

WESTCHESTER

COUNTY

PLANNING

BOARD

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County Planning Board Referrals:

Letters dated August 16, 2015 through September 15, 2015

Meeting Date:

October 6, 2015

Bedford

BED 15-003 Zoning Amendment: Residential Uses in Light Industrial District

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

A proposed local law to amend the Table of Use Regulations in the Town Zoning Code to authorize single-family, two-family, townhouse and multi-family residential uses in the Light Industrial (LI) zone. This would be accomplished by placing the letter "P" (for Permitted) in the LI column of the table.

We support the proposed amendment as it would increase opportunities for the development of various types of residential development.

Letter date: Tuesday, September 15, 2015 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Bronxville

BXV 15-003 Zoning Amendments: First Floor Health Professional Use

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

A proposed local law that would amend the Village Zoning Ordinance to authorize the planning board to permit first floor (ground floor) health professional uses in certain circumstances. Specifically, the proposed actions would amend the Village Zoning Map to clarify that tax lot 11-5-17 is located within the Central Business A District. The text of the Village Zoning Ordinance would be amended to allow first floor health professional uses west of Sagamore Road, on properties abutting the east side of the railroad right of way.

Letter date: Monday, August 31, 2015 **Response type:** Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Cortlandt

CTD 15-005 Moratorium on Certain Uses

Site Plan
 Special Permit
 Subdivision
 Zoning Text Amend
 Zoning Map Amend
 Area Variance
 Use Variance
 Moratorium
 Comp Plan

A proposed local law which would establish a nine month moratorium on certain uses pending the Town Board's adoption of a new Master Plan and associated zoning changes. The Town Board review of the Master Plan is expected to begin in October. Specifically, the moratorium will apply to applications to and approvals by the Planning Board, Zoning Board of Appeals and Building Inspectors with respect to the following provisions of the Zoning Ordinance:

- Section 307-94 – Community Betterment District
- Section 307-61 – Junk Yards
- Section 307-52 – Country Club
- Section 307-53 – Tennis Club, Yacht Club or similar membership, sports and recreation club
- Section 307-50 – University, College or Seminary
- Section 307-59 – Nursing Home

The moratorium would also apply to new applications for any non-residential development for a change in use of existing buildings within a half-mile radius of the intersection of the Metro-North Hudson Line and NYS Route 9A in Montrose. Non-residential applications within 2000 feet of the Hudson River shoreline will also be subject to this moratorium.

The proposed moratorium appears to have specific intent and purpose and should not extend beyond a reasonable time frame. However, we note that the proposed moratorium appears to have no mechanism for applicants to apply for an exemption based on hardship. We recommend that such a provision be added to the proposed local law.

Letter date: Tuesday, September 08, 2015 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Greenburgh

GRB 15-009B Hackley School Wellness Complex and Faculty Housing

293 Benedict Avenue

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

Lead Agency notification for the construction of a new health and wellness facility and 12 new units of faculty housing on the 285-acre Hackley School property located at 293 Benedict Avenue. Since 2003, when the Town Board approved a Master Plan for the development of the property, the school has received several site plan approvals and amended site plan approvals for various projects which have been implemented. The School is seeking this amended site plan approval to permit construction of the next component of the Master Plan. Subdivision, steep slopes permit and tree removal permit approvals are also required from the Planning Board.

The current proposal is to permit construction of an 116,725 square foot Health and Wellness Complex with two gymnasiums, a natatorium, eight squash courts, a wrestling room, a fencing room and an indoor track. The school is also proposing the demolition of an existing single-family residence on the campus in order to construct the faculty housing in two separate buildings. The school proposes to acquire 13,100 square feet from an adjacent property owner via the proposed subdivision.

We have no objection to the Greenburgh Town Board assuming Lead Agency status for this review.

Letter date: Monday, August 31, 2015

Response type: Comment

Consistency with Westchester 2025:

- We encourage the applicant to work with the Town to construct a sidewalk along the school's entire frontage on Benedict Avenue.

Impacts to County facilities and services:

- Because the development will increase sewage flows from this site into County sewers, I&I mitigation should be performed.
- The applicant should verify that sufficient space is available to accommodate the storage of recyclables.

