
SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT STATEMENT (SDEIS)

River Knoll

**40 CROTON DAM ROAD
TOWN OF OSSINING
WESTCHESTER COUNTY, NY**

VOLUME I—Redline Changes Only

Prepared for:

Hudson Park Group LLC
100 Brookfield Road
Fleetwood, NY 10552

Lead Agency:

Town of Ossining Planning Board

Prepared by:



Project 15064

DRAFT Date:

January 31-May 23, 2022

River Knoll

40 Croton Dam Road
Town of Ossining, NY 10562
Westchester County, NY
Tax Map Lot 89.08-1-83 (Town of Ossining)

SUPPLEMENTAL DRAFT **ENVIRONMENTAL IMPACT STATEMENT**

VOLUME I—Redline Changes Only

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Comments Due:	_____

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SDEIS
Volume I

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Appendix B—Preliminary Stormwater Pollution Plan (contained in SDEIS Appendix Volume 2)

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Appendix H—“Context Model” Visual Analysis, dated 02/07/2022, by BCT Design Group

~~Appendix I—I~~—Correspondence Appendix

SDEIS Appendix Volume 2

“Preliminary Stormwater Pollution Prevention Plan” (SWPPP) by JMC, dated September 2021

SDEIS Appendix Volume 3

“Traffic Study” by JMC, dated September 2021

Preliminary Site Plan Approval Drawings, which include:

<u>Dwg. No.</u>	<u>Title</u>	<u>Date</u>
C-010	“Existing Conditions Plan”	09/27/2021
C-100	“Layout Plan”	09/27/2021
C-200	“Grading Plan”	09/27/2021
C-300	“Utilities Plan”	09/27/2021
C-011	“Tree Preservation Plan”	09/27/2021
L-100	“Landscape Plan”	01/28/2022

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II. PROJECT HISTORY AND PROPOSED PROJECT DESCRIPTION

A. Introduction

I. Project History

The Hudson Park Ossining, LLC, (the “Applicant” or “Hudson” or “Project Sponsor”) previously proposed a 188-unit multifamily rental project (the “Former Project”) on the site occupied by the former Stony Lodge Hospital, located at 40 Croton Dam Road in the Town and Village of Ossining, New York (the “Project Site” or “Site”) (Figure 2-1). The Stony Lodge Hospital was a child and adolescent psychiatric center that ceased operations in 2012. The Former Project was reviewed by the Ossining Planning Board and Town Board during a period spanning from November 2014 to approximately May 2020. The Former Project proposed clustering all units into a single building in the approximate location of the vacant Stony Lodge Hospital buildings. The Applicant submitted a petition to the Town Board for a new zoning district to be created, MF-2 “Multifamily Residence 2”, to enable a greater array of housing opportunities in the Town and to permit the Former Project subject to a Conditional Use permit. The use would be permitted by the Planning Board as a conditional use.

Based on direct feedback from the Boards, community and neighbors, Hudson has re-thought the project and now proposes to construct a 95-unit 55+ age-restricted townhome condominium community on the Project Site, also to be known as River Knoll. The Proposed Project seeks to utilize the Town’s existing MF “Multifamily Residence” zoning district to accommodate the proposed use and the Site would be re-mapped from the One-Family Residence (R-15) District to the MF District. Multifamily housing is a permitted use in the proposed MF district rezoning.

2. Location, Frontage, Access, Acreage, Ownership

The Proposed Project is located at 40 Croton Dam Road in the Town and Village of Ossining, New York. The Project Site is 17.89 acres and is composed of 16.68 acres situated within a residential single-family home portion of the Town of Ossining and

1.21 acres situated within a residential portion of the Village of Ossining. Development is only proposed on the 16.68 acre portion of the Site within the Town of Ossining. The property is occupied by vacant buildings of the former Stony Lodge Hospital use, a child and adolescent psychiatric center that ceased operations in 2012 (Figure 2-2).

The 16.68 acre portion of the Site within the Town is identified as tax lot 89.08-1-83. The 1.21 acre portion of the Site within the Village is comprised of two tax lots which are tax lot 89.12-2-13 and tax lot 90.05-1-27 (Figure 2-3). The Site fronts Croton Dam Road, which also provides access. The property is owned by Stony Lodge Hospital Inc.

The portion of the Site located within the Village of Ossining will be put into an open space easement to prevent future development on that portion of the Project Site.

3. Description of Surrounding Properties

The majority of land uses surrounding the Project Site to the east, south, and northeast within the Village of Ossining consist of small lots within the Village's S-50 zoning district, which permits a minimum lot size of 5,000 s.f. (see Figure 3.A-2 within Section III.A of the SDEIS). Houses typically are set close to the street. (The easternmost portion of Grandview Avenue is within the Village of Ossining).

Four larger-lot residential properties and two residential cul-de-sacs (Cherry Hill and Pheasant Ridge) are situated to the west of Croton Dam Road in the Town of Ossining. Notable non-residential land uses in the vicinity of the Project Site include the Bethel Nursing and Rehab Center, located at 17 Narragansett Avenue in Ossining, which is shown as a "Social and Health Services" land use. The Saint Augustine Cemetery and the Veterans Park are two "Community Facilities and Open Space and Recreation" areas located within a ½ mile radius of the Project Site.

Additionally, several significant open space areas are nearby the property and include the Veterans Memorial Park directly across Narragansett Avenue on the easternly side of the Property; the Maryknoll Seminary with 230 greenspace acres further to the east; and the Anne Dorner Middle School – Dale Cemetery – Torview Club's open space areas to the westerly side of the Property.

4. Description of the Former Project Development Program

The Former Project was proposed as a multifamily residential community comprised of a single multifamily building positioned in the center of the Site. The building would consist of 169 market rate rental units and 19 affordable units, for a total of 188 units. Eighty-six (86) of the 169 market rate units would be one-bedroom with an average unit size of 850 square feet; eighty-three (83) units would be two-bedrooms with a unit size of approximately 1,150 square feet. Ten of the affordable rental units would be one-bedroom and nine would be two-bedroom units. A total of 302 spaces are provided for the residents and their guests which exceeds the required 215 spaces by 87 spaces.

The existing hospital buildings onsite would be removed. The new building would be located in the same general location as the original main hospital building. The proposed building was designed to be reminiscent of the Hudson Valley architectural vernacular. The Former Project would create approximately 13.65 acres (or 76 percent of the Project Site) of permanently protected open space, which would provide visual and natural resources benefits in perpetuity.

The Applicant petitioned the Town Board of the Town of Ossining for a rezoning and referral of the site plan application to the Town Planning Board. As is the case currently, the Project Site is zoned R-15, which permitted single family homes on 15,000 square foot lots. There was no zoning district within the Town Code to facilitate the development of the Former Project at its proposed density. Accordingly, a new zoning district was needed to enable the kind of development envisioned for the Project Site. Therefore, the Project Sponsor proposed the adoption of a new

Multifamily Residence 2 (MF 2) zoning district to enable the proposed use. Multifamily housing would be permitted in this new district as a conditional use subject to approval by the Planning Board.

The Former Project included landscaped buffers surrounding the perimeter of the Project Site. In addition, the proposed homes fronting Croton Dam Road would be a minimum of 85 feet distant from the right-of-way. The green spaces would buffer the surrounding single-family residential neighborhood from the Proposed Project.

River Knoll was proposed to be an amenitized multifamily community. Amenities would include a landscaped entrance courtyard with a porte-cochere, a fitness center with state-of-the-art exercise equipment, a yoga studio, and a club room providing gathering areas, billiards, and Wi-Fi equipped library areas. A “Dog Spa” was to also be provided for residents to care for their pets during work hours. Outdoor amenities were to include a swimming pool for residents, an outdoor kitchen for private entertaining, extensive landscaping, a dedicated dog walk, and a walkway to Veterans Memorial Park. The individual units were to have hardwood floors, stainless steel appliances, and individual washer/dryers. Each apartment was to have at least one indoor garage parking space allocated to it. In addition, a “jitney” shuttle will provide morning and evening commuter service to residents, either to the Croton and/or Ossining Metro-North rail stations.

B. Description of Proposed Project

I. Site's Existing and Proposed Zoning Designations

The majority of the Project Site (16.68 acres) is zoned One-Family Residence (R-15) in the Town of Ossining. This district is an R-15 District with a 15,000 square foot minimum lot size. A small 1.2 acre portion of the Project Site is located in the Village of Ossining and is zoned S-50. This is a Single-Family Residence District with a 5,000 square foot minimum lot size. Multifamily uses are not permitted as-of-right in either district. Permitted, conditional, and accessory uses on the Project Site in the R-15

district are consistent with and listed under the zoning regulations pursuant to §200-7: R:40 “One-Family Residence District.” Permitted uses are one-family detached dwellings, not to exceed one dwelling on each lot, in addition to limited agricultural operations and municipal structure uses. The permitted uses by special permit upon approval by the Board of Appeals are places of worship, educational or general medical care institutions, public utility rights-of-way, annual membership clubs, one-story temporary structures for agricultural display, and cemeteries.

The Proposed Project meets the density requirements of the existing MF (Multifamily) zone (Section 200-16). The Proposed Project would require that the Site be re-mapped from the One-Family Residence (R-15) district to the Town’s Multifamily (MF) district.

In the Multifamily (MF) district, multiple dwellings are permitted subject to the following requirements:

- The maximum number of dwelling units in a group of row dwellings is six.
- The minimum distance between principal buildings shall equal two times the height of the highest building, and the minimum distance between a principal and an accessory building shall be 20 feet.
- Any inner court shall have a minimum dimension of 60 feet, and any outer court shall have a minimum dimension of 20 feet and a depth not exceeding its width.
- There shall be provided on the same lot a suitably equipped and landscaped children’s play area with a minimum of 400 ft.² for each dwelling unit.
- At least one third of the net site area shall be devoted to permanent open space and/or for sites suitable for recreation and undeveloped permanent open space shall be provided and guaranteed at a rate of 1500 ft.² per bedroom.
- The Planning Board shall follow the procedures and requirements set forth in Section 200 – 31, entitled “Cluster developments.”

- Construction shall be subject to the New York State Multiple Family Building Code.

In accordance with Section 200-22 of the Town Code, the following applies in the MF district for determining the number of lots permitted on the Site (see Table III.A-I in Section III.A.2.g for the bulk zoning requirements for the MF district).

The minimum lot area is 20,000 s.f. for both row or attached dwelling and multiple dwellings (row or attached dwellings is what is proposed for the Project). The minimum lot area per dwelling unit is 4,000 s.f. plus 1,500 s.f. per bedroom. The proposed project proposes 75 2-bedroom units and 20 3-bedroom units, for a total of 210 bedrooms. Multiplying this by 1,500 s.f. per bedroom equals 315,000 s.f. of lot area required for the proposed bedrooms. To this is added the 95 units times 4,000 s.f. of lot area required per lot, totaling 380,000 s.f. Adding this to the bedroom lot area requirement yields a total of 695,000 s.f.

This contrasts with the net lot area of the property of 686,186 s.f. as discussed in Section V.B and C of the SDEIS (the gross lot area is 779,179 s.f.). Section 176-18.F of the Town Code specifies that at least 75% of the minimum lot area requirement of a proposed lot is to consist of neither “wetland” nor “extremely steep slope” as these terms are defined in the Code. As noted elsewhere in the SDEIS, there is one wetland on the Project Site, which is situated in the Village of Ossining where no development is proposed. The wetland is 6,360 s.f. in area and is to be deducted from the area of the Site.

The property contains 86,633 s.f. of extremely steep slopes, defined in §167-2 of the Town Code as a slope equal to or greater than 35% and covering a minimal horizontal area of 0.10 of an acre.

The total deductions to the site area are therefore 6,360 plus 86,633 equals 92,993 s.f. or approximately 2.14 acres. The calculation of 779,179 s.f. of total site area

(including the portion within the Village of Ossining) minus 92,993 s.f. equals 686,186 s.f. or approximately 15.75 acres of net lot area for the Project Site.

Taking the net lot area and applying the MF district standards yields a shortage of 8,184 s.f. required for the proposed 95 units as configured. Removing a bedroom from 6 of the 3-bedroom units results in a total of 204 Project bedrooms, reducing the required bedroom open space by 6 times 1,500 s.f. which equals 9,000 s.f. Applying this 9,000 s.f. reduction to the 695,000 s.f. derived above yields 686,000 s.f., which is less than the 686,186 s.f. net lot area provided on the site.

The Project's 95 units are therefore comprised of 81 2-bedroom units and 14 3-bedroom units.

The Proposed Project is being designed to comply with the density requirements of the existing Multifamily (MF) district as discussed above. ~~At this time, it is not known if any waivers or variances from certain other dimensional requirements of the zone will be requested because~~ Although at this stage the plans have not been finalized because changes may occur during the SEQRA review process, it is anticipated the following potential waivers/determinations, and/or variances may be required. .- ~~The plans will be finalized at the time of site plan approval at which point any variances will be determined and reviewed.~~

a. Separation between buildings

Section 200-16.A(4)(b) of the Zoning code notes that as an additional requirement for row and/or attached dwellings in the MF Multifamily District, the Planning Board shall follow the procedures and requirements set forth in §200-31, entitled "Cluster Developments". The general purpose of this section of the Code is to enable and encourage flexibility of design and development of land (§200-31.A). Section 200-31.D(3) states that the Planning Board shall establish, on a case by case basis, the appropriate modifications of building and lot dimension

requirements as considered necessary or appropriate. If composed of attached dwelling units, a cluster development is to comply with the bulk regulations contained in §200-22 for the Multifamily Residence District, which are reflected in Table II.B-I, below. The table does not include a minimum distance between principal buildings requirement, and therefore this distance is subject to appropriate modifications of building and lot dimension requirements by the Planning Board, as discussed above. A variance would not therefore be required.

Table II.B-I
Zoning Table

<u>Description</u>	<u>Proposed Project</u>	<u>MF Multifamily District</u>
		<u>Row and Attached Dwellings</u>
Gross lot area (square feet)	779,179	--
Net lot area (square feet) ¹	686,186 ²	20,000
Net lot area provided per dwelling unit (square feet)	4,002 plus 1,500 per bedroom	4,000 plus 1,500 per bedroom
Lot width (feet)	979.5	20
Lot depth (feet)	665.5	100
Front yard (feet)	30.9	25
One side yard (feet)	50	50*
Both side yard (feet)	100	100*
Rear yard (feet)	40	40
Livable floor area per dwelling unit (square feet)	See below	See below
Studio and efficiency dwellings	N/A	450
One-bedroom dwellings	N/A	675
Two-bedroom dwellings	1,575	750
Three-bedroom dwellings	1,795	1,000
Four-bedroom dwellings	N/A	1,200
Usable open space as % of Net Lot Area	75% ³	33%
<u>Maximum Permitted</u>		

¹ As discussed in Section II. Project History and Proposed Project Description, subsection B of the SDEIS, Section 176-18.F of the Town Code specifies that at least 75% of the minimum lot area requirement of a proposed lot is to consist of neither “wetland” nor “extremely steep slope” as these terms are defined in the Code. The net lot area for the Site is 686,186 s.f. as calculated in Section II.

² Combined Town and Village portions of the Site.

³ 11.8 acres of open space are provided.

<u>Building Height</u>		
<u>Stories</u>	<u>2 ½</u>	<u>2 ½</u>
<u>Feet</u>	<u>26</u>	<u>35</u>
<u>Building coverage (percent)</u>	<u>18.9%</u>	<u>20%</u>

* Note: Applies only between buildings and side lot lines.

- b. Provision of a minimum of 400 s.f. of suitably equipped and landscaped children's play area for each dwelling unit.

As per the above discussion, this provision is not part of the Table II.B-I requirements and therefore is subject to Planning Board modifications. This provision is not considered appropriate for an age-restricted development such as the Proposed Project.

Relevance of "Spot Zoning"

The New York Court of Appeals has defined 'spot zoning' as "the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property and to the detriment of other owners."⁴ The Rodgers' Court went on to state that:

"...spot zoning is the very antithesis of planned zoning. If, therefore, an ordinance is enacted in accordance with a comprehensive zoning plan, it is not 'spot zoning,' even though it (1) singles out and affects but one small plot or (2) creates in the center of a large zone small areas or districts devoted to a different use."³

The real test for spot zoning is whether the zoning change is other than part of a well-considered and comprehensive plan calculated to serve the general welfare of the community.⁵ Two Appellate Division cases deal specifically with zoning changes to

⁴ Rodgers v. Tarrytown, 302 N.Y. 115 (1951); see also, Boyles v. Town Board of the Town of Bethlehem, 278 A.D.2d 688 (3d Dept. 2000). Rodgers v. Tarrytown, 302 N.Y. 115 (1951); see also, Boyles v. Town Board of the Town of Bethlehem, 278 A.D.2d 688 (3d Dept. 2000).

⁵ Collard v. Incorporated Village of Flower Hill, 52 N.Y.2d 594 (1981).

accommodate assisted living facilities. In both cases, the zoning amendments were upheld.

First, in *Boyles v. Town Board of the Town of Bethlehem*, CMI Senior Housing and Health Care petitioned the Town Board to rezone a parcel of land from “residence A” to a “planned commercial district” to allow for the construction of an assisted living residence. The Town Board adopted the proposed zoning change, paving the way for CMI to submit an application for building permit approval for the proposed assisted living facility. An Article 78 proceeding was commenced contending that the rezoning constituted “spot zoning.” The Boyles Court defined spot zoning as “the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of said property to the detriment of other owners.” In evaluating the claim of spot zoning, the Boyles court considered numerous factors, including “whether the rezoning is consistent with a comprehensive land use plan, whether it is compatible with surrounding uses, the likelihood of harm to surrounding uses, and suitability of other parcels, and recommendations of professional planning staff.”⁶

Finally, that Court stated that, “Ultimately, however, the inquiry distills to whether the change is other than part of a well-considered and comprehensive plan calculated to serve the general welfare of the community.” In reaching its determination that the rezoning was not spot zoning, the Boyles court, utilizing the criteria discussed above, determined that:

(i) parcel size alone is not determinative;

(ii) the assisted living use classification was not totally different from the surrounding land uses which included one and two family residences and apartment complexes, the Town Hall and Town Library;

⁶ *Boyles v. Town Board of the Town of Bethlehem*, 278 A.D.2d 688 (3d Dept. 2000).

(iii) the developer modified the plan to minimize its impact on the surrounding properties;

(iv) demographic studies and citizen comments demonstrated a need for such a facility in the community;

(v) that while the rezoning certainly will benefit the developer, it will also benefit the community at large; and

(vi) most significantly, the Town Board's decision to rezone is part of, and consistent with, a comprehensive plan to serve the general welfare of the community. Id.

Second, in Scarpato, Forest City Daly Housing petitioned the Village Board of Trustees of the Village of Lynbrook to rezone a parcel of land from Residence A to Commercial and to allow assisted living residences by special permit. The Village of Lynbrook adopted the proposed zoning amendment and approved the special permit.

Subsequently, neighboring property owners commenced an Article 78 proceeding challenging the rezoning. In reviewing the Village of Lynbrook's rezoning, the Scarpato court followed the long standing principle that "a Village must exercise its zoning power in accordance with a 'comprehensive plan.'" ⁷

The Scarpato court went on to cite the seminal case for the proposition that: "[A] comprehensive plan need not be contained in a single document. Rather, all available and relevant evidence of the municipality's land use policies need be examined to determine whether a municipality has a comprehensive plan."⁸

⁷ See Stone v. Scarpato, 285 A.D.2d 467 (2d Dept. 2001).

⁸ Udell v. Haas, 21 N.Y.2d 463 (1968).

“Furthermore, [z]oning legislation is tested not by whether it defines a comprehensive plan but by whether it accords with a comprehensive plan for the development of the community. When a zoning ordinance is amended, the court decides whether it accords with a comprehensive plan in much the same way, by determining whether the original plan required amendment because of the community’s change and growth and whether the amendment is calculated to benefit the community as a whole as opposed to benefiting individuals or a group of individuals.”⁹

Since there is no requirement to adopt a new zoning district, and no amendment to the Zoning Code with respect to the existing district is being requested, the Town-wide impact of rezoning the Site has been eliminated. Any properties that otherwise meet the requirements of the Multifamily (MF) district can apply to be rezoned notwithstanding the Proposed Project.

