

C-5 Comment:

So I posed the question when this was once heard by us recently – I guess not that recently but a couple of years ago, how do you go about finding out where to test? Because that's the key. You have to know where to test, and I think locating the areas of testing is very important. I would like to know how they found those areas.

(Board Member Neufeld, Public Hearing, April 1, 2021)

C-5 Response:

The testing was biased to "recognized environmental conditions" (RECs) based on the findings of the Phase I ESA. Example: A test boring and groundwater sample were collected from the former UST area. This is standard practice when conducting a Phase II ESA.

C-6 Comment:

I know I once proposed that an engineer had to be designated to explain why they picked it. And then who selected and what were the actual findings? Because when I read phrases, and I haven't seen the test data, but I saw something about well, you know, some areas are within reach, some are not, there are some things that are mostly it's okay, there are hydrocarbons, the question is you need more than that.

(Board Member Neufeld, Public Hearing, April 1, 2021)

C-6 Response:

Licensed environmental professionals conducted the investigation in accordance with all applicable NYSDEC guidelines and requirements.

C-7 Comment:

I think it really comes down to I'm interested in the tests and the results. Because – particularly because of the water in the area because it's not a matter of the contaminants to remaining stable, for example in dredging situations often when you dredge, you take materials, hazardous waste that is has been embedded, and you actually can create more of a problem by circulating it than creating it to being infused with other materials in the water. So I'm very

concerned about that. I don't know if there was any coordination done with the DEC, that's it.

(Board Member Neufeld, Public Hearing, April 1, 2021)

C-7 Response:

There is no dredging proposed for the Proposed Action, it is not in a waterway of the State of New York. Any soil that will be excavated will be handled in accordance with Part 375 and DER-10 Regulations. If soil needs to be disposed of, it will be pre-characterized and taken to the proper licensed facility, or it will be re-used on-site in accordance with all NYSDEC Regulations.

C-8 Comment:

There's a reference in here that hazardous materials that they say that the findings of the contamination is above the DEC standards, and that's fine. I think Ms. McCrory said something earlier. That's like the minimum, that's like the requirement. I'd like to know that sense, it's there we have had alarm bell ring and it says it's above that, what are they going to do about it, what's the real assessment, not tat whether it will be okay it's not that bad, no, it is that bad if it's past the standard. It should be below the standard significantly that's the goal.

(Board Member Neufeld, Public Hearing, May 6, 2021)

C-8 Response:

Some soils exceeded for Unrestricted Use Soil Cleanup Objectives, the most restrictive guideline. However, there were no exceedances [of guidelines applicable](#) for the proposed future site use. Nonetheless, the construction will be guided by an Excavation Work Plan (EWP), and any soil that is excavated and is impacted will be addressed accordingly under NYSDEC Regulations. There were several exceedances for SVOCs in groundwater. However, groundwater is not used for potable purposes, and if any dewatering is required, the pumped groundwater will be treated prior to being discharged, or collected and properly disposed of. It is standard practice when developing an urban site that soil and groundwater are handled properly.

C-9 Comment:

*The soil vapor sampling is important as I understand it. And is it necessary to have a vapor barrier. I know that there were soil tests apparently in phase one. Were there soil tests subsequent to that. That should be addressed. And what test could not be performed because the first building was in place. So, this concerns me not just from this property but from others because of any contaminations and you have water flow underneath it.
(Board Member Neufeld, Public Hearing, May 6, 2021)*

C-9 Response:

The building will be designed with an SSDS in place as a precaution. It is common practice in an urban setting to construct a building in this manner. If an SSDS is proposed, a vapor barrier would be required. A vapor barrier is typically installed under the concrete slab of the building.

C-10 Comment:

*I'm going to reiterate and flesh out what I said last time was that I was reviewing how there were nine soil borings taken but we only got the results from six of the soil borings. I wondered what happened to the other three.
(Board Member Yergin, Public Hearing, May 6, 2021)*

C-10 Response:

There were three borings that did not have soil samples sent for lab analysis. That is not uncommon. The work plan was followed and the soil samples sent for analysis encompass the Site and were biased to RECs and/or field screening results. See response to comment C-1.