Additional comments:

- We encourage the applicant to incorporate green or sustainable building methods and technologies into this project and to consider a bicycle rack.

Hastings-on-Hudson

HAS 15-002 CCI Properties

32-34 Washington Avenue

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

The application involves the construction of a new parking area for an existing 2-½ story, two family house as well as for the demolition of an existing building and the construction of a five-unit townhouse building with 10 parking spaces. The site, which is 0.6 acres located at 32-34 Washington Avenue, is a corner lot that also contains frontage on Warburton Avenue (County Road 751).

Letter date: Monday, August 17, 2015

Response type: Comment

Consistency with Westchester 2025:

- Although the Village’s zoning requirements regarding AFFH units require that developments of 8 units or more provide at least 1 AFFH unit, we point out that the Model Ordinance Provisions for AFFH recommend implementing AFFH units for developments of 5 or more units. Therefore, we encourage the Village to work with the applicant and the County to set aside at least one unit in the proposed development as an affordable AFFH unit.

Impacts to County facilities and services:

- Warburton Avenue is a County road (CR 751). Because a new curb cut is shown on Warburton Avenue, approval for this work from WCDPWT is required.
- Because the development will increase sewage flows from this site into County sewers, I&I mitigation should be performed.
- The applicant should verify that sufficient space is available to accommodate the storage of recyclables.

Additional comments:

- We encourage the applicant to consider incorporating as much green building technology as possible into the proposed development along with bicycle parking

Irvington

IRV 15-007 Zoning Text Amendment: Accessory Apartments

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

A proposed Local Law that would amend the text of the Village Zoning Ordinance to add provisions for permitting and regulating accessory apartments. As proposed, accessory apartments would be allowed by special permit issued by the Village Planning Board in any single-family residence. The special permits would be for three-year time periods and must be renewed by the Planning Board every three years. No more than 50 accessory special permits for accessory apartments may be in existence at any one time.

We are generally supportive of the proposed amendments as they will expand the range of housing types available in the Village. However, we recommend that the Village consider an approach of permitting and regulating accessory apartments as a permitted use in single-family zoning districts, as opposed to using a special permit mechanism. Further, if a renewal provision is to be included, we recommend that a longer timeframe be established. Both of these revisions would reduce administrative burdens and ease the process for homeowners. We point out that other Westchester municipalities allow accessory apartments without the need for a special permit and we are not aware of any adverse impacts.

Letter date: Tuesday, September 08, 2015 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Mount Vernon

MTV 15-005 MX-1 Commercial Corridor District Zone - Draft Scoping

Site Plan
 Special Permit
 Subdivision
 Zoning Text Amend
 Zoning Map Amend
 Area Variance
 Use Variance
 Moratorium
 Comp Plan

A draft scoping document for the preparation of a draft generic environmental impact statement (GEIS) for a proposal to create a new MX-1 Commercial Corridor District in the City Zoning Ordinance and to rezone 66 tax parcels totaling 16.68 acres along East 3rd Street between Fulton Avenue and Columbus Avenue to this new zoning designation.

The intended purpose of the MX-1 Commercial Corridor District is to encourage mixed use residential and commercial uses to activate the street-level environment and promote the development of a vibrant and pedestrian-oriented commercial corridor. A wide range of uses are proposed to be permitted under the MX-1 District including, but not limited to, multifamily dwellings, offices, business incubator space, stores and shops, medical office space, restaurants, day-care facilities and schools and banks. Additional uses such as banks with drive-up windows, bars and nightclubs, motor vehicle dealerships and universities, colleges and private schools would be allowed as special permit uses.

Letter date: Monday, August 31, 2015

Response type: Comment

Consistency with Westchester 2025:

Impacts to County facilities and services:

Additional comments:

- The draft GEIS should identify mitigation measures that will offset the projected increases in sewage flow. The best means to do so is through the reduction of inflow and infiltration (I&I) at a ratio of three for one.
- The draft GEIS could also discuss potential bus stop improvements.

