

WESTCHESTER

COUNTY

PLANNING

BOARD

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County Planning Board Referrals:

Letters dated June 16, 2015 through July 15, 2015

Meeting Date:

August 4, 2015

Bedford

BED 15-002 Zoning Text Amendments: CB and NB Districts

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 text of the Town Zoning Ordinance. One amendment is in regard to the regulations governing signs, and would allow the Planning Board permit authority over free-standing and bracket signs in the CB District. Regulations for height, size and the lighting of signs would also be modified. A second amendment pertains to use restrictions in the CB and NB Districts. As revised, no single permitted use, except for emergency service providers, may occupy a space greater than 4,000 square feet in area on the first floor of any building. The current regulations allow up to 7,500 square feet.

Letter date: Monday, June 29, 2015

Response type: Local Determination

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

Bronxville

BXV 15-001 Zoning Text Amendment: Outdoor Eating Areas

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 with respect to outdoor eating areas. Specifically, the amendment would establish a new definition for “outdoor eating area” and regulate it as an accessory use for restaurants requiring site plan approval. An additional amendment to the zoning ordinance is also proposed that would exempt interior alterations or changes of use of first floor space within the Central Business A District and Service Business B district from site plan review so long as the use change is within the same permitted use category.

Letter date: Monday, June 22, 2015

Response type: Local Determination

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

BXV 15-002 Zoning Amendment: Environmental Improvement Multiple Residence

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 add a new definition and special permit regulations for “environmental improvement multiple residence facility.” The purpose of the amendment is to allow additional residential density in the Six-Story Multiple Residence D District in circumstances where environmental remediation costs borne by an applicant justify the allowance of additional density, subject to compliance with special permit provisions that must be approved by the Village Planning Board.

The proposed zoning amendment is generally consistent with Westchester 2025 because it will help facilitate the cleaning up of contaminated sites while encouraging infill development within an existing center where existing infrastructure can support growth.

The proposed zoning amendment does not reference whether any units developed under the proposed special permit would be required to be set aside as affordable. We note that Bronxville has not taken steps to amend its zoning to incorporate the County’s Model Ordinance Provisions for Affirmatively Furthering Fair Housing into the Village Code. We continue to encourage the Village to do so.

Letter date: Monday, June 22, 2015 **Response type:** Comment

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

Croton-on-Hudson

CRO 15-002 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 with respect to accessory apartments. The amendments would remove age restrictions and other provisions for accessory apartments in order to streamline their approval in single-family detached dwellings. Accessory apartments would now be subject to minor site plan approval from the Village Planning Board instead of by a 3-year special permit issued by the Board of Trustees. These approvals would now be issued to, and run with, the property owner.

We have no objection to the Croton-on-Hudson Board of Trustees assuming Lead Agency for this review.

We are supportive of the proposed amendment. Changing the zoning requirements so as to allow easier development of accessory apartments will increase the range of housing options that are available in the Village, which is consistent with Westchester 2025. Further, efforts to make the land use review and approval process more efficient, such as those included in the proposed amendments, are to be commended.

Letter date: Monday, June 22, 2015 **Response type:** Comment

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

Greenburgh

GRB 15-008 The Jefferson at Saw Mill River

1 Lawrence Street

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

The application proposes the development of a 10.77-acre vacant, former industrial brownfield site with a 4-story apartment building containing 272 rental apartment units and 438 parking spaces. The site is located at 1 Lawrence Street and is bounded by Lawrence Street to the south, Saw Mill River Road (NYS Route 9A) to the east and Westchester County’s South County Trailway to the west. A County-owned trunk sewer line traverses the site.

The proposed building would contain 24 studio apartments, 164 one-bedroom apartments and 84 two-bedroom apartments. Twenty-seven (10%) of the units are proposed to be restricted as affordable. Primary vehicular access would be provided via a driveway from Lawrence Street which would connect to a 122-space surface parking lot and a 316-space parking garage which would be constructed as part of the new building. A secondary/emergency access is shown provided off of Western Avenue, which is a Dobbs Ferry public right-of-way which, as described, has historically has provided access to the property. As part of the improvements, 21 new parking spaces are proposed along Western Avenue for use by patrons of the South County Trailway.

The site is located within the GI – General Industrial zoning district which permits “any use not specifically permitted and not otherwise prohibited by law” by special permit use by the Zoning Board of Appeals. Therefore this application requires special permit approval along with site plan approval from the Town Board. Area variances from the Zoning Board of Appeals are also required for building height, building coverage and side yard.

Letter date: Monday, June 22, 2015

Response type: Comment

Consistency with Westchester 2025:

- The proposed development is generally consistent with Westchester 2025 because it proposes to clean and re-utilize a brownfield site for new development. In addition, the site is within walking distance to stores/services, adjacent to a County trailway and the applicant is proposing to restrict 10% of the proposed units as affordable, which would expand the range of housing affordability in the immediate area.