C-11 Comment:

*I'm also interested I know that they reported there were two tanks that had to be removed and there was a spill that had been administratively closed out, but I would be interested to know where those tanks were on the lot and how they relate to the borings and the testings that was done.
(Board Member Yergin, Public Hearing, May 6, 2021)*

C-11 Response:

The former tanks were a REC **identified** in the Phase I ESA and the subsequent borings, and at least two of the borings were biased to those former UST locations where soil and groundwater samples were collected.

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C-12 Comment:

*This is some of what they've been saying. I did understand that they found SVOCs above the normal limit and the response was it likely represents background concentrations for these constituents because it's in a commercial corridor area. I was not satisfied with that it's likely something because it happens to be in the area. I thought that was really avoiding taking responsibility for doing further testing and understanding what the ramifications were of the results of those tests.
(Board Member Yergin, Public Hearing, May 6, 2021)*

C-12 Response:

The SVOC hits exceeded Unrestricted use SCOs, the most stringent soil guideline. The proposed commercial development of the Site is allowable with the SVOC hits that were observed. Any soil removed will be dealt with in accordance with NYSDEC Regulations. No significant SVOC exceedances were detected that would restrict the development of the Site as proposed.

C-13 Comment:

The laboratory results for chlorinated VOCs in groundwater indicated that 1,1,2-trichloroethane (TCA) and 1,2-dichloroethane (DCA) were present in groundwater at concentrations that exceeded the NYSDEC Ambient Water Quality Standards. The DEIS states "in professional judgement of Hydro Environmental Solutions, Inc., the levels are far below any threshold value that would represent a threat to the public health, or trigger further environmental investigation related to chlorinated VOCs at the site." Although the levels are low, they are above NYSDEC standards, and soil vapor sampling and/or vapor mitigation as part of the building design (i.e. vapor barrier and/or SSDS) should be further investigated in the FEIS.

(AKRF Memorandum, April 30, 2021)

C-13 Response:

A SSDS will be designed as part of the building and is common practice as a precaution. However, it is the professional opinion of HES that the levels observed are not a health threat.

C-14 Comment:

Hazardous materials was not adequate. What tests are necessary to look at now? Concern over PCB's. Thought we would have an engineers report. Demo may result in abatement. Mitigation should be addressed. Are VOC's reported?

(Chairman Neufeld, November 16, 2021 Work Session)

C-14 Response:

All excavated materials at the site as part of the Proposed Action will be handled in accordance with NYSDEC Regulations. The subsurface investigations conducted to date, which are extensive, have not rendered any of the on-site soils as hazardous materials. When the excavation commences for the foundation, the Excavation Work Plan (EWP) that was compiled will be followed and will include handling all excavated soils in accordance with the NYSDEC DER-10 Regulations. A Community Air Monitoring Plan (CAMP) will be implemented, and a geotechnical engineer will confirm that all surrounding existing structures will not be affected by the proposed excavation. All of this is standard operating procedure for construction at an urban site.

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C-15 Comment:

Excavation / Final scoping outline acknowledges high water table and contaminated soil is present:

- *Says we have to move 1000 cubic yards of soil (DESI 550 cy) -what are the short term effects on the environment in excavating this much soil?*
- *How the removing the soil impact the water table?*
- *How will the soil be handled and will it be moved around on the site (potentially aerosolizing).*

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- ***What fail-safes will be put in place to ensure that the proposed soil handling will not impact air and water quality and structural integrity of all surrounding buildings, including the roads and Railroad Way?***
- ***How will excavation on property line impact Railroad Way?***
- ***Is there any way to remediate the existing soil?***
(Board Member Glattstein, November 16, 2021 Work Session)

C-15 Response:

Soil removal will be monitored appropriately by a qualified environmental professional and will not have any short-term effects on the environment. The EWP and CAMP are in place to assure that no adverse effects occur during the excavation activities. Example: If odors or dust exceed threshold values in accordance with those outlined in the CAMP, a plan of action is implemented immediately to correct the problem (i.e.: dust suppression using water or odor suppression using foam). The water table may be impacted in the short-term if foundation structures need to be installed at a lower elevation than the observed water table. That is, localized dewatering may be necessary. Otherwise, there will be no long-term effects as the water table will return to natural conditions very quickly after the excavation and concrete structures are installed.

