

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)

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.<sup>1</sup> 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.<sup>2</sup>

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 DEIS<sup>3</sup> and responses to specific ZBA concerns regarding flooding were included in the FEIS.<sup>4</sup> 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.<sup>5</sup>

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

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

<sup>3</sup> Chapter IV.D (Flooding & Flood Zone Impacts), pages IV.D-1–4 of the March 21, 2021 DEIS.

<sup>4</sup> Response to Comments on Flooding & Flood Zone Impacts, Section III.D (pages III.D-1–7) of the September 9, 2021 FEIS.

<sup>5</sup> 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. 1<sup>st</sup> 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. Refer to Appendix E.

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### III. E - Historic Resources

#### E-1 Comment:

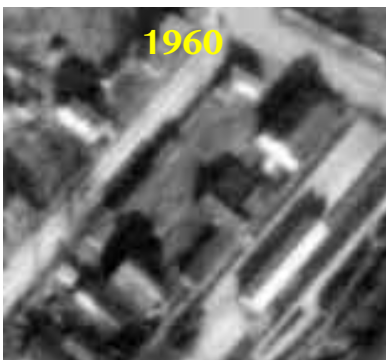
*I'm also interested in the historic use of the properties. I think that should be addressed given the significant development on this property and the proposed development, what has it been. That also goes to better comprehend the alternatives and where they want to go with it.*

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

#### E-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.

### III. F - VISUAL RESOURCES

**F-1 Comment:**

*So one is that they discuss about that this is a benefit because it will demolish a dilapidated barn. I just wanted to point out that I have no problem with the design of the barn and the building. I feel that it is actually dilapidated because the property owners have not maintained it or painted it and that's the same people who are going to be putting up a mammoth storage facility. So I don't think in and of itself it is a terrible building. It is just that the property owners allowed it to be degraded, and I wanted to make that point. That if you degrade something on purpose, then you can use it as a benefit now for a different use. (Board Member Yergin, Public Hearing, April 1, 2021)*

**F-1 Response:**

The Project Site was purchased by the current owners in 2000. It was the long-time site of a retail lumber yard business and helps to explain why the buildings look like they do.

- (522) the large barn was used for interior-grade lumber storage.
- (560) the Waverly/Fenimore corner building was the business office (2<sup>nd</sup> floor) and retail hardware store (1<sup>st</sup> floor).
- (416) the block building housed the mill shop.
- (408) used for lumber storage.
- There are existing large outdoor racks used for storing exterior-grade lumber.

At the time the Murphy Brothers became owners and took over the Project Site, their construction business operated differently. To provide the high level of service, it was necessary to employ many levels of skilled workers while stockpiling tools, equipment, trucks, and materials on-site. Today, Murphy Brothers Contracting has evolved into a Construction Management business achieving that same high level of quality workmanship through their long-time relationships with the best independent tradesmen and subcontractors in the region. Over time, the need for the existing buildings and structures to operate as they were originally intended has become less and less and they are only so

adaptable in their current configurations. In more recent years, some of the extra space no longer needed by Murphy Brothers Contracting was rented out to various small business enterprises and tradespeople.

The buildings in question have gone through many improvements over the years, most notably following the infamous March 2007 floods where 4+ feet of water filled the buildings that are located in the flood zone. Following that incident, major renovation work was performed on corner building (560) and the barn (522) including new 2<sup>nd</sup> floor office spaces, roof & siding. Since 2007, other interior upgrades and necessary structural repairs have been made to the buildings. With every heavy rainfall that floods Fenimore Road, the barn (522) fills with approximately 1 foot or more of water due to the poor drainage on the intersections of Fenimore/Waverly & Fenimore/Hoyt. This flooding has resulted in repeat damage to the exterior of the building and makes the first-floor interior virtually unusable in its current state. To update the building into a wholly usable space, it would need to be leveled and rebuilt or raised to be compliant with the flood zone code of the Village. This is true regardless of its perceived maintenance.

The proposed self-storage building addition will still be able to house small business enterprises and tradespeople as it does now, only in an energy efficient structure on a property that manages its own stormwater, something that raising the barn or simply painting the existing buildings would not achieve.

