appendix) for the 4 soil sample locations revealed that the first 4 feet consists primarialy of ash, slag and brick fill material and some sand. Generally, from 4 to 6 feet,

[2] USACOE, Mamaroneck & Sheldrake Rivers Flood Risk Management General Reevaluation Report for Village of Mamaroneck, Appendix C3: Geological and Soils Investigations, April, 2017.




# Soils Map

IV.B

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subsurface soil conditions consist of medium rounded gravel and medium sand.

The topography of the Site is relatively level. The Site slopes from a high point of approximately 27 feet along the southern property line behind the existing self-storage building, to a low point of approximately 22 feet along Fenimore Road.

**(b.)** **FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION:**

If the Proposed Acton is not developed, the Project Site would continue to operate in its current manner. No impacts on geology, soils of topography would result.

**(c.)** **ANTICIPATED IMPACTS:**

No significant alteration of the existing site grades are necessary to accommodate the proposed building addition. As the building has no basement and will be constructed on a slab foundation, minimal excavation is anticipated, projected to be approximately 550 cubic yards of soil/fill or which approximately 330 cubic yards would be reused as fill. However, as the Site was previously impacted by spill incidents that were administratively closed in 2004, a foundation excavation plan has been prepared in accordance with NYSDEC regulations pertaining to environmentally impacted sites. Implementation of this plan will ensure that no significant adverse impacts to geology, soils or topography are anticipated as a result of the Proposed Action.

**(d.)** **PROPOSED MITIGATION MEASURES:**

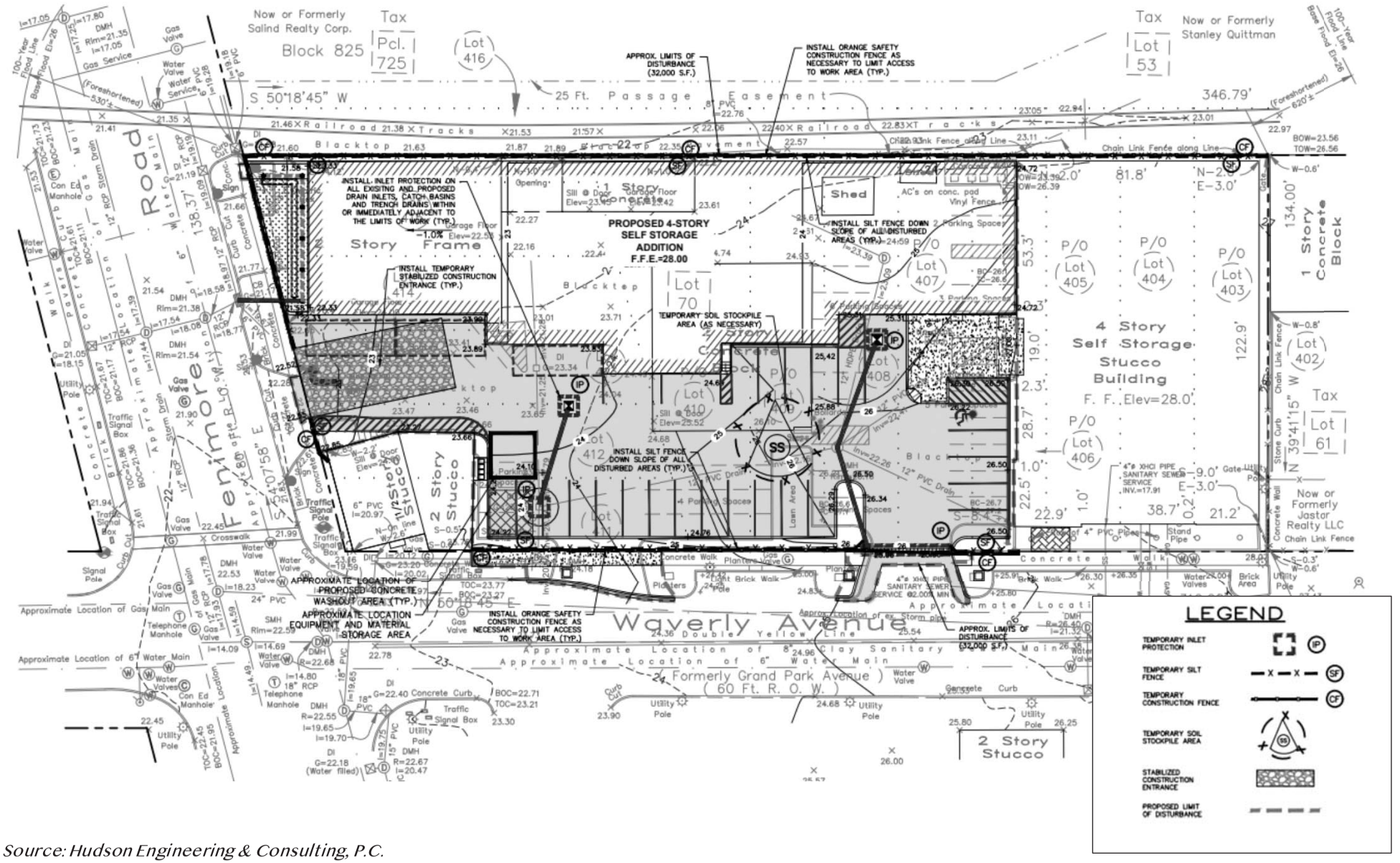
During the construction of the Proposed Action, an Excavation Work Plan will be implemented (Appendix B). The scope of the Excavation Work Plan will comply with NYSDEC Technical Guidance Document DER-10, part 375 Regulations for conducting clean-ups.