The soil will be handled in accordance with the EWP. Some excavated material may need to be disposed of off-site at a NYSDEC licensed disposal facility, and some may be reused on-site in accordance with NYSDEC Regulations for soil reuse. The CAMP will determine if soil off-gassing will occur and what measures will need to be implemented should that occur. Example: Water may be used to suppress dust or odors, or foam, to suppress odors. Given the results of the multiple subsurface investigations and soil sampling conducted to-date, it is unlikely that aerosolizing will occur as the soil beneath the Site does not contain extensive nor elevated concentrations of VOCs.

C-16 Comment:

No structural foundation plan.
(Chairman Neufeld, November 16, 2021 Work Session)

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C-16 Response:

A structural foundation plan would not be designed until the building permit phase of the development. The design of the foundation will be based upon the Geotechnical report.

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III. D - FLOODING & FLOOD ZONE IMPACTS

D-1 Comment:

*And then I have some questions about the flooding, and what I don't understand -- I understand that the building is going to be built on slabs, so it's merely being built just on top of the ground and on slabs. I suppose then that -- I couldn't see and I didn't understand is there any gates for flooding? Is the water just displaced? Is it going to be a stone slab and then the building put on top?
(Board Member Yergin, Public Hearing, April 1, 2021)*

D-1 Response:

The proposed building design will fully comply with all applicable Federal Emergency Management Agency ("FEMA") and Village of Mamaroneck Floodplain Development Standards. Based on the latest flood volumes outlined in Chapter IV.D of the DEIS, storage of flood waters is not required within the building. The displacement of flood waters caused by the proposed building foundation is offset by the proposed re-grading of the Site. The complete development of the FEIS Plan results in an increase of 113 cubic feet of storage within the floodplain. As adequate storage within the floodplain could be provided without utilizing any space within the building, flood gates/vents are not proposed/ necessary.

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D-2 Comment:

*Because in my mind, it's really quite expansive this building. It takes up the entire width, if you want to call it, of the lot, pretty much when it's added to the other building. I think that would basically prove to just displace the water. In my mind, it's like putting something in the bathtub and all the water would spill out, so I understand that they are going to put pervious surface there so eventually things will drip down. Things evaporate, but during an actual flooding event, I don't think you can rely on it will all go down into the ground, and I do feel that the slab structure without any other way of allowing the water to move across the lot will just displace it, and I think it's a little bit of a rise in the area and it will probably push the water down into neighboring lots.
(Board Member Yergin, Public Hearing, April 1, 2021)*

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D-2 Response:

In both the existing and proposed conditions, the footprints of the buildings are not included as storage because they are not wet flood-proofed buildings; i.e. they are not designed to flood. The flood storage provided on the lot consists of the parking and landscape areas. The flood waters stored in these areas will, overtime, enter the municipal drainage system as they do in the existing conditions. The FEIS Plan results in a increase of flood storage of 113 cubic feet, a theoretical reduction of the 100-year flood elevation and thus reduces the impact of the flood event on surrounding properties.

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D-3 Comment:

I'm not sure if this committee or I should say this board was actually in receipt of the standards but in any event it was made reference to by the reports by Cuddy and Feder that would be most impacted by runoff, flooding, change of grade, it would be me and/or my buildings located that abuts this. The applicant represents that there is a reduction in the total impervious surfaces at the premises. And we're going to rely on the guidance provided by the consultants that they have utilized as well as the village's consultants with regards to the efficiency of the storm water retention and storage of storm water that's installed at the property. And equally as important will be the determination that the existing municipal infrastructure would be able to accommodate the runoff water per the rates that were reflected in the reports provided by the applicant and their consultants. And, obviously chair and members of the zoning board will defer and rely on the consultants' guidance that the project with respect to the regrading proposed will not result in a net increase of runoff from the property that could contribute additional ponding and standing water not only on Finamore Road but also on Railroad Way. I do know that I saw in the reports that that was addressed.

