

**NEW YORK STATE**  
**ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)**  
**MAMARONECK SELF-STORAGE BUILDING ADDITION**  
**FINDINGS STATEMENT**

Pursuant to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law and 6 NYCRR Part 617, the Village of Mamaroneck Zoning Board of Appeals as the Lead Agency makes the following findings.

**Name of Action:** Mamaroneck Self-Storage Building Addition

**Project Sponsor:** East Coast North Properties, LLC  
416 Waverly Avenue  
Mamaroneck, New York 10543

**Lead Agency:** Village of Mamaroneck Zoning Board of Appeals  
Village Planning Department  
169 Mt. Pleasant Avenue, 3rd Floor  
Mamaroneck, New York 10543

**SEQRA Classification:** Unlisted, Coordinated Review

**Description of Action:** East Coast North Properties, LLC (the “Applicant” or “Project Sponsor”) proposes to construct an addition to the existing self-storage facility located at 416 Waverly Avenue in the Village of Mamaroneck, New York (the “Project Site”). The Applicant redesigned the project based on comments received during the DEIS public review process. The revised project consists of a 44,314 square foot addition to the existing 40,492 self-storage building and the removal of 18,589 square feet of existing industrial space. The proposed addition would include 34,270 square feet of self-storage (160 storage units), 2,157 square feet of Murphy Brothers Contracting office, 5,879 square feet of woodworking shop, and 2,008 square feet of incubator professional office space consisting of five 10-foot by 12-foot work stations and other office amenities (the “Proposed Action”). The Proposed Action would be 84,806 square feet, which is 25,725 square feet more than what exists on the site today.

The building proposed in the FEIS Plan is broken into five separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. The FAR for the overall site would be 1.92.

The southernmost section of the building addition will be integrated with the existing self-storage building, and as such will correspond to the height of the existing building. However, moving north, the building will step down to three stories and then two stories where a terraced landscaped rain garden and lawn gradually integrates the Project Site into the Fenimore Road streetscape. The streetscape is proposed to be further enhanced by replacing the Murphy Brothers office building

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located at the Waverly Avenue/Fenimore Road intersection, with a publicly accessible vest-pocket park containing decorative seasonal landscaping and benches arrayed around a circular walkway.

Access to the Project Site will be provided from the existing two-way driveway on Waverly Avenue located adjacent to the existing self-storage building. The second existing driveway on Waverly Avenue will be eliminated. An exit, right-turn-only driveway will be maintained on Fenimore Road. The parking lot will be reconfigured to provide 26 full-size parking stalls and 3 new off-street loading spaces.

New stormwater management improvements are proposed including a rain garden along Fenimore Road. The building addition would be served by existing utility connections. New exterior site lighting and landscaping around the entire Waverly Avenue and Fenimore Road frontages is also proposed.

**Location:** 416 Waverly Avenue/560 Fenimore Road, Village of Mamaroneck, NY 10543

**Date Final Environmental Impact Statement Accepted:** January 5, 2023

**Date Final Environmental Impact Statement Filed:** January 11, 2023

**Date Findings Adopted:** February 2, 2023

## **A. FACTS AND CONCLUSIONS RELIED ON TO SUPPORT THE DECISION**

This Findings Statement has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (the State Environmental Quality Review Act or “SEQRA”) and its implementing regulations set forth in 6 NYCRR Part 617. It has been prepared by the Village of Mamaroneck Zoning Board of Appeals (the “Zoning Board of Appeals”), the Lead Agency for the coordinated environmental review of the Proposed Action. This Findings Statement relies on the information and analysis contained in the Draft Environmental Impact Statement (DEIS) accepted as complete on February 4, 2021, and the Final Environmental Impact Statement (FEIS) dated January 5, 2023.

## **B. DESCRIPTION OF THE PROPOSED ACTION**

East Coast North Properties, LLC (the “Applicant” or “Project Sponsor”) proposes to construct an addition to the existing self-storage facility located at 416 Waverly Avenue in the Village of Mamaroneck, New York (the “Project Site”). In response to comments received during the DEIS public hearing process, the Applicant re-envisioned the development originally proposed in the DEIS. Under the FEIS Plan, all of the existing industrial buildings will be razed, resulting in the removal of 18,589 square feet of existing floor area. The new building extension would consist of 44,314 square feet of gross floor area, or a net increase of 25,725 square feet once the floor areas of the existing industrial buildings are deducted (the “Proposed Action”). The addition would consist of 34,270 square feet for the self-storage addition (containing 160 storage units), 2,157 square feet for a Murphy Brothers Contracting office, 5,879 square feet for a new woodworking shop, and 2,008 square feet of incubator professional office space consisting of five 10-foot by 12-foot work stations and other office amenities (the “Proposed Action”). The building proposed in the FEIS Plan is broken into five separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. The FAR for the overall site would be 1.92.

The southernmost section of the building addition will be integrated with the existing self-storage building, and as such will correspond to the height of the existing building. Moving north, the building will step down to three stories and then two stories where a terraced landscaped rain garden and lawn gradually integrates the Project Site into the Fenimore Road streetscape. The streetscape is proposed to be further enhanced by replacing the Murphy Brothers office building, located at the Waverly Avenue/Fenimore Road intersection, with a publicly accessible vest-pocket park containing seasonal landscaping and benches arrayed around a circular walkway.

Access to the Project Site will be provided from the existing two-way driveway on Waverly Avenue located adjacent to the existing self-storage building. The second existing driveway on Waverly Avenue will be eliminated. An exit, right-turn-only driveway will be maintained on Fenimore Road. The parking lot will be reconfigured to provide 26 full-size parking stalls and 3 new off-street loading spaces.

New stormwater management improvements are proposed including a rain garden along Fenimore Road. The building addition would be served by existing utility connections. New exterior site lighting and landscaping around the entire Waverly Avenue and Fenimore Road frontages is also proposed.

### **C. SEQRA REVIEW AND PROCEDURAL HISTORY**

The New York State Environmental Quality Review Act (6 NYCRR Part 617) requires that agencies considering discretionary actions, such as the Proposed Action here, assess the potential adverse environmental impacts that could result from a given action.

On July 12, 2018, the Village of Mamaroneck Zoning Board of Appeals declared its intent to serve as Lead Agency for the Proposed Action. Having received no objection from any other Involved Agency, on June 6, 2019 the Zoning Board of Appeals adopted a Positive Declaration, thereby finding that the Proposed Action may have a significant adverse impact on the environment and requiring that a DEIS must be prepared.

A DEIS was prepared by the Applicant pursuant to the State Environmental Quality Review Act (SEQRA) (Article 8 of Environmental Conservation Law) and its implementing regulations (6 NYCRR Part 617), as well as in accordance with the environmental analysis required by the Scoping Document approved by the Zoning Board of Appeals acting as Lead Agency on September 5, 2019 (“Adopted Scope”). The DEIS analyzed potential environmental impacts from the Proposed Action. The Village of Mamaroneck Zoning Board of Appeals (acting as Lead Agency) issued a Notice of Completeness for the DEIS on March 17, 2021.

Duly noticed public hearings on the DEIS were held by the Lead Agency on April 1, 2021 and May 6, 2021, for purpose of hearing any public comment on the DEIS. Written comments were accepted for a period of no less than 10 days following the close of the public hearing and ending on May 17, 2021. The DEIS was made accessible on the Village of Mamaroneck’s website and in hard-copy format at the Village of Mamaroneck Planning Department and the Mamaroneck Public Library.

The FEIS, which responded to all substantive comments on the DEIS, was accepted by the Lead Agency on January 5, 2023, and distributed to all Involved and Interested Agencies and posted to the Village of Mamaroneck’s website on January 13, 2023.