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**F-2 Comment:**

*When I see that, it actually fits seamlessly into the other building; they're not even trying to pretend it is a different building.  
(Board Member Yergin, Public Hearing, April 1, 2021)*

**F-2 Response:**

The Proposed Action has always been presented as an addition and not a new building. The addition will operate cohesively with and be architecturally integrated with the existing self-storage facility.

**F-3 Comment:**

*As far as my other comments go, without having the data and the detail, obviously, I have seen the pictures and I have seen the site, I think the visual concerns are extraordinary. I think it changes the qualitative aspect to a town or a village or a hamlet when you come in, it's a very different structure. I don't think – I may be wrong, I don't think the high school is of that magnitude, maybe I'm wrong on that, but certainly for a size of this – for a land parcel like that, it's extraordinary building both in terms of height, dimension and mass.*

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

**F-3 Response:**

The existing Mamaroneck Self-Storage building is 40,492 square feet in gross floor area. the building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building, while restoring a human scale to the Site. This approach would reduce the building footprint by 2,071 square feet and the gross floor area by 14,254 square feet. The F.A.R. would be reduced from 2.43 to 2.11.

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 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 terrace, broad landscaped rain garden and lawn gradually integrates the Site into the Fenimore Road streetscape.

An estimate of the Mamaroneck High School building complex indicates over 500,000 square feet of gross floor area. The original main building, while only three-stories in height, reflects a monumental architectural treatment, with high floor to ceiling heights. The height of the high school building to the roof parapet is nearly 60', to the top of the center peaked roof approximately 75' and the top of the cupola approximately 85'. The High School is far larger than the proposed self-

**Deleted:** The building addition proposed in the FEIS Plan includes 43,940 square feet of gross floor area, or a net increase of 25,361 square feet once the floor areas of the existing industrial buildings are deducted. ...

storage building addition which does not exceed 45', and as such, does not represent a fair comparison.

**F-4 Comment:**

*I have relatively few to add. The first has to do with the size. I think this project is enormous. I think it looks enormous in its setting. I don't think – I think that the attempt in the DEIS to explain why this is consistent with the area and everything else, I think there was something, oh, it's not the biggest building in the village. Maybe not, but it's the largest in this area. It is the most solid in terms of the way the structure looks, and, therefore, I think the visual impact is enormous. I do not think that the DEIS really gave it enough consideration. (Chairwoman Kramer, Public Hearing, April 1, 2021)*

**F-4 Response:**

This opinion is noted. The DEIS devoted an entire chapter to Visual Resources. In accordance with the Scoping Document adopted by the Lead Agency, six separate viewpoints were analyzed, and before and after dimensionally accurate photo-renderings provided for each viewpoint.

The new building extension would consist of 43,940 square feet of gross floor area, or a net increase of 25,361 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 5 separate segments, each of which are distinctly articulated and clad in differing facade materials to resemble independent buildings. This treatment significantly reduces the mass of the building, while restoring a human scale to the Site. This approach reduces the building footprint by 2,071 square feet and the gross floor area by 14,254 square feet. The proposed F.A.R is reduced from 2.43 to 2.11.

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 will correspond to the height of the existing

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building. However, moving north, the building will step down to three stories and then two stories where a terrace, broad landscaped rain garden and lawn gradually integrates the 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 decorative seasonal landscaping and benches arrayed around a circular walkway.

**F-5 Comment:**

*Finally, we were concerned and this was also made reference to during one of your meetings was the lighting. Efforts that were to be taken to avoid on alley effect because with the increase in heights, again, if you were down on Railroad Way, and if indeed that plan comes to fruition, it would absolutely create a canyon effect and the additional lighting would alleviate, especially in the winter and fall months when the sun sets earlier, would provide more of a welcoming more environment, which we would certainly appreciate, and the applicant has taken that into consideration and we appreciate that.*

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

**F-5 Response:**

Comment noted. See the Site Plan which includes lighting specified to illuminate Railroad Way.