(Andrew Spatz, Public Hearing, May 6, 2021)

Deleted: In both the existing conditions and proposed conditions, the footprints of the buildings are not included as storage because they are not wet flood-proofed buildings, i.e. they are not designed to flood. The flood storage provided on the lot consists of the parking and landscaped areas. As demonstrated in Chapter IV.D of the DEIS, there is in fact an increase in the total flood storage provided on the Site. The proposed increase in flood storage volume on the Site results in a theoretical reduction of the 100-year flood plain and thus reduces the impact of a flood event on surrounding properties.¶

D-3 Response:

The project will not negatively impact the Village's stormwater system. The FEIS Plan results in a reduction of impervious coverage over the existing condition. Due to the decrease of impervious area on the Site, the FEIS Plan reduces the total

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volume and rate of runoff from the site tributary to the Village's system. The Stormwater Design was reviewed by the Village's consultants for conformance with the Village code and a memorandum dated October 1, 2021 from Mr. John Kellard to the Zoning Board of Appeals notes that all outstanding engineering issues were addressed. See also response to comment D-2

D-4 Comment:

*My name is Sue McCrory. I'm not within the notice area for this property but am concerned about flood zone compliance and what's going to be done. It's a very, very large building in an area that floods historically.
(Sue McCrory, Public Hearing, May 6, 2021)*

D-4 Response:

The "mitigation measures" section of Chapter IV.D of the DEIS outlines the steps taken to alleviate the impact of the development on flooding and the flood zone. The mitigation measures included in the FEIS Plan include a reduction of impervious cover, an increase in 113 cubic feet of storage within the floodplain and construction measures to protect the building from flood damage such as elevating the lowest floor elevation 2 feet above the flood elevation. While some of these items are required based on the Village's or FEMA's regulations, they remain mitigation measures to reduce the development's impact. Compliance with the Village's or FEMA's regulations does not exclude the practice from being considered a mitigation measure.

D-5 Comment:

*The misinformation involves the DEIS calling minimum flood zone rules mitigation. Minimum flood zone rules have to met, they're not mitigation efforts so I felt that that was misrepresentative.
(Sue McCrory, Public Hearing, May 6, 2021)*

D-5 Response:

See Response to Comment D-4.

D-6 Comment:

Deleted: The project will not negatively impact the Village's stormwater system. Due to the decrease in the impervious area of the site, the project reduces the total volume & rates of runoff from the site tributary to the Village's system. The stormwater design was reviewed by the Village's consultants for conformance with the Village code and no deficiencies were noted. As noted above, the proposed increase in flood storage volume on the site would result in a theoretical reduction of the 100-year flood plain and thus reduce the impact of a flood event on surrounding properties.

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Deleted: The "mitigation measures" section of Chapter IV.D of the DEIS outlines the steps taken to alleviate the impact of the development on flooding & the flood zone. While some of these items are required based on the Village and/or FEMA's requirements, they remain mitigation measures to reduce the development's impact. Compliance with the Village's or FEMA's regulation does not exclude the practice from being considered a mitigation measure.¶

*There something in the EIS that said the owners needed flood insurance. My understanding is there's not a requirement for people to purchase flood insurance. There is, however, in the Village of Mamaroneck an absolute requirement that we meet flood construction standards. With respect to that latter point, I can't tell -- the EIS kind of says we'll do that and it repeats the standards but it doesn't explain how the project will meet the standards.
(Sue McCrory, Public Hearing, May 6, 2021)*

D-6 Response:

In accordance with the applicable FEMA regulations, the property requires flood insurance. The Proposed Action will comply with the building standards under Chapter 186 Flood Damage Protection of the Village of Mamaroneck Code and will be enforced through inspections associated with the Flood Damage Protection Permit.