2. Environmental Characteristics of the Site

i. Steep Slopes and Elevations

Approximately 53 percent or 9.6 acres of the Site has slopes in excess of 15 percent. Approximately 7.6 acres of slopes in excess of 15 percent will be disturbed by the Proposed Project. A detailed erosion control plan is included in the Stormwater Pollution Prevention Plan (SWPPP) (see Volume 2 Appendix)

⁹ Asian Ams. For Equality v. Koch, 72 NY2d 121 (1989).

to ensure that all steep slope disturbance (clearing/grading) does not result in the movement of soil in stormwater runoff and avoids erosion/sedimentation.

The topography of the Project Site has a high point at elevation 414 feet and descends in elevation to 305 feet towards the southeast corner. The existing Stony Lodge Hospital is located at the high point of the property.

ii. **Wetlands and wetland buffer areas, watercourse(s) and hydrology.**

Inspections by wetland specialists confirmed one small wetland of approximately 0.146 acres in size in the northeastern portion of the Project Site. The wetland is located entirely within the Village of Ossining. The wetland buffer in the Town portion of the Site is 0.496 acres in size. The inspections also confirmed that there was no vernal pool habitat on the Site. The wetland functional assessment found that the wetland primarily serves to modify groundwater discharge and water quality.

The Proposed Project will not encroach into the wetland or the wetland buffer.

Due to the variety of hydrologic sources on and off site and based on the detailed analysis contained in Chapter III.B, “Wetlands,” it is the Applicant’s conclusion that the Proposed Project is not expected to adversely impact the existing wetland, wetland buffer or the hydrologic levels.

iii. **Aesthetic Resources and Scenic Views**

The visual character of the Project Site will be in keeping with the surrounding homes and will be substantially buffered from surrounding properties by dense existing and proposed vegetation. However, instead of the three-story Main Hospital building being surrounded by eight other large hospital buildings, there will be instead, clustered two-story townhouses which will be lower in height.

The current buildings on the property—previously occupied by Stony Lodge Hospital—are located at the top of a hill and are partially visible from the west side of the property from Croton Dam Road. Existing buildings are shown in Figure 2-2. The northern boundary of the property has structures along the property edge (non-conforming) that are fully visible from the homes situated on Grandview Avenue, and these buildings will be razed and replaced with dense green buffer. Similarly, the southern boundary has hospital buildings situated near the property edge that can be viewed by the homes on both Second Avenue and Pershing Avenue, and these buildings will also be razed and replaced by dense green buffer. Lastly, the eastern boundary of the property has structures that are partially hidden from the immediate neighborhoods due, in part, to current landscaping. It is noted especially that neither Narragansett Avenue nor Pershing Avenue, nor the two dead-end streets closest to the Site including First Avenue and Second Avenue, provide views to the upper interior portions of the Site.

The properties adjacent to or near the Project Site to the north, east, west, and south, are developed with single-family residential houses. These residential houses are typically two to three story homes, with a driveway, a garage, a front yard, and a backyard. On the western side of the Project Site is a large property obscured from view by a stone wall and heavy woods. This property faces the Project Site, specifically the large greenspace on the Project Site along Croton Dam Road, and looks up at the former hospital buildings.

The roadways located adjacent to the Project Site range in character and scale. Croton Dam Road is a two-lane collector road connecting Route 9A and the Village of Ossining's downtown. The roads to the north, south, and east are two-lane neighborhood roads with on-street parking. Two residential roads (First Avenue and Second Avenue) dead-end at the limit of the Project Site. The Veterans Memorial Park is located to the east of the Project Site, with a parking lot accessible from Narragansett Avenue. This Park has three baseball fields, a playground, two soccer fields, an outdoor ice hockey rink, and a basketball court.

iv. **Flora and Fauna**

Vegetation

The Project Site consists of ten buildings, driveways, and parking areas interspersed within both maintained and naturally landscaped greenspace and green buffers. As illustrated by Table II.B-I, the largest portion of the Site is covered by early successional woods, periodically mowed fields, and maintained lawns with trees and impervious surfaces.

Table II.B-I
Existing Habitat Types

Habitat Type	Area (acres)	Percent of Site
Maintained lawn with trees	4.41	24.65
Oak-Maple woods	2.04	11.40
Periodically mowed field	3.82	21.35
Wetland	0.15	0.84
Early successional woods	4.49	25.10
Impervious surface	2.42	13.53
Building footprint	0.56	3.13
Total	17.89	100.0%
Source: AKRF GIS Data Analysis; JMC		
Note: Numbers may not add due to rounding.		

The Project Site includes several vegetative cover types (habitats). These include developed areas occupied by pavement and buildings; areas of maintained lawn with mature trees and ornamentals; areas of unmaintained field (mowed less frequently) with shrubs; a small herbaceous wetland, infrequently mowed; sloping deciduous hardwood forest; and more mixed deciduous wooded areas within the interior of the Project Site and along the periphery.

According to the Town of Ossining's Code (Chapter 183 "Tree Protection"), regulated trees include "any living, woody plant with an erect perennial trunk and a definitely formed crown of foliage with a diameter at breast height of six inches or more," unless otherwise specified.¹⁰

¹⁰ Town of Ossining Code, Chapter 183 "Tree Protection"

Approximately 701 trees with DBH of 6” and above were survey-located on-site, see Table III.E-2 and Figure 3.E-2 in Section III.E, and full-size Drawing C-011 “Tree Preservation Plan”. The tree survey includes diameter at breast height (DBH) for each tree and species name on the Project Site.

Fauna

According to the NYS Breeding Bird Atlas, there is a potential for 81 migratory bird species to occur on-site. (USFWS IPaC data indicate a potential for 27 species). Two of those species: sharp-shinned hawk (*Accipiter striatus*) and Cooper's hawk (*Accipiter cooperii*), are listed as NYS “Special Concern” species and do have the potential to forage on-site periodically, given the diversity of habitats and the availability of open fields. Both sharp-shinned and Cooper's hawks breed in deep forest, favoring conifers for nesting, but use open habitats and forest edges for hunting small birds and mammals. However, these two species nest in deep woods and therefore would not use this Project Site for nesting. Several bird species are listed in both the BBA and IPaC Trust Resource List. These are the blue winged warbler (*Vermivora pinus*), prairie warbler (*Dendroica discolor*), willow flycatcher (*Empidonax traillii*) and worm-eating warbler (*Helmitheros vermivorum*). These are unlisted species (not threatened, endangered or rare in NYS) that may pass through the Site during migration. While the Project Site contains the field edges and shrubby habitat that blue winged warbler and prairie warbler typically use for nesting, these species more typically nest in agricultural lands and regenerating forest. Willow flycatcher nests in willows near running water and worm-eating warbler nests in mature deciduous woods. Neither habitat is present on the Project Site.

Evidence of white-tailed deer (*Odocoileus virginianus*) and eastern cottontail (*Sylvilagus floridanus*) were noted throughout the Site. The Site provides decent edge habitat for these species. The eastern chipmunk (*Tamias striatus*), eastern

grey squirrel (*Sciurus carolinensis*), and domestic housecats (*Felis catus*) were also sighted.

According to the NYSDEC Herp Atlas, nine species of amphibians and five species of reptiles have the possibility of occurring on-site, based on their occurrence in the region. However, the lack of permanent standing water on-site makes it unsuitable for most of these species. Additionally, the Project Site's history includes grazing area for dairy farming and, during its more-than-a-century-long existence as a hospital, much of the property had expansive manicured lawns. No standing water was present within the on-site wetland during the October and December Site visits. Depending on the springtime water level in the on-site wetland, it may provide breeding habitat for American toad (*Bufo a. americanus*), Fowler's toad (*Bufo fowleri*), and northern spring peepers (*Pseudacris c. crucifer*). Other species, such as northern brown snake (*Storeria d. dekayi*) and eastern box turtle (*Terrapene c. Carolina*) (NYS Special Concern), and northern red-backed salamander (*Plethodon c. cinereus*) also have the potential to occur on-site, due to the mix of woodland and meadow habitats. No vernal pools are located on the Project Site.

Eastern box turtles prefer moderately moist deciduous forests and mixed forests, old field, meadow, and shrubland habitats (Klemens 1993, Gibbs et al. 2007). Eastern box turtles were not identified on the Project Site during Site inspection; however, the Site does provide some potentially suitable habitat.

Northern red-backed salamander was the only amphibian species confirmed on-site in two separate wooded areas during the field inspection. In addition to species sighted, it can be assumed that the Project Site provides habitat for other habitat generalist wildlife species, typically adapted to developed, suburban landscapes.

Correspondence received from the New York State Natural Heritage Program (NYSHN), dated November 14, 2016 (see Appendix E of the Former Project DEIS), indicated that there are no records of rare or state-listed animals or plants, or significant communities on-site or within the immediate vicinity.

US Fish and Wildlife Service Information for Planning and Consultation Service (USFWS's IPaC) report (most recently accessed June 22, 2021) revealed no federally threatened or endangered species as having the potential to occur on-site, and no critical habitats are listed.

v. Potential for contamination from on-site underground fuel tanks

A Phase I Environmental Site Assessment (ESA) was updated in May 2017 (see DEIS Appendix D). According to the ESA, no recognized environmental conditions (REC) nor controlled recognized environmental conditions (CREC) were found during the assessment of the property.

Underground Storage Tanks (USTs) and Above-Ground Storage Tanks (ASTs) have existed and currently exist at the Project Property. According to the ESA, one 1,500 gallon, one 2,000 gallon, and one 2,000 gallon #2 fuel oil USTs were closed in place (see documentation of tank closures contained in the Phase I ESA report included as DEIS Appendix D). There are four 275 gallon ASTs, two 300 gallon ASTs, and three 1,800 gallon #2 fuel oil USTs remaining in place, but not in service at the time of the inspection. Underground storage tanks that remain on the Project Site will be removed prior to beginning construction. Every storage tank (underground and above-ground) identified during the Phase I ESA will be removed prior to construction in compliance with applicable state and federal laws, rules, and regulations.

vi. Potential for contamination from any on-site hazardous waste

Due to the age of the property, there is potential that asbestos containing materials (ACM) are present. An Operations and Maintenance (O&M) Program will be implemented during construction of the proposed project in order to safely manage and remove any suspect ACMs located at the subject property.

The Phase I ESA identified one area of solid waste disposal. The area appears to be made up of vegetative debris and may require further investigation prior to commencing any Site disturbance. Lead-based paint and asbestos surveys may also need to be performed prior to Site disturbance and before demolition of the buildings commences. As is often found in older homes and buildings, any lead-based paint and asbestos found as part of this investigation will be removed in accordance with current regulations.

vii. Potential for contamination relating to the previous disposal of hospital and/or medical waste.

According to former Executive Director of Stony Lodge Hospital Inc., Kevin Czipo, as a residential facility, Stony Lodge did not generate typical hospital waste (see letter signed by Kevin Czipo in DEIS Appendix B). The hospital did not maintain an emergency room and would not admit patients with medical issues or potential complications. Further, Stony Lodge would handle and dispose of medical waste following applicable regulations using a specialized New York State-licensed company to remove any medical waste. All medical waste from Stony Lodge Hospital's operations was removed by a private carter. Nonetheless, in the unlikely event that areas of medical waste were found during construction or demolition, they will be removed in accordance with current regulations.

3. Components of the Proposed Project

The River Knoll project comprises 85 market-rate and 10 affordable for-sale condominium or PUD (Planned Unit Development) townhouse units. All 95 units will be age-restricted units pursuant to the Housing for Older Persons Act ("HOPA").

Ten affordable units are mandated by Article VI of the Town of Ossining's Zoning Code. The Proposed Project would provide a new and upscale housing community for residents age 55+ who wish to remain in Ossining and the Hudson Valley region.

The Project townhouse units will be in clusters of 2, 3, 4 and 5 attached units (Figure I-2). Eighty-one (81) units will be two-bedroom plus den units (1,575 square feet each), and fourteen (14) units will be three-bedroom units (1,795 square feet each) for a total of 95 dwelling units.

§200-29.A(1) of the Zoning Code requires for a multifamily use 2 parking spaces per dwelling unit plus 0.5 for each bedroom more than 2 bedrooms. For the above unit breakout, the parking required is 95 units times 2 spaces equals 190 spaces, plus 14 additional bedrooms times 0.5 spaces equals 7 additional spaces, for a grand total of 197 spaces required. 254 spaces are provided (127 garage spaces plus 127 driveway spaces).

As noted above, multiple-family and row and/or attached dwellings require at least 1/3 of the net site area to be devoted to permanent open space and/or for sites suitable for recreation as required by Section 200-16.A(2)(d), that there be provided on the same lot a suitably equipped and landscaped children's play area with a minimum of 400 square feet for each dwelling unit. This is not considered an appropriate recreational use for an age 55+ community such as the Proposed Project. Undeveloped permanent open space is to be provided and guaranteed at the rate of 1,500 square feet per bedroom. With a total of 210 bedrooms, the Proposed Project would therefore require 315,000 square feet of undeveloped permanent open space.

Approximately 11.8 acres (514,850 square feet) of undeveloped permanent open space is provided.

4. Vehicular Access and Circulation

Vehicular access will be provided at the same location as the existing Site driveway via a 26-foot-wide private roadway. Another Site roadway branches off to the north near the clubhouse, and bends around to the east and south to a cul-de-sac. The entry road proceeds to another cul-de-sac on the northeasterly portion of the Site. (see full-sized Site Plan drawings).

An emergency access is proposed between the cul-de-sac and Narragansett Avenue on the northeasterly portion of the Site. The proposed access is 15 feet in width, will be paved, and has a bollard and chain assembly at either end to prevent non-emergency vehicular access. However, pedestrian and bicycle use are anticipated.

A second emergency access with the same specifications is proposed between the westerly site roadway and Croton Dam Road on the northwesterly portion of the Site. Pedestrian and bicycle use are also anticipated. No sidewalks are proposed within the Site because of the low anticipated vehicular volume such that pedestrians may walk along the sides of the roadways.

5. Other components of Proposed Project

i. Vegetated Buffers

The existing hospital buildings on-site will be removed. Some of the currently disturbed areas will be converted to green buffers that help protect adjacent neighboring homes, particularly with homes on Grandview which currently have dilapidated Stony Lodge buildings on their property line, which will now have a green buffer and, similarly, the southeast portion of the Project Site has a maintenance building and administration building from the hospital that will be removed and benefit from new green buffers. The proposed buildings are designed to be reminiscent of the modern farmhouse architectural vernacular (see Figures 3.A-4a through 3.A-4f in Section III.A for project renderings). The Proposed Project will create and preserve approximately 11.8 acres (or 66% of

the entire Project Site) of open space, providing visual and natural resources benefits.

ii. Street Trees

Trees will be planted along the internal roadways of the Proposed Project.

iii. Landscaping

The Proposed Project would have landscaped buffers surrounding the perimeter of the Project Site. See full-size Drawing L-100 “Landscape Plan” included with this SDEIS which conceptually depicts the many deciduous and evergreen tree plantings that enhance the buffer screening along the perimeter of the Site adjacent to the residential uses. These green spaces will help buffer the surrounding single-family residential neighborhood from the Proposed Project, thereby helping to mitigate potential visual and noise conflicts, and providing enhanced greenery for the backyards of adjacent property owners.

The remainder of the Project Site that is to be disturbed and not contain impervious surfaces will be extensively landscaped.

iv. Lighting

Low intensity and dark-sky compliant lighting will be used for security and wayfinding. Minimal decorative down-lighting will be provided at the entrance to the Site.

Lighting fixtures will comply with dark sky requirements through the use of shielded and directional lighting, to minimize up-lighting and reduce unnatural lighting on nocturnal wildlife. Subsequent to the adoption of the proposed rezoning, an application for Site Plan Approval will be submitted with the specifications for all outdoor lighting along with an illustration and analysis of night-lighting trespass into habitats.

v. **Utilities**

As with the Former Project, the Proposed Project would create new demand for water that will be supplied to the Project Site by the Ossining Water Department, and wastewater that would be conveyed and treated at the Ossining Wastewater Treatment Plant. There is sufficient capacity in both systems to accommodate the Proposed Project, which has lower water and sanitary demand than the Former Project.

The Applicant is proposing water system improvements that are similar to those previously prepared in connection with the Former Project which would further improve the function and reliability of the Town/Village water system in the vicinity of the Project Site.

vi. **Recreation and Other Amenities**

The Project Site's townhouses are private and the Site is not accessible to the public for recreation purposes. The Proposed Project will offer numerous recreational amenities to residents of River Knoll including a fitness center with state-of-the-art exercise equipment, a yoga studio, a club room providing gathering areas and billiards, and both on-site walking paths and connections to surrounding walking trails. Outdoor amenities will include a swimming pool for residents, an outdoor kitchen for private entertaining, extensive landscaping, a dedicated dog walk, and a walkway to Veterans Memorial Park. Based upon the number and quality of recreational amenities to be provided, it is the Applicant's opinion that the Proposed Project will provide its residents with ample on-site recreation amenities and meet the demand for recreational needs.

As illustrated in Table III.E-2 within Section III.E of the SDEIS, permanent/passive open space will be provided on the Site with maintained lawn with trees (8.40 acres), Oak-Maple woods (0.66 acres), periodically mowed field (0.94 acres), wetland (0.15 acres), and early successional woods (1.67 acres). This totals 11.8 acres which is approximately 66% of the Site.

6. Maintenance of the Common Elements

Common elements will be owned and maintained by the Homeowner's Association (HOA¹¹) for use by the community. Condominium ownership is proposed, and the ownership, maintenance and preservation of the Project Site will be permanently assured by the filing of appropriate easements, covenants, and restrictions, and through the HOA of all property owners established in accordance with applicable law and pursuant to Section 200-31.H of the Town Zoning Code.

7. Plans and Timeline for ongoing maintenance of all proposed Mitigation for the Proposed Project

The plans and timeline for ongoing maintenance of common elements will be in accordance with the filing of appropriate easements, covenants, and restrictions, and through the HOA of all property owners established in accordance with applicable law and pursuant to Section 200-31.H of the Town Zoning Code.

8. Regulations and requirements of the Site's existing and proposed zoning designations.

The Proposed Project includes a petition to rezone the 16.68-acre portion of the Site located in the Town of Ossining from its R-15 single family zoning district designation to the Town's existing Multifamily Residence (MF) Zoning District. The R-15 zone permits single family homes on 15,000 square foot lots but does not permit multifamily

¹¹ The Homeowners or Community Association will likely take the form of a Condominium Association, with each individual condominium owner sharing an interest in the common elements of the Project Site.

housing. Accordingly, the Town's existing MF zoning district is proposed because multifamily townhouse development is permitted in this district.

Permitted, conditional, and accessory uses on the Project Site in the R-15 district are consistent with and listed under the zoning regulations pursuant to §200-7: R-40 "One-Family Residence District." Permitted uses are one-family detached dwellings, not to exceed one dwelling on each lot, in addition to limited agricultural operations and municipal structure uses. The permitted uses by special permit upon approval by the Board of Appeals are places of worship, educational or general medical care institutions, public utility rights-of-way, annual membership clubs, one-story temporary structures for agricultural display, and cemeteries.

The Proposed Project seeks to utilize the Town's existing MF Multifamily zoning district to accommodate the proposed use and the Site would be re-mapped from the One-Family Residence (R-15) District to the MF Multifamily District.

9. Project Purpose and Public Need and Benefits

The Proposed Project is designed to appeal to the empty nester segment of the Greater- Ossining population that seeks a more relaxed form of housing. This cohort (typically 55 – 80 years old) seeks to shed the responsibilities in maintaining a larger single-family home in which they raised their family, such as with typical chores like cutting lawns, cleaning gutters, repairing roofs etc. The Proposed Project will be held in a condominium association whereby all exterior maintenance is managed and performed by professional managers and contractors. This also affords more flexibility to the new owners as the managers can monitor their condominium homes should they be away for periods of time such as for traveling, including caring for any pets.

The Proposed Project's design will have the majority of the master bedrooms on the ground floor which is appealing to this cohort as they prefer the ease of living on one floor. The units will however offer the option for the addition of a small elevator to

serve the lower and upper floors. The units will all have dens/offices for those who want to work from home – a very much sought-after need during and likely extending after the pandemic. The option will also be provided in many units to add a second office if the owners need two work-from-home spaces.