All work outlined in the Excavation Work Plan, is to be performed during the excavation of the foundation and will be conducted in accordance with a Village approved work scope unless otherwise stated. A Site-Specific

Health and Safety Plan (HASP), the Earthwork contractor's HASP, OSHA HAZWOPER training certifications and documentation, a Quality Assurance Project Plan (QAPP) and a Community Air Monitoring Plan (CAMP) will be implemented during this work as required (i.e.: if contaminated soil is encountered). In accordance with DER-10, a CAMP will be implemented to monitor air quality during all on-Site intrusive work and soil moving, loading, truck cleaning, backfilling, and stockpiling activities associated with the proposed foundation excavation in contaminated areas only. The "Work Area", which is defined as a 20-30 foot area measured from the sidewalls of the excavations (where possible, depending on the property fence line location relative to the excavation area), will be monitored continuously during excavation activities by a non-Site geologist/environmental scientist using: (1) a calibrated four gas meter (%LEL, %O2, H2S and CO); (2) photoionization detector(PID), both of which will be immediately adjacent to the excavation edge while the work is ongoing; and (3) a total of three CAMP monitors, two of which will be placed downwind and one upwind of the Work Area. Water and polyethylene sheeting (6 millimeter) will be available on-Site should dust and/or VOC/odor control become necessary during this work. All field work will be conducted in accordance with the requirements of the HASPs and all soil samples will be collected in accordance with the requirements of the QAPP. Prior to or at the start of this work, soil erosion and sediment controls and Site fencing/signage will be installed along the Site perimeter in accordance with the approved Site-wide Storm Water Pollution Prevention Plan (SWPPP) and Erosion and Sedimentation Control Plan (Figure IV.B-9). In the event that soil stockpiling is necessary, stockpile staging areas will be constructed prior to the start of excavation activities. Areas of the Site disturbed during the excavation work will be covered as necessary to control odors or fugitive dusts. Covers will be maintained in accordance with the SWPPP.

The Excavation Work Plan will address:

- NYSDEC and Village reporting requirements;
- Field monitoring;
- Stockpiling;




*Source: Hudson Engineering & Consulting, P.C.*

Scale:
0 30' 60'

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# Sedimentation and Erosion Control Plan

N
W E
S

Figure
IV.B-9

- Soil excavation and direct loading;
- Tracking pad;
- Excavation protection measures;
- Identification and sampling of contaminated materials if encountered;
- Dust and odor suppression;
- Truck cleaning;
- Truck routes;
- Soil disposal off-site is required;
- Community Air Monitoring Plan (CAMP); and
- Clean fill imported for backfill if required.

# Chapter IV. C

# Hazardous Materials & Public Health

## IV. C. - HAZARDOUS MATERIALS & PUBLIC HEALTH

### INTRODUCTION

The Applicant retained HydroEnvironmental Solutions, Inc. to conduct an Environmental Site Assessment (ESA) in accordance with the American Society of Testing and Materials (ASTM) Standard Practice E 1527-13 to identify any recognized environmental Conditions (RECs) and/or environmental concerns. The findings of this assessment are presented below.