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D-7 Comment:

*In particular, I was looking for a foundation plan which is absolutely critical for evaluating flood zone compliance in a rivering flood area. I couldn't find a foundation plan. I couldn't find confirmation whether the project was going to be wet or dry flood proofed, and I couldn't find confirmation as to whether or not the existing building has been certified as an engineer or by an engineer of being flood zone compliant. Those are missing attributes, I think. So, before we double the size or more than double the size of this storage facility, I think we need to make sure that the existing one is flood zone compliant.
(Sue McCrory, Public Hearing, May 6, 2021)*

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D-7 Response:

The existing buildings on the Site that are proposed to be demolished are not designed to flood. These buildings contain no floodproof features. The existing self-storage building is designed in accordance with Chapter 186 Flood Damage Prevention with the lowest floor elevation 2 feet above the Base Flood Elevation. An Elevation Certificate is on file with the Building Department and a copy is included in the Appendix. As proposed, The FEIS Plan has the lowest floor elevation set 2 feet above the flood elevation.

Deleted: While there is not currently a structural foundation plan, which will be provided during the Building Permit review process, the information provided at this stage of the project review demonstrates compliance with Village and FEMA regulations. Since the required flood storage volume can be provided without utilizing storage within/underneath the building, dry flood-proofing can be utilized. Additionally, all enclosed spaces are 2 feet above the base flood elevation.

D-8 Comment:

*And I'm very worried that these large buildings are just going to push flood waters elsewhere in an area that's not well equipped to deal with them.
(Sue McCrory, Public Hearing, May 6, 2021)*

D-8 Response:

As demonstrated in Chapter IV.D of the DEIS, there will be an increase of 113 cubic feet in the total flood storage provided on the Site. The increase in flood storage volume on the Site would result in a theoretical reduction of the 100-year flood plain and thus reduce the impact of a flood event on surrounding properties. See response to comment D-2.

D-9 Comment:

*I understand flooding was being addressed by the village engineer. I don't know if we have heard anything from the village engineer on that yet. I was told that it was being reviewed. I'd like to know what that – occurred, what the results of that were.
(Board Member Neufeld, Public Hearing, May 6, 2021)*

D-9 Response:

A revised flood storage analysis, which is included in full in the Appendix, was reviewed by the consulting engineer. Per Mr. Kellard's October 1, 2021 memorandum to the Zoning Board of Appeals, all outstanding engineering comments have been addressed to their satisfaction.

D-10 Comment:

The FEIS should clarify the amount of flood volume storage. On page IV.D-3 under Section IV.D.3, there is a typo in the discussion of the increase in flood volume storage. The text states "56,6549" but should be updated to "54,649" as provided in Table IV.D-1. In addition, page IV.D-2 under Section IV.D.1.b, refers to the flood volume storage analysis by Hudson Engineering & Consulting as Appendix C; however, this is actually Appendix D. In addition, the letter report included as Appendix D references an "attached volumetric analysis (Sheet C-

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Deleted: Flood storage documents have been revised in accordance with the consultant's memorandum and have been provided to the consulting engineer for review.¶

5)” which is not included in Appendix D. This document should be included in full in the FEIS.

(AKRF Memorandum, April 30, 2021)

D-10 Response:

The revised Flood Storage Analysis is included in the Appendix to the FEIS.

D-11 Comment:

The definition of the 500-year floodplain on Page I-11 should be changed to “0.2% chance of flooding”.

(Kellard Sessions Memorandum, February 4, 2021)

D-11 Response:

The text on Page I-11 defining the 500-year floodplain should have read “0.2% chance of flooding”.

D-12 Comment:

The Flood Storage Volumetric Analysis Figures (Chapter IV.D) for both the existing and proposed conditions shall be revised to remove the buildings from the provided storage volume. If the existing and proposed buildings provide some sort of flood storage, this should be clarified. The volumetric analysis calculations should be revised accordingly.

(Kellard Sessions Memorandum, February 4, 2021)

D-12 Response:

Flood Storage Volumetric Analysis figures in Chapter IV.D were revised to remove the existing and proposed buildings from the calculations. No flood storage is provided within the buildings. The revised flood storage analysis is included in the Appendix.

D-13 Comment:

Do we need a supplemental EIS to address flooding that occurred subsequent to the preparation of the draft FEIS?

