

WESTCHESTER

COUNTY

PLANNING

BOARD

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County Planning Board Referrals:

Letters dated March 16, 2016 through April 15, 2016

Meeting Date:

May 3, 2016

Croton-on-Hudson

CRO 16-001 120 Scenic Drive West Rezoning

120 Scenic Drive West

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 Zoning Map of the Village of Croton-on-Hudson to rezone a 1.5-acre parcel located at 120 Scenic Drive West from O-2 Limited Office to RA-25.

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

Letter date: Monday, April 11, 2016

Response type: Local Determination

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

Greenburgh

GRB 16-003 DJF Real Estate Holding Corp

23-25 Warehouse Lane

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

A development proposal on a 1.76-acre site located on the south side of Warehouse Lane beginning 389 feet west of the intersection of Warehouse Lane and NYS Route 9A. It is proposed to demolish two commercial buildings and then construct one three-story 19,200 sq. ft. multi-use automotive and truck repair facility with related site improvements. The applicant proposes 37 parking spaces, 16 light duty and automotive truck repair bays and four heavy duty truck bays. Three driveway curb cuts are proposed on Warehouse Lane, none shown to be aligned with the driveway on the north side of Warehouse Lane providing access to Sam's Club warehouse store.

The west side of the site abuts the Saw Mill River and the site is within a 100-year floodplain. The application notes the site has been subject to multiple flooding events. The Saw Mill River is designated a County stream channel in this location.

Letter date: Monday, April 04, 2016

Response type: Comment

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

- Because the applicant is showing site modifications, including a retaining wall which will create a "flood storage area" next to the Saw Mill River, a County Stream Control Permit will be required
 - The applicant should verify that sufficient space is available to accommodate the storage of recyclables.

- It is our understanding that green building technology is required in the proposed building by Town ordinance. We also urge the applicant to consider providing bicycle parking for employees since the site is near the South County Trailway.

Harrison**HAR 16-005 The Residences at Corporate Park Drive****103-105 Corporate Park Drive**

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 Harrison Zoning Ordinance with respect to a proposed application involving the demolition of an existing, mostly vacant, office building complex located at 103-105 Corporate Park Drive and its replacement with a new 421-unit apartment building (containing 17 studio, 214 one-bedroom and 190 two-bedroom units) with 753 parking spaces, 10,000 square feet of recreation space and 5,000 square feet of retail or restaurant space.

The applicants are petitioning the Town/Village to amend the Zoning Ordinance to add two new sections (X and Y) under the regulations for the SB-O Zoning District. Section X: SB-O Multi-Family Residential would contain regulations to permit and regulate multi-family dwellings in this district. Section Y: SB-O Retail Use, Retail Service Use, Restaurant Use would contain regulations to permit and regulate these types of commercial uses in this district. Because both types of uses would require special exception use permit approval from the Town/Village Board as well as site plan approval from the Harrison Planning Board, the applicant intends to apply for those approvals if the zoning amendment is approved.

The proposed application has undergone review pursuant to the NYS Environmental Quality Review Act (SEQR) which resulted in findings issued by the Harrison Planning Board on February 23, 2016.

We previously reviewed this development proposal and we responded to the Town/Village in letters dated January 12, April 27 and June 9, 2015. We offer the following comment that is specific to the proposed zoning amendments:

We continue to recommend that the Town/Village take steps to incorporate the County's Model Ordinance Provisions for AFFH into the Town/Village Code and, in particular, include a requirement for the inclusion of affordable AFFH units as part of this zoning amendment for the SB-O Zoning District. We point out that the SEQR Findings state that the "applicant is supportive of an affordable housing component being included in this proposed action."

Letter date: Tuesday, March 22, 2016

Response type: Comment

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

Mount Vernon

MTV 16-005 Terrace Avenue LLC

216 Terrace Avenue

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

Site plan for the proposed development of a three-story building with a footprint of 7,020 square feet plus covered outdoor storage of 1,274 square feet. The facilities will be used for parking and storage of construction vehicles and office space. The building currently on the site is described as dilapidated condition and will be demolished. The lot of 31,000 square feet has frontage on both South MacQuesten Parkway (#399) and South Terrace Avenue (#216) and abuts the Metro-North New Haven Line.

Letter date: Monday, April 11, 2016

Response type: Comment

Consistency with Westchester 2025:

The re-use of an existing site in an industrial area is consistent with Westchester 2025 because it directs development to an existing center.

Impacts to County facilities and services:

The applicant should verify that sufficient space is available to accommodate the storage of recyclables

Additional comments:

We encourage the applicant to incorporate as much green building technology as possible into the proposed development as well as bicycle parking.

New Castle

NWC 16-002 New Castle Fire District No. 1

491-495 King Street & 2 Elm Street

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

The proposal involves the construction of an addition to the fire district's main fire station, Station One, which is described as in need of expansion. The application states that the limited size of the property fronting on King Street (NYS Route 120) does not allow an expansion; therefore, an existing building on an abutting property will be demolished and replaced by the addition of 8,727 square feet of floor area and 23 additional parking spaces. Two additional curb cuts to accommodate fire truck entry to the rear of the building are requested.