### **D. SUMMARY OF IMPACTS, PROPOSED MITIGATION AND SPECIFIC FINDINGS**

The following describes the anticipated impacts and benefits resulting from the Proposed Action as identified in the DEIS and FEIS, the proposed mitigation measures that the Zoning Board of Appeals has identified and will require to be incorporated into the Proposed Action, and the findings of the Village of Mamaroneck Zoning Board of Appeals based on the record before it.

#### **ZONING AND LAND USE**

The potential impacts of the Proposed Action on existing patterns of land use in and around the Project Site was evaluated. The evaluation also compared the Proposed Action to the recommendations for the Project Site and surrounding area as set forth in the Village of Mamaroneck Comprehensive Plan, Local Waterfront Revitalization Plan (LWRP), the proposed MAKER Zone Overlay District, and other long-range land use plans.

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*POTENTIAL IMPACTS*

*Zoning*

As a self-storage facility, the Proposed Action is a permitted use in the M-1 District. In response to comments received during the DEIS public hearing process, the proposed building addition was reduced in size and scale and is more zoning compliant than originally proposed. Still, the Proposed Action will require several area variances shown in Table 1:

**Table 1  
FEIS Plan Zoning Compliance (Area Variances)**

Zoning Criteria	Required/ Permitted	Existing	Proposed	Overall Variance Required	Variance Previously Granted	New Variance Required
Minimum Lot Area (SqFt)	10,000	44,156	44,156	--	--	--
Minimum Lot Width	50	134	134	--	--	--
Building Coverage						
Area (SqFt)	22,078	20,081	23,094	1,016	--	1,016
Percentage	50%	45%	52%	2%	--	2%
Floor Area Ratio (FAR)	1.0	1.34	1.92	0.92	0.34 <sup>1</sup>	0.58
Maximum Gross Floor Area	44,156	59,081	84,806	40,650	14,925 <sup>1</sup>	25,725
Impervious Surface Coverage						
Area (SqFt)	N/A	41,390	39,235	--	--	--
Percentage	N/A	93.7%	88.9%	--	--	--
Maximum Building Height						
Stories						
Feet	3	4	4	1 story	1 story <sup>1</sup>	1 story variance for expanded building
	45'	45'	45'	--	--	--
Minimum Yard Requirements						
Front (Waverly)	-- <sup>2</sup>	0'	8'	--	--	--
Front (Fenimore)	10'	0.4'	27'	--	--	--
Rear (Southeast)	None	2'	2'	--	--	--
Rear (Southwest)	None	3'	3'	--	--	--
Off-Street Parking	124	52	26	98	37 <sup>1</sup>	61
Off-Street Loading	8	0	3	8	5 <sup>1</sup>	--
<b>Sources:</b> FEIS						
<b>Notes:</b>						
1: See Oct. 3, 2013 Zoning Board of Appeals Resolution (App. No. 9A-2013).						
2: In the case of corner lots, the Planning Board shall establish reasonable setbacks from the street. Zoning Code Section 342-79.						

The Village of Mamaroneck Zoning Board of Appeals will determine whether to grant the requested variances. In making its determination, the Board is required to consider the benefit to the Applicant if granted, as weighed against the detriment to the health, safety, and welfare of the neighborhood or community. The Village of Mamaroneck Village Code and New York State Village Law provide standards for the Board to apply to evaluate the variance request.

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The existing self-storage building, which was previously granted several variances (see Table 1 Note 1), a consistency determination from the Harbor & Coastal Zone Management Commission (HCZMC), site plan approval and a flood development permit from the Planning Board, and approval from the Board of Architectural Review.

*Land Use*

At the northwest corner of Fenimore Road and Waverly Avenue, the Project Site is located in the M-1 District, surrounded predominantly by land uses that are auto service related, manufacturing/warehouse or general services/sales. As a self-storage facility, the Proposed Action is consistent with these uses.

The Proposed Action includes streetscape landscaping improvements along Waverly Avenue and Fenimore Road to enhance the pedestrian experience. Within the Project Site itself, all of the existing older non-conforming buildings will be demolished and replaced with the newly configured building addition which has been reduced in scale and visually articulated to reduce its mass. As well as an onsite terrace, rain garden, and lawn, the Proposed Action includes a publicly accessible vest-pocket park with landscaping and benches.

In addition to being consistent with existing uses, the Proposed Action is consistent with the anticipated land use of the area based on existing, draft, and proposed land use plans and rezonings. The following assessment compares the Proposed Action to recommendations for the area set forth in the Village of Mamaroneck Comprehensive Plan and other long-range comprehensive plans:

- 2012 Comprehensive Plan – While no specific recommendations are set forth in the Comprehensive Plan regarding the Project Site, the Proposed Action is consistent with the two primary goals for the area:
  - 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.

As a self-storage use, the Proposed Action will not generate detectable odors or fumes, produce pollution, or consume energy, as a net-zero project. The Proposed Action is compatible with the existing surrounding uses and consistent with the Village’s low-environmental impact development goals for the Industrial Area.

- 2019 Comprehensive Plan (proposed update; 1st Draft) – This update recognizes that pending initiatives would support the established goals for the Industrial Area but does not make specific recommendations for the Project Site. The future land use plan for the Village as reflected on the Land Use Map includes the Project Site within the “Manufacturing, Industrial, Warehouse” land use category. The Proposed Action, as a self-storage warehouse, is consistent with this designation.
- Local Waterfront Revitalization Plan (LWRP) (current and draft update) – The Project Site is not located near the Village’s waterfront, so the majority of the LWRP’s policies do not apply to the Proposed Action. However, the LWRP recognizes that the majority of the Industrial Area is located within the floodplain and identifies flood mitigation as critically important. The Proposed Action’s 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

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floodplain development requirements set forth in the Village Flood Damage Prevention Code and the FEMA regulations for non-residential floodplain development. The Proposed Action is consistent with the policies of the current and draft LWRP.

- Waverly Avenue Design Study – This Study addressed land use street edge conditions, signage, utilities, parking and urban design concerns. The Study included five goals for improving the streetscape. The existing self-storage facility complied with the streetscape design guidelines, and the Proposed Action would extend full compliance around the entire perimeter of the Site.
- MAKER Zone (proposed overlay district) – The purpose of the MAKER Zone is to create incentives to grow the “maker” economy in Mamaroneck while enhancing the current industrial use within the area. As an overlay zone, the existing uses permitted in the underlying M-1 District would remain intact, and additional permitted uses meant to support innovation and economic activity would be added. The Proposed Action would be consistent with the land uses permitted in the proposed MAKER Zone.
- Patterns for Westchester: The Land and the People (Patterns) – This policy document provides a broad vision and context for local-level planning initiatives, and it does not specifically address the area around the Project Site. Patterns identifies the Village of Mamaroneck as a “Local Center” within a “Principal Corridor.”
- Westchester 2025 – While Westchester 2025 does not include specific recommendations for the Village of Mamaroneck, its policies reflect the Village’s land use and development goals.

*MITIGATION*

The following measures have been incorporated into the Proposed Action to mitigate potential significant adverse zoning or land use impacts:

- The Proposed Action employs varied materials, colors, and structural elements to disguise the self-storage use as a commercial or office building.
- The Proposed Action includes the demolition of aged structures.
- The Proposed Action uses “green” building technology and would be a “net zero” facility.
- The Proposed Action would install lighting at the rear of the proposed building to illuminate Railroad Way during evening hours with the goal to enhance public safety.
- 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 in the Industrial Area, also known as “The Flats,” since most of this area is within the 100-year floodplain. The reduction in impervious cover, as well as improved stormwater management methods has been proposed to 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

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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, identify 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 proposing landscaping enhancements along Fenimore Road and Waverly Avenue. The existing beds along Waverly Avenue will be expanded to accommodate additional plantings, and two new planting beds will be added along Fenimore Road. The landscaping improvements will include a deep rain garden along the Fenimore Road facade and shallower planting beds and a new street tree along the Waverly Avenue streetfront 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.