**F-6 Comment:**

*Then, it talks about the creation of an architecturally distinctive structure, I disagree. I do not think there's anything distinctive about the structure. I don't think it really looks particularly attractive. It is certainly much more attractive than some of the buildings that are no longer in good condition but I do not particularly think it is attractive and I don't think that the design of the building has been done in a way through offset the impact of the building on the surrounding community. It is an enormous building.*

*(Chairwoman Kramer, Public Hearing, May 6, 2021)*

**F-6 Response:**

This opinion is noted. The opinion expressed by the Applicant that the building addition would be “architecturally distinctive” was intended to distinguish its appearance when compared to the existing industrial buildings in the vicinity of the Site, and moreover to the customary design architecture of self-storage buildings generally.

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Nevertheless, the building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building, while restoring a human scale to the Site. This approach reduces the building footprint by 2,071 square feet and the gross floor area by 14,254 square feet. The proposed F.A.R will be reduced from 2.43 to 2.11.

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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 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 terrace, broad landscaped rain garden and lawn gradually integrates the 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 decorative seasonal landscaping and benches arrayed around a circular walkway.

**F-7 Comment:**

*Then, it says the existing amount of self-storage building has established a perpetual visual character of the site. Sure, the building has established at the site should be enormous and overbuilt in a single building, but it has not established the character of the community, and I think that this building is absolutely inconsistent with the character of the neighborhood and they've done nothing to really explain how it is consistent with the neighborhood other than to talk about -- I'm not even 100 percent sure -- but they don't really do that. (Chairwoman Kramer, Public Hearing, May 6, 2021)*

**F-7 Response:**

The building addition is entirely consistent with the character of the existing self-storage building, for which the Zoning Board granted variances in 2013, and the Planning Board granted Site Plan approval in 2014. By virtue of these approvals, and the subsequent construction of the self-storage facility, the “character” of the area in the vicinity of the Site was firmly established. The design cohesion of the proposed addition with this character is what the DEIS referenced.

The building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building, while restoring a human scale to the Site. 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 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 terrace, broad landscaped rain garden and lawn gradually integrates the Site into the Fenimore Road streetscape.

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It is important to highlight the Board of Architectural Review’s role in addressing the very issue raised in this comment. In accordance with the provisions of §6-7 A. of the Village Code, that Board’s statutory obligation to render a decision is based primarily on a finding of excessive similarity or dissimilarity or inappropriateness of design, as defined as:

- 1) *“Excessive similarity to any other building or structure existing or for which a permit has been issued or to any other building or structure included in the same permit application, within 250 feet of the proposed site, in respect to one or more of the following features of exterior design and appearance.*
  - (a.) *Apparently identical facade.*

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- (b.) Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the facade facing the street, including reverse arrangement.*
  - (c.) Other significant identical features, such as but not limited to material, roofline and height or other design elements, provided that a finding of excessive similarity shall state not only that such similarity exists, but, further, that it is of such a nature as to be expected to provide, beyond reasonable doubt, one or more of the harmful effects set forth in § 6-1.*
- 2) Excessive dissimilarity in relation to any other building or structure existing or for which a permit has been issued or to any other building or structure included in the same permit application, within 250 feet of the proposed site, in respect to one or more of the following features:*
  - (a.) Cubical contents.*
  - (b.) Gross floor area.*
  - (c.) Height of building or height of roof.*
  - (d.) Other significant design features, such as material or quality of architectural design.*
- 3) Inappropriateness of design in respect to one or more of the following features:*
  - (a.) Quality of architectural design.*
  - (b.) Nature of material to be used in construction.*
  - (c.) Compatibility of design features of structure with terrain on which it is to be located."*

The Proposed Action must obtain the Board of Architectural Review's approval prior to the issuance of a Building Permit.

**F-8 Comment:**

*I also think that with regard to the alternatives, I would like to see more in the way of alternative assessments, alternatives that would be less height, less size, less impact, less visual impact. If they are mentioned, they mention a few of*

*them, but we don't see them. We don't see a real picture of how they would look and how they will impact which leads me to the visual aspect which I think chair just touched on but this is completely out of scale to the neighborhood, a huge amount of variances, and I don't really see in the diagrams that I saw in the diagrams or the photo generations that were provided, it doesn't really show the impact. It shows a nice picture of it with the sky behind it and that's not impact. The impact is that you get to see it from different locations as it presently is and then how it will change, a photograph as opposed to an artist depiction. I think those are very important. There is going to be a huge change there. I think it's totally out of character. It's just not my thinking. It's because the code makes it completely out of consistency. And so, I think we have to see for visuals in the FDIS put in there to really assess that because I think the visuals are a real serious issue.*

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

**F-8 Response:**

The DEIS devoted an entire chapter to Visual Resources. In accordance with the Scoping Document adopted by the Lead Agency, six separate viewpoints were analyzed, and before and after dimensionally accurate photo-renderings provided for each viewpoint.

