

WHAT'S NEW IN PLANNING

July 2015

Four Affordable AFFH Condominium Units Sold in Village of Rye Brook

All four of the recently constructed fair and affordable one-bedroom condominium units at 527 Ellendale Avenue in the Village of Rye Brook have been sold. Each unit in Ellendale Commons sold for \$150,000 to homebuyers earning up to 80% of the county area median income. These units are eligible units under the Settlement Agreement.



The affirmative marketing on the affordable AFFH units was completed by the County's Marketing Consultant. Outreach efforts included several first-time homebuyer workshops, postings on the county's Homeseeker website and announcements on social media including Facebook and Twitter. A lottery was held last year to determine priority for purchasing among the 23 applications received at that time. Two of the eventual buyers were from the lottery pool; the other two buyers submitted applications after the lottery deadline. The biggest disqualifier for applicants was related to credit issues such as low credit scores or a bankruptcy in their credit history.

The County supported this development through a combination of funds from the Fair and Affordable Housing and HOME programs for acquisition, construction and site work. Each unit has Energy Star appliances, hardwood floors and an independent gas-fired heating and ventilating system which provides central air conditioning.

Draft Countywide Hazard Mitigation Plan Nears Completion



A draft of the countywide Hazard Mitigation Plan is nearing completion and will be submitted to New York State and FEMA for formal review and approval. The plan addresses a variety of natural and man-made hazards, identifying and assessing risk for each type of hazard and describing mitigation strategies and specific projects to reduce risk and increase resiliency. The County and participating municipalities will need to formally adopt the plan in order to be eligible for federal hazard mitigation planning grants. More information can be found on the project websites – www.westchesterhmp.com. Later in summer the web-based

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information will be transferred to the County website. The Department of Planning has created a hazard mitigation planning page, <http://planning.westchestergov.com/hazard-mitigation-planning>, on the Department website to provide information and resources for land use planners.

Celebration of a 31-Year Contribution to Westchester County

After working for 31 years for Westchester County, Associate Planner Paul Gisondo was honored at a retirement lunch held on June 18 in the Department of Planning office. Dozens of staff from many County departments plus family and friends attended. Chief of Staff George Oros offered a thank you and well wishes on behalf of the County Executive.



Photo: Paul Gisondo at rear, behind other Department staff.

Paul began his career with the County in the Department of Public Works where he did traffic safety counts. When a position opened up in the Department of Planning that required cartography skills, his primary career interest, Paul made the move to Planning where his mapmaking skills have enriched the work done by the Department for decades. He made sure to stay on top of the enormous technical changes in cartography which moved from hand-drawn maps when he began to computer-based programs and new data sources such as Geographic Information Systems.

The five Planning Commissioners for whom Paul had worked throughout his tenure, Peter Eschweiler, P. Lynn Oliva, Joyce Lannert, Jerry Mulligan and Ed Buroughs were all on hand to congratulate him.



Photo: Four of the five Planning Commissioners in attendance at the retirement party for Paul Gisondo: (left to right) Edward Buroughs, Jerry Mulligan, P. Lynn Oliva and Peter Eschweiler.

2-Family House in Village of Tarrytown Sold After Renovation



On June 18, Housing Action Council sold a two-family home located at 17 Kaldenberg Place in the Village of Tarrytown, providing both homeownership and rental opportunities to two income qualified households. The home was sold to a family with an income at or below 80% of the county area median income. The rental unit will now be available to a family with an income at or below 60% of the area median income. The buyer and renter are found through the provisions of the County's affirmative marketing plan.

The acquisition and rehabilitation of the structure was facilitated by a combination of a loan and grants of CDBG funds (\$285,000), grants from the Neighborhood Stabilization Program (\$150,000) and a grant from the

New York State Affordable Housing Corporation (\$80,000). Both units are eligible under the Settlement Agreement and will remain affordable for the next 50 years.

Comment Period Closes for New FEMA Flood Maps

On July 3, the public comment period closes for the preliminary Flood Insurance Rate Maps issued in December 2014 for coastal Westchester communities. The maps depict the results of coastal flooding, incorporating wave action, which was not thoroughly studied in previous versions of maps. The maps show significant increases in the flood elevations for areas of some municipalities.

Local municipalities were encouraged by the Department of Planning to notify property owners of the preliminary maps so that they may have the opportunity to review the changes, submit comments and prepare for any changes. After the end of the public comment period, FEMA will make any necessary changes to the maps and release a final version. Municipalities will then have six months to adopt the new maps as part of their local codes and ordinances. In addition to a mailing to local officials, the Department of Planning has posted information on the maps on its website at <http://planning.westchestergov.com/flood-zones-maps>.