- We recommend that the draft GEIS contain a discussion of the role that non-motorized transportation could play in mitigating the traffic impacts of future development within the project area.
- We recommend the draft GEIS include a discussion of the role of green building technology in the future development of the proposed study area

New Castle

NWC 15-003C Chappaqua Crossing

480 Bedford Road

- Site Plan
 Special Permit
 Subdivision
 Zoning Text Amend
 Zoning Map Amend
 Area Variance
 Use Variance
 Moratorium
 Comp Plan

A petition to amend the Town Zoning Ordinance. The applicant is requesting that the B-RO-20 District regulations be amended to add multi-family residential as a permitted use that that would be allowed as part of the “adaptive reuse of the two uppermost floors of commercial buildings in existence as of January 1, 1942.”

If the zoning changes are adopted by the Town Board, the applicant would then seek approval for establishing 32 affordable affirmatively furthering fair housing (AFFH) units on the upper two floors of the “Cupola Building” on the Chappaqua Crossing site. This would require a corresponding amendment to the previously approved preliminary development concept plan (PCDP) for the residential “East Village” portion of the site.

The County Planning Board previously commented on the proposed development in letters dated May 26 and October 3, 2006; September 14, 2007; January 4, 2008; June 23, 2009; November 23, 2010; April 11, 2011; May 17, 2013; January 14, June 16, July 22, August 5, November 17 and December 8, 2014; February 23 and August 5, 2015.

We support the proposed changes to the development and urge the Town to take action to approve the requested applications.

Letter date: Monday, August 17, 2015 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

North Castle

NOC 15-009 Various Zoning Text Amendments

- Site Plan
 Special Permit
 Subdivision
 Zoning Text Amend
 Zoning Map Amend
 Area Variance
 Use Variance
 Moratorium
 Comp Plan

A proposed Local Law to renumber and make technical amendments to various sections of the Zoning Chapter of the Town Code.

Letter date: Monday, August 17, 2015 **Response type:** Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

NOC 15-010 Haunted Dead End

1402 Old Orchard Street

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

Special event permit for a Halloween event that is open to the public and will not hold more than 200 people of Fridays, Saturdays and Sundays during October at the Rocky Ledge Swim Club. Evening adult/teen activities will include a graveyard, vortex tunnel, corn maze and haunted house maze.

Letter date: Monday, August 17, 2015

Response type: Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

NOC 15-011 21 Cowdray Park Drive

19-23 Cowdray Park Drive

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

Proposed demolition of an existing single-family dwelling and the construction of a new 20,786 square foot single-family dwelling.

Letter date: Monday, August 17, 2015

Response type: Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Ossining (town)

OST 15-004 Parth Knolls

87 Hawkes Avenue

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

An application to demolish an existing single-family dwelling on a 5.527-acre lot located at 87 Hawkes Avenue and construct a 53-unit multi-family development (41 one-bedroom and 12 two-bedroom units) with 107 parking spaces and accessory recreational facilities. The multi-family units would be constructed in two buildings with 28 parking spaces underneath each building. The remaining 51 parking spaces would be constructed at-grade. The subject property is currently zoned MF-1, which permits the development as proposed. The site is bordered on three sides by the existing Deerfield Condominium property.

Under the existing MF-1 zoning, our understanding is that the applicant would be permitted to construct 41 dwelling units. However, the applicant is seeking a 30% density bonus under the Town's affordable housing regulations which would increase the number of units on the site to 53, with 12 units restricted as affordable affirmatively furthering fair housing (AFFH) units.

Letter date: Monday, August 17, 2015

Response type: Comment

Consistency with Westchester 2025:

- We are supportive of the proposed application since it would add multi-family housing and increase the Town's supply of affordable AFFH units.
- We note that the proposed number of one- and two-bedroom affordable AFFH units is not proportional to the number of one- and two-bedroom market-rate units
- Because the subject property is bordered on three sides by an existing multi-family residential community, it would be ideal if the proposed development could be integrated into the fabric of the surrounding community.

Impacts to County facilities and services:

- Because the development will increase sewage flows from this site into County sewers, I&I mitigation should be performed
- The applicant should verify that sufficient space is available to accommodate the storage of recyclables.