The FEIS Plan further reduces the mass, scale and height of the proposed building addition beyond that presented in the DEIS as recommended by the commentor and significantly opens up the site by eliminating the existing office building located on the corner of Waverly Avenue and Fenimore Road, replacing it with a vest-pocket [park](#).

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The FEIS Plan reduces the building footprint by 2,071 square feet and the gross floor area by 14,254 square feet. The F.A.R [is](#) reduced from 2.43 to 2.11.

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[In addition to the No-Action Alternative, four other Alternatives were evaluated in the DEIS. The Visual impacts of each alternative are addressed below:](#)

- **Alternative B - Zoning Compliant Self-Storage Building** - Developing a zoning compliant addition to the existing self-storage facility is not possible, due primarily to the excessive off-street parking requirement that has been applied to this self-storage use. In order to establish zoning compliance for the *existing* self-storage building, all of the other existing buildings on the Site would have to be demolished and an off-street parking lot created covering the entire Site. This alternative would replace the visual impact of a new building addition, with the visual impact of a large 55 space off-street parking lot, that would remain primarily vacant and unused.

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- **Smaller Square Footage Self-Storage Building** - Under this alternative, the square footage of the proposed self-storage building addition would be reduced to 41,304 square feet in gross floor area. This would be accomplished by reducing the length of the addition. Under this alternative, the northern edge of the building addition would be setback off Fenimore Road by 46.3 feet. Because the building footprint is reduced (resulting in fewer storage units which impacts the economic viability of the project), the building height would be maintained at 4 stories and 45 feet.

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Under this alternative the Murphy Brothers Contracting office building on the corner of Waverly Avenue and Fenimore Road would be removed. This is not a viable option because it would leave Murphy brothers without an office to support their business. The parking lot reconfigured to accommodate 34 off-street parking spaces and 4 loading spaces. This alternative would result in a slightly reduced visual impact due to the reduced building footprint. Replacing the corner office building with parking represents a different, but not necessarily better visual appearance.

- **Proposed Addition with One Less Floor** - Under this alternative, the self-storage building addition would maintain the same footprint as the Proposed Action, but would only extend to a height of 3 stories or 35 feet

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instead of the 4 stories and 45 feet in the Proposed Action. This would result in a reduced visual impact.

This reduction in gross square footage would reduce the number of storage units by approximately 1/3, making this alternative uneconomically viable.

▪ **Adaptative Reuse of the Existing Site Buildings as Self-Storage Buildings**

- Under this alternative the 15,526 square feet contained within the 4 existing Site buildings would be repurposed to support self-storage units. This alternative would result in few changes to the existing visual characteristics of the Site.

This alternative is impractical as the existing buildings are old and wholly structurally unsuited to support modern self-storage units. The cost of the improvements and renovations necessary to convert these structures would be excessive and uneconomical.

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**F-9 Comment:**

*Probably the biggest thing is the visual. It's huge and it doesn't fit in there. I think a golf course could fit in there better, it's smaller, and I don't play golf.  
(Board Member Neufeld, Public Hearing, May 6, 2021)*

**F-9 Response:**

Comment noted. By way of comparison, an average 18-hole golf course is 5,000 – 7,000 yards spread over 110 – 190 acres.<sup>1</sup> The Project Site is 1.01 acres.

The building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building, while restoring a human scale to the Site. The height of portions of the building addition has also been reduced.

<sup>1</sup> Golf Course Superintendents Association of America

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 terrace, broad landscaped rain garden and lawn gradually integrates the Site into the Fenimore Road streetscape.