*FINDINGS AND CONDITIONS*

Specifically, the Zoning Board of Appeals acting as Lead Agency finds that:

1. The size and scale of the Proposed Action were reconfigured to address comments received from members of the Zoning Board of Appeals during the DEIS process, resulting in a more zoning compliant proposal.
2. The Zoning Board of Appeals, at such time as it considers the request for area variances, will base its determination on a balancing analysis that incorporates specific criteria outlined in the Village of Mamaroneck Village Code.
3. The land use of the Proposed Action is consistent with the existing and anticipated land uses surrounding the Project Site, including recommendations for the area set forth in the Village of Mamaroneck Comprehensive Plan and other long-range comprehensive plans.
4. The Proposed Action will replace aged structures on the Project Site with "green" construction that incorporates environmentally sustainable features and will contribute to pedestrian and streetscape improvements.

The Zoning Board of Appeals finds that the Proposed Action's potential to adversely impact zoning and land use will be minimized through architectural design that reduces the building's scale and mass, incorporation and commitment to energy-efficient measures, and enhanced streetscaping and pedestrian experience.

**NATURAL RESOURCES**

The potential for the Proposed Action to affect natural resources on and within the vicinity of the Project Site was evaluated. Existing surface and groundwater, geology, soils and topography were characterized.

*POTENTIAL IMPACTS*

The Project Site is substantially developed, with no open or vacant land. No surface water features are located on, or in the immediate vicinity of the Project Site. No aquifers are located directly below the Project Site; however, a stratified drift aquifer with a yield of >100 gallons per minute

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is aquifer is located approximately 300 feet northwest of the Project Site, on the north side of Fenimore Road.

The Proposed Action will reduce the impervious cover on the Project Site from 41,653 square feet (94.3%) to 39,235 square feet (88.9%). The building addition will be constructed on a slab foundation. No significant alteration of the existing Project Site grades is necessary to accommodate the proposed building addition. Minimal excavation will be required consisting of 150 cubic yards of cut and 69.9 cubic yards of fill, resulting in a net cut of 80.1 cubic yards. It is not anticipated that groundwater will be encountered during construction.

Given that the Project Site is just over one acre, the maximum limit of open disturbance area during construction at any one time will remain below the 5-acre threshold under requirement II.D.3 of the NYSDEC SPDES General Permit for Stormwater Discharges and Construction Activity (GP-0-20-001).

*MITIGATION*

A Stormwater Pollution Prevention Plan (SWPPP) has been prepared by the Project Sponsor as part of the EIS that illustrates project feasibility with respect to managing construction phase erosion and sediment controls as well as outlining the permanent stormwater features that will be constructed to provide water quality and quantity controls. The SWPPP that was prepared has been reviewed by the Village's consulting engineer and found to be generally in conformance with the General Permit GP-0-20-001, The New York State Stormwater Management Design Manual, New York Standards and Specifications for Erosion and Sediment Control and Chapter 294 of the Village of Mamaroneck Code.

The SWPPP includes an erosion and sedimentation control plan, which will be implemented to reduce or eliminate any potential impact to soil erosion and groundwater resources. Planned erosion and sedimentation control practices during construction include the installation, inspection and maintenance of the inlet protection, soil stockpile areas, diversion swales, sediment traps and silt fencing. General land grading practices, including land stabilization and construction sequencing are also integrated into the Sediment and Erosion Control Plan. Dust control is not expected to be a problem due to the relatively limited area of exposure. Should excessive dust be generated, it will be controlled by sprinkling. The following erosion control practices will be implemented:

1. **Silt fence** – Silt fence (geo-textile filter cloth) shall be placed in locations depicted on the approved plans. The purpose of the silt fence is to reduce the velocity of sediment laden stormwater from small drainage areas and to intercept the transported sediment load. In general, silt fence shall be used at the toe of slopes or intermediately within slopes where obvious channel concentration of stormwater is not present.

Maintenance – Silt fencing shall be inspected at a minimum of once per week and prior to and within 48 hours following a rain event ½" or greater. Inspections shall include ensuring that the fence material is tightly secured to the woven wire and the wire is secured to the wood posts. In addition, overlapping filter fabric shall be secure and the fabric shall be maintained a minimum of six (6) inches below grade. In the event that any "bulges" develop in the fence, that section of fence shall be replaced within 48 hours with new fence section. Any sediment build-up against the fence shall be removed within 48 hours and deposited on-site a minimum of 100 feet outside of any wetland or watercourse.

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2. **Inlet protection** – After driveway catch basins and surface inlets have been installed, these drain inlets will receive stormwater from the driveway, temporary diversion swales and surrounding overland watersheds. In order to protect the receiving waters from sedimentation, the contractor shall install  $\frac{3}{4}$  inch stone aggregate around the perimeter of all catch basins and surface inlets as illustrated on the approved plans. This barrier will allow stormwater to be filtered prior to reaching the basin inlet grate.

Maintenance – The stone aggregate shall be inspected weekly prior to and within 48 hours following a rain event  $\frac{1}{2}$ " or greater. Care shall be taken to ensure that all stone aggregate is properly located and secure and does not become displaced. The stone aggregate shall be inspected for accumulated sediments and any accumulated sediment shall be removed from the device and deposited not less than 100 feet from wetland or watercourse.

3. **Soil Stockpiling** – All soil stripped from the construction area during grading shall be stockpiled in locations approved by the Village's representative, but in no case shall they be placed within 100' of a wetland or watercourse. To the extent practicable, the stockpiled soils shall be re-used during finish-grading. Soil stockpiles shall be protected from erosion by vegetating the stockpile with rapidly – germinating grass seed or covering the stockpile with tarpaulin and surrounding it with a silt fence.

Maintenance – Sediment controls (silt fence) surrounding the stockpiles shall be inspected according to the recommended maintenance outline above. All stockpiles shall be inspected for signs of erosion or problems with seed establishment weekly and prior to and within 48 hours following a rain event  $\frac{1}{2}$ " or greater.

4. **General Land Grading** – The intent of the Erosion & Sediment Control Plan is to control disturbed areas such that soils are protected from erosion by temporary methods and, ultimately, by permanent vegetation or other Project Site improvements. Where practicable, all cut and fill slopes shall be kept to a maximum slope of 2:1. In the event that a slope must exceed a 2:1 slope, it will be stabilized with stone riprap. On fill slopes, all material will be placed in layers not to exceed 12 inches in depth and adequately compacted. Where practicable, diversion swales shall be constructed on the top of all fill embankments to divert any overland flows away from the fill slopes.

5. **Surface Stabilization** – All disturbed areas will be protected from erosion with the use of vegetative measures (i.e., grass seed mix, sod) hydro-mulch netting or hay. When activities temporarily cease during construction, soil stockpiles and exposed soil should be stabilized by seed, mulch or other appropriate measures as soon as possible, but in no case more than 14 days after construction activity has ceased. All seeded areas will be re-seeded as necessary and mulched according to the site plan to maintain a vigorous, dense vegetative cover.

Erosion control barriers consisting of silt fencing shall be placed around exposed areas during construction. Where exposed areas are immediately uphill from a wetland or watercourse, the erosion control barrier will consist of double rows of silt fencing. Any areas stripped of vegetation during construction will be vegetated and/or mulched as soon

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as possible, but in no case more than 14 days to prevent erosion of the exposed soils. Topsoil removed during construction will be temporarily stockpiled for future use in grading and landscaping.

Temporary vegetation will be established to protect exposed soil areas during construction. If growing conditions are not suitable for the temporary vegetation, mulch will be used to the satisfaction of the Building Inspector. Materials that may be used for mulching include straw, hay, salt hay, wood fiber, synthetic soil stabilizers, mulch netting, sod or hydro-mulch. In Project Site areas where significant erosion potential exists (steep slopes) and where specifically directed by the Village's representative, Curlex Excelsior erosion control blankets (manufactured by American Excelsior, or approved equal) shall be installed. A permanent vegetative cover will be established upon completion of construction of those areas that have been brought to finish-grade and to remain undisturbed.