Additionally, the greater-Ossining real estate marketplace currently offers no residential project that focuses on this large cohort. Other townhouse communities are older and dated. The Proposed Project offers the “freshness” of contemporary design, finishes, amenities, and construction quality. This Proposed Project will fill that void for this demographic.

10. Required Approvals

Table II-I
Reviews and Approvals

<u>Approval Required</u>	<u>Government Entity</u>
Zoning Map and Text Amendments	Town Board
Sewer District Extension	Town Board
Subdivision Approval	Planning Board
Steep Slope Permit	Planning Board
Tree Removal Permit	Planning Board
Site Plan Approval	Planning Board
Health Department Subdivision Approval	Westchester County Health Department
New York State Department of Environmental Conservation (NYSDEC) Stormwater Permit	NYSDEC
Water Supply Approval	Village of Ossining
Highway Work Permit	NYS Department of Transportation

III.A Land Use, Comprehensive Plan, Zoning and Community Character

I. Former Project

Land Use

The Project Site contains approximately 17.89 acres, with a 16.68 acre portion of the property situated within a residential single-family home portion of the Town of Ossining and 1.21 acres situated within a residential portion of the Village of Ossining (see Figure 3.A-1). Development is only proposed on the 16.68 acre portion of the Site within the Town of Ossining.

The Former Project proposed a change of use of the site from institutional (the former Stony Lodge Hospital) to multifamily residential. In the Applicant's opinion, the change in land use did not make the Project Site incompatible with surrounding land uses or constitute an adverse impact. The institutional hospital use had resident patients and staff, so there was previously a form of residential occupancy of the Project Site. The elimination of the ten hospital buildings and the construction of one newer building on the central portion of the Project Site would be a change but would not constitute an impact on surrounding land uses as the Site would be well screened from most views from surrounding areas, including abutting residential homes. The routine activities of potential future tenants of River Knoll would be no different from the routine activities of residents of the surrounding neighborhood. Vehicular circulation would be directed to Croton Dam Road, which previously carried traffic associated with Stony Lodge Hospital.

Public Policy

In the Applicant's opinion, the Former Project was consistent with the existing 2002 Town Comprehensive Plan and the update of Town of Ossining's Comprehensive Plan that was adopted on December 15, 2015. The Town of Ossining's 2015 Comprehensive Plan update specifically identifies the Project Site as appropriate for adaptive reuse and/or redevelopment to a use that will be protective of environmental resources and the surrounding residential neighborhoods. The Town of Ossining calls

for an increase in the number of affordable housing units. The Proposed Project provided a minimum of 10 percent of its dwelling units as affordable housing as mandated by Article VI of the Town of Ossining's zoning code.

Community Character

The Former Project would result in the construction of one new building on the upper, central portion of the Project Site with significant landscaped buffers to the adjoining residential properties. The building would be designed in the Hudson Valley architectural vernacular and be an improvement over the existing hospital buildings that are in disrepair.

Zoning

No zoning district in the Town could accommodate the Former Project as envisioned (see Figure 3.A-2 for surrounding zoning). In consultation with the Town, it was determined that the most appropriate zoning mechanism to enable the Former Project to be developed consistent within the Town's overall planning goals of environmental protection of large, underutilized site would be a new zoning district, the Multifamily Residence 2 (MF-2) District.

The Proposed Project required that a new zoning district be adopted to accommodate the use via a zoning code amendment to amend the Town's code to include a multifamily residence district known as the MF-2 zoning district. The amendment would also re-map the Project Site from the One-Family Residence (R-15) District to the MF-2 zoning district.

Multifamily housing would be permitted in this new district as a conditional use subject to approval by the Planning Board.

2. Proposed Project

i. Architectural Features, Intensity and Scale of the Proposed Project, Visual Analysis

The Proposed Project will be a clustered townhouse project that will be situated on areas currently disturbed or improved by the existing hospital buildings, paved areas or other pervious man-made surfaces. The site design has been careful to maintain and create vegetated buffered areas to all adjoining and adjacent properties and great care has been given to maintain the natural greenspace at the front of the property alongside Croton Dam Road (see full-size Drawing L-100 “Landscape Plan”. This area will be improved with stormwater basins to collect rainwater during storm events to provide stormwater management for the project. Appendix ~~I-2H~~ “Visual Analysis” ~~at the end of this volume~~ provides views of the Proposed Project.

The eastern shoreline of the Hudson River is situated approximately 1.4 miles to the west of the Proposed Project, adjacent to the west of the MetroNorth railroad tracks. Any views from the Hudson River itself would be more distant, and mitigated by the distance to the Proposed Project.

The roadways within the Proposed Project generally follow the existing roadways of the hospital buildings and maintain the single front access point on Croton Dam Road.

The Proposed Project’s townhouses will be clustered in rows of three, four, five and six units, and situated to best conform to the contours of the Property (see Figures 3.A-4a through 3.A-4f for project renderings). The architectural design of the units/clusters is in a “modern farmhouse” style which is popular today (see Figures 3.A-4g through 3.A-4j for project precedent studies). The exteriors will be clad in cementitious cladding shingle and plank (Hardie Board) materials with battens, stone-faced chimneys, porches with wood posts and top rails, divided-light gray window frames, and various roof sheds over front entries and

garage openings constructed in standing-seam metal roofing material (see Figures 3.A-4k through 3.A-4q for project precedent farmhouse elements).

The color palette of the Proposed Project exteriors will be in white, light and soft grays, with darker gray accents (see Figure 3.A-4r for project materials selection).

Low intensity and dark-sky compliant lighting will be used for security and wayfinding. Minimal decorative down-lighting will be provided at the entrance to the Site. A sign identifying the name of the Project will be placed at the entrance, and the sign will conform with the Town's code requirements.

Lighting fixtures will comply with dark sky requirements through the use of shielded and directional lighting, to minimize up-lighting and reduce unnatural lighting on nocturnal wildlife. Subsequent to the adoption of the proposed rezoning, an application for Site Plan Approval will be submitted with the specifications for all outdoor lighting along with an illustration and analysis of night-lighting trespass into habitats.

Vehicular access will be provided at the same location as the existing Site driveway via a 26-foot-wide private roadway. Another Site roadway branches off to the north near the clubhouse, and bends around to the east and south to a cul-de-sac. The entry road proceeds to another cul-de-sac on the northeasterly portion of the Site. (see full-sized Site Plan drawings).

An emergency access is proposed between the cul-de-sac and Narragansett Avenue on the northeasterly portion of the Site. The proposed access is 15 feet in width, will be paved, and has a bollard and chain assembly at either end to prevent non-emergency vehicular access. However, pedestrian and bicycle use are anticipated, and this provides a connection from the Project to Veterans Memorial Park.

A second emergency access with the same specifications is proposed between the westerly site roadway and Croton Dam Road on the northwesterly portion of the Site. Pedestrian and bicycle use are also anticipated. No sidewalks are proposed within the Site because of the low anticipated vehicular volume such that pedestrians may walk along the sides of the roadways.

ii. **Existing Conditions**

Figures 3.A-3 and 3.A-3a through 3.A-3e depict the existing conditions on the site.

The properties adjacent to or near the Project Site to the north, east, west, and south, are developed with single-family residential houses. These residential houses are typically two to three story homes, with a driveway, a garage, a front yard, and a backyard. On the western side of the Project Site is a large property obscured from view by a stone wall and heavy woods. This property faces the Project Site, specifically the natural greenspace at the front of the property alongside Croton Dam Road and looks up at the former hospital buildings.

In the Applicant's opinion, the visual character of the Project Site will be in keeping with the surrounding homes and will be buffered from surrounding properties by existing and proposed vegetation. However, instead of the three-story Main Hospital building being surrounded by eight other large hospital buildings, there will be instead, clustered two-story townhouses which will be lower in height.

The existing hospital buildings on-site will be removed. A significant portion of the wooded periphery of the site to the north and east will remain undisturbed as well as a portion of the wooded steep slopes on the western-central portion of the site. In addition, no trees will be removed within the 100-foot buffer zone of the onsite wetlands and the Proposed Project will avoid disturbance to the

wetland and wetland buffer. Some of the currently disturbed areas will be converted to green buffers that help protect adjacent neighboring homes, particularly with homes on Grandview which currently have dilapidated Stony Lodge buildings on their property line and will now have a green buffer.

The Proposed Project will create and preserve approximately 11.8 acres (or 66% of the entire Project Site and 75% of net lot area) of open space, providing visual and natural resources benefits.

The current buildings on the property—previously occupied by Stony Lodge Hospital—are located at the top of a hill and are partially visible from the west side of the property from Croton Dam Road. Existing buildings are shown in Figure 2-2. The northern boundary of the property has structures along the property edge (non-conforming) that are fully visible from the homes situated on Grandview Avenue, and these buildings will be razed and replaced with green buffer. Similarly, the southern boundary has hospital buildings situated near the property edge that can be viewed by the homes on both Second Avenue and Pershing Avenue, and these buildings will also be razed and replaced by green buffer. Lastly, the eastern boundary of the property has structures that are partially hidden from the immediate neighborhoods due, in part, to current landscaping. It is noted that neither Narragansett Avenue nor Pershing Avenue, nor the two dead-end streets closest to the site including First Avenue and Second Avenue, provide views to the upper interior portions of the site.

iii. **Affordable Housing Component**

Article VI of the Town of Ossining's zoning code describes the number of housing options as essential to the long-term health of the community. Furthermore, §200-33 requires new subdivisions or buildings requiring approval to provide 10 percent of the units of the proposed development to be affordable at below-market rate. To achieve this purpose, the code allows for a maximum permitted density bonus of 20 percent on a 10 or more acre property.

The Proposed Project will provide 10 of its 95 dwelling units as affordable housing as mandated by Article VI of the Town of Ossining's zoning code.

In 2019, Westchester County ~~has undertaken~~undertook an Affordable Housing Needs Assessment (the "Study") to establish a data-based foundation for the creation and preservation of affordable housing in Westchester County. The Assessment looks at the County's history of housing policies; lays out the methodology for data analysis; provides findings on a wide variety of demographic, housing stock and housing affordability issues; and provides recommendations, including Best Practices from across the country, to help the County move forward in meeting its affordable housing needs. ~~The Assessment concluded that the total number of new affordable housing units needed in the County is 11,703.~~

The Study also provided data pertinent to the individual villages and towns within the County, including the Town of Ossining. Housing affordability was analyzed for both rental housing and owner housing to create an "out of reach" summary, using both market rents and HUD's Fair market rent values compared with each Ossining's renters wage rate to determine how "affordable" Ossining is and the gap in affordability. For the Town, this gap in affordability for a 2-bedroom market-rate rental is \$1,598 per month at the Town's local renter wage of \$17.25/hour (Table 62 of the Study). A renter wage earner would need to work 111.2 hours per week to afford a 2-bedroom full-market value rental. The data show that every municipality in the County has a gap in affordability when looking at market rents.

iv. Recreation

The Project Site is currently vacant and is not accessible to the public for recreation purposes. In the future with the Proposed Project, the site will continue to be closed to the public for recreational purposes, though a goal of

the site planning has been to provide on-site walking trails which will connect to adjoining trail systems, the Veterans Memorial Park across the street on Narragansett Avenue, and also to neighboring streets. The Proposed Project will offer recreational amenities to residents within a community clubhouse which will include state-of-the-art exercise equipment, a yoga studio, a club room providing gathering areas and a coffee klatch. Adjacent outdoor amenities will include a swimming pool for residents, landscaped terraces overlooking the Hudson River, an outdoor kitchen for private entertaining, and quiet landscaped reading pockets. Therefore, it is the Applicant's intent to provide extensive on-site recreational opportunities so, in the Applicant's opinion, there will be little recreational impacts associated with the Proposed Project. Additionally, the demographic profile of the 55+ focus of the Proposed Project will have residents more focused on non-team sports and interested in the walking activities provided by the trails contemplated. Nonetheless, subsequent to the adoption of the proposed zone change, a determination by the Town will need to be made regarding the adequacy of the recreation facilities proposed for the site, and whether a payment in lieu will be required.

v. **Westchester County Planning Board - "Westchester 2025"**

Westchester 2025 is a county-wide planning effort aimed at demonstrating the importance of planning to the county's communities, as well as making planning resources more accessible to those communities and their residents. In addition, the 2025 Context for County and Municipal Planning and Policies to Guide County Planning was adopted by the Westchester County Planning Board in 2008 and amended in 2010. This document replaces and updates the "Assumptions and Policies" section of Patterns with new principles and policies for development in the County.

Listed below are those principles from the 2025 Context that are most applicable to the Project Site and the Proposed Project, as well as a description of how the Proposed Project is compatible with these policies.

Assure interconnected open space—*Assure a diverse and interconnected system of open space to shape development, to provide contrast in the texture of the landscape, to separate developed areas, and to provide linkages among open space systems of the region.*

The Proposed Project will protect open space with landscape buffers surrounding the site and providing an interconnection with the publicly accessible Veterans Memorial Park. See full-size Drawing L-100 “Landscape Plan” included with this SDEIS which conceptually depicts the many deciduous and evergreen tree plantings that enhance the buffer screening along the perimeter of the Site adjacent to the residential uses. The Sponsor of the Proposed Project will also seek ways to provide trail connections to the nearby Maryknoll Seminary with 230 greenspace acres further to the east, and the nearby Anne Dorner Middle School – Dale Cemetery – Torview Club’s open space areas to the westerly side of the Property.

Nurture economic climate—*Nurture the economic climate of the county with use of municipal, county, state, and federal resources to improve infrastructure, housing, and programs that attract and support business enterprise, with consideration of inter-municipal impacts.*

The Proposed Project will add housing to the currently vacant Project Site. While the site is not tax exempt, it is not currently a large tax revenue generator in its vacant state. By redeveloping the site with a proposed multifamily project, River Knoll will generate significant tax revenues for the Town of Ossining and will bring new residents to the Town, as well as retain those existing 55+-aged residents who might otherwise move out of Town, which will provide additional economic activity through new demand for commercial services, restaurants, stores, health and medical services, and more.

Preserve natural resources—*Preserve and protect the county's natural resources and environment, both physical and biotic. Potential impacts on water resources (water bodies, wetlands, coastal zones and groundwater), significant land resources (unique natural areas, steep slopes, ridgelines and prime agricultural land, and biotic resources (critical habitat, plant communities and biotic corridors) require careful consideration as part of land management and development review and approval.*

Natural resources will be preserved as current out-buildings and impervious surfaces are removed, and these locations are re-vegetated as green buffers with informal, pastoral landscaping.

Support development and preservation of permanently affordable housing—*Encourage a range of housing types that are permanently affordable to renters and home buyers, with the County working with each municipality to address its needs for fair and affordable housing, as well as a share of the regional need.*

The Proposed Project will create a range of housing types on the Project Site with 85 market rate townhouse units and 10 permanently affordable housing units. This project will contribute toward an overall County goal of affirmatively furthering fair housing and advance the public interest of the municipalities of the County of Westchester.

Provide recreational opportunities to serve residents—*Enhance use of Westchester's parks, beaches, and recreation facilities by improving public access and by providing a variety of settings for passive and active use. New recreational opportunities should take into account the recreational needs of higher density population areas and the needs and interests of the county's changing population.*

While the Project Site is not a Westchester County-owned open space resource and will not be open to the public, the Proposed Project will offer numerous recreational amenities to residents including a fitness center for residents with

state-of-the-art exercise equipment, a yoga studio, a club room providing gathering areas and billiards, and both on-site walking paths and connections to surrounding walking trails. Outdoor amenities will include a swimming pool for residents, an outdoor kitchen for private entertaining, extensive landscaping, a dedicated dog walk, and a walkway to Veterans Memorial Park.

Define and Protect Community Character—*Encourage efforts to define the desired character of each municipality and neighborhoods within the broader, diverse palate of Westchester County. Support initiatives to adapt and establish land use policies and regulations that enhance that character through focus on location, setting, aesthetic design, and scale of development, as well as the public context of street life, tree canopy, and utility placement.*

In the Applicant's opinion, the Proposed Project will define and protect community character because it will remove deteriorated and defunct structures and will eliminate a blighting influence to the community character of the surrounding neighborhoods. Landscaped buffers will separate River Knoll from the surrounding residential neighborhoods. It will eliminate adverse impacts to neighborhood character and also will enhance neighborhood character by the removal of blighted and underused conditions.

Maintain Utility Infrastructure—*Maintain safe and environmentally sound systems and policies for waste removal, collection, and treatment, as well as the treatment and distribution of drinking water consistent with the county's land use policies. Programs to reduce and recycle the waste stream, protect water quality, control, and treat storm water, and mitigate or reduce the impacts of flooding must be strengthened.*

The Proposed Project will convey runoff to a new on-site state-of-the-art storm water system and eliminate the current site condition under which storm water runoff is discharged untreated directly to the surrounding neighborhoods. The

Proposed Project will provide a net reduction in the peak rates of storm water runoff and will result in reduced water quality impacts to the Town and Village stormwater systems.

Overall, it is the Applicant's opinion that the Proposed Project is consistent with local and regional policies that promote redevelopment of older properties in a manner that preserves community character, environmental features, and provides for affordable housing.

vi. **The Comprehensive Plan**

2015 Comprehensive Plan

The Town's most recent Comprehensive Plan was adopted in 2015. A 2020 Comprehensive Plan draft is underway. A website search of the Town determined that the 2020 Comprehensive Plan remains a work-in-progress.¹ There is a Draft Objectives & Strategies (D&S) document, dated August 2021, by the Pace Land Use Law Center.² This document notes the need for pedestrian connections between neighborhoods. As noted above, the emergency access proposed between the Project cul-de-sac and Narragansett Avenue on the northeasterly portion of the Site provides a pedestrian connection from the Project to Veterans Memorial Park. In addition, the Project proposes drainage improvements including conventional and green infrastructure stormwater practices, such as infiltration basins with forebays and stormwater planters. The vegetated stormwater practices and overland discharges will also provide opportunities to enhance water quality and infiltration practices. This is consistent with the D&S documents objective of decreasing stormwater runoff from impervious surfaces by implementing green infrastructure practices.

¹ SUSTAINABLE OSSINING Accessed 01/19/2022.

² 210831_WXY_OssiningCompPlan_Objectives_Strategies_FINAL_DRAFT.pdf (squarespace.com) Accessed 01/19/2022.

In furtherance of the D&S objective of prioritizing infrastructure upgrades necessary to mitigate the effects of development projects on Town municipal infrastructure, the Applicant is proposing water system improvements that are similar to those previously prepared in connection with the Former Project which would further improve the function and reliability of the Town/Village water system in the vicinity of the Project Site.

An objective of the D&S document is to provide a range of housing that is diverse both in type and affordability. By proposing an age-restricted multifamily development with affordable housing the Project advances this goal.

Listed below are those principles from the 2015 Comprehensive Plan that are most applicable to the Project Site and the Proposed Project:

- “Preserve and conserve existing open space, acquire new properties for preservation and recreation, and protect the trees, water supply and watersheds, steep slopes, view-sheds, scenic resources, wildlife habitats, and other significant environmental assets to the community” (Environmental Resources Chapter).
- “Preserve the quality, character, and stability of neighborhoods within the Town... make a wide range of housing opportunities available to members of the community... and require suitable buffer areas for non-residential uses and properties abutting neighborhoods and residential areas” (Residential Chapter).
- “Cooperate in efforts to make a wide range of housing opportunities available to members of the community” (Residential Chapter).
- “Promote development and redevelopment to be consistent with the current scale and historic character of the community... (and) preserve residential neighborhoods and protect environmental resources” (Future Development and Redevelopment Chapter).

- “The Town should be open to an analysis of the zoning of the underutilized and non-conforming Stony Lodge Hospital property in order for this property to be adaptively reused or redeveloped in a manner that is feasible and which protects surrounding neighborhoods and environmental resources to the maximum extent practicable.” (Future Development and Redevelopment Chapter).

2022 Draft Comprehensive Plan

A Draft Comprehensive Plan, dated 1/27/2022, is available on the Town’s website. The Plan “creates a blueprint for a more sustainable, equitable, and economically sound Town of Ossining”. The Plan’s goals, objectives, and strategies include a number that are relevant to the Proposed Project. These are as follows:

Housing, Development & Preservation

- Leverage development to ensure projects provide amenities beneficial to all members of the Town of Ossining community, including
 - Mitigate impacts to municipal infrastructure and resources, including roads, sewage, and schools, were new development to occur.