**F-10 Comment:**

*I also – everybody has been talking about how massive it is. I do think it's a massive, massive and I know that we have other warehouses but they're not as large. When you have one that's this large, you have no breaks in the building to see the sky or to see the buildings behind it; so, to me, it's not a village feel, it's an urban feel. It's what you expect when you go to a manufacturing, industrial area that's actually in a large city rather than in our village feel. And just as Robin and Abby were speaking about that's definitely the maker zone initiative was to make sure that even though we have some industrial uses, and we have landscapers, and different car repairs that we're keeping it a village feel by making sure that we have a mix of uses that bring pedestrian traffic.  
(Board Member Yergin, Public Hearing, May 6, 2021)*

**F-10 Response:**

In response to this and other similar comments, the Applicant has significantly modified the proposed building addition. The new building extension would consist of 43,940 square feet of gross floor area, or a net increase of 25,361 square feet once the floor areas of the existing industrial buildings are deducted. Where the building addition presented in DEIS Plan was somewhat monolithic, the building proposed in the FEIS Plan has been completely redesigned and is now broken into 5 separate segments, each of which are distinctly articulated and clad in differing façade materials to resemble independent buildings. This treatment significantly reduces the mass of the building, while restoring a human scale to the Site. This approach reduces the building footprint by 2,071 square feet and the gross floor area by 14,254 square feet. The F.A.R would be reduced from 2.43 to 2.11.

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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 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 terrace, broad landscaped rain garden and lawn gradually integrates the 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 decorative seasonal landscaping and benches arrayed around a circular walkway.

**F-11 Comment:**

*Visual impacts - Nothing in the vicinity is shown. Enormous concern, raised by people all the time. Buildings are being demolished. The Applicant has not responded.*  
(Chairman Neufeld, November 16, 2021 Work Session)

**F-11 Response:**

In accordance with the adopted Scoping Document, Chapter IV.F. of the DEIS thoroughly evaluated the visual impacts of the Proposed Action using architectural plans, elevations, photography, 3-D renderings and photo-simulations. Visual impact analyses which compared the existing condition with the proposed condition (with the new building superimposed on the image) from 6 separate and distinct viewpoints was provided. In addition to these 6 viewpoints which clearly depict all intervening buildings and topography, a separate Neighboring Context Massing Plan was provided (Figure IV.F.-11) which accurately depicts every building in the extended area around the Site, essentially corresponding to the area of the Village known as "The Flats."

This analysis has been supplemented with additional viewpoints from the train tracks and I-95 (see Response F-10).

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Aside from the existing self-storage building, all of the utilitarian industrial buildings on-site are older and in poor condition. It is the Applicant's opinion that their removal represents a beneficial visual impact.

Please refer to response F-5 which explains how the design of the Proposed Action has evolved over time. Because the self-storage building addition will be visible, does not in and of itself, result in a significant adverse visual impact. It is the Applicant's opinion that the Proposed Action will improve the overall visual appearance of the Site. The Applicant has continually responded to the Zoning Board's concerns about the visual impact of the building, culminating in the FEIS Plan presented herein.

**F-12 Comment:**

*Submit visual renderings of what the site will look like during the day and at night from the train tracks, and I-95.  
(Chairman Neufeld, November 16, 2021 Work Session)*

**F-12 Response:**

Refer to Figures III.F-1 – III.F-5

**F-13 Comment:**

*Figures I-6 and I-7 do not show the additional two loading areas parallel to the front of the building that are depicted on Figures 1-1 and should be corrected for consistency.  
(AKRF Memorandum, June 9, 2022)*

**F-13 Response:**

Renderings I-6 and I-7 show "areas" for loading. The Site Plans include "dashed" illustrative locations for zoning compliance reference. These are not intended to be painted pavement markings. If required, the spaces can be striped.

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RENDERINGS PROVIDED

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# **Project Rendering** **Nighttime View from Railroad Way**



Figure  
III.F - 1





Source: KTM Architect

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## Project Rendering Daytime View from Elevated Railroad Tracks

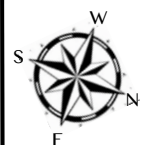


Figure  
III.F - 2



Source: KTM Architect

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## Project Rendering Nighttime View from Elevated Railroad Tracks

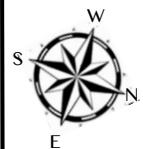


Figure  
III.F - 3





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# **Project Rendering Daytime View from I-95**