6. **Dewatering** –To prevent surface water and subsurface or ground water from flowing into excavations and trenches, accumulated water will be pumped out. Water will be removed from all excavations immediately to prevent softening of foundation bottoms, undercutting footings, and soil changes detrimental to the stability of subgrades and foundations. Pumps, sumps, suction and discharge piping systems, and other system components necessary to convey the water away from the Project Site shall be furnished and maintained. Water removed from excavations, and rain water, shall be conveyed to temporary drainage ditches and or other necessary diversions outside excavation limits for each structure. Trench excavations are not to be used as temporary drainage ditches. Temporary controls to restrict the velocity of discharged water shall be provided as necessary to prevent erosion and siltation of receiving areas.

Prior to or at the start of this work, soil erosion and sediment controls and fencing/signage will be installed along the Project Site perimeter in accordance with the approved Project Site-wide SWPPP and Erosion and Sedimentation Control Plan. In the event that soil stockpiling is necessary, stockpile staging areas will be constructed prior to the start of excavation activities. Areas of the Project 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.

*FINDINGS AND CONDITIONS*

Specifically, the Zoning Board of Appeals acting as Lead Agency finds that:

1. Compliance with the SWPPP during construction will be a condition of all land use approvals and is a requirement to be in compliance with GP-0-20-001. The Project Sponsor is required to retain a qualified inspector to perform weekly SWPPP inspection during all phases of the construction. Inspections shall also be conducted within 24 hours of the end of a storm event of 0.5 inches or greater. The inspection reports will be circulated to entities identified by the Village. The inspection log will be maintained on-site in a SWPPP mailbox. At the same time, inspectors from the Village will oversee construction, review the reports from the qualified inspector, and monitor the Project Site as per the report and ensure that any necessary corrective action is taken. The SWPPP ensures that a thorough maintenance and repair program will be in place which will be inspected at frequencies identified in the General Permit or at greater frequencies deemed

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necessary by the Applicant. The Village also has authority to conduct routine or random inspections of the Project Site pursuant to the General Permit.

2. Erosion and sedimentation control practices that must followed during construction include the installation, inspection and maintenance of the inlet protection, soil stockpile areas, diversion swales, sediment traps and silt fencing.

The Zoning Board of Appeals finds that the Proposed Action's potential impacts to natural resources will be minimized and mitigated through implementation of the SWPPP and erosion and sediment control plan.

**HAZARDOUS MATERIALS & PUBLIC HEALTH**

The potential for the Proposed Action to affect hazardous materials and public health on and within the vicinity of the Project Site was evaluated. Existing conditions regarding hazardous materials were characterized.

*POTENTIAL IMPACTS*

A Phase I Environmental Site Assessment (ESA) was conducted in September 2019 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 Phase I ESA identified two NYSDEC spill incidents that were administratively closed by NYSDEC in 2004. In addition, given the age of the existing buildings, the Phase I ESA also identified the potential presence of asbestos, lead-based paint, and polychlorinated biphenyls (PCBs), which would require abatement during the demolition process.

A Phase II ESA was conducted in April 2020 for soil and groundwater sampling. Results of soil sampling for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), target analyte list (TAL) metals and PCBs indicated that no petroleum hydrocarbon constituents, metals or PCBs were detected above NYSDEC Restricted Use Soil Cleanup Objectives for commercial properties at any of the boring locations where these constituents were tested. The results of groundwater sampling for VOCs and SVOCs indicate that some chlorinated VOCs were detected above NYSDEC Ambient Water Quality Standards. However, groundwater will not be used for potable purposes, and, although not anticipated, if any dewatering is required, the pumped groundwater will be treated prior to being discharged, or collected and properly disposed of.

Given that the Project Site was previously impacted by spill incidents that were administratively closed in 2004, a foundation Excavation Work Plan was prepared in accordance with NYSDEC regulations pertaining to environmentally impacted sites.

*MITIGATION*

Given the likely presence of asbestos, lead paint, and PCBs, proper sampling and abatement shall be undertaken prior to any further renovations, repairs or demolition.

An Excavation Work Plan will be implemented and 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 Project Site-Specific Health and Safety Plan (HASP), the Earthwork contractor's HASP, OSHA

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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 an on-site geologist/environmental scientist using: (1) a calibrated four gas meter (%LEL, %O<sub>2</sub>, H<sub>2</sub>S 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 volatile organic compound/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.

If dewatering is required, the pumped groundwater will be treated prior to being discharged, or collected and properly disposed of. A Sub-Slab Depressurization System (SSDS) and/or vapor barrier will be installed under the concrete slab of the building to mitigate the potential for vapor intrusion from chlorinated VOCs that were present in groundwater at concentrations that exceeded the NYSDEC Ambient Water Quality Standards.

*FINDINGS AND CONDITIONS*

Specifically, the Zoning Board of Appeals acting as Lead Agency finds that:

1. 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 Project 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).
2. Any asbestos, lead paint, or PCBs encountered shall require abatement in accordance with all applicable laws and regulations.
3. Should dewatering be necessary, pumped groundwater will be treated prior to being discharged or collected and properly disposed of.
4. A SSDS and/or vapor barrier will be installed under the concrete slab of the building.

The Zoning Board of Appeals finds that the Proposed Action’s potential impacts to hazardous materials and public health will be minimized through implementation of the Excavation Work Plan; abatement of asbestos, lead paint, and PCBs; proper treatment and handling of any pumped groundwater; and incorporation of the SSDS and/or vapor barrier in accordance with all applicable laws and regulations.

## **FLOODING & FLOOD ZONE IMPACTS**

The potential for the Proposed Action to affect flooding and flood zone impacts on and within the vicinity of the Project Site was evaluated. Existing conditions regarding flooding, the flood zone, and on-site flood storage were characterized.

### *POTENTIAL IMPACTS*

The Project Site lies within the Special Flood Hazard Zone (AE), and the Proposed Action will fully comply with Chapter 186 of the Village Code: Flood Damage Protection. The Proposed Action will remove the older, flood prone buildings on the Project Site. Although storage of floodwaters is not required within the proposed building, the building design has been revised to include wet floodproofing in order to maximize flood storage on-site. In addition to flood storage within the proposed wet floodproofed buildings, other flood storage on the site consists of the parking and landscaped areas. The flood storage volume was calculated at 1-foot intervals from the lowest elevation on site (21) to the flood elevation (EL. 26). As demonstrated in the Volumetric Calculations included within Appendix F of the FEIS, the cumulative storage for each elevation up to and including the 100-year flood elevation increases over the existing conditions of the site. The Proposed Action results in a 31,091 cubic foot increase in flood storage, which in turn corresponds to a theoretical reduction in the 100-year floodplain, thereby reducing the impact of a flood event on surrounding properties. The Proposed Sponsor will be required to carry flood insurance.

### *MITIGATION*

As described above, the building design has been revised to include wet floodproofing in order to maximize flood storage on-site. Flood gates/vents will be included and will launch automatically without the need for electricity. The Proposed Action will slightly decrease the impervious coverage and increase flood storage on the Project Site.

### *FINDINGS AND CONDITIONS*

Specifically, the Zoning Board of Appeals acting as Lead Agency finds that:

1. The Proposed Action will comply with all applicable Federal Emergency Management Agency and Village of Mamaroneck Floodplain Development Standards as set forth in Chapter 186 of the Village Code. These Standards will be enforced through the requirements and inspections associated with the Floodplain Development Permit. The first floor of the addition will be constructed two feet above the base flood elevation.
2. The building design will include wet floodproofing to maximize flood storage on-site.
3. The Proposed Action will slightly decrease impervious cover and will increase flood storage on the Project Site.
4. The Project Sponsor is required to carry flood insurance.

The Zoning Board of Appeals finds that the Proposed Action's potential impacts to flooding will be minimized through compliance with Chapter 186 of the Village Code, the Floodplain Development Permit, and incorporation of wet floodproofing.

