

## WHAT'S NEW IN PLANNING

March 2016

### **54 Hunts Place in New Castle Closes On Construction Financing**



The Conifer Hunts Place development in Chappaqua in the Town of New Castle has taken another step closer to construction. On January 29, the County purchased the property for \$1,275,000 and transferred it to Conifer for \$1. The County's action underwrites the land costs associated with the \$19 million development. The four-story elevator building will have 28 one- and two-bedroom affordable AFFH rental units for households with incomes at or below 50%

and 60% of the Westchester County Area Median Income.

In additional financing, the developer was awarded federal Low Income Housing Tax Credits and received a grant from New York State for brownfield cleanup. The developer will also use private financing.

The development is in a transit oriented environment, adjacent to the Metro-North Railroad Harlem Line station at Chappaqua and served by Bee-Line bus route #19. Connectivity from the site to the town center is steps away.

The development will include Energy Star appliances, lighting and heating systems; water-conserving fixtures; and daylight sensors and timers. These design elements will reduce the development's environmental impact. The County will provide an additional \$1,650,000 for public infrastructure improvements including site work, paving, sidewalks, curbs, water mains, sanitary and storm water sewers, lighting and landscaping. The developer is expected to begin construction on the site this spring.

### **Property Owners Request to be Included in County Agricultural District**

The Westchester County Agriculture and Farmland Protection Board (AFPB) has begun its annual review of applications for inclusions of additional land within the County Agricultural District. The district promotes the viability of farms by offering property owners certain protections under New York State Agricultural District Law. Westchester's district was recertified in 2011 with almost 6,500 acres of farmland. Since then, almost 1,000 acres have been added to the district through the annual application process.

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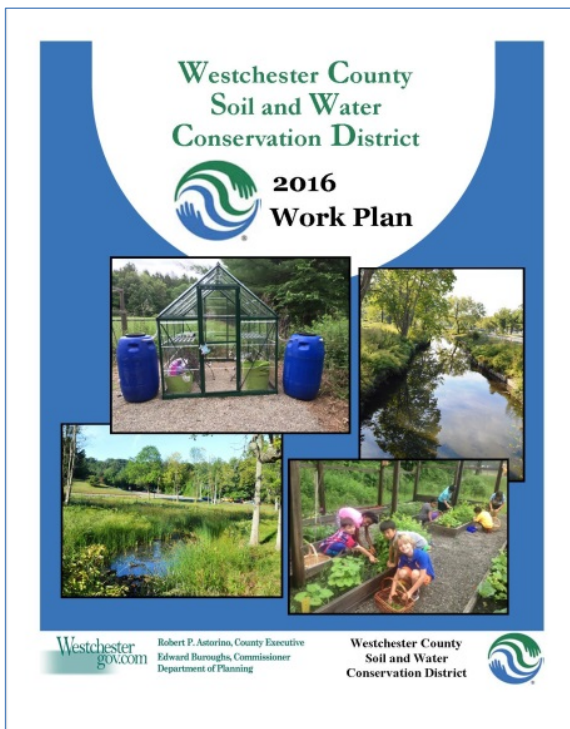
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Only two applications were received for 2016 – a horse boarding operation and a greenhouse that was previously in the district. The AFPB reviews the applications and supporting documentation and conducts site visits of each parcel proposed for inclusion to ensure that the applications meet the evaluation criteria established for the district. The AFPB then makes a recommendation to the County Board of Legislators, which holds a public hearing before making a recommendation to the state for final certification.



As the district is due to be recertified in 2017, the AFPB is preparing for the process and is discussing potential updates to the County Agriculture and Farmland Protection Plan, adopted in 2004, that would further support Westchester's agricultural industry.

### Soil and Water Conservation District Approves 2016 Work Plan



Planning staff and members of the Soil and Water Conservation District Board of Directors met recently to share ideas for projects to include in the District's 2016 Work Plan. Each year, staff develops an annual report highlighting the previous year's accomplishments as well as a work plan for the coming year. Separately, forms and documents provided by the New York State Soil and Water Conservation Committee must be completed and submitted to the state in February to cover reporting from the previous year and the objectives and activities for the coming year.