Impacts to County facilities and services:

- Because a County trunk sewer line traverses the site, we must be concerned about potential impacts during and after development. WCDEF typically requires a number of measures to be undertaken to protect the sewer line.
- Because the development will increase sewage flows, I&I mitigation should be performed.
- The applicant must discuss any potential crossings, improvements or alterations to the South County Trailway with the WCDPRC
- The applicant should verify that sufficient space is available to accommodate the storage of recyclables.
- Because there is an existing Bee-Line bus stop along the site's frontage, the applicant should work with WCDPWT to determine whether or not improvements to the bus stops serving the site are required.

Additional comments:

- Saw Mill River Road is a state road (NYS Route 9A). The Town should forward a copy of the application to NYS DOT to identify any required permits for the proposed development.

Lewisboro

LEW 15-003 Copia Garden Center

475 Smith Ridge Road

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

A proposal by a landscape/nursery business to expand into an existing residential lot that is also owned by the business. The applicant is proposing the construction of a new greenhouse, modifications to the curb on East Street to improve traffic circulation and drainage improvements. Approvals of a site development plan, a wetland permit and a stormwater permit are required.

The subject site is located at 475 Smith Ridge Road (NYS Route 123) in the Vista hamlet of the Town. The site is zoned GB – General Business, where landscape nursery is a permitted use.

Letter date: Monday, June 22, 2015

Response type: Comment

Consistency with Westchester 2025:

Impacts to County facilities and services:

Additional comments:

- Because Smith Ridge Road (NYS Route 123) is a State highway, the Town should forward a copy of the application to NYS DOT.
- We encourage the applicant to include as much green building technology as possible, including stormwater management techniques such as rain gardens or permeable paving surfaces.

Mamaroneck (village)

MMV 15-005 Comstock Residential Contracting Mixed Use Buidling

690 Mamaroneck Avenue

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

The proposed development of a new, four story mixed-use building consisting of 2,950 square feet of retail space and 21 residential units (9 one-bedroom and 12 two-bedroom) with 33 parking spaces. The subject site is located at 690 Mamaroneck Avenue (County Road 8) but also has frontage on Grand Street and on Madison Street. Vehicular access is proposed from Grand Street. The site currently contains a building that would be demolished.

We have no objection to the Village of Mamaroneck Planning Board assuming Lead Agency status for this review.

Letter date: Tuesday, June 23, 2015

Response type: Comment

Consistency with Westchester 2025:

- The proposed development is consistent with Westchester 2025 because it will bring more infill development, including residences, to Mamaroneck's downtown center.

Impacts to County facilities and services:

- Mamaroneck Avenue is a County road (CR 8). Because the site abuts Mamaroneck Avenue, approval from WCDPWT is required. It is also recommended that signal improvements to create a pedestrian crossing at the signalized intersection of Mamaroneck Avenue and Grand Street be considered.
- 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 recommend that the Village and the applicant consider setting aside 10% of the units as AFFH units.
- We commend the applicant for showing green building elements on the proposed site plan, including potential rooftop solar panels.
- We commend the applicant for including a bicycle rack on the plans.

Ossining (town)

OST 15-002 Town of Ossining Comprehensive Plan Update

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

The comprehensive plan sets forth a vision to preserve, maintain and enhance the existing characteristics of the town. It focuses on seven major areas: community appearance, environmental resources, residential uses, parks and recreation, community services/facilities, transportation and future development/redevelopment.

The plan describes a number of objectives and implementation strategies with respect to the goal of enhancing the physical and aesthetic appearance of the Town, and to protect its scenic and historic resources. We point out that these goals are consistent with the County Planning Board's long-range planning policies set forth in Westchester 2025.

The plan presents objectives and implementation strategies with respect to the goal of preserving and conserving open space; the plan states that the Town hopes to acquire new properties for preservation and recreation as well as for watershed, steep slope and view shed protection. Also, the plan calls for local boards to consider the inclusion of landscaped buffers, open space, pocket parks and trail connections in future developments during the land use review process with the objective of creating an integrated open space and trail network. All of these recommendations are consistent with the County Planning Board's adopted polices and strategies.

We recognize that the Town of Ossining was the first municipality in the county "eligible" under the terms of the Housing Settlement to adopt the Model Ordinance Provisions with respect to affirmatively furthering fair housing (AFFH). We support including the continued development of affordable AFFH as a goal in the updated comprehensive plan.

The plan contains a discussion on improving bicycle, pedestrian and transit mobility in the town, which we support.

The plan recommends that the Town and community groups should work with Metro-North Railroad and Westchester County Bee-Line to explore the option of operating jitney bus service in the Town of Ossining to link the train station, residential areas and employment sites. We note that such local services may currently be beyond the operational capability of the Bee-Line.