Additional comments:

We encourage the applicant to consider incorporating as much green building technology as possible into the proposed development. We also recommend that the applicant consider providing bicycle parking.

Ossining (village)

OSV 15-001B Victoria Home - Final EIS

25 North Malcom Street

- Site Plan
 Special Permit
 Subdivision
 Zoning Text Amend
 Zoning Map Amend
 Area Variance
 Use Variance
 Moratorium
 Comp Plan

A final environmental impact statement (EIS) for a proposal to demolish an existing three-story, 49-bed home for elderly care and replace it with a new 120-bed facility (increased from the prior proposal of 96 beds) comprised of two buildings of three stories each.

The subject site encompasses 4.22 acres located at 25 North Malcolm Street. The site also contains frontage along Matilda Street. Vehicular access will be provided via curb cuts along both streets with parking for 69 vehicles in garages beneath the two buildings and parking spaces provided at grade.

We have reviewed the final EIS and find that it adequately addresses all of our prior comments made on the draft EIS.

Letter date: Monday, August 31, 2015 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Peekskill

PKS 15-004 Abbey at Fort Hill Apartments, Inn & Spa

John Street

- Site Plan
 Special Permit
 Subdivision
 Zoning Text Amend
 Zoning Map Amend
 Area Variance
 Use Variance
 Moratorium
 Comp Plan

The applicants are seeking to amend the special permit regulations for the Planned Residential District (PRD) as well as to rezone two parcels located at the end of John Street from R-1B to PRD. Two other parcels would be rezoned from R-1B to R-6 and R-1C. If approved, the applicant would then seek site plan and special permit approvals to construct a project consisting of a clustered three-building mid-rise apartment complex comprising 178 units with associated parking. An existing, vacant convent and chapel on the site would also be redeveloped as an inn and spa. As part of the development plan, 50 acres would be conserved and dedicated to the City for passive park use.

The proposed zoning text and map amendments are matters for local determination. With respect to the site plan and special permit applications, we reserve comment on those matters until the application moves into those phases of review. At this time, we offer the following preliminary comment for the City's consideration:

Letter date: Monday, August 17, 2015 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

- Because the development will increase sewage flows from this site into County sewers, I&I mitigation should be performed.

Rye Brook

RYP 15-003 Zoning Text Amendment: Professional Offices

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

A proposed local law which would amend the text of the Village Zoning Ordinance. The proposed amendment would expand the permissible locations for professional offices of individuals which are not home occupations. The permissible locations would be expanded to include the easterly side of South Ridge Street between Westchester Avenue and Bowman Avenue in the R2-F District and the R-15A District, the last lot located at the southerly side of Hawthorne Avenue and the northerly side of Westchester Avenue.

Letter date: Monday, August 17, 2015

Response type: Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Scarsdale

SCD 15-002 Zoning Text Amendment: Lot Area Coverage

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

A proposed local law to amend the Scarsdale Zoning Ordinance. As proposed, the amendment would repeal, in its entirety, Article IV - Lot Area Coverage and establish a new Article IV of the same name. The new law will treat gravel paving surfaces as impervious which will in turn impact maximum lot area coverage calculations. The stated purpose of the proposed amendment is to preserve neighborhood character, protect natural features and establish standards for appropriate development in the Village.

Letter date: Monday, August 31, 2015

Response type: Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Sleepy Hollow

SLH 15-002 Edge on Hudson - Phase 1

199 Beekman Avenue

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

Notice of public hearing for the site plan review for Phase 1 of Edge on Hudson, which is proposed as a mixed use redevelopment project for the former GM factory site along the waterfront.

We have received insufficient documentation at this time to conduct a thorough review of this matter. We respectfully request that the Village send us any additional pertinent material, such as site plans, for this project.

Letter date: Monday, August 31, 2015 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Somers

SOM 15-003 Zoning Text Amendment: Accessory Apartments

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

A proposed local law which would amend the text of the Somers Zoning Ordinance with respect to accessory apartments, which are permitted in the town by special exception use permit issued by the Zoning Board of Appeals. The proposed amendment would delete a requirement that the owner of a property file the original special exception use permit and each renewal permit with the Westchester County Division of Land Records within 30 days of approval of the permit.