The Applicant is proposing water system improvements that are similar to those previously prepared in connection with the Former Project which would further improve the function and reliability of the Town/Village water system in the vicinity of the Project Site. These improvements included providing a “looped” system between Croton Dam Road and Narragansett Avenue which includes installing a new 8” water main through the Project Site within the new roadways.

Because the Proposed Project is age-restricted, there will be few if any school children sourcing from the Project. Thus, the Ossining Central School District will benefit from an increase in taxes paid by the property of approximately \$690,000 annually, with no increase in expenditures due to additional school children.

- Provide a range of housing that is diverse both in type and affordability.
 - While a specific strategy is not stated, the Proposed Project provides 10 affordable homes, and separately provides a type of diverse housing type that is not currently present within the Town. That is, an age-restricted community. All 95 units will be age-restricted units pursuant to the Housing for Older Persons Act (“HOPA”). The Proposed Project would provide a new and upscale housing community choice type for residents age 55+ who wish to remain in Ossining and the Hudson Valley region.

Sustainable Infrastructure

- Incentivize the use of green building practices and methods in Unincorporated Ossining.
 - Incentivize green building practices in new development.

River Knoll will be designed to meet or exceed the NYS Energy Conservation Code (ECC), which requires the use of energy efficient products in all new construction. The exterior walls of the units will include thermal insulation and an air barrier to reduce heat loss in the winter and heat gain in the summer. Exterior windows will be double-paned insulated glass with low emissivity glazing. Mechanical systems will incorporate economizer cycles for

energy conservation. Motion activated light sensors will be utilized to reduce power consumption in less frequented public areas.

The residential units will utilize energy efficient technologies including:

- White membrane heat-reflective roof lowering surface temperatures by up to 50% at peak times;
 - Energy Star energy-efficient appliances specified for each unit;
 - Heating-ventilation-air conditioning controls to efficiently zone heating and cooling demands throughout the building and within each unit;
 - Smart thermostats incorporated into each residential unit;
 - LED lighting utilized throughout the building, thereby significantly lowering electric demand and minimizing replacement cost;
 - Integrated lighting system (e.g. Siemens Gamma Lighting) allowing for lighting control in common areas that are not in use, most particularly in the garage areas; and
 - Windows and doors that will be Energy Star-rated double-paned insulated glass.
- Encourage the use of green infrastructure, including retrofitting existing drainage systems with advanced stormwater filtration capability.

The existing Project Site has no modern stormwater practices. The Proposed Project will be designed with two infiltration basins to treat for water quality and retain stormwater runoff from the site. In addition, the proposed vegetated practices and overland discharges provide multiple opportunities for water quality enhancement and infiltration in addition to the proposed stormwater management practices.

- Promote dark sky initiatives such as reducing nighttime lighting and updating infrastructure with “dark sky approved”, low-pollution nighttime lights.

Low intensity and dark-sky compliant lighting will be used for security and wayfinding. Minimal decorative down-lighting will be provided at the entrance to the Site. Lighting fixtures will comply with dark sky requirements through the use of shielded and directional lighting, to minimize up-lighting and reduce unnatural lighting on nocturnal wildlife.

vii. Potential impact of Proposed MF zoning district and a comparison to the proposed rezoning of the property to a MF2 zoning district of the 2018 DEIS development

The Project Site is currently zoned R-15, which permits single family homes on 15,000 square foot lots and not multifamily uses. Accordingly, the existing MF “Multifamily District” zoning is proposed to enable this development.

Row or attached dwellings are defined in the Code as “a one-family dwelling with two common or party walls separating it from adjacent units on both sides”.

As noted in Section 200-16.A(3) of the Town Zoning Code, row or attached dwellings are permitted subject to the following requirements:

- a. The maximum number of dwelling units in a group of row dwellings is six.
- b. The minimum distance between principal buildings is to equal two times the height of the highest building, and the minimum distance between a principal and an accessory building is 20 feet.
- c. Any inner court is to have a minimum dimension of 60 feet, and any outer court a minimum dimension of 20 feet and a depth not exceeding its width.

d. There is to be provided on the same lot a suitably equipped and landscaped children's play area with a minimum of 400 square feet for each dwelling unit.

- At least 1/3 of the net site area is to be devoted to permanent open space and/or for sites suitable for recreation as required by Zoning Code Subsection A(2)(d). Undeveloped permanent open space is to be provided and guaranteed at the rate of 1,500 square feet per bedroom.
- In considering such residential developments, the Planning Board shall follow the procedures and requirements set forth in § 200-31, entitled "Cluster developments."

Table III.A-3, below, illustrates the differences/similarities between the existing MF zone and the formerly proposed MF-2 zoning district.

Table III.A-1
Bulk Comparative Zoning Analysis
MF and MF-2 Districts

Description	Proposed Project	MF Multifamily District		MF-2 Zoning	
		Row and Attached Dwellings	Multiple	Row and Attached Dwellings	Multiple
Gross lot area (square feet)	779,179	--	--	--	--
Net lot area (square feet) ³	686,186 ⁴	20,000	20,000	10 acres	10 acres
Net lot area provided per dwelling unit (square feet)	4,002 plus 1,500 per bedroom	4,000 plus 1,500 per bedroom	4,000 plus 1,500 per bedroom	4,250*	4,250*
Lot width (feet)	979.5	20	100	50	250
Lot depth (feet)	665.5	100	150	250	250
Front yard (feet)	30.9	25	50	200	200
One side yard (feet)	50	50*	50	100	100
Both side yard (feet)	100	100*	100	200	200
Rear yard (feet)	40	40	40	100	100
Livable floor area per dwelling unit (square feet)	See below	See below	See below	850	700 per for 1 or more bedrooms
Studio and efficiency dwellings	N/A	450	450		
One-bedroom dwellings	N/A	675	675		
Two-bedroom dwellings	1,575	750	750		
Description	Proposed Project	MF Multifamily District		MF-2 Zoning	

³ As discussed in Section II. Project History and Proposed Project Description, subsection B of the SDEIS, Section 176-18.F of the Town Code specifies that at least 75% of the minimum lot area requirement of a proposed lot is to consist of neither “wetland” nor “extremely steep slope” as these terms are defined in the Code. The net lot area for the Site is 686,186 s.f. as calculated in Section II.

⁴ Combined Town and Village portions of the Site.

		Row and Attached Dwellings	Multiple	Row and Attached Dwellings	Multiple
Three-bedroom dwellings	1,795	1,000	1,000		
Four-bedroom dwellings	N/A	1,200	1,200		
Usable open space as % of Net Lot Area	75% ⁵	Same as § 200-16A(4)	Same as § 200-16A(4)	50%	50%
<u>Minimum Children Play Area per Unit (S.F.)</u>	--	<u>400</u>	<u>400</u>		
Maximum Permitted					
Building Height					
Stories	2 ½	2 ½	2 ½	3	3
Feet	26	35	35	50	50
Building coverage (percent)	18.9%	20%	20%	12%	12%
<u>Building Length (Feet)</u>	<u>N/A</u>	<u>N/A</u>	<u>150</u>		
<u>Max. Number of Dwelling Units in a Row</u>	<u>6</u>	<u>6</u>	<u>6</u>		
<u>Minimum Distance between Principal Buildings (Feet)</u>	<u>30</u>	<u>2 Times Building Height (52 Feet)</u>	<u>2 Times Building Height (52 Feet)</u>		
<u>Minimum Distance between Principal and Accessory Buildings (Feet)</u>	<u>N/A</u>	<u>20</u>	<u>20</u>		

* MF Note: Applies only between buildings and side lot lines.

⁵ 11.8 acres of open space are provided.

The differences in impacts between the two zoning districts include increased density for the formerly proposed MF-2 district with less lot area required per dwelling unit, and no provision for open space based on the number of bedrooms. The MF-2 zone also provided for increased lot width, depth, and front, side and rear yards. The MF-2 district would permit taller maximum building heights and less maximum permitted building coverage.

Table III.A-2
Zoning Table

Description	Proposed Project	MF Multifamily District
		Row and Attached Dwellings
Gross lot area (square feet)	779,179	--
Net lot area (square feet) ⁶	686,186 ⁷	20,000
Net lot area provided per dwelling unit (square feet)	4,002 plus 1,500 per bedroom	4,000 plus 1,500 per bedroom
Lot width (feet)	979.5	20
Lot depth (feet)	665.5	100
Front yard (feet)	30.9	25
One side yard (feet)	50	50*
Both side yard (feet)	100	100*
Rear yard (feet)	40	40
Livable floor area per dwelling unit (square feet)	See below	See below
Studio and efficiency dwellings	N/A	450
One-bedroom dwellings	N/A	675
Two-bedroom dwellings	1,575	750
Three-bedroom dwellings	1,795	1,000
Four-bedroom dwellings	N/A	1,200
Usable open space as % of Net Lot Area	75% ⁸	33%
Maximum Permitted		
Building Height		
Stories	2 ½	2 ½
Feet	26	35
Building coverage (percent)	18.9%	20%

* Note: Applies only between buildings and side lot lines.

viii. Relevance of "Spot Zoning"

~~Section 3.G.B. Zoning of the DEIS for the Former Project contains an extensive discussion of "spot zoning", which is summarized below:~~

⁶ As discussed in Section II. Project History and Proposed Project Description, subsection B of the SDEIS, Section 176-18.F of the Town Code specifies that at least 75% of the minimum lot area requirement of a proposed lot is to consist of neither "wetland" nor "extremely steep slope" as these terms are defined in the Code. The net lot area for the Site is 686,186 s.f. as calculated in Section II.

⁷ Combined Town and Village portions of the Site.

⁸ 11.8 acres of open space are provided.

~~The New York Court of Appeals has defined ‘spot zoning’ as “the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property and to the detriment of other owners.”⁹ The Rodgers’ Court went on to state that:~~

~~“...spot zoning is the very antithesis of planned zoning. If, therefore, an ordinance is enacted in accordance with a comprehensive zoning plan, it is not ‘spot zoning,’ even though it (1) singles out and affects but one small plot or (2) creates in the center of a large zone small areas or districts devoted to a different use.”¹⁰~~

~~The real test for spot zoning is whether the zoning change is other than part of a well-considered and comprehensive plan calculated to serve the general welfare of the community.¹¹ Two Appellate Division cases deal specifically with zoning changes to accommodate assisted living facilities. In both cases, the zoning amendments were upheld.~~

~~Subsequently, in a case in the Village of Lynbrook challenging a rezoning, the court followed the long standing principle that “a Village must exercise its zoning power in accordance with a ‘comprehensive plan.’”¹² The court went on to cite a seminal case for the proposition that:~~

~~“[A] comprehensive plan need not be contained in a single document. Rather, all available and relevant evidence of the municipality’s land use policies need be examined to determine whether a municipality has a comprehensive plan.”¹³~~

⁹-Town Law § 263; Village Law § 7-704)

¹⁰-Rodgers v. Tarrytown, 302 N.Y. 115 (1951); see also, Boyles v. Town Board of the Town of Bethlehem, 278 A.D.2d 688 (3d Dept. 2000). Rodgers v. Tarrytown, 302 N.Y. 115 (1951); see also, Boyles v. Town Board of the Town of Bethlehem, 278 A.D.2d 688 (3d Dept. 2000).

¹¹-Collard v. Incorporated Village of Flower Hill, 52 N.Y.2d 594 (1981).

¹²-See Stone v. Scarpato, 285 A.D.2d 467 (2d Dept. 2001).

¹³-Udell v. Haas, 21 N.Y.2d 463 (1968)

~~“Furthermore, [z]oning legislation is tested not by whether it defines a comprehensive plan but by whether it accords with a comprehensive plan for the development of the community. When a zoning ordinance is amended, the court decides whether it accords with a comprehensive plan in much the same way, by determining whether the original plan required amendment because of the community’s change and growth and whether the amendment is calculated to benefit the community as a whole as opposed to benefiting individuals or a group of individuals.”¹⁴~~

Since there is no requirement to adopt a new zoning district, and no amendment to the Zoning Code with respect to the existing district is being requested, the Town-wide impact of rezoning the Site has been eliminated. Any properties that otherwise meet the requirements of the Multifamily (MF) district can apply to be rezoned notwithstanding the Proposed Project. The MF zone is established within the Town Code.

3. **Mitigation**

Full-size Drawing L-100 “Landscape Plan” included with this SDEIS conceptually depicts the many deciduous and evergreen tree plantings that are to enhance the buffer screening along the perimeter of the Site adjacent to the residential uses.

In the Applicant’s opinion, the Proposed Project has been designed to avoid significant adverse impacts on land use, community character, zoning, or public policy. The Applicant has endeavored to create an attractive reuse for residential opportunities on a currently underutilized and blighted site. The green buffers, open space preservation, and landscaping have been strategically designed to minimize land use impacts to the adjacent neighborhood. As previously noted, the Applicant will submit

¹⁴~~Asian Ams. For Equality v. Koch, 72 NY2d 121 (1989).~~

a petition to rezone the site to the MF District to facilitate this project. Therefore, no additional mitigation with regards to land use, zoning, public policy, or community character is required.

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III.B Wetlands

I. Former Project

There are no FEMA floodplains or NYSDEC-mapped streams with classification on the site (Figure 3.B-1), nor NWI or NYSDEC wetlands (Figure 3.B-2).

A small herbaceous wetland was delineated on-site on September 14, 2015. This wetland was 0.277 acres in size, of which most, 0.273 acres, was located within the Village of Ossining. A smaller amount, 0.004 acres, was located within the Town of Ossining.

This wetland will not be disturbed as a result of the Former Project. No disturbance (clearing/regrading) was proposed within the 100 foot buffer and it was expected to remain maintained lawn with some woody patches.

The Former Project included a stormwater management plan that would treat all runoff from the Former Project, and stormwater basins that would manage the additional runoff from impervious surfaces. Due to the variety of hydrologic sources both on- and off-site, site development was not expected to adversely impact the existing wetland, or the hydrologic levels. In this way, water quality impacts to the on-site wetland would be avoided. It was the Applicant's conclusion that the Former Project would not adversely impact wetlands within the Project Site during construction and operation.

Habitat impacts of the Former Project are depicted in Table III.B-1.

**Table III.B-1
Habitat Impacts
Former Project**

Habitat Type	Existing (Acres)	Proposed Disturbance (Acres)	Post-Construction Habitats (Acres)
Maintained lawn with trees	4.43	3.98	4.51
Oak-Maple woods	2.04	0.74	1.35
Periodically mowed field	3.71	1.67	3.37
Wetland	0.28	0	0.28
Early successional woods	1.74	1.74	4.4
Impervious surface	2.38	2.28	2.26
Building footprint	0.59	0.59	1.66
Total	17.89	11.00	17.89
Note: Numbers may not add due to rounding.			
Source: AKRF GIS Data Analysis			

2. Proposed Project

i. Describe potential new disturbance to wetlands, wetlands buffers

The wetland and wetland buffer are regulated by both the Town of Ossining and the Village of Ossining's Wetland Codes.

There are no New York State Department of Environmental Conservation (NYSDEC) regulated wetlands on or within the proximity of the Project Site.
There are no watercourses or watercourse buffers on the Site.

To confirm the presence and extent of on-site wetlands, site inspections were conducted on September 14, 2015, April 21, 2017, and recently on June 11, 2021. The inspections confirmed one small herbaceous wetland of approximately 0.146 acres in size in the northeastern portion of the Project Site (see Figure 3.B-3). The wetland is located entirely within the Village of Ossining. The wetland buffer in the Town portion of the site is 0.496 acres in size. The inspections also confirmed that there was no vernal pool habitat on the site. The wetland functional assessment found that the wetland primarily serves to modify

groundwater discharge and water quality.

The Proposed Project will not disturb ~~not encroach into~~ the wetland, or the wetland 100 foot buffer area, and will have no impact on watercourses because there are no watercourses or 50-foot watercourse buffers on the Site. regulated by both the Town of Ossining and the Village of Ossining's Wetland Codes. There are no New York State Department of Environmental Conservation (NYSDEC) regulated wetlands on or within the proximity of the Project Site.

~~The Proposed Project will avoid disturbance to the wetland and wetland buffer, as well as watercourses and Town and Village 50-foot watercourse regulated buffers, which is the same as the Former Project.~~ Due to the variety of hydrologic sources on and off site and based on the detailed analysis contained in Chapter III.B, "Wetlands," the Preliminary SWPPP (SDEIS Appendix Volume 2). it is the Applicant's conclusion that the Proposed Project ~~is not expected to~~ would not adversely impact the existing wetland, wetland buffer, or the hydrologic levels.

ii. Compliance of the Proposed Project with Town and Village Codes

Because the Proposed Project will not impact wetlands or wetland buffers, it does not fall under the purview of ~~any regulatory~~ the Town of Ossining nor the Village of Ossining's Wetland Codes. code.

iii. Analysis of Impacts to Vegetative Cover

A total of 14.2 acres will be disturbed by the Proposed Project, which will impact the vegetative coverage of the ~~existing vegetation~~ Site. As shown in Table III.B-2, some of this disturbance will occur in areas occupied by existing buildings, drives and maintained lawn, not impacting vegetative cover. In addition, T ~~there~~ will be no impacts to the vegetative cover associated with the wetland or wetland buffer because no disturbance is proposed to these areas.

Table III.B-2
Impacts to Vegetative Cover **Impacts Types**
Proposed Project

Vegetative Cover Type	<u>Existing Vegetative Cover Types</u> (Acres)	<u>Proposed Disturbance to Vegetative Cover Types</u> (Acres)	<u>Post-Construction Vegetative Cover Types</u> (Acres)	<u>Former Project Proposed Vegetative Cover Types Disturbance</u> (Acres)
Maintained lawn with trees	4.41	4.20	8.40	3.98
Oak-Maple woods	2.04	1.38	0.66	0.74
Periodically mowed field	3.82	2.88	0.94	1.67
Wetland	0.15	0	0.15	0
Early successional woods	4.49	2.82	1.67	1.74
Impervious surface	2.42	2.33	2.92	2.28
Building footprint	0.56	0.56	3.15	0.59
Total	17.89	14.6	17.89	11.00
Note: Numbers may not add due to rounding. Source: AKRF GIS Data Analysis; JMC				

The Proposed Project will result in a net increase in impervious surface of approximately 0.5 acres. Existing impervious surfaces (buildings/pavement) on the 17.89 acre site will be removed. In this way, a significant portion of the wooded periphery of the site to the north and east will remain undisturbed as well as a portion of the wooded steep slopes on the western-central portion of the site. In addition, no trees will be removed within the 100-foot buffer zone of the onsite wetlands. Some of the currently disturbed areas will be converted to green buffers that help protect adjacent neighboring homes, particularly with homes on Grandview which currently have dilapidated Stony Lodge buildings on their property line and will now have a green buffer. The Proposed Project will create and preserve approximately 11.8 acres (or 66% of the entire Project Site) of vegetative cover, providing visual and natural resources benefits.

The Former Project had less site disturbance and thus fewer impacts on habitat types than the Proposed Project. The Former Project contained one proposed building, and hence was more compact in nature than the Proposed Project with

its attached dwelling units in 19 multifamily buildings, resulting in the Proposed Project having the greater site disturbance.

3. Mitigation

No mitigation is proposed because no disturbance to wetlands or wetland buffers is proposed, and 66% of the entire Project Site will retain vegetative cover.

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III.C Soils, Topography (Steep Slopes) and Geology

I. Former Project

It was determined that depth to bedrock is generally greater than six feet for much of the site, but is less than three feet in the center of the site. The Project Site is underlain by Manhattan Formation bedrock, which is metamorphic schist bedrock of Ordovician age.

The Former Project would be constructed primarily in the upper elevations of the site occupied by the following soil mapping units: HrF (Hollis Rock outcrop complex, very steep); CrC Charleton-Chatfield complex rolling, very rocky); and CsD (Charleton-Chatfield complex, hilly very rocky). The site soil mapping units and topography are depicted on Figure 3.C-1. The main construction/development limitations for these soil types as indicated by the NRCS Soil Survey are these soils' shallow depth to bedrock and their erosion potential on steeper slopes. These soils have erodibility factors (K factors) ranging from 0.24 to 0.32, meaning they are medium textured soils moderately susceptible to detachment and erosion.