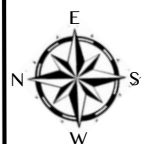


Figure  
III.F - 4





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# **Project Rendering Nighttime View from I-95**

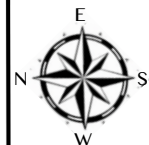


Figure  
III.F - 5

### III. G - Utilities

#### G-1 Comment:

*The existing conditions sanitary sewage section (Section IV.G.1.b) cites NYSDEC's "Design Standards for Wastewater Treatment Works (1988)" for calculating the total daily hydraulic loading. However, the anticipated impacts sanitary sewage section (Section IV.G.3.b) cites NYSDEC's "Design Standards for Intermediate Sized Wastewater Treatment Systems (March 5, 2014)." Appendix N (Hudson Engineering Water & Sewer Load Calculations) only cites the 1988 document for both. Both the existing and proposed calculations use the same 15 gallons per person per day per shift, but the references and assumptions should be clarified in the FEIS.*  
*(AKRF Memorandum, April 30, 2021.*

#### G-1 Response:

The calculation for sewage prepared for the DEIS were based upon NYSDEC's Design Standards for Intermediate Sized Wastewater Treatment Systems (2014). It is noted that both documents referenced utilized the same 15 gallon per day per shift estimate for office employees. An update is provided in Appendix F.

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### III. H - TRAFFIC & TRANSPORTATION

**H-1 Comment:**

*Based upon the representations made by the applicant and its consultant in the material provided to date, it appears that the nature of the concerns have been addressed and I want to break these down, specifically the Traffic and Transportation Chapter 4.H. It was absolutely imperative there were assurances at the intersection of Fenimore Road and Railroad Way would not be blocked during business hours thereby assuring the flow of traffic by vehicles and tractor trailers making deliveries and pickup for all of the building and properties located along Railroad Way.*

*There was a letter dated February 19, 2019 from Cuddy and Feder which proposed that the hours of construction would be from 8:00 a.m. to 6:00 p.m. Monday through Saturday. Obviously, with the applicant coordinating in advance with the building department, we feel very confident that the intersection and egress and access to Railroad Way would remain open so that the businesses could receive their shipments from these large tractor trailers. (Andrew Spatz, Public Hearing, May 6, 2021)*

**H-1 Response:**

Comment noted. The intersection of Fenimore Road and Railroad Way will not be blocked as a result of the Project and the egress and access to Railroad Way will remain open.

**H-2 Comment:**

*There was also reference to the removal of a curb cut near a barn, which we don't oppose. This is also made reference to in the DEIS as long as no additional obstructions were installed. Again, the access is absolutely imperative from Fenimore Road into Railroad Way, that's how the vehicles go from I-95 and gain access to all the buildings along Railroad Way. And it indicated nothing in the applicant's reports indicated that they were going to replace that curb with anything that can serve as an obstruction to the traffic and transportation. (Andrew Spatz, Public Hearing, May 6, 2021)*

**H-2 Response:**

Comment noted. There will be no obstructions from the Project that will block the access to Railroad Way.

**H-3 Comment:**

*Communication that would be held with CSX Railroad, this is absolutely imperative in advance of any construction as we do have active railroads that rail cars that come in late at night. The applicant addressed these issues during construction. The applicant would ensure that no impedances were placed in the required clearance envelope which was discussed and relayed in the DEIS, and also it would not interfere with the CSX crews operating on those tracks. Unfortunately, on that strip, if you've actually been down there, you can imagine having a railroad car, an engine I should say, very, very little room for error, but the applicant was very proactive. They reached out to CSX and they also made references that the representations that they would be in contact with the CSX train master prior to construction to ensure that the crews were aware that there was construction ongoing.*

*Obviously, the applicant would adhere to any and all identifications that would be required by CSX because that were in proximity to an active railroad, there's also control devices and mechanisms for those tracks. The report, I understand, indicates that they will also take adequate measures to address the shoring and stability of the railroad tracks in advance of construction commencing. That is actually pursuant to the CSX design and construction standard specifications. (Andrew Spatz, Public Hearing, May 6, 2021)*

**H-3 Response:**

Communication with CSX has been held and will continue before and during construction. Appropriate construction measures consistent with CSX design and construction standard specifications will be utilized.