(Chairman Neufeld, November 16, 2021 Work Session)

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Deleted: Flood stage documentation has been revised based upon the Village consultant’s comments. Section IV.D and the referenced Appendices were revised accordingly.

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D-13 Response:

A supplemental EIS is not required to address flooding that occurred subsequent to the preparation of the draft FEIS. The ZBA's attorney, Charles Gottlieb, advised the ZBA at the November 16, 2021, meeting that a supplemental EIS is not required to address flooding issues and additional information regarding flooding at the property should be incorporated into the FEIS.¹ The Village's Planning Consultant, Ashley Ley (AKRF), also advised that the ZBA can simply request more information on the flooding concerns and that there is no need for a supplemental FEIS because these comments are consistent with comment raised previously during DEIS process.²

Pursuant to page 138 of the 2020 DEC SEQRA Handbook, "newly discovered information . . . previously undisclosed, or unevaluated impacts that may or may not have a significant adverse impact" should be examined to determine whether a supplemental EIS is required. While there was flooding throughout the Village, and in the project area, during Hurricane Ida in September of 2021, which occurred after the first draft of the FEIS was submitted to the ZBA, flooding in this area of the Village is not a new fact that has been recently discovered. Flooding occurred throughout the Village, and in the project area, in prior storms. Indeed, flooding was addressed in detail in the Applicant's DEIS³ and responses to specific ZBA concerns regarding flooding were included in the FEIS.⁴ Flooding in the project area is not a new discovery and a SEIS is not required. Moreover, the ZBA acknowledged the foregoing at this meeting and agreed that additional information may be requested and required to be included in the FEIS and thus a SEIS is not required.⁵

¹ Village ZBA Attorney Charles Gottlieb, comments during November 16, 2021 Work Session, see LMCTV recording starting at 22:03.

² Village Planning Consultant Ashley Ley comments during November 16, 2021 Work Session, see LMCTV recording of at 24:43.

³ Response to Comments on Flooding & Flood Zone Impacts, Section III.D (pages III.D-1–7) of the September 9, 2021 FEIS.

⁴ Chapter IV.D (Flooding & Flood Zone Impacts), pages IV.D-1–4 of the March 21, 2021 DEIS.

⁵ ZBA comments during November 16, 2021 Work Session, see LMCTV recording starting at 23:59.

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D-14 Comment:

Flooding is not adequately addressed. 1st phase of the self-storage building did not work. What damage occurred and why didn't it work with new construction. How will the current proposal be different so flood damage will not take place. A FEMA compliant design is OK, but what else has been done to prevent damage?

(Chairman Neufeld, November 16, 2021 Work Session)

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D-14 Response:

Chapter IV.D. of the DEIS, entitled Flooding & Flood Zone Impacts is entirely devoted to addressing flooding issues. It included a Flood Volume Storage Analysis that was prepared by Hudson Engineering & Consulting, P.C., which has subsequently been revised, reviewed and accepted by the Village's consulting engineer. The DEIS and this FEIS has documented that the proposed building design will fully comply with all applicable Federal Emergency Management Agency ("FEMA") and Village of Mamaroneck Floodplain Development Standards as set forth in Chapter 186 of the Village Code. The FEIS Plan includes a reduction of impervious cover on the Site, an increase in 113 cubic feet of storage within the floodplain and construction measures to protect the building from flood damage such as elevating the lowest floor elevation 2 feet above the flood elevation.

Recent storm events, such as Hurricane Ida represent unprecedented conditions. Based upon data collected at the Westchester County Airport Weather station, Hurricane Ida produced in excess of 10-inches of rainfall during a 4-hour period from 6:48-pm to 10:56-pm). The NYSDEC provides rainfall data for this area based upon the Type III 24-hour storm event and the 100-year storm generates 9.5-inches rainfall during a 24-hour period. The Type III storm event is a bell-shaped curve spanning a 24-hour period. While the rain generated by Hurricane Ida is slightly more than the 100-year storm event total, the rainfall intensity occurred over a 4-hour period as compared to a 24-hour period. This resulted in the intensified flooding that was experienced throughout the Village.