The establishment and maintenance of erosion control measures (silt fence, mulch, and temporary sedimentation basins) during construction and the reestablishment of plant cover as soon as possible after construction would be employed to prevent the adverse effects of erosion and sedimentation. In accordance with the NYSDEC's State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002 at the time), a Stormwater Pollution Prevention Plan (SWPPP) was prepared. This included erosion control measures to be used during construction to avoid impacts from erosion/sedimentation.

Figure 3.C-2 depicts the existing slopes on the property.

The Former Project would require a steep slope permit from the Town of Ossining.

Steep Slope Disturbance accounted for approximately 5.3 acres of steep slopes (>15 percent slope), or about 30 percent of the site, which would be regraded during construction of the Former Project. After construction, all constructed slopes would conform to Town Engineering requirements to ensure safety and stability. The alignment of roadways within the Project Site would follow natural topography.

A detailed erosion control plan was included in the SWPPP to ensure that all steep slope disturbance (clearing/grading) did not result in the movement of soil in stormwater runoff and avoided erosion/sedimentation.

The geotechnical investigation (see Appendix C of the DEIS) concluded that some blasting might have been required. If so, blasting would be conducted in accordance with applicable local, state and federal regulations.

It was the Applicant's conclusion that with the implementation of an approved SWPPP and ESC Plan, the Former Project would have avoided any adverse impacts to soils and would not have resulted in any significant adverse impacts to soils or topography on or in the vicinity of the Project Site.

The proposed multifamily residential structure was designed to work with the existing contours of the site and also stay within the already disturbed areas from the prior hospital use to the maximum extent practicable. These measures were to minimize the need for cut/fill and avoid significant changes to the site's topography. Nevertheless, there would have been approximately 2,500 cubic yards of export (approximately 125 trucks). With the excavation and foundation trade work occurring over two to three months, the truck trips would equate to only one or two truck trips per workday during this phase.

Based on recommendations in the Geotechnical Investigation I, some blasting might

¹ "Report on Subsurface Soils and Foundation Investigation, Proposed Development" – River Knoll, 40 Croton Dam Road, Ossining, prepared by Carlin – Simpson & Associates, January 20, 2017.

have been recommended. If so, blasting would have been conducted in accordance with applicable local, state, and federal regulations, including Town Code Section 89, “Explosives,” and the Town of Ossining regulations on blasting (Town Code §123). To ensure compliance, a site-specific blasting plan would have been provided to the Town. This plan would include schedules for blasting (day, hour, night, and duration); safety protocols associated with blasting activities and the handling and transport of blasting materials; and measures to reduce noise-related impacts. Compliance with the blasting plan would minimize potential impacts associated with blasting.

Where the Geotechnical Investigation recommends removing rock, a hydraulic hammer would be used to chip and break the rock apart without the use of blasting wherever practical, however blasting would be utilized in areas where it is the remaining viable option. The impacts of rock ripping and chipping are ground vibrations in the immediate vicinity of the ripping and chipping machinery, and potential fly-off rock fragments in the immediate vicinity of the ripping and chipping operation. While there is little that can be done to mitigate ground vibrations, there are steps that could be taken to mitigate the impacts of fly-off rock fragments.

With the Applicant implementing the measures noted above, it was the Applicant's conclusion that the potential cumulative impacts on the geology, soils, and/or topography on or in the vicinity of the Project Site resulting from the development of the Former Project would not be significant.

2. Proposed Project

Full-sized drawing SP-4 “Grading Plan” and Figure 3.C-4 provide an illustration of the proposed grading of the Site. Based on the topography of the Project Site, and in order to accommodate development in accordance with the proposed plan, the project would result in a net cut of approximately 14,943 cubic yards of excess material (Figure 3.C-5). As illustrated on Figure 3.C-5, the areas in red represent areas of cut and depth of cut. Most of the cut area is on the central high points on the Site, as well as to the west adjacent to Croton Dam Road to accommodate the proposed

stormwater management basins. Fill areas are depicted in blue and are present predominantly on the eastern and southern portions of the Site, and where the proposed clubhouse is to be situated.

Approximately 89 percent of the material to be excavated will be re-used on the Project Site as compacted fill, and the balance of the excavated material would be exported from the site. The excess material would be exported in accordance with all applicable regulations to appropriate location(s).

The Grading Plan depicts the locations, lengths and top and bottom elevations of the proposed retaining walls. It is anticipated the majority of the walls will be segmental block construction.

Figure 3.C-3 depicts the impacts to steep slopes as a result of the Proposed Project. Approximately 7.6 acres of slopes in excess of 15 percent will be disturbed by the Proposed Project.

Chapter 167 of the Town Code, “Steep Slope Protection”, classifies steep slopes as follows.

- MODERATELY STEEP SLOPE
 - A slope equal to or greater than 15% but less than 25% and covering a minimum horizontal area of 3/10 of an acre (13,068 square feet).
- VERY STEEP SLOPE
 - A slope equal to or greater than 25% but less than 35% and covering a minimum horizontal area of 2/10 of an acre (8,712 square feet).
- EXTREMELY STEEP SLOPE
 - A slope equal to or greater than 35% and covering a minimum horizontal area of 1/10 of an acre (4,356 square feet).

The Code requires that the most steeply sloped area that meets the minimum area threshold noted in the above definitions is to determine the approval authority

jurisdiction and review procedures for obtaining a Steep Slope Permit. In the case of the Proposed Project, the Planning Board would be responsible for granting such a permit.

Approximately 29% of the 14.2-acre disturbance area impacts moderately steep slopes, 14% impacts very steep slopes, and 10% extremely steep slopes. Chapter 167 “Steep Slope Protection” of the Town Code regulates disturbance to steep slopes. With regard to disturbance of extremely steep slopes, §167-5.b(2) of the Code states that it is unlawful to create or disturb any extremely steep slope, as defined herein, except that the Planning Board may waive this prohibition with respect to ingress and egress for the property and in other circumstances, subject to the following provisions of this section. In these cases, the applicant is to have the burden of demonstrating that the applicant's circumstances warrant the waiver, including, at a minimum, an analysis of the relative environmental impacts of alternatives and demonstration by the applicant that:

- The site, lot or parcel cannot be reasonably used without the creation or disturbance of an extremely steep slope; or
- A traffic hazard relative to sight distance(s) would result without the creation or disturbance of an extremely steep slope.

In addition, the Planning Board may only permit the creation or disturbance of an extremely steep slope if in doing so adverse environmental impacts can be mitigated to the extent acceptable to said Board.

At this stage the site plans have not been finalized because changes may occur during the SEQRA review process. The Applicant will seek a Steep Slope Permit and a waiver from the Planning Board subject to the conditions of §167-5.b(2) during the site plan approval process following the SEQRA review.

The site has largely been previously disturbed with the former hospital use, and slope disturbance is being mitigated with erosion and sediment control measures as outlined in the SWPPP (Volume 2 Appendix) and in Section 3.D of the SDEIS.

Based on the findings of the geotechnical investigations for the Former Project, some blasting may be required. If so, blasting will be conducted in accordance with applicable local, state, and federal regulations, including Town Code Chapter 89, “Explosives.”

The licensed blasting specialist will use care and caution to prevent excessive shock waves or stones and other material from flying and endangering life and property. The blasting of material near to any building or other structure will be conducted so as not to cause any damage. All blasting will be under the direct supervision of persons approved and licensed by New York State.

At this stage the site plans have not been finalized because changes may occur during the SEQRA review process. In addition, the condition of the underlying bedrock would need to be evaluated as the excavations proceed to determine specifically if blasting is required at a specific location.

The geotechnical investigation also concluded that rock removal may be required. A hydraulic hammer would be used to chip and break the rock apart, without the use of blasting. The impacts of rock ripping and chipping are ground vibrations in the immediate vicinity of the ripping and chipping machinery, and potential fly-off rock fragments will occur in the immediate vicinity of the ripping and chipping operation. While there is little that can be done to mitigate ground vibrations, there are steps that can be taken to mitigate the impacts of fly-off rock fragments. In the first instance, the impacts of fly-off rock fragments are mitigated by providing the operator of the machinery working within an enclosed cab and/or wearing protective eye gear. Impacts of fly-off rock fragments on other persons and/or off-site will be mitigated by limiting accessibility to the area of the ripping and chipping operation with signage and

fencing to the machine operator and installing controls—such as protective screening—would help ensure that any potential fly-off rock fragments remain on-site.

Airborne dust may be created by the chipping operation, which may be mitigated by wetting of the material being ripped.

An on-site rock crushing process may be established temporarily. There are two main sources of dust at a rock crushing site. One source is the processing equipment that crushes, screens, and conveys the aggregate. The other is associated with stockpiles of pulverized rock where fines can become airborne by wind. Permits would be obtained from WCDOH for crushing and processing the rock on site. The operation will in all cases be no closer than 200 feet from any property line. Rock crushing would only occur during permitted hours of construction as required by Chapter 130 Noise of the Ossining Town Code.

The proposed on-site stormwater runoff from the impervious surfaces including building rooftops, driveway, parking areas and sidewalks will be collected and conveyed by drainage manholes and catch basins to a network of high density polyethylene (HDPE) drain pipe installed underground with discharge to proposed infiltration basins and a micropool extended detention basin.

The proposed drainage improvements include standard and green infrastructure stormwater practices, such as infiltration basins. The vegetated practices and overland discharges provide multiple opportunities for water quality enhancement and infiltration in addition to the proposed stormwater management practices.

3. Mitigation

Blasting mitigation measures

Similar to the Former Project, some blasting might be necessary. If so, blasting would

be conducted in accordance with applicable local, state, and federal regulations, including Town Code Section 89, “Explosives,” and the Town of Ossining regulations on blasting (Town Code §123). To ensure compliance, a site-specific blasting plan is to be provided to the Town. This plan would include schedules for blasting (day, hour, night, and duration); safety protocols associated with blasting activities and the handling and transport of blasting materials; and measures to reduce noise-related impacts. Compliance with the blasting plan would minimize potential impacts associated with blasting.

Where feasible, a hydraulic hammer would be used to chip and break the rock apart without the use of blasting. The impacts of rock ripping and chipping are ground vibrations in the immediate vicinity of the ripping and chipping machinery, and potential fly-off rock fragments in the immediate vicinity of the ripping and chipping operation. While there is little that can be done to mitigate ground vibrations, there are steps that could be taken to mitigate the impacts of fly-off rock fragments, such as by providing the operator of the machinery working within an enclosed cab and/or wearing protective eye gear, by limiting the area of the ripping and chipping operation with signage and fencing to the machine operator, and by installing such controls as protective screening such that any potential fly-off rock fragments remain nearby and on-site. Other impacts, such as airborne dust created by the ripping and chipping operations, will be mitigated by wetting of the material being ripped.

With the Applicant implementing the measures noted above, it is the Applicant's conclusion that the potential cumulative impacts on the geology, soils, and/or topography on or in the vicinity of the Project Site resulting from the development of the Proposed Project would not be significant.

Steep Slope and Erosion and Sediment Control Measures

Erosion and sedimentation control measures will be implemented by the Applicant in accordance with the requirements of NYSDEC SPDES General Permit No. GP-0-20-001 for Stormwater Discharges from Construction Activity, and Chapter 168,

“Stormwater Management and Erosion and Sediment Control,” of the Town of Ossining’s Code. In accordance with the prepared SWPPP plan, on-site temporary measures such as silt fences, interceptor swales to be used to direct stormwater runoff to temporary sediment traps for settlement, stabilized construction entrances, temporary seeding, and mulching. In an effort to minimize runoff and prevent runoff into wetlands and wetlands buffer areas, as well as onto neighboring properties, designated soil stockpiling areas and silt fencing will be used. Given the size of the Project Site and its considerable distance from neighboring properties, there are ample opportunities to shield and fence off construction materials and equipment.

There will be no problematic runoff to existing adjacent homes. As discussed in the Preliminary SWPPP (SDEIS Appendix Volume 2), the proposed stormwater facilities have been designed such that the quantity of stormwater runoff during and after construction is not adversely altered or is enhanced when compared to pre-development conditions.

The SWPPP analyzed anticipated drainage conditions taking into account the rate of runoff which will result from the construction of buildings, parking areas and other impervious surfaces associated with the site development.

The project employs a variety of practices to reduce peak rates of runoff associated with the proposed improvements. These measures include infiltration basins, a wet extended detention pond and stormwater planters. These improvements will mitigate runoff volumes from the proposed improvements as runoff volumes will be slightly reduced or maintained in all the analyzed storms. The SWPPP concludes that there are not anticipated to be any adverse impacts from the Proposed Project to the site or any surrounding areas.

As noted above, following the conclusion of the SEQRA process the Applicant will seek a Steep Slope Permit and a waiver from the Planning Board, subject to the

conditions of §167-5.b(2) of the Town Code as discussed above, during the site plan approval process.

Construction hours are regulated by Chapter 130 “Noise” of the Town Code. §130-6.C limits construction activity that is audible outside a building or structure to Monday through Friday, except holidays, during the hours of 8:00 AM to 8:00 PM, and Saturdays, Sundays and holidays during the hours of 9:00 AM to 5:00 PM.

p:\2015\15064\admin\sdeis\sdeis format\iii.c soils, topography (steep slopes) and geology sdeis.docx

III.D Stormwater Management and Subsurface Water

I. Former Project

The Former Project included sidewalks, a parking lot, driveways, a subsurface parking garage, and landscaped areas, in addition to the proposed residential building. Stormwater runoff would source from the rooftop of the building, the driveway, parking areas, and the sidewalks, and would be collected and conveyed by drainage manholes and catch basins to a network of high-density polyethylene (HDPE) drainpipe installed underground with discharge to proposed infiltration basins and a micropool extended detention basin. There was a total of approximately 3.92 acres of impervious surface on the Project Site.

A Subsurface Soil Investigation was performed by Carlin Simpson & Associates for the Previous Project, and is included in Appendix C of the DEIS. Borings were performed to determine the depth to the seasonally high water table or bedrock and borehole permeability tests were performed to determine the infiltration rate of the soil at each of the proposed stormwater management area locations. A summary of the Subsurface Soil Investigation is provided in the Stormwater Pollution Prevention Plan (SWPPP) (See DEIS Appendix F). The results of the Subsurface Soil Investigation determined that stormwater management areas 1A and 1B were suitable for infiltration basins and that stormwater management area 2B was not. Therefore, stormwater management area 2B was designed as a micropool extended detention basin.

The proposed drainage improvements include conventional and green infrastructure stormwater practices, such as infiltration basins with forebays and stormwater planters. The vegetated stormwater practices and overland discharges will also provide opportunities to enhance water quality and infiltration practices.

Implementation of the proposed stormwater management plan will significantly improve stormwater quantity and quality over existing conditions. The proposed

Stormwater Pollution Prevention Plan (SWPPP) will be in compliance with the requirements of NYSDEC SPDES General Permit No. GP-0-15-002 at the time for Stormwater Discharges from Construction Activity and Chapter 168, “Stormwater Management and Erosion and Sediment Control,” of the Code of the Town of Ossining. Erosion control measures employed during construction will conform to the New York Standards and Specifications for Erosion and Sediment Control (August, 2005). The proposed stormwater management improvements will provide runoff reduction, water quality treatment for the 90% rainfall event, stream channel protection, and attenuate peak rates of runoff for the 10- and 100-year storms as required by NYSDEC SPDES General Permit No. GP-0-15-002.

To determine the post-development rates of runoff generated on-site, two Design Points were identified for comparing peak rates of runoff for existing and proposed conditions. Similarly, two Drainage Areas were identified based on the proposed drainage divides at the site. Each Drainage Area corresponded to the Design Point it drains towards.

2. Proposed Project

The Proposed Project will include 19 townhouse buildings, a clubhouse, pool and associated parking area, driveways, sidewalks and landscaped areas (Figure III.D-1 and Figure III.D-2 depict the existing impervious areas on the site and the proposed impervious areas, respectively). Stormwater runoff from the rooftops of the buildings, driveways, parking areas and sidewalks will be collected and conveyed by catch basins and drain manholes via a network of high-density polyethylene (HDPE) drain pipe with discharges to proposed infiltration basins and hydrodynamic structures.

The proposed Stormwater Pollution Prevention Plan (SWPPP) ([Appendix B SDEIS Volume 2 Appendix](#)) will be in compliance with the requirements of NYSDEC SPDES General Permit No. GP-0-20-001 for Stormwater Discharges from Construction Activity and Chapter 168, “Stormwater Management and Erosion and Sediment Control,” of the Code of the Town of Ossining. Erosion control measures employed

during construction will conform to the New York Standards and Specifications for Erosion and Sediment Control (November, 2016). The proposed stormwater management improvements will provide runoff reduction, water quality treatment for the 90% rainfall event, stream channel protection, and attenuate peak rates of runoff for the 10- and 100-year storms as required by NYSDEC SPDES General Permit No. GP-0-20-001.

In order to determine the post-development rates of runoff generated on-site, the following drainage areas were analyzed in the post-development conditions. These areas are graphically depicted on Drawing DA-2 "Proposed Drainage Area Map" within the SWPPP (the Existing and Proposed Drainage Area Maps are included within the [Appendix B SDEIS](#) Volume 2 Appendix "Preliminary Stormwater Pollution Prevention Plan").

Similar to existing conditions, three separate drainage areas were identified in proposed conditions based on the proposed drainage divides at the site. The numbers included in the name of each drainage area correspond to the Design Point they drain towards.

The following is a description of each of the drainage areas analyzed in the proposed conditions analysis.

Proposed Drainage Area I is the western portion of the site and discharges to Design Point I, which is an existing catch basin located in Pershing Avenue. Proposed Drainage Area I consists of the following sub-drainage areas:

Proposed Drainage Area IA (PDA-IA) is 6.08 acres located at the northwestern portion of the site and consist of the proposed townhouses, driveways, parking areas and landscaping areas. Runoff from PDA-IA will be collected by roof drain leaders and drain inlets and conveyed in pipes to infiltration basin IA. Stormwater runoff will be pretreated prior to discharging into the infiltration basin with the use of a Cascade Separator water quality structure. The pretreated water from the Cascade unit will be routed to the

infiltration basin 1A. Multiple infiltration tests were conducted in the footprint of the stormwater basin and revealed infiltration rates ranging from 2-12 inches per hour. To provide a conservative analysis, the average 5 inches per hour was utilized in all infiltration calculations. The outflow from the infiltration basin will be conveyed by the outlet control structure OCS-1A which consist of a 3" orifice at elevation 358.75, a 4' weir at elevation 362.20 and the grate top set at elevation 363.10. A 15" culvert pipe is proposed to route the stormwater runoff to the Design Point 1. The Curve Number (CN) and Time of Concentration (Tc) for this drainage area are 77 and 5 minutes, respectively.

Proposed Drainage Area 1B (PDA-1B) is 5.82 acres located at the central western portion of the site and consists of a portion of the proposed townhouses, asphalt parking areas, asphalt drives and adjacent landscape areas. Runoff from PDA-1B will be collected by roof drain leaders and drain inlets and conveyed in pipes to infiltration basin 1B. Stormwater runoff will be pretreated prior to discharging into the infiltration basin with the use of a Cascade Separator water quality structure. The treated water from the Cascade unit will be routed to the infiltration basin 1B. Multiple infiltration tests were conducted in the footprint of the stormwater basin and revealed an average rate of 4 inches per hour that was utilized in all infiltration calculations. The outflow from the infiltration basin will be controlled by outlet control structure OCS-1 which consists of an 8" orifice at elevation 343.60 and the grate top set at elevation 347.10. A 15" pipe is proposed to route the stormwater runoff to the Design Point 1. The Curve Number (CN) and Time of Concentration (Tc) for this drainage area are 79 and 5 minutes, respectively.

Proposed Drainage Area 1C (PDA-1C) is 0.65 acres in size and consists southern area of the site remaining undeveloped that will continue to be routed through an existing pipe that extends through the neighboring properties and into the existing catch basin in Pershing Avenue. The Curve Number (CN) and Time of Concentration (Tc) for this drainage area are 76 and 5 minutes, respectively.