2016 Capital Projects Presentation

On June 10, a presentation of the 2016 capital project requests was presented by the submitting departments to the Capital Projects Committee (CPC). Over the summer, the Work Group, on behalf of the CPC, will continue to review the submitted requests. The Planning Board's Report and

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Recommendations will be provided to the Work Group for its consideration as it reviews the projects. The Work Group will present its recommendations to the CPC at a meeting on September 15, at which time the CPC will vote to recommend the capital project requests to the County Executive.

Referrals to the Planning Board

Between May 16 and June 15, the County Planning Board received 61 referrals of proposed planning and zoning actions from Westchester's municipalities. These referrals include notifications submitted pursuant to the NYS Environmental Quality Review Act (SEQR). Of the referrals received, 51 were determined to be jurisdictional and 10 were determined to be non-jurisdictional.

Of the jurisdictional referrals, 27 (53%) were for an actions pre-determined by the County Planning Board to be a matter of local determination that require notification only; acknowledgements of receipt were sent back to the referring municipality. No further action is required on these matters.

Planning Board action is needed at the July meeting to approve actions taken by staff in response to 20 referrals received with response letters dated from May 16 and June 15, 2015:

- *Comment* letters sent in response to 12 referrals
- *Local Determination* letters sent in response to 8 referrals.

REFERRALS OF INTEREST

1. Village of Ardsley - Sprain Brook Manor at Ardsley (ARD 15-002) Subdivision

Description: Lead Agency notification for a subdivision application which was previously approved in 2012. The application involves an 11-lot subdivision for the purpose of creating 10 new single-family houses and one multi-family townhouse building to contain at least two affordable AFFH units. The 5.8-acre site has frontage on Cross Road, Sprain Road and Ardsley Road. The 10 single-family lots would have access via a new Village street ending in a cul-de-sac that connects to Cross Road. The multi-family townhouse building would have vehicular access via a new driveway connection to Ardsley Road. The site is traversed by the Sprain Brook, which is a County regulated stream. The applicant notes that the proposed development is unchanged from the originally approved proposal, except for the re-routing of a water main along Sprain Road.

Comments:

- No objection to the Ardsley Planning Board assuming Lead Agency status.
- We are supportive of the inclusion of at least two affordable AFFH units.
- A County Stream Control Permit will be required.
- Because the plan proposes extensive artificial channelization of Sprain Brook and the construction of a stormwater management structure within and adjacent to freshwater wetlands within a floodplain, there are concerns about impacts which should be examined.

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2. Village of Elmsford - 35 Valley Avenue (ELM 15-001) Site Plan

Description: A proposal to construct a mixed-use development on a 2.6-acre site located at 35 Valley Avenue. The proposed development would contain a 96-unit apartment building with 12,500 square feet of retail served by 189 at-grade parking spaces.

Comments:

- The Village and applicant should consider setting aside 10% of the units as affordable AFFH units.
- Because the development will increase sewage flows from this site into County sewers, I&I mitigation should be performed.
- The applicant should verify that space is available to accommodate storage of recyclables.
- The development site is located in an "A" Zone 100-year flood plain; adherence to FEMA regulations for structures in flood plains should be required.
- The Village should encourage the applicant to incorporate as many "green" or sustainable building methods and technologies as possible into the proposed development.
- Bicycle parking should be incorporated since the site is close to the South County Trailway.

3. Town/Village of Harrison - The Residences at Corporate Park Drive; Zoning Amendment Draft EIS (HAR 15-001C)

Description: Draft EIS for the demolition of a mostly vacant office building complex located at 103-105 Corporate Park Drive and its replacement with a 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 establish regulations to permit and regulate multi-family dwellings. Section Y: SB-O Retail Use, Retail Service Use, Restaurant Use would establish regulations to permit and regulate these types of commercial uses. Both types of uses would require special exception use permit approval from the Town Board and site plan approval from the Planning Board. The applicant intends to apply for those approvals if the zoning amendments are approved.

The materials state that the apartment building is intended for occupancy by either young professionals with no children or "empty-nesters." The proposed zoning text amendments codify this intention by requiring the design of the project to be "primarily geared" towards these demographics. The proposed zoning text notes that the purpose for this design is to avoid creating additional demands on the Harrison School District.

Comments:

- The draft EIS contains no discussion as to whether any of the proposed units will be set aside as affordable AFFH units. We recommend that the final EIS include a discussion on how the proposed development could potentially affirmatively further fair housing.
- The proposed development is generally consistent with County Planning Board policies and strategies because it will contribute to redeveloping one of the county's major corridors into a mixed-use center.