## **HISTORIC RESOURCES**

The potential for the Proposed Action to affect historic resources on and the Project Site was evaluated.

### *POTENTIAL IMPACTS*

No sites listed on the State or National Register of Historic Places are located on or in the vicinity of the Project Site. The four closest sites are:

- Skinny House (0.36 miles)
- Walters Hot Dog Stand (0.58 miles)
- St. Thomas Episcopal Church (0.43 miles)
- Mamaroneck Post Office (0.32 miles)

In response to the Applicant's inquiry, the New York State Office of Parks Recreation and Historic Preservation (OPRHP) expressed that it has no concerns regarding the Proposed Action's potential impact on historical and cultural resources. While the presence of nearby Native American archaeological sites has caused the area to be designated as archaeologically sensitive, the OPRHP similarly expressed minimal archaeological concern.

Based on the foregoing, the Proposed Action will have no impact on any designated historic or archaeological resources.

### *MITIGATION*

As the Proposed Action will have no impact on any designated historic or archaeological resources, no mitigation measures are proposed.

### *FINDINGS AND CONDITIONS*

Specifically, the Zoning Board of Appeals acting as Lead Agency finds that:

1. An inquiry through the New York State Historic Preservation Office database indicated that none of the buildings on the Site are eligible for listing as historic structures.
2. No sites listed on the State or National Register of Historic Places are located on or in the vicinity of the Project Site.

The Zoning Board of Appeals finds that the Proposed Action will have no impact on any designated historic or archaeological resources.

## **VISUAL RESOURCES**

The potential visual impact of the Proposed Project was evaluated through techniques including photographs, 3-D renderings, and photo-simulations. The evaluation included an assessment of the aesthetic quality of the surrounding area.

### *POTENTIAL IMPACTS*

The Proposed Action will demolish the existing aged structures on the Project Site. The building expansion connects with the existing self-storage building and is then visually broken into five distinct segments to resemble independent buildings. This visual articulation, as well as reduction

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in the building's overall mass, size, and scale, were designed in response to comments received during the DEIS process.

#### *Scale*

On the Project Site, all but the existing self-storage facility will be demolished. The new building extension would consist of 44,314 square feet of gross floor area, or a net increase of 25,725 square feet once the floor areas of the existing industrial buildings are deducted. Where the building addition presented in the DEIS Plan was somewhat monolithic, the building proposed in the FEIS Plan has been completely redesigned and is now broken into five separate segments, each distinctly articulated and clad in differing facade materials to resemble independent buildings. This treatment reduces the mass of the building. Further, this approach reduces the building footprint of the addition by 1,044 square feet and the gross floor area of the addition by 12,014 square feet. The proposed FAR for the overall site was reduced from 2.26 to 1.92.

The height of portions of the building addition has also been reduced. The southernmost section of the building addition will be integrated with the existing self-storage building, and as such corresponds to the height of the existing building at four stories and 45 feet. Moving north, the building steps down to three and then two stories where a terrace, broad landscaped rain garden and lawn gradually integrate the Project Site into the Fenimore Road streetscape. The streetscape is proposed to be further enhanced by replacing the Murphy Brothers office building, located at the Waverly Avenue/Fenimore Road intersection, with a publicly accessible vest-pocket park with landscaping and benches arrayed around a circular walkway. This park will replace the existing office building on the corner and will serve to open up the site visually and physically.

Features such as windows, cornices, and moldings break-up the vertical mass of the building. Design elements such as the brick base, and mansard roof add detail to the building's architecture. Awnings and decorative goose neck light fixtures add further visual variety.

#### *View Analysis*

A view analysis was conducted from six viewpoints identified in the Scoping Document adopted by the Zoning Board of Appeals as the Lead Agency. The DEIS includes a key map of these viewpoints, photographs of the existing site, and renderings of the proposed building imposed on the photographic images. (See *Visual Simulations* below.)

#### *Aesthetic Character of Surrounding Area*

In planning studies such as the Waverly Avenue Design Study, the Comprehensive Plan and Comprehensive Plan Update, the Village has continually identified the poor aesthetic quality of the Industrial Area as a problem. The area consists of a jumble of utilitarian industrial buildings and storage yards, interspersed with remnant residences. Little investment in the aesthetic quality of the area is apparent with the only notable physical improvement being the Mamaroneck Self-Storage facility that opened in 2015.

#### *Relationship of Proposed Action to Surrounding Area*

The development of the Proposed Action will result in a building addition that is taller than all buildings in the Industrial Area, with the exception of The Mason located approximately 600' to the north on Waverly Avenue. Most buildings in the area are one and two-story structures. However, in terms of gross floor area, a number of other industrial buildings contain more square

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footage. Those single-story industrial buildings cover far larger footprints than the Proposed Action.

*Site Lighting & Landscaping*

The proposed Lighting Plan includes an array of exterior light fixtures selected to afford an appropriate level of site lighting without excessive spill beyond the property line. Details of proposed site lighting will be addressed during the site plan review process, with a goal of not exceeding 1 footcandle along the property lines and in accordance with the Village of Mamaroneck Village Code.

The proposed Landscape Plan preserves and adds to existing street trees, and it supplements existing foundation plantings. The new parking lot will be screened, and plantings will be provided on all unoccupied areas of the Project Site.

*Visual Simulations*

For each of the six viewpoints, the Proposed Action was superimposed to provide photo simulations. The following is a summary of the visual conditions observed:

1. Northwest corner of the intersection of Waverly Avenue and Fenimore Road, looking towards the Project Site:

Views of the building addition are plainly visible from this location. The building addition is a continuation of the existing self-storage building, which has established the visual character of the Site.
2. Northwest corner of the intersection of Waverly Avenue and Ogden Road, looking towards the Project Site:

From this vantage, the new building addition is blocked by the existing building.
3. Northwest corner of the intersection of Fenimore Road and Hoyt Avenue, looking towards the Project Site:

In this view, the existing “barn” building has been replaced by the new self-storage building addition that will extend towards Fenimore Road. The proposed building addition is taller than the barn, but it is not as wide.
4. North Side of Fenimore Road, midblock between Center Avenue and Waverly Avenue, looking towards the Project Site:

This viewpoint affords a deeper perspective of the Project Site, and the new building addition will be plainly visible.
5. Northbound on Heathcote Avenue looking towards the Project Site:

The existing self-storage building, as well as the building addition will be visible from this viewpoint across the Metro North rail lines and the intervening one-story warehouse buildings. This view will be more apparent during the full leaf-off condition. The elevation of Heathcote Avenue is notably higher than the Industrial Area, so views from this perspective overlook the area.
6. Highview Street Historic District:

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The Project Site cannot be viewed from the end of Highview Street. Views may be possible from the upper stories of the homes at the end of the street, however, no views from a public location are possible.

*MITIGATION*

The existing Mamaroneck Self Storage building has established the visual character of the Project Site. The proposed addition is a continuation of this character. The building addition will extend across the eastern edge of the Project Site to Fenimore Road. While the building addition will be taller than the surrounding buildings, there are no significant views or viewsheds that would be blocked or disturbed by the construction of the building.

The building addition will extend the same mansard roof of the existing self-storage building. This feature screens roof-top mechanical equipment and solar panels, which would not be visible from any vantage points.

The design features of the Proposed Action are proposed to enhance the visual character of the Project Site. These features include the five distinctly articulated building segments and architectural details, along with lighting, landscaping, and streetscaping.

The proposed building's consistency with the surrounding character, particularly, the question of excessive similarity or dissimilarity or inappropriateness of design, will be addressed by the Village of Mamaroneck Board of Architectural Review. It is that Board's statutory obligation to render its decision based primarily on those factors, as articulated in the Village Code. The Proposed Action must obtain the Board of Architectural Review's approval prior to the issuance of a Building Permit.