Proposed Drainage Area 1D (PDA-1D) is 1.40 acres and consists of the proposed clubhouse building, off street parking, driveway and adjacent landscape areas. Under proposed conditions the total drainage area and total impervious have been reduced as compared to the existing conditions. Therefore, Water Quality Treatment Options II & III will be utilized. According to Option III of the Redevelopment Standards, alternative or non-standard practices such as manufactured treatment devices are acceptable if they treat 75% of the water quality volume from the disturbed areas as well as any additional runoff directed to the practice. Therefore, the impervious areas will be treated with a Cascade Separator Unit CS-3, which is a NYSDEC approved alternative practice. Runoff from PDA-1D will flow overland to a depression located south of the site driveway. The outflow from the depression will be conveyed to a proposed series of pipes located in Croton Dam Road and then discharge into an existing catch basin in Pershing Avenue. The Curve Number (CN) and Time of Concentration (Tc) for this drainage area are 80 and 5 minutes, respectively.:

Proposed Drainage Area 2A (PDA-2A) is 3.27 in size and located along the easter portion of the site. the drainage area consists of rear roof areas of three buildings, landscape areas and adjacent undisturbed areas. Under the proposed conditions the total drainage area and total impervious have been reduced as compared to the existing conditions. Therefore, Water Quality Treatment Options II & III will be utilized. According to Option III of the Redevelopment Standards, alternative or non-standard practices such as manufactured treatment devices are acceptable if they treat 75% of the water quality volume from the disturbed areas as well as any additional runoff directed to the practice. Therefore, the impervious areas will be treated with a Cascade Separator Unit CS-3, which is a NYSDEC approved alternative practice. Runoff from PDA-2A flows overland to the wetland in the northeast corner of the site, as in existing conditions. The Curve Number (CN) and Time of Concentration (Tc) for this drainage area are 70 and 5 minutes, respectively.

Proposed Drainage Area PDA-3A is 0.07 acres and consists of the same portion of the asphalt drive and grass area adjacent to Croton Dam Road as compared to existing

conditions. Runoff from PDA-3A flows overland out to Croton Dam Road. The Curve Number (CN) and Time of Concentration (T_c) for this drainage area are 87 and 5 minutes, respectively.

The peak rates of runoff to the design point of each of the analyzed drainage areas for each storm are shown on the table below:

Table III.D-1
Summary of Proposed Peak Rates of Runoff in Proposed Conditions
(Cubic Feet per Second)

Storm Recurrence Interval	DP-1	DP-2	DP-3
1 year	0.57	1.84	0.11
10 year	2.81	7.44	0.26
100 year	17.70	19.30	0.52

The reductions in peak rates of runoff from proposed to existing conditions are shown on the table below:

Table III.D-2
Percent Reductions in Peak Rates of Runoff (Existing vs. Proposed Conditions)
(Cubic Feet per Second)

Design Point	Storm Recurrence Frequency (Years)	Existing Peak Runoff Rate (cfs)	Proposed Peak Runoff Rate (cfs)	Percent Reduction (%)
1	1 year	3.65	0.57	84
	10 year	12.59	2.81	77
	100 year	26.73	17.70	33
2	1 year	3.21	1.84	42
	10 year	15.40	7.44	51
	100 year	42.32	19.30	54
3	1 year	0.21	0.11	47
	10 year	0.39	0.26	33
	100 year	2.28	0.52	77

3. Mitigation

A potential impact of the Proposed Project on soils or slopes will be that of erosion and transport of sediment during construction. An Erosion and Sediment Control Management Program will be established for the Proposed Project, beginning at the start of construction and continue throughout its course, as outlined in the "New York State Standards and Specifications for Erosion and Sediment Control," November 2016. Post construction and throughout the life of the project, a maintenance program will be implemented for the control of sediment transport and erosion control.

There are approximately 2.42 acres of impervious surface on the existing Site, and approximately 2.92 acres following the proposed redevelopment.

As noted previously, the Existing and Proposed Drainage Area Maps (watershed maps) are included within the [Appendix B SDEIS](#) Volume 2 Appendix "Preliminary Stormwater Pollution Prevention Plan".

Because of the following requirements, it is not anticipated that the Project would have failed erosion, sedimentation, and stormwater controls during and post-construction. Failures of these design practices is subject to significant fines by the NYSDEC as well as the Town. An assessment of the site by a qualified construction professional will be conducted prior to beginning construction to certify that the appropriate erosion and sediment controls, as shown on the Erosion and Sediment and Control Plans, have been installed to ensure adequate preparedness for construction. In addition, site inspections shall be conducted at least every seven calendar days and at least two site inspections every seven calendar days when greater than five acres of soil is disturbed at any one time.

Prior to beginning any construction, the developer/owner must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting, and maintaining the erosion and sediment control

practices included in the SWPPP, and the contractor(s) and subcontractor(s) that will be responsible for constructing the post-construction stormwater management practices included in the SWPPP. The developer/owner must identify at least one person, known as the trained contractor, who will be responsible for implementation of the SWPPP. The developer/owner must ensure and identify with a signed and certified copy that at least one trained contractor will be on-site on a daily basis when soil disturbance activities are being performed.

Hudson Park Group LLC, and subsequently the HOA, will be responsible for the long-term operation and maintenance of the permanent stormwater management practices. The permanent stormwater management practices are to be maintained in accordance with the Maintenance Inspection Checklists provided in Appendix E of the SWPPP ([Appendix B SDEIS](#) Volume 2 Appendix).

Construction Site Chemical Control

As discussed in detail in the SWPPP ([Appendix B SDEIS](#) Volume 2 Appendix), the purpose of these management measures is to prevent the generation of nonpoint source pollution from construction sites due to improper handling and usage of nutrients and toxic substances, and to prevent the movement of toxic substances from the construction site.

Many potential pollutants other than sediment are associated with construction activities. These pollutants include pesticides; fertilizers used for vegetative stabilization; petrochemicals; construction chemicals such as concrete products, sealers, and paints; wash water associated with these products; paper; wood; garbage; and sanitary waste.

Disposal of excess pesticides and pesticide-related wastes are to conform to registered label directions for the disposal and storage of pesticides and pesticide containers set forth in applicable Federal, State and local regulations that govern their

usage, handling, storage, and disposal.

Pesticides are to be disposed of through either a licensed waste management firm or a treatment, storage and disposal (TSD) facility. Containers are to be triple-rinsed before disposal, and rinse waters should be reused as product.

Other practices include setting aside a locked storage area, tightly closing lids, storing in a cool, dry place, checking containers periodically for leaks or deterioration, maintaining a list of products in storage, using plastic sheeting to line the storage areas, and notifying neighboring property owners prior to spraying.

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III.E Vegetation and Wildlife

I. Former Project

The Project Site was visited to inspect general habitat conditions, to identify the presence of water features and wetlands, to inventory the species of vegetation and habitat cover-types on-site, to conduct a cover-object search for amphibians, and to make opportunistic observations of wildlife species that frequent the site.

The Former Project noted the following invasive species on the Site, all within the open maintained areas and all Tier 4 species, which the NYSDEC recommends focusing on localized management over time to contain, exclude, or suppress to protect high-priority resources like rare species or recreation assets, and be strategic when deciding if/where to control: Japanese knotweed (*Polygonum cuspidatum*), Japanese honeysuckle (*Lonicera japonica*), Asiatic bittersweet (*Celastrus orbiculatus*), and mugwort (*Artemisia vulgaris*).

2. Proposed Project

Vegetation

The Project Site consists of ten buildings, driveways, and parking areas interspersed within both maintained and naturally landscaped greenspace and green buffers. As illustrated by Table III.E-I and in Figure 3.E-I, the largest portion of the site is covered by early successional woods, periodically mowed fields, and maintained lawns with trees, and impervious surfaces.

Table III.E-1
Existing ~~Vegative~~ Cover/Habitat Types

Vegetative Cover/Habitat Type	Area (acres)	Percent of Site
Maintained lawn with trees	4.41	24.65
Oak-Maple woods	2.04	11.40
Periodically mowed field	3.82	21.35
Wetland	0.15	0.84
Early successional woods	4.49	25.10
Impervious surface	2.42	13.53
Building footprint	0.56	3.13
Total	17.89	100.0%
Source: AKRF GIS Data Analysis; JMC		
Note: Numbers may not add due to rounding.		

The Project Site includes several vegetative cover types (habitats). These include developed areas occupied by pavement and buildings; areas of maintained lawn with mature trees and ornamentals; areas of unmaintained field (mowed less frequently) with shrubs; a small herbaceous wetland, infrequently mowed; sloping deciduous hardwood forest; and more mixed deciduous wooded areas within the interior of the Project Site and along the periphery.

Approximately 701 trees with DBH of 6” and above were survey-located on-site (see Figure 3.E-2 and full-sized drawing C-011 “Tree Preservation Plan”).

According to the Town of Ossining’s code (Chapter 183 “Tree Protection”), regulated trees include “any living, woody plant with an erect perennial trunk and a definitely formed crown of foliage with a diameter at breast height of six inches or more,” unless otherwise specified¹. A Tree Permit from the Planning Board is required for the “Removal of any tree with a DBH of six or greater in any common open space (such as but not limited to a tree in a condominium project), buffer area, landscaped screening area or conservation area designated on an approved site plan, special permit or conditional use permit or on an approved final subdivision plat or

¹ Town of Ossining Code, Chapter 183 “Tree Protection”

construction plan.” The Applicant will request such a permit from the Planning Board during Site Plan Approval.

The Applicant will comply with the Town’s Tree Code Chapter 183 by providing the following as part of their request for a Tree Removal Permit, in accordance with Section 183-10.A.

A. The name and address of the property owner and applicant, if different.

B. The street address and Tax Map designation of the property.

C. A statement of authority from the owner of the property for any agent making an application.

D. The total amount of land area involved in the action.

E. The number of trees involved.

F. The purpose of the permit.

G. A survey of that area of trees or forest to be disturbed showing the location of all trees (to an accuracy of one foot) and indicating those trees to be removed and those trees to be preserved, their species, their diameter (DBH) and their health status.

H. Specifications for:

(a) The protection during development of trees to be preserved;

(b) Grade changes or other work within the dripline of trees to be preserved;

(c) The disposal of trees to be removed; and

(d) The replanting or planting of trees, specifying the location, species, size and completion date for said planting of trees.

(9) A statement that the property owner and applicant shall indemnify and hold the Town and its representatives harmless against any damage or injury in accordance with § 183-17, Inspection and indemnification, of Tree Code.

(10) An application fee and inspection fee in amounts as set forth in a current fee schedule established from time to time by resolution of the Town Board, unless the applicant for the tree removal permit is simultaneously applying for a building permit, in which case the building permit fee(s) shall take the place of the tree removal permit application fee; the inspection fee shall be required in either case.

Full-size Drawing L-100 “Landscape Plan” included with this SDEIS conceptually depicts the many deciduous and evergreen tree plantings that are to enhance the buffer screening along the perimeter of the Site adjacent to the residential uses.

§200-30.B of the Zoning Code prohibits artificial lighting facilities of any kind which cause illumination beyond the property line on which it is located in excess of 0.5 footcandle, or equivalent. The Project will have residential-style down-lighting that conforms with the Town requirements. There are anticipated to be no significant impacts to habits on the Site, of which there are no critical habitats, and the residential nature of the lighting will be in keeping with the neighborhood.

The New York State Natural Heritage Program (NYSHP) states on their website² that if a project site does not fall within an area displayed within the Environmental Resource Mapper’s³ Rare Plants and Rare Animals layer or in the Significant Natural Communities layer, then New York State Natural Heritage has no records to report in the vicinity of a project site. The website goes on the state that “*Submitting a project*

² [Request Natural Heritage Information for Project Screening - NYS Dept. of Environmental Conservation](#) -- Accessed 01/24/2022.

³ [Environmental Resource Mapper \(ny.gov\)](#) --Accessed 01/24/2022.

screening request to NY Natural Heritage is not necessary”.

No Rare Plants and Rare Animals or Significant Natural Communities were indicated on the Project Site as of a 01/24/2022 search of the Environmental Resource Mapper, and thus this completes the NYSHP assessment.

US Fish and Wildlife Service Information for Planning and Consultation Service (USFW’s IPaC) report (most recently accessed June 22, 2021) revealed no federally threatened or endangered species as having the potential to occur on-site, and no critical habitats are listed.

3. Proposed Project: Potential Impacts

A total of 14.2 acres will be disturbed by the Proposed Project. As illustrated in Figure 3.E-3 and as shown in Table III.E-2, much of this disturbance will occur in areas of low ecological value occupied by existing buildings, drives and maintained lawn. The wetland will have no impacts.

Table III.E-2
Vegetative Cover/Habitat Impacts

<u>Vegetative</u> <u>Type/Habitat Type</u>	Existing (Acres)	Proposed Disturbance (Acres)	Post- Construction Habitats (Acres)
Maintained lawn with trees	4.41	4.20	8.40
Oak-Maple woods	2.04	1.38	0.66
Periodically mowed field	3.82	2.88	0.94
Wetland	0.15	0	0.15
Early successional woods	4.49	2.82	1.67
Impervious surface	2.42	2.33	2.92
Building footprint	0.56	0.56	3.15
Total	17.89	14.6	17.89
Note: Numbers may not add due to rounding.			
Source: AKRF GIS Data Analysis; JMC			

The Proposed Project will result in a net increase in impervious surface of

approximately 0.5 acres. Existing impervious surfaces (buildings/pavement) on the 17.89 acre site will be removed. In this way, a significant portion of the wooded periphery of the site to the north and east will remain undisturbed as well as a portion of the wooded steep slopes on the western-central portion of the site. In addition, no trees will be removed within the 100-foot buffer zone of the onsite wetlands. Some of the currently disturbed areas will be converted to green buffers that help protect adjacent neighboring homes, particularly with homes on Grandview which currently have dilapidated Stony Lodge buildings on their property line and will now have a green buffer. The Proposed Project will create and preserve approximately 11.8 acres (or 66% of the entire Project Site) of open space, providing visual and natural resources benefits.

Approximately 60% of the site trees with DBH of 6” or more will be removed to construct River Knoll and 40% will remain. A tree removal permit will be required as per Town of Ossining code.⁴ No trees will be removed within the 100-foot buffer zone of the onsite wetland.

Detention basins have been preferentially located in areas currently occupied by lawn to the maximum extent and away from the small on-site wetland (located primarily in the Village), and the wetland buffer (located within the Town).

Lighting fixtures will comply with dark sky requirements through the use of shielded, directional lighting that will minimize uplighting and will reduce unnatural lighting on nocturnal wildlife. Subsequent to the adoption of the proposed rezoning, an application for site plan approval will be submitted with the specifications for all outdoor lighting, and an illustration and analysis of night-lighting trespass into habitats will be provided.

4. Mitigation

⁴ Town of Ossining Code, Chapter 183 “Tree Protection”

As noted above, there were several invasive species noted on the Site, all of which were Tier 4 species. For Tier 4 species, the NYSDEC recommends focusing on localized management over time to contain, exclude, or suppress to protect high-priority resources like rare species or recreation assets, and be strategic when deciding if/where to control. As part of its maintenance of the landscaping, the Project HOA will regularly remove any invasive species that impact the landscaping.

The establishment and maintenance of erosion control measures (silt fence, mulch, and temporary sedimentation basins) during construction and the reestablishment of plant cover as soon as possible after construction would be employed to prevent the adverse effects of erosion and sedimentation. A Stormwater Pollution Prevention Plan (SWPPP) has been prepared in compliance with the requirements of NYSDEC SPDES General Permit No. GP-0-20-001 for Stormwater Discharges from Construction Activity and Chapter 168, “Stormwater Management and Erosion and Sediment Control,” of the Code of the Town of Ossining. Erosion control measures employed during construction will conform to the New York Standards and Specifications for Erosion and Sediment Control (November 2016).

The Operator shall have a qualified professional conduct an assessment of the site prior to the commencement of construction and certify that the appropriate erosion and sediment controls, as shown on the Erosion & Sediment Control Plans, have been adequately installed to ensure overall preparedness of the Site for the commencement of construction. In addition, the Operator shall have a qualified professional conduct one site inspection at least every seven calendar days and at least two site inspections every seven calendar days when greater than five acres of soil is disturbed at any one time. It should be noted that any disturbance at any given time over 5 acres requires a “5-acre waiver” from the Municipal Separate Storm Sewer System (MS4).

A continuing maintenance program will be implemented for the control of sediment transport and erosion control after construction and throughout the useful life of the project.

Subsequent to the adoption of the proposed rezoning, a tree preservation plan to protect the existing trees to remain, vegetation and habitats during construction will be submitted as part of the application for site plan approval. At a minimum, the tree protection plan will include the following:

General Requirements—The Contractor is to protect, throughout the course of construction, all such trees as are shown on the Drawings or marked by the Owner's Field Representative as agreed to by the Town as "To be Saved" or "To Remain". The Contractor is also to protect throughout the course of construction all landscaping, vegetation and natural features on public and private property. The Contractor is to use every precaution to prevent injury, damage, pollution, erosion or destruction of existing landscaping, vegetation and natural features, including watercourses, drainageways, ponds, lakes, swamps, woods and fields.

Protection for Trees—The Contractor is to install and maintain a properly supported protective fencing around each tree or group of trees that is to be saved. The fence is to be installed at the drip line of the tree(s), which protects the tree roots, or as required by the Owner's Field Representative as agreed to by the Town. Where locations of trees are such that a protective fencing is impractical, as determined by the Owner's Field Representative, the Contractor is to install an approved armor type protection around the trunk of the tree(s) as shown in detail on the Drawings and/or as directed by the Owner's Field Representative. All protection for trees is subject to the approval of the Owner's Field Representative.

Grading and/or Filling Around Trees—Grading and/or filling operations within the protective fencing or adjacent to armor protected trees is to be carried on with extreme care as approved by the Owner's Field Representative. If the soil over the root area of the trees has been compacted, it is to be restored by the Contractor by proper cultivation to permit entrance of water and proper aeration of roots.

Cutting of Tree Roots and Limbs—Roots and limbs of trees are not to be cut unless authorized by the Owner's Field Representative. Should it become necessary to do so, the Contractor is to treat the remaining exposed portion of roots and/or limbs to prevent damage, loss or injury to the tree. All work is to be done in accordance with accepted horticultural practice and by personnel experienced in that field of work.

Damage—The Contractor is responsible for proper repair and/or restoration of all damage to existing trees, landscaping and natural features caused as a direct or indirect result of his operations.

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III.H Traffic and Transportation

I. Former Project

The Former Project consisted of demolishing the existing hospital on the property to construct a three-story building with two levels of parking below. The building proposed a total of 188 apartments of which 19 were affordable rental units. The Former Project included amenities for the residents such as a swimming pool, fitness center, yoga studio, and club room.

A traffic study was prepared for the Former Project. Traffic counts were conducted at the nine intersections listed below as part of the traffic study on a weekday between 6:00-10:0 AM and 3:00-7:00 PM as well as on a Saturday between 9:00 AM and 1:00 PM.

- Dale Avenue & Pine Avenue
- Croton Dam Road & Hawkes Avenue
- Croton Dam Road & Pershing Avenue with Cherry Hill Circle
- Croton Dam Road & Site Driveway
- Croton Dam Road & Grandview Avenue
- Croton Dam Road & Narragansett Avenue
- Croton Dam Road & Pheasant Ridge Road with Feeney Road
- Croton Dam Road & Kitchawan State Road
- Croton Dam Road & NY 9A

The traffic counts were analyzed to determine the three peak hours: peak weekday AM hour, peak weekday PM hour, and peak Saturday midday hour. These counted peak hour volumes represented existing traffic volumes. The existing traffic volumes were projected to future conditions with and without the project.

Future conditions without the Former Project also known as No-Build included general growth volumes to the design year of the project, other planned or approved development volumes and reoccupied volumes associated with the former hospital use. Based on discussions with the Town and Village, the traffic volumes associated with the Parth Knolls, LLC residential development located at 87 Hawkes Avenue, Sunshine Children's Home & Rehabilitation Center in New Castle, Upper Westchester Muslim Society development in New Castle, and Hudson Ridge Wellness Center development in Cortlandt were considered in the traffic study. The No-Build condition also included the traffic volumes associated with the reoccupancy of the former hospital use. These hospital traffic volumes were based on 2006 turning movement count data (the record 2006 hospital traffic volumes are contained in Volume 3).

