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Memorandum

To: Village of Mamaroneck ZBA
From: Ashley Ley, AICP
Date: June 9, 2022
Re: 416 Waverly
cc: Charles Gottlieb

At the April 26, 2022 work session, the ZBA requested that AKRF review the comments of the ZBA from the November 16, 2021 work session to see how these comments were addressed in the revised FEIS. The Applicant has included the November 16, 2021 ZBA comments as comments on the FEIS, and provided responses to them within the document itself. These comments and responses occur on the following pages:

- III.A-30 through III.A-34
- III.C-7 through III.C-9
- III.D-6 through III.D-10
- III.F-11 through III.F-12
- III.H-5 through III.H-7
- III.K-4 through III.K-5

COMMENTS

1. The completeness comments from the November 16, 2021, work session were included in the revised FEIS and we recommend that they be removed. The substantive information that was requested by the ZBA should be incorporated into Chapters 1 and 2, and a cover letter indicating how and where those comments were addressed should be provided.
2. The FEIS is the ZBA's document, and the tone of the responses should reflect that. Many of the responses are dismissive of the substantive information that was requested by the ZBA.
3. The ZBA's comments from the November 16, 2021, meeting were primarily related to the following substantive issues and concerns:
 - a. **Segmentation.** Several ZBA members raised the concern that the proposed project was segmented from the existing self-storage project, as the Applicant previously contemplated a larger self-storage facility. This comment is sufficiently responded to in the FEIS. The preparation of the DEIS/FEIS for the proposed project cured issues related to the segmentation of the prior project.

- b. **Flooding.** The FEIS inadequately responds to the substantive questions raised by the ZBA with regards to the extent of the flooding that occurred on the Project Site during Hurricane Ida. The ZBA's questions have relevance to the Proposed Project because they speak to establishing an appropriate Base Flood Elevation for the Proposed Project and other flood mitigation measures. Specifically, the FEIS should include the following information within Chapter 2:
- i. Height of flood water within the parking lot and the existing buildings during Hurricane Ida.
 - ii. Whether or not flood water entered the existing self-storage building during Hurricane Ida. If flood water entered the building, the extent of the intrusion should be disclosed.
 - iii. Proposed flood mitigation measures that exceed the base requirements of the law.
 - iv. Additional information regarding flooding was provided at the May 31, 2022 worksession. This technical information should be provided in the FEIS.
 - v. A diagram showing the 100-year and Ida flood levels in relation to the proposed building elevations should be provided.
- c. **Proposed Woodworking Use.** The ZBA noted that the proposed new use had different parking requirements and requested that this be further described in the FEIS. The information included in Response A-33 should be integrated into Chapter 2.
- d. **Hazardous Materials.** The ZBA questioned whether or not the Phase I and Phase II studies, as well as proposed mitigation measures, were adequate to address the conditions observed on the site. As discussed at the April 26, 2022, work session, AKRF has reviewed the documentation and proposed mitigation measures and finds that with the proposed mitigation measures in place, the recognized environmental conditions would be adequately addressed. The additional detail provided in the new responses in Section III.C should be integrated into Chapter 2. The transcript from the April 26, 2022 worksession should be included in the FEIS appendices.
- e. **Visual Impacts.** The ZBA asked for additional information regarding the potential visual impacts of the project. The DEIS included architectural plans, elevations, photography, 3-D renderings and photosimulations. The FEIS includes additional viewpoint analyses from the train tracks and I-95. The analyses in the DEIS met the requirements of the Final Scoping Document, and the applicant provided analyses from the additional requested locations. As discussed at the May 31, 2022 worksession, the several of the figures have incorrect backgrounds and should be replaced with the figures shown at the worksession presentation.
- f. **Parking.** There were inconsistencies in the document with regards to the number of parking spaces and parking ratios. These were identified in AKRF's completeness review memorandum dated October 26, 2021, and similar questions were raised by the ZBA members. Some of the corrections were made in the current document, however we noted a few places where the corrections were not picked up. These will be noted in AKRF's comments on the current draft FEIS.