The 2016 plan calls for continuation of the annual environmental awards program, started in 2014, through which municipalities, schools, school districts and not-for-profit organizations are encouraged to submit entries for unique and successful environmental projects and programs. The District also is planning to sponsor two educational

workshops for professionals and the general public, one in April and one in December.

The District's soil and water conservation and management objectives are generally focused on suburban and urban environments. As described in the District's annual report (available at [www.westchestergov.com/soilwater](http://www.westchestergov.com/soilwater)), the objectives are also tailored to the unique ecological diversity of Westchester County, where the Hudson River, Long Island Sound and Croton River

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watersheds define its borders and character. The District considers a wide range of concerns, such as:

- Restoring streams, freshwater and tidal wetlands and other natural resources to improve water quality and fish and wildlife habitat, and retrofitting and installing stormwater management practices to improve water quality and control excessive stormwater runoff;
- Protecting and managing streams, wetlands, ponds, lakes, reservoirs and floodplains;
- Controlling erosion and sedimentation and polluted stormwater runoff by advocating the use of best management practices through public education and outreach;
- Encouraging and facilitating the development and implementation of soil and water resources conservation practices and strategies based on watershed-wide perspectives and analyses; and
- Promoting sound soil and water resources conservation techniques and natural resources stewardship through public outreach and education.

### Referrals to the Planning Board

Between January 16 and February 15, the County Planning Board received 37 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, 35 were determined to be jurisdictional and 2 were determined to be non-jurisdictional.



Of the jurisdictional referrals, 24 (68%) 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 March meeting to approve actions taken by staff in response to 20 referrals received with response letters dated from January 16 and February 15:

- *Comment* letters sent in response to 15 referrals
- *Local Determination* letters sent in response to 5 referrals

### **REFERRALS OF INTEREST**

#### ***1. Town of Greenburgh Comprehensive Plan 2015 (GRB 16-001)***

Description: A new "Town of Greenburgh Comprehensive Plan 2015." This Plan is intended to replace the Town's existing Comprehensive Plan and to establish a desired vision of the Town, outside of its six villages, for the next 20 years. The draft comprehensive plan examines many facets of the Town of Greenburgh. After providing an overview and brief history of Greenburgh, the plan delves into a diverse array of topics in nine different chapters. Each chapter provides a series of goals, objectives and policies which are intended to help guide the Town. The topics include:

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sustainability; community well-being; historic resources and cultural assets/programs; environmental resources; parks, trails, open space and recreational facilities; public infrastructure and essential services; transportation, mobility and access; demographics and housing; economic development; and land use and zoning. The plan concludes with a chapter on implementation and monitoring.

Comments: We recognize that the plan is the result of more than seven years of work that began with a first draft in 2008. The high level of detail in the plan is evidence of the years of work that went into creating this document, which may be the most encyclopedic comprehensive plan we have in our files from Westchester municipalities. The plan will likely become a reliable reference source for information. We applaud the Town for undertaking this effort and encourage the Town to adopt the plan.

The plan does an exceedingly thorough job documenting "special planning areas." However, instead of the plan providing specific recommendations for future land uses, each area is recommended for further study. We encourage the Town to focus greater positive attention on the potential for higher density, multi-family development within some of the "special planning areas." The plan offers more specific recommendations for zoning map updates that would primarily correct zoning map errors, rezone split-zoned lots into one zone or update zoning to reflect current land use characteristics. We are supportive of these corrective actions. We commend the Town for including a substantive section on sustainability in the Comprehensive Plan.

The draft comprehensive plan essentially offers a Town-wide bicycle/pedestrian master plan when elements of Chapter 7 (Parks, Trails, Open Space and Recreation Facilities) and Chapter 9 (Transportation, Mobility and Access) are combined. We encourage the Town to consider formalizing these aspects as an official Bicycle and Pedestrian Plan.

While the draft comprehensive plan attempts to document and explain the various issues with parking in the town, we encourage the Town to consider more discussion of innovative solutions in the plan.