Future conditions with the Former Project also known as Build resulted from the no-build traffic volumes plus the site generated traffic volumes minus the reoccupied hospital traffic volumes. Traffic volumes for the Former Project were calculated based on data published by the Institute of Transportation Engineers (ITE). The Former Project also proposed to provide a jitney service to transport residents to and from the train station. The Former Project was projected to result in approximately 32, 43, and 24 net additional total volumes during the peak weekday AM, weekday PM, and Saturday midday hours, respectively, compared to the former hospital use.

The Former Project resulted in a few level of service changes during the studied peak hours. During the peak weekday AM hour, the site driveway was projected to increase in delay by 0.5 seconds from a level of service A under no-build conditions to a level of service B under build conditions. At the signalized intersection of NY 9A and Croton Dam Road, the westbound approach was projected to increase in delay by 0.7 seconds from a level of service B under no-build conditions to a level of service C under build conditions during the peak weekday AM hour.

During the peak weekday PM hour, the site driveway was projected to increase in delay by 0.7 seconds from a level of service A under no-build conditions to a level of service B under build conditions. The Grandview Avenue approach to Croton Dam Road was projected to increase in delay by 0.2 seconds from a level of service A under no-build conditions to a level of service B under build conditions. At the signalized intersection of NY 9A and Croton Dam Road, the eastbound approach was projected to increase in delay by 1.5 seconds from a level of service B under no-build conditions to a level of service C under build conditions during the peak weekday PM hour.

During the peak Saturday midday hour, the Pershing Avenue approach to its intersection with Croton Dam Road was projected to increase in delay by 0.3 seconds from a level of service A under no-build conditions to a level of service B under build conditions. The overall intersection of NY 9A and Croton Dam Road was projected to increase in delay by 16.6 seconds from a level of service C under no-build conditions to a level of service D under build conditions. The westbound left turn lane at the intersection of NY 9A & Croton Dam Road was projected to decrease in delay by 33.9 seconds from a level of service F under no-build conditions to a level of service E under build conditions.

As part of the Former Project, the Applicant proposed improvements at the intersection of NY 9A & Croton Dam Road. The improvements consisted of constructing right turn lanes on both Croton Dam Road approaches to NY 9A. Additionally, it recommended that the existing 150 second traffic signal cycle length be reduced to 110 seconds. This cycle change would reduce the delay experienced by vehicles due to the current long cycle length. With the proposed improvements, the overall intersection delay was projected to decrease under build conditions compared to no-build conditions.

The traffic study also contained a queuing analysis of the studied intersections. Based on the queuing analysis, the available storage length can accommodate the projected queue lengths for all approaches at the studied intersections, except for the eastbound

left turn lane northbound approach at the intersection of NY 9A & Croton Dam Road. These particular movements exceed the available queue length under existing conditions. With the proposed improvements to this intersection, the queue lengths are projected to reduce compared to the no-build condition.

In addition to the traffic study, the Former Project reviewed the accident data within the study area when the former hospital was in operation and when it was closed. The data was tabulated and depicted in tables within the traffic study and compared to statewide averages.

A sight distance analysis was also conducted for the Former Project at the proposed site driveway. The analysis was based on the 85th percentile speed from a speed study that was conducted along the site's frontage along Croton Dam Road. Based on the analysis and relocation of decorative walls along the site's frontage, the desirable intersection sight distances were accommodated for the 85th percentile speed.

The DEIS for the Former Project also discussed the construction impacts as well as the potential impacts on public transportation. Based on the proposed grading plan of the Former Project there would have been approximately 2,500 cubic yards of export (approximately 125 trucks). The majority of the construction truck traffic was anticipated to utilize Route 9A to Croton Dam Road to access the property. There is no available public transportation in the vicinity of the property which also lead to the decision to provide a jitney service to and from the train station for the Former Project. There were no existing school bus stops in the vicinity of the property; however, a new bus stop along an existing bus route was to be coordinated with the school district for the Former Project. Based on the traffic counts in the study area, there was not a significant amount of bicycle or pedestrian traffic at the studied intersections.

2. Proposed Project

The Proposed Project will have a reduced peak hour traffic volumes to the Former Project. This chapter discusses the peak hour traffic volumes as well as the potential for adverse impacts that may occur as a result of the construction of the Proposed Project.

i. Updated Traffic Study

The previously completed Traffic Study for the property has been updated to reflect the currently proposed redevelopment ([Appendix D SDEIS Volume 3](#)). The study includes and continues to analyze the 8 previously studied intersections along Croton Dam Road and the intersection of Dale Avenue & Pine Avenue.

The existing peak hour volumes for the studied intersections were counted prior to the pandemic and reflect typical traffic conditions. The existing peak hour volumes were increased by an annual growth rate to the design year 2025. The general growth volumes plus the traffic volumes from the Parth Knolls, LLC residential development and the re-occupancy of the former hospital use represent 2025 no-build volumes. The no-build volumes represent future traffic volumes in 2025 without the proposed redevelopment.

Traffic volumes for the proposed redevelopment were projected based on Institute of Transportation Engineers' data. The no-build volumes plus the proposed redevelopment's traffic minus the reoccupied hospital volumes results in 2025 build volumes. The build volumes represent future traffic volumes in 2025 with the completion and occupancy of the proposed redevelopment.

The intersections have been analyzed based on the methodologies of the Highway Capacity Manual 6th Edition for all the studied peak hours during the existing, no-build and build conditions. Intersection capacity analysis computed

based on the Build Volumes indicate that the intersections will operate at the same or better levels of service as projected for the No-Build Volumes except for one turning movement during the peak Saturday midday hour. The minor delay increase which results in level of service degradation during the peak Saturday midday hour occurs at the Pershing Avenue approach to its intersection with Croton Dam Road.

When the proposed redevelopment's traffic is compared to the other traffic volumes at the intersection of NY 9A & Croton Dam Road, the proposed redevelopment's traffic represents less than 0.6% of the traffic at the intersection. The proposed redevelopment's traffic represents 0.24%, 0.36%, and 0.58% of the overall intersection volumes at the NY 9A and Croton Dam Road under build conditions during the peak weekday AM, weekday PM, and Saturday midday hours, respectively.

ii. Former Project and Proposed Project Comparison

The Former Project was projected to generate approximately 83, 103 and 84 trips during the peak weekday AM, weekday PM, and Saturday midday hours, respectively, including the jitney bus trips. Based on Table I of the former project's traffic study, the redevelopment resulted in 32, 43, and 24 net additional trips during the peak weekday AM, weekday PM, and Saturday midday hours, respectively, compared to the reoccupied hospital volumes.

The currently proposed age-restricted redevelopment is projected to generate approximately 19, 25, and 32 trips during the peak weekday AM, weekday PM, and Saturday midday hours, respectively. When compared to the reoccupied hospital volumes, the currently proposed project represents a reduction in traffic volumes during the studied peak hours. The proposed project results in a reduction of 32, 35, and 28 trips during the peak weekday AM, weekday PM, and Saturday midday hours, respectively, compared to the reoccupied hospital

volumes. These projected peak hour volumes for the age-restricted housing are relatively low compared to other residential uses.

We have performed capacity analyses for the studied intersections for a 2025 build year with the previously proposed development. The operations with the previously proposed development are depicted in Tables 2 thru 4 in the Traffic Study and also included at the end of this chapter. The previously proposed development generally has a greater impact at the studied intersections compared to the currently proposed development since the age-restricted development is a relatively low traffic generator.

During the peak weekday AM hour, there are two level of service degradations from the build conditions with the currently proposed development to the build conditions with the previously proposed development. The Grandview Avenue approach to Croton Dam Road is projected to operate at a level of service B with the previously proposed development compared to a level of service A with the currently proposed development. At the intersection of Croton Dam Road and NY 9A, the NY 9A westbound approach is projected to operate at a level of service C with the previously proposed development compared to a level of service B with the currently proposed development.

During the peak weekday PM hour, there are three level of service degradations from the build conditions with the currently proposed development to the build conditions with the previously proposed development. The site driveway approach to Croton Dam Road is projected to operate at a level of service B with the previously proposed development compared to a level of service A with the currently proposed development. The Grandview Avenue approach to Croton Dam Road is projected to operate at a level of service B with the previously proposed development compared to a level of service A with the currently proposed development. At the intersection of Croton Dam Road and NY 9A, the NY 9A eastbound approach is projected to operate at a level of

service C with the previously proposed development compared to a level of service B with the currently proposed development.

During the peak Saturday midday hour, there is one level of service degradation from the build conditions with the currently proposed development to the build conditions with the previously proposed development. The NY 9A eastbound left turn onto Croton Dam Road is projected to operate at a level of service E with the previously proposed development compared to a level of service D with the currently proposed development.

iii. Proposed Mitigation and Traffic Signal Warrants

As part of the proposed age-restricted redevelopment, the Applicant proposes to improve the existing driveway by widening the driveway width as well as relocating the existing decorative wall in the vicinity of the proposed site driveway. The relocation of the existing decorative wall will accommodate the intersection sight distances for vehicles exiting the site driveway and turning onto Croton Dam Road.

None of the currently unsignalized intersections in the study area are shown to operate at unacceptable levels of service under build conditions during the studied peak hours. Most of the movements at these intersections are projected to operate at a level of service B or better under build conditions. These levels of service typically would not warrant a review of the intersection being operated by a traffic signal.

iv. Intersection Sight Distance Analysis

Our office performed a sight distance analysis for the proposed vehicular site access along Croton Dam Road. A speed study was conducted for vehicles traveling along Croton Dam Road in the vicinity of the existing site access. The speed study data is included in the updated Traffic Study for the redevelopment.

The speed study collected data from 9/18/2015 to 9/27/2015 for both directions of travel along Croton Dam Road (160 feet north of the existing property access on Croton Dam Road). Based on the speed study, the 85th percentile speed for both directions along Croton Dam Road is 43 mph in the vicinity of the existing site access.

Utilizing the 85th percentile speed, our office calculated the desirable stopping and intersection sight distances based on AASHTO guidelines. The desirable stopping sight distance based on 43 mph is 335 feet in both directions along Croton Dam Road. For vehicles making a left turn (looking right) from the proposed site driveway, the desirable intersection sight distance based on 43 mph is 474 feet. For vehicles making a right turn (looking left) from the proposed site driveway, the desirable intersection sight distance based on 43 mph is 411 feet. The sight distances in plan and profile view are shown on Drawing SD-1 contained within the updated Traffic Study for the redevelopment.

The existing decorative walls adjacent to the existing site access are proposed to be relocated as part of the proposed redevelopment for the proposed site access to outside of the driver's intersection sight line. Based on the sight distance analysis and the relocation of the existing decorative walls outside of the sight line, the intersection sight distances based on 43 mph are accommodated for the proposed site driveway along Croton Dam Road.

v. Construction Traffic

The Proposed Project will have a similar timeline for its construction sequence as the former project, 18 to 21 months, and would take place at times conforming to the Town Code, specifically, between 8:00 am and 8:00 pm from Monday through Friday and occasionally between 9:00 am to 5:00 pm on Saturdays, Sundays, and Holidays. See Section III.K “Construction Impacts” for Table III.K-1, “Construction Phasing”, showing the estimated duration of each phase as well as the estimated number of employees by phase.

Construction of the Proposed Project will create construction-related traffic to and from the Project Site, including trips related to workers as well as delivery of materials and equipment. In addition, there will be truck traffic associated with removing construction debris and excavated materials from the Project Site. See Section III.K “Construction Impacts” for tables of total construction vehicle by vehicle type for each phase of construction.

Most construction-related trucking will utilize NY 9A from the south, and NY 9 to NY 9A from the north. Trucks will exit NY 9A at its intersection with NY 134 (Croton Dam Road) and proceed along NY 134 to the existing site entrance, which will continue to be used. Construction related traffic is not anticipated to have a significant impact on public transportation since there are no County Bee-Line routes or stops along the property’s Croton Dam Road frontage. Construction related traffic is not anticipated to have a significant impact on school bus routes or stops since the construction workers would generally arrive and depart of the property outside of the school bus traffic time periods. Construction traffic during the day would be limited to materials being delivered or exported as the construction workers would remain on the property during the daytime.

There is no County Bee-Line Route which travels along Croton Dam Road along the Project’s frontage. Since there are no nearby routes or stops for public transportation, there is not anticipated to be a significant impact from the proposed age-restricted community on public transportation.

Since the Project is proposed to be an age-restricted (55 or over) community, the project would not have school-aged children. Furthermore, there would be no impact or need for a school bus route or stop associated with the Project due to the lack of school-aged children in this community.

vi. **Potential Increase of Capacity at NY 9A and Croton Dam Road Intersection**

A potential way to increase capacity at the intersection of NY 9A & Croton Dam Road is to widen both Croton Dam Road approaches to the intersection and modify the traffic signal timing. These potential improvements were previously analyzed as part of the previous traffic study for the Former Project's market rate apartment development.

As previously mentioned, the projected peak hour volumes for the age-restricted housing are relatively low compared to other residential uses. When you compare the proposed redevelopment's traffic to the other traffic volumes at the intersection of NY 9A & Croton Dam Road, the proposed redevelopment's traffic represents less than 0.6% of the traffic at the intersection. The proposed redevelopment's traffic represents 0.24%, 0.36%, and 0.58% of the overall intersection volumes at the NY 9A and Croton Dam Road under build conditions during the peak weekday AM, weekday PM, and Saturday midday hours, respectively.

The potential improvements to increase capacity at the intersection of NY 9A & Croton Dam Road consist of widening both Croton Dam Road approaches to provide separate right turn lanes on the approaches. These two additional turn lanes would provide additional capacity to the intersection. In addition to the widening, the traffic signal timing would be modified. The existing traffic signal has a cycle length of 150 seconds and the improvement would be to reduce it to 110 seconds. This cycle length change would reduce the delay experienced by vehicles due to the current long cycle length. The combination of these potential improvements would improve traffic flow through the intersection.

As shown in the updated traffic study, there is no level of service degradation at the intersection of NY 9A and Croton Dam Road between the build and no-build conditions, so these potential improvements are not proposed as part of

this age-restricted redevelopment. These potential improvements could be pursued and coordinated between the New York State Department of Transportation (who have jurisdiction of this intersection and approaching roadways) and the Town to be implemented as part of a State improvement project.

Based on comments from the Town's traffic consultant, we have analyzed the intersection of Croton Dam Road and NY 9A with these potential improvements for the build condition with the currently and previously proposed developments. The operations with these potential improvements are shown on Tables 2 thru 4 in the Traffic Study. The currently proposed age-restricted development does not propose any improvements at this intersection and is only shown for reference. In general, the potential improvements provide an improved overall intersection delay and improved overall level of service compared to no-build conditions.

vii. Jitney Service

As part of the Former Project's proposal for the property, the Applicant proposed a jitney service to transport residents of the 188 apartment redevelopment to and from the nearest train station. The proposed shuttle volumes were depicted and included in the traffic volume figures contained in the previous traffic study. The proposed shuttle bus route anticipated that the bus would travel between the proposed redevelopment and the existing Croton-Harmon train station utilizing Route 9A. Based on U.S. Census Bureau data, approximately 20% of the Town's residents utilize public transportation and carpooling as means to travel to and from work which assisted in the Applicant's decision to provide a jitney service to and from the train station.

The currently proposed redevelopment consists of 95 units of age-restricted (55 or older) housing. Since the proposed redevelopment is age-restricted, many residents of these types of communities are retired and no longer work. Since

many residents are anticipated to be retired, there is less of a need to provide a jitney service for residents to and from the train station which is why the Applicant no longer proposes a jitney service with the currently proposed redevelopment. The updated traffic study for the currently proposed redevelopment no longer incorporates the jitney service volumes from the previous redevelopment.

viii. Potential Impact to Pedestrians and Bicyclists

As previously mentioned, the proposed age-restricted development is anticipated to generate 19, 25, and 32 trips during the peak weekday AM, weekday PM, and Saturday midday hours, respectively, based on ITE data. These projected peak hour volumes are relatively low compared to other residential uses. During the peak weekday AM hour, the projected number of trips equate to one trip every 3 minutes during the peak hour. During the peak weekday PM hour, the projected number of trips equate to one trip every 2.4 minutes during the peak hour. During the peak Saturday midday hour, the projected number of trips equate to one trip every 1.8 minutes during the peak hour.

Based on traffic counts which were performed at the intersections, there is not a significant number of pedestrians or bicyclists at the studied intersections during the studied peak hours. There were no bicyclists counted at the studied intersections during the peak weekday AM, weekday PM, or Saturday midday hours. During the peak weekday AM hour, there were a total of 23 pedestrians counted at the studied intersections with 12 of them counted at the intersection of Croton Dam Road & Hawkes Avenue. During the peak weekday PM hour, there were a total of 18 counted pedestrians at the studied intersections with 12 of them counted at the intersection of Dale Avenue & Pine Avenue. During the peak Saturday midday hour, there were a total of 10 counted pedestrians at the studied intersections with 5 of them counted at the intersection of Dale Avenue & Pine Avenue. There were no pedestrians counted during the studied peak hours at the Croton Dam Road's intersections with Kitchawan State Road

or NY 9A. As mentioned above, the proposed age-restricted development is anticipated to generate a low amount of traffic and is not anticipated to impact the small amount of peak hour pedestrians and bicyclists within the study area.

The Town of Ossining ~~Town Board adopted has adopted~~ a Complete Streets Policy ~~Resolution on March 23, 2021. which was reviewed by the Applicant.~~ “Complete Streets” is characterized as designing and operating the entire roadway with all users in mind, including for example sidewalks, bike lanes (or wide paved shoulders), special bus lanes, comfortable and accessible public transportation stops, frequent and safe crosswalks, median islands, accessible pedestrian signals, curb extensions, narrower travel lanes, roundabouts, and more. There is no singular design prescription for Complete Streets. Each one is unique and responds to its community context. The context and needs of users are different in rural, suburban, and urban communities, and streets will look different as a result, even when using a Complete Streets approach.

The Town of Ossining Complete Streets resolution notes that the purpose of the Complete Streets program will be to explore the potential to advance the Town’s adoption of Complete Streets practices by forming complementary recommendations. The Complete Streets program will coordinate the Town staff and boards with local non-profits and civic organizations, such as walking, biking and recreation clubs, local schools, health organizations, business groups, arts organizations, and other interested parties to study and review and update land-use policies and regulations as necessary and appropriate to incorporate Complete Streets. In other words, as expressed in the Resolution, the Town Board intends to achieve Complete Streets over time, project by project.

As such, the Town does not yet have specific policy guidelines for specific projects. Based on general principals, the Proposed Project will provide a bicycle rack at the proposed clubhouse as an amenity for residents of the community. Sidewalk is proposed from the proposed clubhouse to an adjacent proposed

surface parking lot. Because the development is age-restricted, it is anticipated to generate a low amount of traffic, and that as a result pedestrians and bicyclists could share the utilization of the 26 foot wide roads in the private development. The development's roads will provide sufficient lighting for usability via LED street lighting. There are no sidewalks, bike lanes or County Bee-Line bus stops along Croton Dam Road for which the Proposed Project would provide connectivity. However, the Project will provide an emergency access between the cul-de-sac and Narragansett Avenue on the northeasterly portion of the Site and another emergency access between the westerly site roadway and Croton Dam Road on the northwesterly portion of the Site. Both are 15 feet in width will be paved and have a bollard and chain assembly at either end to prevent non-emergency vehicular access. However, pedestrian and bicycle use would be anticipated. The northeasterly emergency access provides access to Veterans Memorial Park in the Village of Ossining.