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D-15 Comment:

***Has the Village Engineer reviewed the new plan?
(Chairman Neufeld, November 16, 2021 Work Session)***

D-15 Response:

Please refer to Kellard Sessions October 1, 2021 memorandum, which states that all technical engineering comments have been satisfactorily addressed. No revisions to the engineering plans have been made since.

D-16 Comment:

Flooding impacts - want a grading plan for the site with elevations - want to ensure we are not diverting water into Fenimore Road or Railroad Way because of our work

(Board Member Glattstein, November 16, 2021 Work Session)

D-16 Response:

Existing grading and proposed grading has been included on the Existing Conditions Plan and Stormwater Management Plan since the inception of this application. Additionally, a SWPPP was provided demonstrating stormwater flow paths and calculations demonstrating compliance with the Village's stormwater management requirements. Lastly, at the request of the Village's Engineering Consultant, a comparison of the pre-developed and post-developed flood storage volumes have been provided. These documents have been reviewed by the Village's consultants for conformance to the Village's code for stormwater and flooding. Based upon the October 1, 2021, memorandum from John Kellard of Kellard Sessions to The Village of Mamaroneck Zoning Board of Appeals, Any Comments pertaining to stormwater mitigation or flooding have been addressed to their satisfaction.

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D-17 Comment:

Can the Applicant be required to apply for a floodplain development permit first? Can the ZBA request that the Project be reviewed by the Floodplain Development Manager before continuing with the Lead Agency's review of the Project?

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(Board Member Yergin, November 16, 2021 Work Session)

D-17 Response:

Pursuant to Village Building Department procedure, the Applicant's floodplain development permit application will be reviewed concurrently with the building permit application upon obtaining the requested area variances and site plan approval. Kellard Sessions, the Village's Engineering Consultants, are currently designated as the Village's Floodplain Administrator and all floodplain development permits are issued by the Village Building Department. The Village Acting Building Inspector issued a Floodplain Development Permit for the existing self-storage building on September 26, 2014.

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In the event that the Project does not comply with floodplain development standards, the Applicant would be required to amend the project or request a variance from the Planning Board, pursuant to the Village Floodplain Development Code Section 186-6(A).

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Kellard Sessions has reviewed the Project and issued several comment memoranda. None of those memoranda raised concerns with floodplain development or cited areas of noncompliance with applicable FEMA or Village floodplain construction standards. To the contrary, the October 1, 2021, Kellard Sessions memorandum identifies that all comments have been addressed. The Building Inspector, upon issuing a Notice of Disapproval for the Project which noted that several area variances are required, did not indicate noncompliance with the floodplain development standards.

D-18 Comment:

Was a permit issued for the original building? Was the Applicant required to get a floodplain permit for the existing self-storage building?
(Board Member Yergin, November 16, 2021 Work Session)

D-18 Response:

Yes. Copies of the approved site plan, Certificate of Occupancy and Floodplain Permit are included with this submission.

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III. E - Historic Resources

D-1 Comment:

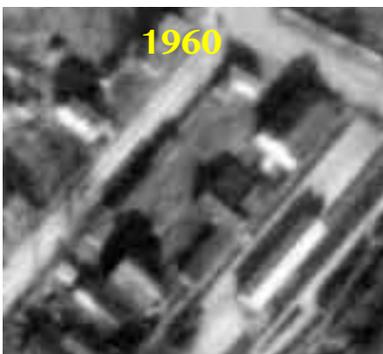
I'm also interested in the historic use of the properties. I think that should be addressed given the significant development on this property and the proposed development, what has it been. That also goes to better comprehend the alternatives and where they want to go with it.

(Board Member Neufeld, Public Hearing, May 6, 2021)

D-1 Response:

East Coast North Properties, LLC, a limited liability company owner by Murphy Brothers Contracting purchased the Project Site in 2000. Prior to the acquisition of the Site by the Applicant, the Site operated as the East Coast Lumber Yard.

A search of historical aerial photographs documents that the Site has supported the existing buildings since at least 1925.



An inquiry through SHPO's CRIS system indicated that none of the buildings on the Site are eligible for listing as historic structures.