The streetscape design conforms to the goals of the Waverly Avenue Design Study by:

- Organizing vehicles within a planned and approved parking lot.
- Replacing broken or damaged sidewalks in accordance with Village standards.
- Limiting the number of driveways onto Waverly Avenue.
- Improving the public streetscape with street trees landscaping and associated improvements.

These improvements would extend along the Project Site's Waverly Avenue and Fenimore Road frontages. Compliance with these standards will preemptively mitigate any potential adverse impacts.

*FINDINGS AND CONDITIONS*

Specifically, the Zoning Board of Appeals acting as Lead Agency finds that:

1. In response to comments received from members of the Zoning Board of Appeals during the DEIS process, the Proposed Action was redesigned to reduce its mass, scale, height, footprint, and overall FAR.
2. The design of the building, as broken into five distinctly articulated segments to resemble independent buildings, will reduce the mass of the building.
3. The visual appearance of the Project Site will be improved by the proposed architectural features, as well as the landscaping, streetscaping, and publicly accessible park.

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4. While the building addition will be substantially taller than the surrounding buildings, there are no significant views or viewsheds that would be blocked or disturbed by the construction of the building, as demonstrated by the view analysis from multiple vantages.
5. The Board of Architectural Review, at such time as it considers approval of the Proposed Action, will assess and render its decision primarily on an assessment of excessive similarity or dissimilarity or inappropriateness of design, as required under Village Code.

The Zoning Board of Appeals finds that the Proposed Action’s potential to adversely impact visual resources will be minimized by architectural design features, screening of the roof-top mechanical equipment and solar panels, landscaping surrounding the parking lot, enhanced site landscaping, and streetscaping that improves the area appearance and complies with the standards set forth in the Waverly Avenue Design Study.

**UTILITIES**

The potential for the Proposed Action to affect utilities on and within the vicinity of the Project Site was evaluated. Existing water, sewer, solid waste collection, and electric service was characterized.

*POTENTIAL IMPACTS*

The Proposed Action will not have an adverse impact on water demand, sanitary wastewater generation, or solid waste generation. The Proposed Action is being designed as a “Net Zero” building, and as such will be highly energy efficient.

*MITIGATION*

The proposed building is designed to include the following energy-efficient mitigation measures:

- High-efficiency HVAC equipment including Variable Frequency Flow heat pumps for heating and cooling and a 65% Efficient Energy Recovery Ventilation system for mechanical ventilation;
- High-efficiency interior and exterior LED lighting on motion sensors;
- Water-saving devices;
- Roof-mounted solar arrays; and
- A building envelope consisting of four-inch rigid insulation, four-inch close cell spray foam with eight-inch close-cell spray foam in the ceiling.

The Project Sponsor will include a Community Solar System, pursuant to NYSERDA’s Community Solar Program, consisting of the installation of roof-mounted photovoltaic solar arrays. The Project Sponsor will partner with a NYSERDA-approved Community Solar Developer to oversee the engineering, permitting, installation and operation of the Community Solar System.

*FINDINGS AND CONDITIONS*

Specifically, the Zoning Board of Appeals acting as Lead Agency finds that:

1. No adverse impacts to water demand, sanitary wastewater generation, or solid waste generation will occur.

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2. The Proposed Action will include energy efficiency measures, including but not limited to high-efficiency HVAC equipment, high-efficiency interior and exterior lighting, and a Community Solar System with roof-mounted photovoltaic solar arrays.

The Zoning Board of Appeals finds that the Proposed Action’s potential impacts to energy usage will be minimized through implementation of the energy efficiency measures described above.

**TRAFFIC & TRANSPORTATION**

The potential for the Proposed Action to affect parking conditions on the Project Site and traffic and roadway operating conditions within the vicinity of the Project Site was evaluated.

*POTENTIAL IMPACTS*

Access to the Project Site will be provided from the existing two-way driveway on Waverly Avenue located adjacent to the existing self-storage building. The second existing driveway on Waverly Avenue will be eliminated. An exit, right-turn-only driveway will be maintained on Fenimore Road. The parking lot will be reconfigured to provide for 26 full-size parking spaces and 3 new off-street loading spaces adjacent to the building addition.

The total number of parking spaces required by Zoning Code Section 342-56 for the Proposed Action would be 124, as shown by use in **Table 2** below. In addition, the total number of loading spaces required would be 8. In 2013, the ZBA granted a 37-space area variance for off-street parking and a 5-space area variance for off-street loading. Therefore, the Project Sponsor is seeking a variance of 61 parking spaces. Since the Applicant is providing 3 loading spaces, no additional variances are required for loading. Based on the Institute of Transportation Engineers’ publication “Parking Generation”, 5th Edition, a total of approximately 19 parking spaces could be utilized if all of the uses were to peak at the same time (see **Table 2** below). The Village’s Code permits the utilization of “Shared Parking”, referred to as “Joint Parking”, in Section 342-56 B. Shared Parking is the principle where different land uses would have their peak parking demands at different times during the day/week and thus can utilize or “share” the same parking space during different periods.

**Table 2**  
**Required and Provided Parking Spaces**

		<b>Required</b>	<b>Anticipated Demand</b>
Existing	Self-Storage	52	6
	Self-Storage – Circulation & Mechanical	3	
Addition	Self-Storage	46	
	Woodworking Shop	8	3
	MBC Offices	7	4
	Incubator Offices	8	6
<b>Total</b>		<b>124</b>	<b>19</b>
<b>Proposed Parking to be Provided</b>		<b>--</b>	<b>26</b>
<b>Sources: FEIS</b>			

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The Proposed Action will result in the generation of a total of 14 AM peak hour vehicle trips and 21 PM peak hour vehicle trips (combined inbound and outbound). The Proposed Action generally maintains substantially similar Levels of Service at each driveway and intersection evaluated.

*MITIGATION*

Removal of the existing driveway on Waverly Avenue closest to the Fenimore Road intersection has the potential to improve traffic conditions in this area. Traffic flow on-site is expected to be improved through removal of the older, existing buildings and provision of upgraded signage.

*FINDINGS AND CONDITIONS*

Specifically, the Zoning Board of Appeals acting as Lead Agency finds that:

1. A total of 26 off-street parking spaces will be provided where the estimated demand is approximately 19 total spaces; therefore, based on the analysis documented in the FEIS, adequate parking is projected to be provided.
2. Given the relatively low volume of trips generated, no significant degradations in Levels of Service or traffic operating conditions would result from the Proposed Action.
3. Driveway modifications at the Fenimore driveway to channelize vehicles for the right turn only exit will be evaluated during site plan review.
4. The Project Sponsor shall continue to engage in communication with CSX before and during construction. Appropriate construction measures consistent with CSX design and construction standard specifications shall be utilized.

The Zoning Board of Appeals finds that the Proposed Action's potential impacts to parking conditions, and traffic and roadway operating conditions will be minimized.

**ECONOMIC & FISCAL ANALYSIS**

An economic and fiscal analysis of the Proposed Action was performed. The analysis considered tax revenue, market feasibility, employment, business displacement, and neighborhood impact.

*POTENTIAL IMPACTS*

*Tax Revenue*

The Project Site currently generates approximately \$79,865 in annual property taxes. The Town of Mamaroneck Tax Assessor projected that upon completion of the Proposed Action, the Project Site will generate approximately \$81,605 annually. While the increase tax in revenue is minimal, the Proposed Action will continue to place low demands on municipal services. As such, the Proposed Project is anticipated to result in a net tax benefit to the Village.

*Market Feasibility*

The DEIS established the market demand for the Proposed Project. The market demand assessment was performed by Chiswell & Associates, LLC based on the zip codes of the 221 existing customers of the Mamaroneck Self Storage facility, including Mamaroneck (10543), Larchmont (10538), Harrison (10528), Rye (10580) and New Rochelle (10804). According to current rental data, 71% of Mamaroneck Self Storage clients come from the Larchmont-

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Mamaroneck community and 16% are from other parts of Westchester. The other 13% come from a wide variety of locations such as Manhattan, Massachusetts, Georgia, and California.