### 1.) EXISTING CONDITIONS

**(a.) Phase I Assessment:**

The Phase I ESA consisted of a review of pertinent records, a Site reconnaissance and interviews with individuals familiar with the Site's history. The ESA evaluated the Site for the following conditions:

- **Chemical, Hazardous Substances & Petroleum Product Storage & Use**: Hazardous chemical storage and use was observed at the Site; however, the chemicals were all stored in proper containers.

- **Waste Generation, Storage & Disposal:**
  The only waste generated at the Site is general household waste from the office use.

- **Above Ground Storage Tanks:**
  No ASTs of evidence of AST was observed at the Site.

- **Underground Storage Tanks:**
  No USTs are present on the Site. However, there was a UST of unknown size that was removed from the Site in November 2003, and a 550-gallon UST that was removed from the Site in February 2004. Two NYSDEC spill incidents were reported (#0304697 and #0304698) that were administratively closed by NYSDEC in August 2004.

- **Pits, Ponds or Lagoons:**
  There are no pits, ponds or lagoons on the Site.

- **Vapor Encroachment Screening:**
  A Tier 1 screening was conducted, which concluded that no Vapor Encroachment Conditions (VEC) exist on the Site.

- **Asbestos:**
  Due to the age of at least one of the buildings (~1920), it is likely that asbestos containing materials (ACMs) are present in areas that have not been renovated.

- **Lead-Based Paint:**
  Due to the age of at least one of the buildings (~1920), it is likely that lead-based paint is present.

- **Radon:**
  A review of the EPA map of Radon Zones indicates that the Site is in Zone 3, where average predicted radon levels are less than 2.0 pCi/L. Recognizing that the Site is served by the public water supply, the presence of radon in drinking water is not a concern.

- **PCBs**
  Although no definitive determination was made regarding the presence of PCBs, given the age of at least one of the buildings (~1920), the presence of PCBs is possible in areas that have not been renovated.

- **Mold:**
  Mold growth was not observed in the buildings on the Site.

- **Other Site-Specific Environmental Conditions:**
  No other Site-specific environmental conditions were observed.

**(b.) On-Site Spill Incidents:**

Two spill incidents were reported to the NYSDEC concerning the Project Site. In November of 2003 a spill incident was reported in conjunction with the removal of a UST of unknown size (Spill #0304697). In February 2004 a spill incident was reported in conjunction with the removal of 550-gallon UST (Spill #0304698). The cause of both reports was "Tank Test Failure" and the amount or type of product spilled was not recorded. The NYSDEC reported that both spill incidents were closed on August 29, 2004, indicating that the necessary clean-up was completed, and no further remedial activities were necessary.

**(c.) Proximate Contaminated Sites:**

As documented on Figure IV.C-1, numerous locations in the vicinity of the Project Site have experienced some form of environmental contamination. This Figure documents incidents contained within the NYSDEC Spills Incident Database (which documents most of the incidents on Figure IV.C-1 as "Hazardous Waste Sites") and the NYSDEC Environmental Site Remediation Database (which documents Superfund or Brownfield remedial sites identified on Figure IV.C-1 as "Toxic Release Inventory").