We support the proposed amendment because it will remove an unnecessary obligation placed on homeowners. We also encourage the Town to use this opportunity to eliminate the special exception use permit requirement for accessory apartments. Such a change would reduce administrative burdens and ease the process for homeowners. We note that many municipalities in Westchester do not require special permits for accessory apartments and we are not aware of any adverse impacts.

Letter date: Tuesday, September 08, 2015 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Tarrytown

TTN 15-004 Lexington 202 Group LLC

160 Wildey Street

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

A notice of intent to be Lead Agency pursuant to the NYS Environmental Quality Review Act (SEQR) for the above referenced application. The applicant is proposing to convert a factory to a self-storage facility. The application involves increasing the floor area from 34,000 square feet to 51,853 square feet, increasing the number of stories from 2 to 3 stories and increasing the height of the structure by 2 feet 7 inches. The subject site is 0.9 acres, located at 160 Wildey Street. To construct the building as proposed, the applicant must seek a variance to reduce the on-site parking to 34 spaces where 52 spaces are required.

We have no objection to the Tarrytown Zoning Board of Appeals assuming Lead Agency status for this review.

We note that the proposed area variance is not subject to referral to the County Planning Board. We respectfully request that we be sent additional information on this proposal, such as site plans and other supporting materials, as this application enters into site plan review.

Letter date: Monday, August 17, 2015 **Response type:** No Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

White Plains

WHP 15-012 60 South Broadway

60 South Broadway

- Site Plan
 Special Permit
 Subdivision
 Zoning Text Amend
 Zoning Map Amend
 Area Variance
 Use Variance
 Moratorium
 Comp Plan

An application to construct a new large-scale, mixed-use development on a 3.58-acre site which now contains the White Plains Pavilion Mall in downtown White Plains. The applicants propose to demolish the existing mall and construct two 24-story towers above a podium building containing retail and parking. In total, 707 residential apartments are proposed (including 71 restricted as affordable per City regulations) with 95,396 square feet of street-level commercial space. Parking for 1,022 vehicles would also be constructed.

The subject site is bounded by South Broadway (a portion of which is County Road 108), Maple Avenue and Hale Avenue. Because the site is sloped downward from South Broadway, the retail/parking podium building will be constructed into the hill, placing parking below grade of the site's South Broadway frontage. Vehicular access to the parking would be from Maple Avenue and Hale Avenue.

The subject property was part of a previous SEQR review with respect to a rezoning which occurred in 2014 to change the designation of the site from B-6 (Enclosed Mall) to CB-3 (Core Business 3). A generic environmental impact statement (EIS) for the proposed development was completed for the rezoning and a Findings Statement was adopted by the City on November 3, 2014. At this time the applicants are seeking site plan approval to construct the project as well as a special permit approval to permit outdoor dining.

Letter date: Monday, August 17, 2015

Response type: Comment

Consistency with Westchester 2025:

- The proposed development is consistent with a number of noteworthy project elements that we believe are model examples of what all downtown redevelopment projects should contain. These elements were: orientation of retail to the street, bicycle parking and green building technology.

Impacts to County facilities and services:

- The portion of South Broadway north of the intersection of East Post Road is a County road (CR 108). Approval from WCDPWT is required. The City and the applicant should be advised that roads in the vicinity of the project (South Broadway, East Post Road and Armory Place) will be paved by the County in 2017. In addition, Westchester Avenue (CR 71) will be paved by the County in 2016.
- Because the development will increase sewage flows from this site into County sewers, I&I mitigation should be performed.
- The applicant should verify that sufficient space is available to accommodate the storage of recyclables.

Additional comments:

- A conceptual plan for a BRT route along South Broadway and Maple Avenue, directly along the frontages of the site, was examined by the Mass Transit Taskforce for the New NY Bridge Project. We are confident that as various private development plans advance, opportunities for BRT implementation and transit service enhancements and infrastructure will be identified and integrated as appropriate.