To predict demand for storage space, two calculation methods were used, one based on households and the other on population. The household-based calculation showed a total demand potential of 664,936 square feet; the population-based calculation shows a total demand potential of 880,061. Deducting the approximately 70,000 square feet of existing and proposed storage space at the Mamaroneck Self-Storage facility, a residential demand for over 500,000 square feet of self-storage space exists. As disclosed in the DEIS, there are currently no competing self-storage facilities located with the five zip codes analyzed.

According to the Applicant, Mamaroneck Self Storage, which opened in October 2015, is operating at 95-100 percent capacity and that potential clients have been turned away due to availability of units.

*Employment*

Self-storage facilities do not require many of employees. Upon completion of the Proposed Action, the Mamaroneck Self-Storage facility will employ four full-time employees. There will be additional thirteen employees at the other proposed uses on the Project Site.

*Business Displacement*

Currently, there are seven rentable spaces on the Project Site. Two spaces are currently vacant and the remaining five house two electrical contractors, one window/floral display company, one real estate office, and one custom glass contractor. These five businesses would be displaced as the existing buildings that house them would be demolished to accommodate the self-storage building expansion. In total, these businesses employ fewer than ten employees at the Project Site.

All five of these tenants operate businesses that are permitted in the M-1 District and are characteristic of the uses in the Industrial Area. Due to vacancy rates within the area it is reasonable to conclude that all five businesses would be able to find suitable sites to relocate to in the vicinity of the Project Site.

*MITIGATION*

As the Proposed Action would not result in significant adverse economic or fiscal impacts, no mitigation measures are proposed.

*FINDINGS AND CONDITIONS*

Specifically, the Zoning Board of Appeals acting as Lead Agency finds that:

1. The Proposed Action will continue to generate positive tax revenues while placing low demands on municipal services.
2. The market feasibility analysis demonstrated demand for storage space at the Project Site.
3. The Proposed Action will continue to provide storage services that serve local businesses and residents.
4. The Proposed Action will not create a meaningful number of new jobs.

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5. Suitable rental spaces are available to the businesses displaced by the Proposed Action within the vicinity of the Project Site.

The Zoning Board of Appeals finds that the Proposed Action's impact on economic and fiscal conditions does not require mitigation.

**BUILDING DEMOLITION & CONSTRUCTION**

The potential for the Proposed Action to result in demolition and construction impacts was evaluated.

*POTENTIAL IMPACTS*

Construction will occur in a single phase and the existing self-storage building will remain open throughout construction of the addition. Construction will be limited to the daytime hours prescribed by Village Code. With the exception of the existing self-storage building, all existing buildings on the Project Site will be demolished. Any lead-based paint or PCBs identified within the buildings to be demolished will be abated, as discussed above under Hazardous Materials & Public Health. Construction will result in temporary impacts to noise, air quality, erosion, and construction traffic. As discussed above under Natural Resources, approximately 80.1 cubic yards of excavated material will need to be removed from the Project Site. Utilizing haul trucks with a 16 cubic yard capacity, approximately 5 truck trips would be required to remove this excess material, which will be exported in accordance with all applicable regulations to a suitable location(s).

*MITIGATION*

A Construction Management Plan will be submitted along with the Building Permit. This plan will provide for the coordination of the workforce, distribution of construction related traffic, staging of equipment and materials and the efficient use of construction crews and equipment. Construction staging will be carefully addressed to maintain the active use of the Project Site while the building addition is constructed.

During the construction period, security fencing will be installed around active work areas before building demolition, excavation or construction activities commence to separate the Project Site from the general public. Additionally, construction traffic will be scheduled to avoid conflicts with daily vehicle circulation patterns on the surrounding roadways.

The demolition of existing buildings will be undertaken pursuant to a strict demolition protocol. Anti-tracking pads will be installed at the construction entrances. Debris will be wetted down to minimize fugitive dust, and all dumpsters and containers will have covers. The demolition of the buildings along Railroad Way will be accomplished in a manner that ensures the continuation of its use, primarily through the installation of construction fencing along the Project Site's eastern property line to prevent encroachments from occurring.

The emission of particulate matter and other airborne pollutants generated during construction will be minimized through the proper tuning of vehicle engines and maintenance of air pollution controls thereby minimizing their contribution to site generated air pollution during construction.

Fugitive dust will be minimized through the following methods:

- Minimizing the extent of exposed soil at any one time.

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- Minimizing vehicle movement over areas of exposed soil.
- Covering all haul trucks transporting soil with tarpaulins.
- Spraying water on unpaved areas and areas of construction vehicle traffic to reduce dust generation.

Construction noise will be minimized through the following measures:

- All construction equipment shall be maintained in good working order.
- All construction equipment shall include appropriate muffler systems.
- Stationary equipment (such as generators) shall be shielded and sound attenuated.
- If comparable equipment is available, the use of quieter equipment shall be specified; electric powered equipment is typically quieter than diesel, and hydraulic powered equipment is quieter than pneumatic power.

Construction will be conducted in accordance with NYSDEC SPDES General Permit (GP-0-20-001) for Stormwater Discharges from Construction Activities. As discussed above under Natural Resources, the SWPPP, which includes an erosion and sedimentation control plan, will be implemented to reduce or eliminate any potential impact to soil erosion. Following construction, erosion will be prevented by re-establishing vegetation and new landscaping and through the installation of the permanent stormwater management devices and facilities as depicted on the Site Plan.

All excavated materials will be tested prior to reuse or disposal. If excavated materials are found to be unusable as fill, it will be exported from the Project Site and disposed of in an appropriate location, in full conformance with all applicable regulations and requirements.

*FINDINGS AND CONDITIONS*

Specifically, the Zoning Board of Appeals acting as Lead Agency finds that:

1. Construction will follow a Construction Management Plan to be submitted along with the Building Permit.
2. Construction will be limited to Monday – Saturday 7 AM – 6 PM (no Sundays or holidays).
3. A demolition plan and protocol will be submitted to the Building Department prior to the commencement of demolition. No demolition will occur until approval of the demolition plan and protocol is approved by the Building Department.
4. Any asbestos, lead paint, or PCBs encountered will require abatement in accordance with applicable laws and regulations.
5. Construction vehicle engines will be properly tuned, and their air pollution controls will be properly maintained.
6. Construction noise will be minimized through the following measures:
  - All construction equipment shall be maintained in good working order.
  - All construction equipment shall include appropriate muffler systems.
  - Stationary equipment (such as generators) shall be shielded and sound attenuated.

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- If comparable equipment is available, the use of quieter equipment shall be specified.
7. Construction of the Proposed Action will conform to the requirements of NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, Permit No. GP-0-20-001.
  8. The Project Sponsor will engage a Certified Professional in Erosion and Sediment Control/Certified Professional in Stormwater Quality or equally qualified professional to oversee the implementation of the SWPPP and erosion and sedimentation control plan.
  9. Fugitive dust will be minimized through the following methods:
    - Minimizing the extent of exposed soil at any one time.
    - Minimizing vehicle movement over areas of exposed soil.
    - Covering all haul trucks transporting soil with tarpaulins.
    - Spraying water on unpaved areas and areas of construction vehicle traffic to reduce dust generation.
  10. In addition to the NYSDEC requirements, all construction activities will meet the requirements of the Village Code, Chapters 120 – Blasting, 172 – Excavations, 254 – Noise, and 294 – Stormwater Management and Erosion and Sediment Control.
  11. Any excavated materials found to be unusable as fill will be exported from the Project Site and disposed of in an appropriate location, in full conformance with all applicable regulations and requirements.
  12. As with any off-site construction related damage, the Project Sponsor will be responsible for damage to neighboring properties, including the railroad.