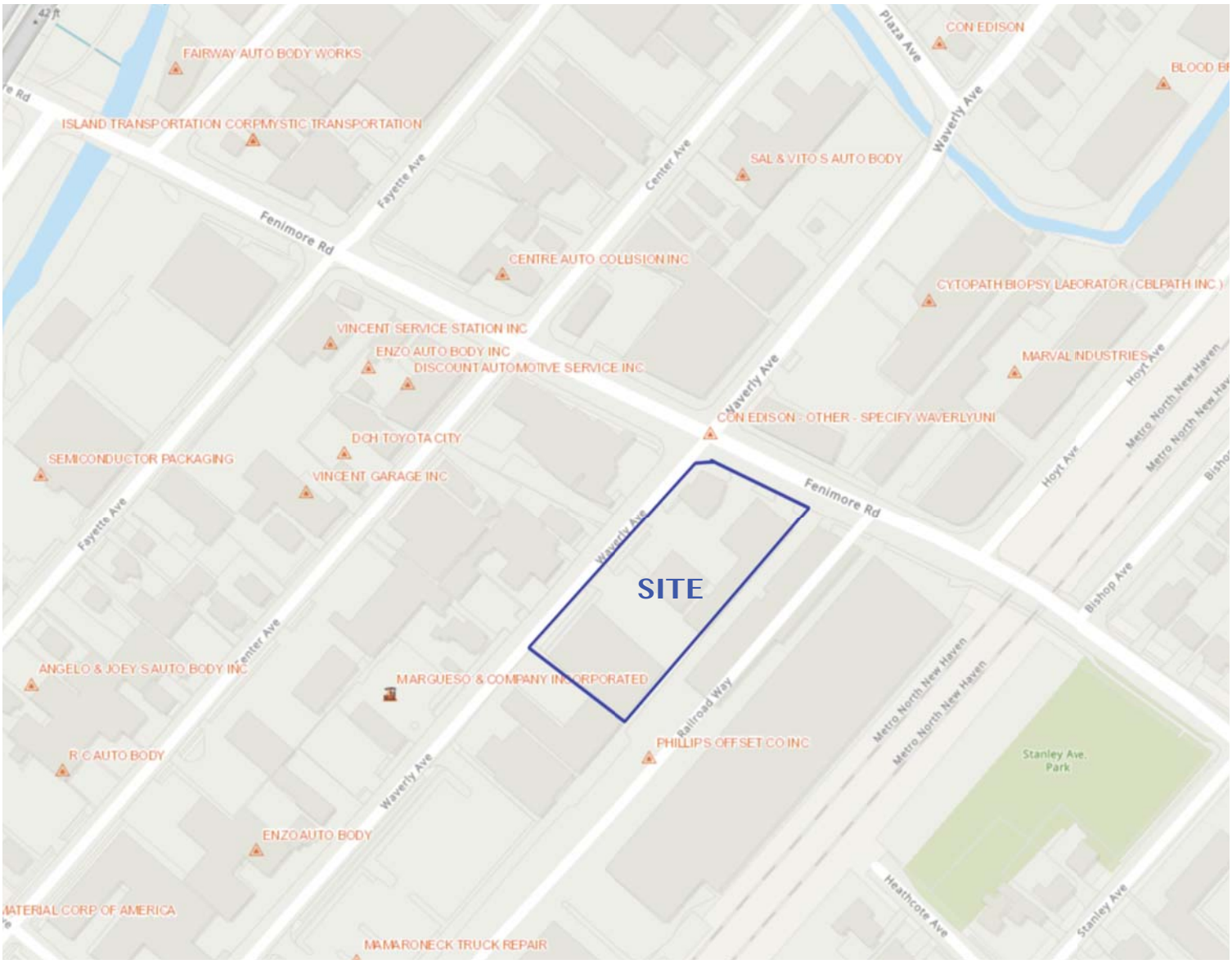
Three sites are noted in the immediate vicinity of the Site:

- Con Edison Other – Intersection of Fenimore Road and Waverly Avenue. This is a transformer leak reported in 2003.The status is closed.

- Philips Offset Co. Inc. Two incidents were reported at this location. In 1993 there was a petroleum spill. The status is closed. And in 2003 there was a 20-gallon diesel spill. The status is closed.

- M. Argueso and Company, Inc. – This is a Brownfield Clean-Up site. The site was contaminated with petroleum, volatile organic compounds and semi-volatile organic compounds. Site remediation involves on-going monitoring.

None of these three incidents affected or impacted the Project Site.




**Legend**

Hazardous Waste Sites

Toxic Release Inventory

*Source: Westchester County GIS Service Center*

Scale: N.T.S.

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# Hazardous Waste Sites
# Toxic Release Inventory Sites

N W E S

Figure
IV.C-1

**2.) FUTURE CONDITIONS WITHOUT THE PROPOSED ACTION:**

If the Proposed Acton is not developed, the Project Site would continue to operate as it operates today. The existing warehouse buildings would remain in place, accommodating various tenants. Murphy Brothers Contracting would continue to operate their businesses from the Site and the self-storage building would continue to function as it does today. No improvements to the existing buildings would be undertaken, the site and streetscape would remain unchanged, and it is unlikely that the Community Solar project would be undertaken.

**3.) ANTICIPATED IMPACTS:**

The Proposed Action will not result in any significant adverse impacts to public health or resulting from the presence of hazardous materials. The two spill incidents that occurred at the Site were fully remediated and closed by 2004. No environmentally hazardous conditions have been identified on, or in the vicinity of the Site since that time. Given their age, the existing buildings on the Site that are slated for demolition may contain asbestos, lead paint or PCBs, which would require abatement during the demolition process.

**4.) MITIGATION MEASURES**

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

# Chapter IV. D

# Flooding &
# Flood Zone Impacts