Letter date: Wednesday, March 30, 2016

Response type: Comment

Consistency with Westchester 2025:

Impacts to County facilities and services:

Additional comments:

- Because NYS Route 120 is a State highway, the Town should forward a copy of the application to NYS DOT
- We encourage the applicant to consider using as much green building technology as possible in the construction of the proposed addition.

NWC 16-003 Brandywyne Subdivision Lot 2 Debris Pile Removal

Cynthia Court

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

Site plan review for the clearing of a construction stockpile of debris resulting from the construction of a subdivision common driveway. No devevelopment is proposed.

Letter date: Wednesday, March 30, 2016 **Response type:** Local Determination

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

NWC 16-004 Costa Subdivision, Lots 1 & 2

324 Saw Mill River Road

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

Site plan review for the reconfiguration of a proposed shared driveway into two separate driveways, as well as the construction of new houses and SSDS areas for the two lots in an already approved 2-lot subdivision.

Letter date: Monday, April 11, 2016 **Response type:** Local Determination

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

New Rochelle

NRO 16-006 Zoning Text Amendment: Archtecturaal Review

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's Zoning Code. The proposed amendment will require architectural review of site plans and major subdivisions in the Downtown Overlay Zone by professional architects.

We have no objection to the New Rochelle City Council assuming Lead Agency for this review.

Letter date: Tuesday, March 22, 2016 **Response type:** Local Determination

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

NRO 16-007 Zoning Text Amendment: Affordable Housing

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's Zoning Code with respect to requirements for affordable housing. As proposed, the amendment would lower the number of units constituting a residential development requiring affordable housing from 11 units to three units. The amendment would also change these regulations to apply them city-wide and not with a focus on the downtown area. Technical modifications to the payment-in-lieu procedure for affordable housing are also proposed.

We have no objection to the New Rochelle City Council assuming Lead Agency for this review.

Letter date: Tuesday, March 22, 2016 **Response type:** Comment

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

The proposed amendments are consistent with Westchester 2025 because they will help encourage a range of housing types in the city with different levels of affordability.

North Castle

NOC 16-002 37 & 41 Maple Avenue

39 Maple Avenue

- 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 Code. The amendment would clarify language regarding multi-family dwellings located on the first or second floor of buildings within the CB-A zoning district. The proposed amendments are necessary to allow for a previously proposed development application to merge two tax lots totaling 0.3 acres at 37 and 41 Maple Avenue in downtown Armonk for the purpose of constructing a new retail space and six residential apartments. As proposed, the existing building at 41 Maple Avenue would be demolished and the construction of additions to 37 Maple Avenue would occur to provide three two-bedroom and four one-bedroom apartments along with 831 square feet of retail space.

We have no objection to the North Castle Town Board assuming Lead Agency status for this review and we find the zoning text amendment to be a matter for local determination.

Because we reviewed earlier site plans for this proposal and responded to the North Castle Planning Board in a letter dated September 22, 2015, we offer the following comments again for the Town Board’s consideration:

Letter date: Tuesday, March 22, 2016

Response type: Comment

Consistency with Westchester 2025:

- The proposed development is generally consistent with Westchester 2025 because it would direct additional residential density towards an already developed downtown center where shopping, services and bus transit are within walking distance. The project would also provide street level retail that is directly along the sidewalk with parking in the rear.
- We encourage the Town 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:

- Because the site is located within close proximity to the Wampus River, we encourage the applicant to take steps towards the goal of treating and retaining as much stormwater on-site as possible.
- 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 as well as bicycle parking.

North Salem

NSM 16-003 GR, LLC / Staysail Farm

451 Grant Road

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

A proposed renewal of a special permit for commercial boarding and breeding of 50 horses at Staysail Farm located at 451 Grant Road (NYS Route 121). The application also proposes modifications to a previously approved caretaker's cottage which would be constructed as part of the current application. The applicant is also seeking to add four horses to the number permitted by the special permit as well as to relocate an existing barn within the site.

Letter date: Monday, April 11, 2016

Response type: Local Determination

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

Rye Brook

RYB 16-002 North Ridge Street Subdivision

259 North Ridge Street

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

Lead Agency notification for a proposal to subdivide a 3.96-acre property located at 259 North Ridge Street into three parcels. One parcel would retain an existing single-family home which would be renovated, while a second parcel would be developed with a new single-family home. Both of these lots would retain their existing R-15 zoning designations. For the third lot, the applicant is seeking an amendment to the Village Zoning Map to rezone the property to the FAH District so as to permit the construction of eight units of affordable affirmatively furthering fair housing (AFFH) in two buildings on this lot. It is our understanding that a site plan approval would also be required for this action. We respectfully request that we be sent additional information on this proposal as it moves through the review process.