The Zoning Board of Appeals finds that the Proposed Action’s potential construction impacts will be minimized through implementation of the SWPPP and erosion and sediment control plan, Construction Management Plan, and demolition plan and protocol.

**SIGNIFICANT ADVERSE IMPACTS THAT CANNOT BE AVOIDED**

The Proposed Action will create physical changes to the Project Site that cannot be avoided, but which can be minimized or mitigated, as discussed in Chapters I and III of the FEIS.

Specifically, the Zoning Board of Appeals finds that:

1. The Proposed Action requires demolition of existing buildings and cut and fill to construct the addition, resulting in a net cut of 80.1 cubic yards. An erosion and sedimentation control plan will be implemented to reduce or eliminate any potential impact to soil erosion and groundwater resources.
2. The Project Site was previously impacted by spill incidents that were administratively closed in 2004; a foundation Excavation Work Plan was prepared in accordance with NYSDEC regulations pertaining to environmentally impacted sites. 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

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stated. A Project 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).

3. The Proposed Action will require variances for building coverage, maximum FAR, maximum gross floor area, building height (stories), and off-street parking. As with the variances previously granted in 2013, these variances, if granted, would "run with the land," and therefore represent a long-term impact.
4. The Proposed Action will occur entirely within the Special Flood Hazard Zone (AE) and will comply with Chapter 186 of the Village Code: Flood Damage Protection. The existing flood-prone buildings will be replaced with an addition that has been designed to include wet floodproofing in order to maximize flood storage on-site.
5. In response to comments on the DEIS regarding anticipated visual impacts of the Proposed Action, the design of the proposed addition was modified. The revisions reduced the mass of the building and lessened the visual impact by articulating the building into five separate segments, each clad in differing façade materials to resemble independent buildings. Streetscape improvements were also added, including a landscaped rain garden and lawn and a vest-pocket park.

While the above impacts are unavoidable, the Zoning Board of Appeals finds that the Proposed Action has been planned and designed to minimize them to the extent practicable and to improve and enhance the Industrial Area.

**IRREVERSIBLE & IRRETRIEVABLE COMMITMENT OF RESOURCES**

The Proposed Action would require the commitment and consumption of a variety of resources and materials that once devoted to this development, would be unavailable for future use elsewhere.

Construction materials such as steel, asphalt, lumber, concrete, glass, masonry, paint and surface finishes, topsoil, etc., would be utilized. Although some of these materials (e.g., steel, glass) could be recovered and recycled if future development were demolished, the use of these materials from a practical perspective represents an irreversible and irretrievable commitment of resources. The operation of construction equipment would involve the consumption of fossil fuels. Once completed however, the Proposed Action is anticipated to be an all electric, "net-zero" building, so it will not utilize fossil fuels for generating electricity, lighting and heating. A temporary commitment of workers will be necessary during the build-out construction period. Upon completion of the Project a permanent commitment of labor will be required to operate the expanded self-storage facility.

None of these irreversible or irretrievable commitments of resources is considered significant and no mitigation measures are required.

**GROWTH INDUCING ASPECTS OF THE PROPOSED ACTION**

The Proposed Action will not require any new water or sewer connections and will not result in direct growth inducing aspects. Indirectly, the expanded self-storage facility would support the

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Village's efforts to encourage transit-oriented residential development projects, which typically provide limited on-site storage.

**E. ALTERNATIVES**

The DEIS considered several alternatives to the Proposed Action, including:

- No action;
- Redevelopment of the Project Site with a zoning compliant storage facility;
- Smaller square footage of proposed addition;
- Proposed addition with one less floor; and
- Adaptive reuse of the Project Site buildings as storage buildings.

**POTENTIAL IMPACTS**

*NO ACTION*

The No Action alternative would leave the Project Site in its current condition. This alternative would not result in additional environmental impacts beyond the existing condition. This alternative does not meet the objectives of the Applicant, nor would it meet the objectives of the Village as articulated in various land use plans, to improve and enhance the Industrial Area.

*REDEVELOPMENT OF THE PROJECT SITE WITH A ZONING COMPLIANT STORAGE FACILITY*

This alternative would involve an addition to the existing storage facility in compliance with the zoning code. This would require demolition of the existing buildings on the Project Site and reuse of the reclaimed area for the off-street parking and loading required by code.

The amount of excavation, traffic generation and the demand for water and the generation of wastewater would be proportionally reduced. However, as these numbers are negligible, no tangible benefit would be realized. Demolishing the existing buildings would eliminate the revenue generated by renting the building to tenants and would reduce the Project Site's tax assessment resulting in lower real estate tax revenues for all taxing jurisdictions.

This alternative represents an unrealistic circumstance and would not meet the objectives of the Applicant.

*SMALLER SQUARE FOOTAGE OF PROPOSED ADDITION*

Under this alternative, the square footage of the proposed self-storage addition would be reduced to 41,304 square feet by reducing the length of the addition. The Murphy Brothers Contracting office building on the corner of Waverly Avenue and Fenimore Road would be removed, and the parking lot reconfigured to accommodate 34 off-street parking spaces and 4 loading spaces.

The amount of excavation, traffic generation and the demand for water and the generation of wastewater would be proportionally reduced. However, as these numbers are negligible, no tangible benefit would be realized.

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*PROPOSED ADDITION WITH ONE LESS FLOOR*

This alternative would involve a three story, 35-foot addition instead of a four story, 45-foot addition. Although the number of storage units would be reduced, the addition footprint and site disturbance would remain the same. Traffic generation and utility demand would be proportionally reduced.

*ADAPTIVE REUSE OF THE PROJECT SITE BUILDINGS AS STORAGE BUILDINGS*

Under this alternative, the existing buildings on the Project Site would be repurposed to support self-storage units. This alternative would not require site disturbance; utility demand and traffic generation would remain unchanged. However, due to the age and condition of the buildings, conversion to self-storage use would not be practical.

**FINDINGS**

The Zoning Board of Appeals assessed the difference in the level of the impact within each impact category between each of the alternatives and determined that these differences do not represent a significant adverse environmental impact.

For all the reasons discussed above, which are more fully discussed in the FEIS, the Zoning Board of Appeals finds that the Proposed Action, as modified in the course of the Zoning Board of Appeals' environmental review to incorporate comments and recommendations from the Board, its professional planning and engineering consultants, involved and interested agencies, and interested members of the public, is the action which best balances the environmental impacts identified in the EIS with the programmatic objectives of the Project Sponsor and the social, economic and other factors considered in this SEQRA Findings Statement.

**F. LEAD AGENCY DISCUSSION OF DECISION**

The Zoning Board of Appeals, as Lead Agency, has carefully considered in detail the social, economic, fiscal, land use and other relevant factors, as well as the reasonably anticipated environmental impacts of the Proposed Action and practicable measures to mitigate impacts. The Lead Agency has given particularly close attention to issues that were the subject of extensive comment, including land use, hazardous materials, flood zone impacts, and visual impacts.

This Findings Statement is the result of the Lead Agency's review and analysis of these and other relevant factors and considerations as set forth above, and in the State Environmental Quality Review Act. This Findings Statement does not include any weighing or balancing of the statutory criteria applicable to an application for an area variance for the Proposed Action.

**G. CERTIFICATE OF FINDINGS TO APPROVE THE ACTION**

Accordingly, having considered the DEIS and FEIS, the Zoning Board of Appeals through this Findings Statement, certifies that:

- A. It has considered the relevant environmental impacts, facts and conclusions disclosed in the DEIS and FEIS; and

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- B. It has weighed and balanced the relevant environmental impacts with social, economic and other considerations; and
- C. The requirements of 6 NYCRR Part 617 have been met; and
- D. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the Proposed Action avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- E. Adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions of any site plan approval the relevant mitigation measures identified in this Findings Statement.

Certified by the Zoning Board of Appeals by Resolution adopted on February 2, 2023.

Village of Mamaroneck

By: \_\_\_\_\_

Robin Kramer

Chair, Zoning Board of Appeals