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- The draft EIS provides an adequate discussion of I&I mitigation for increased wastewater flow.
- The final EIS should include a discussion of how recyclables will be sorted and stored on site in compliance with the expanded County recycling program.
- We strongly support improving access between the subject site and adjoining sites.

4. Town of North Castle – Brynwood Golf & Country Club; Zoning Amendment Final EIS (NOC 15-006)

Description: Final EIS for proposed modifications to the 156-acre Brynwood Golf & Country Club (formerly the Canyon Club), located between NYS Route 22 and I-684, north of the Armonk hamlet. The applicants seek to modify recreational facilities, including changes to the golf course, renovation of the clubhouse, adding swimming pools and reducing tennis courts from 14 to six. The existing parking for 178 parking vehicles would remain. By re-working the space, the applicant proposes construction of 80 housing units. Two alternatives are presented in the final EIS:

- Alternative 1 – 63 two-bedroom flats and 10 four-bedroom single-family homes. Seven affordable AFFH units would be located in a separate building on the opposite side of the clubhouse.
- Alternative 2 – 70 two-bedroom flats and 10 four-bedroom single-family homes. Eight affordable AFFH units would be located off-site at a location to be determined. A “club hospitality” building containing lodging suites and employee housing would replace the affordable AFFH unit building in Alternative 1.

The applicant is petitioning the Town for amendments to the Town Zoning Ordinance to add “golf course community” as a new special permit use and to amend the existing Town regulations for “membership clubs” to change the allowable ownership and operational structures of such clubs to permit the flexibility necessary to add residential units. A Town Comprehensive Plan amendment is also sought to allow “golf course community” as a land use. Site plan and subdivision approvals would be required. In addition, the applicant will seek inclusion of the site into a Town water district which serves the surrounding area. Wastewater is proposed to be handled on-site through the construction of on-site wastewater treatment facilities and subsurface discharge areas.

The County Planning Board reviewed the draft EIS and responded in a letter dated August 6, 2013. The majority of the Board’s comments are adequately addressed in the final EIS. A few specific topics should be further addressed.

Comments:

- The applicant is proposing fewer affordable AFFH units than are required by local zoning.
- Placing all affordable AFFH units in a separate building may conflict with local zoning.
- If the affordable AFFH units are located off-site, the Town should establish enforceable provisions in the approval to ensure that the units are completed prior to, or at the same time as, the market rate units.
- We continue to recommend that a pedestrian connection be established between the site and the elementary school on the abutting property.
- We recommend that the applicant consider bicycle storage or parking areas for the residential units that do not contain individual garages.

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5. Town of North Castle – Armonk Commons (NOC 15-008) Site Plan

Description: An application to develop a 1.26 acre site in the Armonk hamlet with multi-family housing. A previous proposal to develop a portion of this site received approval in May 2004 for the construction of a 24-unit multi-family building containing six affordable housing units. The applicant subsequently acquired the adjacent parcel; this parcel was rezoned in 2014 from RB – Roadside Business to RMF-SS to match the zoning of the original parcel. The RMF-SS district requires a 20% set-aside of affordable AFFH units. The current proposal is for a 36-unit building containing 16 one-bedroom units and 19 two-bedroom units. Six units (16.6%) would be restricted as affordable AFFH units. Parking for 76 vehicles would be provided with 36 spaces in garages and 40 spaces in surface parking lots.

Comments:

- The proposed development is consistent with County Planning Board policies and strategies because it would place new residential density in a downtown center where shopping, services and bus transit are within walking distance.
- We recommend that the front of the proposed building be moved closer to the street with the parking located to the rear of the building.
- The number of affordable AFFH units appears to be fewer than required under Town zoning.
- The applicant should verify that space is available for the storage of recyclables.
- Consideration should be given to adding above-ground stormwater treatment measures with the goal of retaining as much stormwater on-site as possible.

6. City of White Plains – The Collection Zoning Amendment Scoping Document (WHP 15-008B)

Description: Draft scoping document. The applicants are petitioning the City for zoning text amendments and site plan and special permit approvals to redevelop a 4.4-acre site containing 14 tax lots on the north side of Westchester Avenue (County Road 71) with a new mixed-use development containing:

- 236,000 square feet of commercial space, including an auto dealership showroom and service facilities, retail and restaurant, a 154-room hotel and spa fitness.
- 261 residential units (including 10% affordable).
- 1,233 parking spaces, including 200 municipal spaces intended to replace the existing 150-space Franklin Avenue municipal lot.
- Vehicular access via a new driveway from Westchester Avenue.

Comments:

- Westchester Avenue in the vicinity of the project 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 final scope should require that specific details on how implementation of I&I improvements are to be accomplished.
- The final scope should require a discussion of how the development will, or potentially can, include green building technology.