### ***2. Town of Lewisboro - Goldens Bridge Shopping Center (LEW 16-001)***

Description: Site plan for the proposed expansion of the Goldens Bridge Shopping Center. The applicant is proposing the construction of a 16,844 square foot 2-story building to be located in the northeast portion of the property. The building is proposed to contain a 6,889 square foot day care center for up to 90 children with the remaining space used for retail and office space. As part of the expansion, 80 additional parking spaces would be provided in an expanded parking area.

The site plans also show a proposed second phase expansion at the south end of the site which would provide for the construction of a new 10,000 square foot retail building with an additional 134 parking spaces. It is our understanding that this second phase will be subject to additional site plan review.

In addition to site plan approval from the Lewisboro Planning Board, it is our understanding that this proposal will also require variances from the Zoning Board of Appeals for parking deficiency,

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height of retaining walls/fences and maximum site coverage. The extent of the variances changes with the construction of each phase. For example, the existing site plan currently has a parking deficiency of 70.25 parking spaces. With the construction of Phase 1, that deficiency is reduced to 59.98 spaces. With the construction of Phase 2, that deficiency is further reduced to 17.98 spaces. However, with the construction of Phase 2, the site would then require a variance for maximum site coverage. These variance requests do not require referral to the County Planning Board.

#### Comments:

- We recommend that the Planning Board and applicant explore an alternative site plan that leverages the sharing of uses.
- The applicant should verify that sufficient space is available to accommodate the storage of recyclables
- We recommend the applicant provide an enforceable maintenance program with respect to subsurface stormwater management infrastructure.
- We encourage the applicant to include as much green building technology as possible into the proposed development as well as bicycle parking.
- Because NYS Route 22, NYS Route 138 and the roadway connecting them are State highways the Town should forward a copy of the application to NYS DOT.
- Because the site is located in the Croton Watershed, stormwater runoff water quality protection, both during and after construction, is of critical importance.

### **3. Town of Lewisboro - Wilder Balter Affordable Housing Development (LEW 16-002)**

Description: The applicant proposes the development of a multi-family community consisting of 45 affordable affirmatively furthering fair housing (AFFH) units and a caretaker's unit (46 units total) in five buildings arranged around a driveway connecting into NYS Route 22. The development would also include common areas for residents such as a clubhouse and recreational facilities along with 92 parking spaces. The subject site is 35.4 acres located on the east side of Route 22 near the northbound exit 6A ramp from I-684. The site is split zoned with the portion along Route 22 being located in the CC-20 Campus Commercial District and the rear being located in the R-4A Residential District. As proposed, the development would be constructed only within the CC-20 zoned portion of the site, with approximately nine acres of site disturbance. Water service will be provided from on-site wells and wastewater will be treated by a private on-site septic system.

#### Comments:

- We have no objection to the Lewisboro Planning Board assuming Lead Agency status for this review.
- We are supportive of the proposed application as it will bring 45 affordable AFFH units to the Town. It is consistent with *Westchester 2025* which calls for increasing the range of housing types in Westchester County. We recommend that the Town require that the affordable AFFH units meet all requirements of the Housing Settlement Agreement.
- The site plans do not show the locations of trash enclosures. The applicant should be requested to verify that sufficient space will be provided to store recyclables under the expanded County recycling program which now includes plastics numbered 1 through 7.

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- We note that one of the proposed stormwater management basins is shown within a wetland buffer. We recommend the applicant relocate all stormwater basins outside of wetland buffers.
- We recommend that the Town and applicant consider placing a sidewalk along the proposed driveway connection to Route 22. Doing so will ensure enhanced safety for walking.
- We encourage the applicant to consider incorporating as much green building technology as possible into the proposed construction.
- We recommend that the applicant consider establishment of a common bicycle parking area, consistent with the Town's bicycle and pedestrian plan. This development is a short biking distance from the Goldens Bridge Shopping Center.
- NYS Route 22 is a State highway. The Town should forward a copy of the application to NYS DOT to identify any required permits for the proposed development.
- Because the site is located in the Croton Watershed, stormwater runoff water quality protection, both during and after construction, is of critical importance.