The plan describes several objectives and implementation strategies with respect to the goal of promoting development and redevelopment which is consistent with the current scale and historic character of the community. One objective presented is to limit the amount and intensity of land use development to levels which minimize traffic congestion and encourage the use of transit. We note that while reducing development potential can serve to protect open spaces and sensitive environmental features, that result is dependent on the design and layout of individual developments, regardless of permitted density. Further, lowering density does not usually have the impact of increasing transit use. If the goal of the Town is to increase transit mobility, as well as increase the potential for residents to walk and bike to local businesses and services, the comprehensive plan should discuss the potential to increase density and a mix of uses in appropriate targeted areas.

Letter date: Thursday, July 02, 2015

Response type: Comment

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

OST 15-003 Various Town Code Amendments

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

Five proposed Local Laws (Local Law No. 5 through No. 9 of 2015) that would amend various sections of the Town Code. Local Laws 6, 7 and 8 are outside of the jurisdiction of the County Planning Board since they amend chapters of the Town Code outside of the Zoning Chapter.

Local Law No. 5 would amend notification requirements for matters before various boards with land use approval authority.

Local Law No. 9 would create a new requirement that no more than 25% of the minimum lot area requirement of a proposed lot may be comprised of “wetland” or “extremely steep slope”.

Letter date: Thursday, July 02, 2015 **Response type:** Local Determination

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

Peekskill

PKS 15-003 Zoning Text Amendment: Artist Loft Conversions

C-2, C-3 & WF Districts

- 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 text of the City Zoning Ordinance. The amendment would allow property owners of artists’ lofts to apply for a special permit to be able to lease an artists’ loft to a household that does not meet the eligibility requirements for artist certification. The term would be limited to two years after which an attempt must be made to rent the unit to an eligible household.

Letter date: Monday, June 29, 2015 **Response type:** Local Determination

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

Rye

RYC 15-001 Old Post Road Associates LLC

120 Old Post Road

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

A petition to amend the text of the City's Zoning Ordinance and to amend the City's Zoning Map so as to allow the redevelopment of an existing office site with a new age-restricted (age 55 and over) apartment building containing 135 one- and two-bedroom units and parking for 240 vehicles.

The 7.0-acre site is located at 120 Old Post Road (County Road 73) with additional frontage along the Playland Parkway Access Drive (County Road 147). The site is currently zoned B-4 and is developed with an office building, described as underutilized. The applicants are petitioning the City to create a new RA-6 Active Senior Residence District and to rezone the subject site to RA-6. If successful, the applicant would then seek site plan approval to develop the proposed apartment building under the new zoning. The site was previously proposed for redevelopment with a hotel.

Because the referred material does not include a site plan, we reserve comment on the potential development until plans are prepared and referred. We are able to offer the following preliminary comments:

Letter date: Monday, June 29, 2015

Response type: Comment

Consistency with Westchester 2025:

- The proposed zoning text amendment does not include provisions that would affirmatively further fair housing (AFFH) in the new RA-6 district. We recommend that this be added and that the affordable AFFH units be made available to people of all ages.
- We encourage the City to adopt the County's Model Ordinance Provisions with respect to affordable AFFH

Impacts to County facilities and services:

- Because the site contains frontage on both Old Post Road (CR 73) and the Playland Parkway Access Drive (CR 147) an approval is required from WCDPWT.

Additional comments:

- The proposed RA-6 district regulations contain occupancy restrictions that go beyond the usual requirement that one resident in each housing unit be 55 years of age or older. We suggest that the City exercise caution in adopting regulations that are more restrictive than those typically used for senior housing developments.

Scarsdale

SCD 15-001C Extension of Moratorium on Gravel Surfaces

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

Proposed extension of an existing moratorium on certain applications to the Planning Board, Zoning Board of Appeals, Board of Architectural Review, or the Building and Engineering Departments that involve gravel surfaces. Public concerns regarding the bulk of residential homes and the preservation of neighborhood character have led to the initiation of a comprehensive study on the use and impact of gravel surfaces on the Village's lot coverage regulations and the effect of treating gravel surfaces as impervious consistent with the Village's stormwater regulations. An analysis will be submitted to the Board of Trustees on or before June 30, 2015. The purpose of this temporary moratorium is to provide a reasonable time for review of the issue. Exceptions from the moratorium will be considered on a case-by-case basis by the Board of Trustees. Any application that has received approvals or permits prior to February 10, 2015 is also exempt from the moratorium. The proposed local law would extend the moratorium until October 30, 2015.

The proposed moratorium appears to have a specific intent and purpose and should not extend beyond a reasonable time frame.

Letter date: Monday, June 22, 2015 **Response type:** Comment

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

Tarrytown

TTN 15-002 Zoning Text Amendment: Procedures for Land Use Applications

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 text of the Village Zoning Ordinance to address the payment of consultants' fees for applications to the Village Planning Board. The amendment would allow for reimbursement to the Village for the actual costs of consulting services incurred by the Village during the review of applications before the Planning Board.

Letter date: Monday, June 29, 2015 **Response type:** Local Determination

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