We have no objection to the Rye Brook Board of Trustees assuming Lead Agency status for this review.

Letter date: Wednesday, March 30, 2016

Response type: Comment

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

We are supportive of the proposed application as it will bring eight additional affordable AFFH units to the Village.

RYB 16-003 Rye Ridge Park

Bowman Avenueq

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

Lead Agency notification for asite plan amendment application to modify the design of a passive park for the Village of Rye Brook which is associated with the previously approved Bowman Avenue residential development. The park is now proposed to include a dog run, walkways, benches and emergency boat launch area and parking for the Rye Ridge Plaza.

We have no objection to the Rye Brook Board of Trustees assuming Lead Agency status for this review.

Letter date: Monday, April 11, 2016

Response type: Comment

Consistency with Westchester 2025:

Impacts to County facilities and services:

Additional comments:

The site abuts Blind Brook, which is designated a County stream channel in this location. The Westchester County Department of Public Works and Transportation (WC DPWT) must be listed as an Involved Agency under SEQR.

Somers

SOM 16-004 Somers Crossing - Final EIS

Route 100 and Route 202

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

Final EIS for the proposed "Somers Crossing." The applicants are petitioning the Town Board to establish a new Multifamily Residence Downtown Hamlet (MFR-DH) floating zone district in the Town Zoning Ordinance and to apply this new district to a 26.68-acre site within the Somers hamlet. The site surrounds the existing Somers Towne Centre shopping center and has frontage on both Somerstown Turnpike (NYS Route 100) and Somers Road (US Route 202). The site is currently zoned R-40 and R-80, for single-family development, and is within the Groundwater Protection Overlay district.

If the zoning petition is approved by the Town Board, the applicant intends to seek site plan approval to develop the site with 65 condominium residential units and a 19,000 square foot grocery store with 422 total parking spaces. The proposed grocery store would be located on Route 202 and would function as an extension of the existing Somers Towne Center shopping center. The condominium units are proposed to be arranged around a new private road system with access from Route 100 and a vehicular connection to the Somers Towne Center. The proposed unit mix is 35 two-bedroom units and 30 three-bedroom units. One additional unit is proposed to be donated to the Town as a two-bedroom "special needs unit," which may be made affordable as per the Town's discretion. No affordable units which would affirmatively further fair housing (AFFH) are proposed.

Because the site is encumbered with a sizable amount of wetlands, the applicant is proposing to preserve 10.58 acres of the site as open space, which is primarily comprised of wetland or wetland buffer. Water and sewer for the development will be provided via extensions of the Heritage Hills Water District and the Heritage Hills Wastewater District, for treatment at the Heritage Hills Sewage Treatment Plant.

The County Planning Board previously reviewed the draft EIS and we responded to the Town in a letter dated April 15, 2015. We have reviewed the final EIS and we find that a number of our responses have been responded to adequately. Furthermore, we note that the applicant has made several changes to the site plan in response to the comments received on the draft EIS. It is our opinion that the currently proposed plan is an improvement over the draft EIS plan.

We offer the following additional comments on the final EIS:

Letter date: Tuesday, March 22, 2016

Response type: Comment

Consistency with Westchester 2025:

Impacts to County facilities and services:

Additional comments:

The applicant continues to state that the proposed development will not contribute towards affirmatively furthering fair housing in Somers through the inclusion of affordable AFFH units. No rationale is provided for this lack of inclusion. This proposed development in Somers hamlet provides an excellent opportunity to provide additional affordable AFFH units for a wider population.

We continue to recommend that the applicant and the Town explore the feasibility of sharing parking with the Somers Towne Centre.

Yonkers

YON 16-003 1111 CP Avenue, LLC

1113 Central Park Avenue

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

The applicants propose to demolish the vacant Boulder Creek Steakhouse at 1113 Central Park Avenue (NYS Route 100) and construct three separate restaurants, each with its own separate drive-thru and parking areas. All three restaurants (Starbucks, Sonic and Popeye's) would share a common vehicular ingress from southbound Central Park Avenue. Three common vehicular egress points would also be provided, all right-turn only. Two would be directly on Central Park Avenue. One would exit to an existing jug-handle U-turn, providing access to northbound Central Park Avenue.

Because the site is located in the OL District, where drive-thru restaurants are not a permitted use, the applicants are seeking use variances. In addition, seven area variances are sought for insufficient parking, parking within front yard, parking within 10 feet of the street right-of-way, parking within side yard, retaining wall within front and side yards, retaining wall height and required drive-thru setback.

Letter date: Tuesday, March 22, 2016

Response type: Comment

Consistency with Westchester 2025:

This form of development on the subject site may not be consistent with the City's land use policies. The referred material did not include any statements from the applicant addressing the rationale behind the requested variances.

Impacts to County facilities and services:

Additional comments:

The proposed layout of the vehicular ingress/egress as it relates to the entrances and exits of the three separate fast-food drive-thrus and parking areas may present a confusing layout for motorists trying to any of the three proposed development sites.