#### ***4. Town of Mount Pleasant - Landmark at Eastview North Campus - Supplemental EIS (MTP 16-001)***

Description: A supplemental draft environmental impact statement (SEIS) for the next phase of redevelopment on the 86.21-acre Landmark at Eastview North Campus property within the Town of Mount Pleasant. This application proposes the construction of four new laboratory and research buildings totaling 519,520 square feet along with structured parking for 1,355 vehicles. Construction will require the disturbance of approximately 20 acres of the site and will include demolition of an existing building containing 137,110 square feet. This will result in a net increase in building space of 382,410 square feet.

The application materials note that the Town undertook a SEQR review for the master plan of this site, which culminated in a findings statement issued on September 12, 2011 and a site plan approval on October 17, 2011. At that time, the master plan approval was for 440,000 square feet. In 2013, the applicant was granted a site plan amendment to construct the first phase of the development, which resulted in 268,702 square feet of built space, leaving 171,298 square feet of space left under the master plan approval to be built as a second phase. The current application exceeds this approved amount by 211,112 square feet, necessitating a re-opening of the SEQR process.

#### Comments:

- This proposal is consistent with *Westchester 2025* because it will direct additional growth of research and development space to a site that has long been home to such uses and that can support the additional development.
- This proposal is consistent with County economic development goals to increase the concentration of science-related research/technical industries in Westchester.
- The Town should confirm that the applicant will provide inflow and infiltration (I&I) mitigation for County sewer impacts.
- An approval is required from WCDPW&T because Old Saw Mill River Road is a County Road (CR 303). The Towns of Greenburgh and Mount Pleasant must concur with the

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installation of the proposed traffic signal at Driveway D and Old Saw Mill River Road and agree on the maintenance responsibility.

- The applicant should contact WCDPW&T to discuss what impacts the proposed development may have on Bee-Line bus service.
- Sufficient space should be provided for the storage of recyclables. A food composter should be considered for any on-site foodservice operation for employees of the site.
- The applicant should detail how stormwater will be managed on the site so as to not cause an increase in the peak rate of runoff and a decrease in water quality over pre-development conditions; the site drains to the Saw Mill River.
- We recommend considering a green roof for the parking garage.
- Bicycle parking should be considered.
- We encourage the applicant to consider using as much green building technology as possible.

#### ***5. Village of Rye Brook – Sun Homes (RYB 16-001)***

Description: The application involves a proposed planned unit development that would contain 110 dwelling units of which 10 would be set aside as affordable affirmatively furthering fair housing (AFFH). The subject site is the Phase 3 parcel of the Reckson Executive Park, which was previously approved for the construction of a 280,000 square foot office building with 1,120 parking spaces. That building was not constructed. The application would seek to construct the new housing development instead of the office building, with vehicular access provided via an extension of International Drive, the road which currently services the office park.

We note that the 31.56-acre site has been rezoned from OB-1 to PUD and the PUD district regulations have been amended so as to require inclusion of affordable AFFH units in new developments. The applicant has also received PUD concept plan approval.

#### Comments:

- We are supportive of the proposed application as it will bring 10 additional affordable AFFH units to the Village. It is consistent with *Westchester 2025* which calls for increasing the range of housing types in Westchester County. We recommend that the Village require that the affordable AFFH units meet all requirements of the Housing Settlement Agreement.
- Because the development will increase sewage flows from this site into the existing infrastructure, I&I mitigation should be performed.
- The applicant should verify that sufficient space is available to accommodate the storage of recyclables.
- We recommend that the plans be revised to place sidewalks along all roadways within the development. We also recommend that a sidewalk be added to the full length of International Drive so as to connect the development to the office parks as well as to the Bee-Line bus stops that are located in front of each office building and along King Street.
- We agree with the Village Planning Board recommendations that the applicant should submit an enforceable maintenance agreement for stormwater management facilities.
- We encourage the applicant to consider using as much green building technology as possible in the proposed development.