~~The development proposes a clubhouse with a swimming pool and a bicycle rack as amenities for residents of the community. Sidewalk is proposed from the proposed clubhouse to an adjacent proposed surface parking lot. Since the development is an age-restricted development which is anticipated to generate a low amount of traffic, pedestrians and bicyclists could share the utilization of the 26 foot wide roads in the private development. The development's roads will provide sufficient lighting for usability via LED street lighting. There are no sidewalks, bike lanes or County Bee-Line bus stops along Croton Dam Road.~~

TABLE 2
INTERSECTION OPERATIONS-PEAK WEEKDAY AM HOUR

INTERSECTION	APPROACH	LANE GROUP	2016 EXISTING			2025 NO BUILD			2025 BUILD			2025 BUILD WITH PREVIOUSLY PROPOSED DEVELOPMENT		
			V/C ₁₆	DELAY ₁₆	LOS ₁₆	V/C ₂₅	DELAY ₂₅	LOS ₂₅	V/C ₂₅	DELAY ₂₅	LOS ₂₅	V/C ₂₅	DELAY ₂₅	LOS ₂₅
1. Dale Avenue & Pine Avenue (Unsignalized)	WESTBOUND	LEFT/RIGHT	0.24	12.5	B	0.28	13.5	B	0.28	13.4	B	0.28	13.5	B
	NORTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU	0.06	8.1	A	0.07	8.2	A	0.07	8.2	A	0.07	8.2	A
2. Croton Dam Road & Hawkes Avenue (Unsignalized)	WESTBOUND	LEFT/RIGHT	0.20	11.6	B	0.24	12.3	B	0.23	12.2	B	0.25	12.4	B
	NORTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU	0.01	8.3	A	0.01	8.4	A	0.01	8.4	A	0.01	8.4	A
3. Croton Dam Road & Pershing Avenue /Cherry Hill Circle (Unsignalized)	EASTBOUND	LEFT/THRU /RIGHT	0.01	9.3	A	0.01	9.4	A	0.01	9.4	A	0.01	9.6	A
	WESTBOUND	LEFT/THRU /RIGHT	0.04	10.7	B	0.06	10.8	B	0.05	11.1	B	0.05	10.7	B
	NORTHBOUND	LEFT/THRU /RIGHT	0.00	7.5	A	0.00	7.5	A	0.00	7.5	A	0.00	7.5	A
	SOUTHBOUND	LEFT/THRU /RIGHT	0.00	8.2	A	0.01	8.2	A	0.01	8.2	A	0.04	8.3	A
	WESTBOUND	LEFT/RIGHT	-	-	A	0.03	9.8	A	0.02	9.8	A	0.04	9.7	A
4. Croton Dam Road & Site Driveway (Unsignalized)	NORTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU	-	-	A	0.02	7.7	A	0.00	7.6	A	0.01	7.6	A
	WESTBOUND	LEFT/RIGHT	0.01	9.8	A	0.01	10.0	B	0.01	9.9	A	0.01	10.1	B
5. Croton Dam Road & Grandview Avenue (Unsignalized)	NORTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU	0.00	8.7	A	0.00	8.8	A	0.00	8.8	A	0.00	8.9	A
	WESTBOUND	LEFT/RIGHT	0.06	9.3	A	0.07	9.5	A	0.07	9.4	A	0.07	9.6	A
6. Croton Dam Road & Narragansett Avenue (Unsignalized)	NORTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU	0.10	7.9	A	0.11	8.1	A	0.11	8.0	A	0.12	8.1	A
	EASTBOUND	LEFT/THRU /RIGHT	0.03	11.0	B	0.04	11.6	B	0.03	11.4	B	0.04	11.7	B
7. Croton Dam Road & Pheasant Ridge Road /Feeney Road (Unsignalized)	WESTBOUND	LEFT/THRU /RIGHT	0.04	11.6	B	0.05	12.3	B	0.04	12.1	B	0.05	12.5	B
	NORTHBOUND	LEFT/THRU /RIGHT	-	-	A	-	-	A	-	-	A	-	-	A
	SOUTHBOUND	LEFT/THRU /RIGHT	0.00	8.0	A	0.00	8.1	A	0.00	8.1	A	0.00	8.2	A
	EASTBOUND	LEFT/RIGHT	0.18	11.7	B	0.24	13.0	B	0.23	12.7	B	0.24	13.0	B
	NORTHBOUND	LEFT/THRU	0.01	7.7	A	0.02	7.9	A	0.02	7.8	A	0.02	7.8	A
8. Croton Dam Road & NY 9A (Signalized)	EASTBOUND	LEFT	0.82	67.1	E	0.83	69.0	E	0.83	69.1	E	0.83	69.5	E
		THRU	0.92	25.7	C	0.99	37.8	D	0.99	38.0	D	0.99	39.1	D
		RIGHT	0.11	8.8	A	0.13	8.8	A	0.12	8.7	A	0.12	8.9	A
		COMPOSITE	-	27.1	C	-	37.9	D	-	38.2	D	-	39.2	D
	WESTBOUND	LEFT	0.90	210.9	F	0.94	199.4	F	0.95	195.7	F	0.98	173.1	F
		THRU/RIGHT	0.48	17.3	B	0.52	18.1	B	0.52	18.1	B	0.52	18.0	B
		COMPOSITE	-	18.3	B	-	19.3	B	-	19.5	B	-	20.0	C
	NORTHBOUND	LEFT/THRU /RIGHT	0.77	58.9	E	1.02	111.7	F	0.95	91.3	F	1.08	128.9	F
	SOUTHBOUND	LEFT/THRU /RIGHT	0.89	72.6	E	1.06	119.5	F	1.06	119.2	F	1.06	119.7	F
	INTERSECTION	COMPOSITE	-	30.9	C	-	45.6	D	-	44.2	D	-	48.0	D
	9a. Croton Dam Road & NY 9A (Signalized w/ Considered Improvements Which Were Part of the Previously Proposed Development)	LEFT							0.81	54.7	D	0.81	55.3	E
		THRU							0.98	30.1	C	0.98	32.5	C
		RIGHT							0.12	6.6	A	0.12	6.9	A
		COMPOSITE							-	30.3	C	-	32.5	C
		LEFT		N/A			N/A		0.93	172.4	F	0.99	165.1	F
		THRU/RIGHT							0.52	14.1	B	0.52	14.4	B
		COMPOSITE							-	15.3	B	-	16.3	B
		LEFT/THRU							0.70	48.5	D	0.75	51.8	D
		RIGHT							0.34	40.7	D	0.37	41.0	D
		COMPOSITE							-	46.3	D	-	48.7	D
		LEFT/THRU							0.54	42.9	D	0.54	43.0	D
		RIGHT							0.85	62.5	E	0.82	59.9	E
		COMPOSITE							-	53.9	D	-	52.4	D
	INTERSECTION	COMPOSITE							-	29.8	C	-	31.5	C

Notes:

- (1) V/C represents volume/capacity ratio
- (2) Delay is average seconds delay per vehicle
- (3) LOS represents level of service

TABLE 3

INTERSECTION OPERATIONS-PEAK WEEKDAY PM HOUR

INTERSECTION	APPROACH	LANE GROUP	2016 EXISTING			2025 NO BUILD			2025 BUILD			2025 BUILD WITH PREVIOUSLY PROPOSED DEVELOPMENT		
			V/C _(R)	DELAY _(R)	LOS _(R)	V/C _(R)	DELAY _(R)	LOS _(R)	V/C _(R)	DELAY _(R)	LOS _(R)	V/C _(R)	DELAY _(R)	LOS _(R)
1. Dale Avenue & Pine Avenue (Unsignalized)	WESTBOUND	LEFT/RIGHT	0.20	11.3	B	0.23	11.9	B	0.23	11.9	B	0.23	12.0	B
	NORTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU	0.03	7.9	A	0.04	8.0	A	0.04	8.0	A	0.04	8.0	A
2. Croton Dam Road & Hawkes Avenue (Unsignalized)	WESTBOUND	LEFT/RIGHT	0.18	11.0	B	0.22	11.6	B	0.21	11.6	B	0.22	11.6	B
	NORTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU	-	-	A	-	-	A	-	-	A	-	-	A
3. Croton Dam Road & Pershing Avenue /Cherry Hill Circle (Unsignalized)	EASTBOUND	LEFT/THRU /RIGHT	0.01	9.2	A	0.01	9.3	A	0.01	9.3	A	0.01	9.4	A
	WESTBOUND	LEFT/THRU /RIGHT	0.03	10.3	B	0.04	10.4	B	0.03	10.6	B	0.04	10.6	B
	NORTHBOUND	LEFT/THRU /RIGHT	0.00	7.4	A	0.00	7.5	A	0.00	7.5	A	0.00	7.5	A
	SOUTHBOUND	LEFT/THRU /RIGHT	0.01	7.5	A	0.01	7.5	A	0.01	7.5	A	0.02	7.6	A
4. Croton Dam Road & Site Driveway (Unsignalized)	WESTBOUND	LEFT/RIGHT	-	-	A	0.06	9.5	A	0.02	9.6	A	0.06	10.1	B
	NORTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU	-	-	A	0.00	7.5	A	0.01	7.5	A	0.04	7.6	A
5. Croton Dam Road & Grandview Avenue (Unsignalized)	WESTBOUND	LEFT/RIGHT	0.01	9.7	A	0.01	10.0	B	0.01	9.9	A	0.01	10.1	B
	NORTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU	0.00	7.4	A	0.00	7.5	A	0.00	7.5	A	0.00	7.5	A
6. Croton Dam Road & Narragansett Avenue (Unsignalized)	WESTBOUND	LEFT/RIGHT	0.12	9.3	A	0.14	9.6	A	0.13	9.5	A	0.14	9.6	A
	NORTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU	0.06	7.6	A	0.07	7.7	A	0.06	7.6	A	0.07	7.7	A
7. Croton Dam Road & Phosent Ridge Road /Fossey Road (Unsignalized)	EASTBOUND	LEFT/THRU /RIGHT	0.02	11.4	B	0.02	12.2	B	0.02	12.0	B	0.03	12.6	B
	WESTBOUND	LEFT/THRU /RIGHT	0.04	11.1	B	0.04	11.8	B	0.04	11.5	B	0.05	11.9	B
	NORTHBOUND	LEFT/THRU /RIGHT	0.00	7.6	A	0.00	7.7	A	0.00	7.7	A	0.00	7.8	A
	SOUTHBOUND	LEFT/THRU /RIGHT	0.01	7.9	A	0.01	8.1	A	0.01	8.0	A	0.01	8.0	A
8. Croton Dam Road & Kitchawan State Road (Unsignalized)	EASTBOUND	LEFT/RIGHT	0.11	11.7	B	0.14	12.8	B	0.14	12.6	B	0.15	13.2	B
	NORTHBOUND	LEFT/THRU	0.03	7.8	A	0.03	7.9	A	0.03	8.0	A	0.04	8.1	A
	SOUTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
9. Croton Dam Road & NY 9A (Signalized)	EASTBOUND	LEFT	0.85	80.5	F	0.86	84.1	F	0.86	84.1	F	0.85	84.1	F
		THRU	0.45	10.8	B	0.49	11.2	B	0.50	11.7	B	0.51	13.1	B
		RIGHT	0.13	8.1	A	0.14	8.2	A	0.14	8.5	A	0.15	9.6	A
		COMPOSITE	-	17.9	B	-	18.6	B	-	19.0	B	-	20.2	C
	WESTBOUND	LEFT	0.84	142.2	F	0.84	139.3	F	0.80	111.4	F	0.76	87.1	F
		THRU/RIGHT	1.02	61.4	F	1.13	100.8	F	1.13	100.8	F	1.13	100.8	F
		COMPOSITE	-	61.6	E	-	100.2	F	-	100.1	F	-	99.7	F
	NORTHBOUND	LEFT/THRU /RIGHT	0.81	75.0	E	1.32	232.8	F	1.05	133.6	F	1.15	167.8	F
		COMPOSITE	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU /RIGHT	0.83	73.9	E	0.92	90.4	F	0.93	91.9	F	0.95	95.8	F
		COMPOSITE	-	-	-	-	-	-	-	-	-	-	-	-
	INTERSECTION	COMPOSITE	-	75.0	E	-	79.6	E	-	73.4	E	-	76.2	E
9a. Croton Dam Road & NY 9A (Signalized w/ Considered Improvements Which Were Part of the Previously Proposed Development)	EASTBOUND	LEFT							1.10	151.5	F	1.10	151.5	F
		THRU							0.49	8.3	A	0.50	9.3	A
		RIGHT							0.14	6.1	A	0.15	6.8	A
		COMPOSITE							-	23.3	C	-	24.1	C
	WESTBOUND	LEFT		N/A			N/A		0.82	99.3	F	0.77	71.7	E
		THRU/RIGHT							1.07	69.1	F	1.07	69.1	F
		COMPOSITE							-	68.8	E	-	68.6	E
	NORTHBOUND	LEFT/THRU							0.78	62.5	E	0.84	70.4	E
		RIGHT							0.28	45.0	D	0.29	45.2	D
		COMPOSITE							-	58.8	E	-	65.0	E
	SOUTHBOUND	LEFT/THRU							0.49	47.1	D	0.52	47.7	D
		RIGHT							0.94	95.0	F	0.94	95.0	F
		COMPOSITE							-	75.4	E	-	75.1	E
	INTERSECTION	COMPOSITE							-	53.0	D	-	53.6	D

Notes:

(1) V/C represents volume/capacity ratio

(2) Delay is average seconds delay per vehicle

(3) LOS represents level of service

TABLE 4

INTERSECTION OPERATIONS-PEAK SATURDAY MIDDAY HOUR

INTERSECTION	APPROACH	LANE GROUP	2016 EXISTING			2025 NO BUILD			2025 BUILD			2025 BUILD WITH PREVIOUSLY PROPOSED DEVELOPMENT		
			V/C ₍₁₎	DELAY ₍₂₎	LOS ₍₃₎	V/C ₍₁₎	DELAY ₍₂₎	LOS ₍₃₎	V/C ₍₁₎	DELAY ₍₂₎	LOS ₍₃₎	V/C ₍₁₎	DELAY ₍₂₎	LOS ₍₃₎
1. Dale Avenue & Pine Avenue (Unsignalized)	WESTBOUND	LEFT/RIGHT	0.15	11.0	B	0.18	11.6	B	0.18	11.5	B	0.18	11.6	B
	NORTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU	0.03	7.9	A	0.04	8.0	A	0.04	8.0	A	0.04	8.0	A
2. Croton Dam Road & Hawkes Avenue (Unsignalized)	WESTBOUND	LEFT/RIGHT	0.16	10.5	B	0.20	10.9	B	0.19	10.9	B	0.20	10.9	B
	NORTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU	-	-	A	-	-	A	-	-	A	-	-	A
3. Croton Dam Road & Pershing Avenue /Cherry Hill Circle (Unsignalized)	EASTBOUND	LEFT/THRU /RIGHT	0.01	9.1	A	0.02	9.2	A	0.02	9.2	A	0.02	9.2	A
	WESTBOUND	LEFT/THRU /RIGHT	0.01	10.3	B	0.02	9.9	A	0.02	10.3	B	0.02	10.3	B
	NORTHBOUND	LEFT/THRU /RIGHT	0.00	8.2	A	0.00	8.2	A	0.00	8.2	A	0.00	8.2	A
	SOUTHBOUND	LEFT/THRU /RIGHT	0.00	7.5	A	0.01	7.5	A	0.01	7.5	A	0.02	7.5	A
4. Croton Dam Road & Site Driveway (Unsignalized)	WESTBOUND	LEFT/RIGHT	-	-	A	0.05	9.3	A	0.02	9.4	A	0.05	9.7	A
	NORTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU	-	-	A	0.00	7.5	A	0.01	7.5	A	0.02	7.5	A
5. Croton Dam Road & Grandview Avenue (Unsignalized)	WESTBOUND	LEFT/RIGHT	0.02	9.3	A	0.02	9.5	A	0.02	9.5	A	0.02	9.6	A
	NORTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU	0.00	7.4	A	0.00	7.5	A	0.00	7.4	A	0.02	7.5	A
6. Croton Dam Road & Nanagssett Avenue (Unsignalized)	WESTBOUND	LEFT/RIGHT	0.10	9.1	A	0.11	9.4	A	0.01	9.2	A	0.11	9.3	A
	NORTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
	SOUTHBOUND	LEFT/THRU	0.06	7.6	A	0.06	7.7	A	0.06	7.6	A	0.06	7.7	A
7. Croton Dam Road & Pleasant Ridge Road /Feeney Road (Unsignalized)	EASTBOUND	LEFT/THRU /RIGHT	0.02	11.4	B	0.03	12.1	B	0.03	12.0	B	0.03	12.3	B
	WESTBOUND	LEFT/THRU /RIGHT	0.01	9.6	A	0.02	9.9	A	0.02	9.8	A	0.02	9.9	A
	NORTHBOUND	LEFT/THRU /RIGHT	0.00	7.9	A	0.00	8.0	A	0.00	8.0	A	0.00	8.1	A
	SOUTHBOUND	LEFT/THRU /RIGHT	0.01	7.6	A	0.01	7.7	A	0.01	7.6	A	0.01	7.7	A
8. Croton Dam Road & Kitchawan State Road (Unsignalized)	EASTBOUND	LEFT/RIGHT	0.12	11.3	B	0.16	12.2	B	0.16	12.1	B	0.17	12.4	B
	NORTHBOUND	LEFT/THRU	0.02	7.7	A	0.02	7.8	A	0.02	7.8	A	0.02	7.9	A
	SOUTHBOUND	THRU/RIGHT	-	-	-	-	-	-	-	-	-	-	-	-
9. Croton Dam Road & NY 9A (Signalized)	EASTBOUND	LEFT	0.77	45.8	D	0.80	57.7	E	0.80	54.8	D	0.80	56.2	E
		THRU	0.46	11.2	B	0.49	13.8	B	0.49	13.3	B	0.50	14.2	B
		RIGHT	0.14	8.9	A	0.15	10.8	B	0.15	10.4	B	0.16	11.2	B
		COMPOSITE	-	14.4	B	-	17.8	B	-	17.1	B	-	18.1	B
	WESTBOUND	LEFT	0.76	97.4	F	0.79	113.1	F	0.82	91.8	F	0.79	79.0	E
		THRU/RIGHT	0.82	21.9	C	0.89	33.9	C	0.88	31.0	C	0.89	32.6	C
		COMPOSITE	-	22.4	C	-	34.5	C	-	31.9	C	-	33.5	C
	NORTHBOUND	LEFT/THRU /RIGHT	0.63	33.8	C	0.84	57.2	E	0.76	46.4	D	0.80	51.1	D
		LEFT/THRU /RIGHT	0.75	36.4	D	0.79	49.1	D	0.82	49.8	D	0.82	50.6	D
	INTERSECTION	COMPOSITE	-	21.6	C	-	31.5	C	-	29.2	C	-	30.8	C
10. Croton Dam Road & NY 9A (Signalized w/ Considered Improvements Which Were Part of the Previously Proposed Development)	EASTBOUND	LEFT							0.78	44.2	D	0.78	45.0	D
		THRU							0.47	9.3	A	0.48	10.0	A
		RIGHT							0.15	7.3	A	0.15	7.8	A
		COMPOSITE							-	12.6	B	-	13.2	B
	WESTBOUND	LEFT		N/A			N/A		0.84	86.1	F	0.81	71.8	E
		THRU/RIGHT							0.84	21.3	C	0.85	22.2	C
		COMPOSITE							-	22.2	C	-	23.1	C
	NORTHBOUND	LEFT/THRU							0.63	36.0	D	0.64	36.5	D
		RIGHT							0.31	32.4	C	0.31	32.5	C
		COMPOSITE							-	35.0	D	-	35.4	D
	SOUTHBOUND	LEFT/THRU							0.52	34.5	C	0.52	34.6	C
		RIGHT							0.70	37.2	D	0.66	36.6	D
		COMPOSITE							-	35.9	D	-	35.6	D
	INTERSECTION	COMPOSITE							-	20.9	C	-	21.6	C

Notes:

- (1) V/C represents volume/capacity ratio
 (2) Delay is average seconds delay per vehicle
 (3) LOS represents level of service

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III.J Fiscal Impacts

I. Former Project

The 2018 DEIS Chapter 3.J provided a fiscal impact analysis of the Former Project with 169 market-rate rental units and 19 affordable rental units. Based on the 2016 property tax rates at the time of the analysis, the DEIS estimated that the rental project would generate total tax revenues of \$1,019,277 to relevant town, county, and school district taxing jurisdictions (see Table III.J-1). The fiscal analysis additionally noted the potential for additional revenues generated by construction activity and by household spending of new residents at Former Project.

Table III.J-1
Tax Revenues of Former Project as Provided in 2018 DEIS

	89.08-1-83	89.12-2-13	90.05-1-27	Total Site
Westchester County	\$87,385	\$131	\$96	\$87,613
Town-wide General	\$18,720	\$28	\$21	\$18,769
Town Unincorporated	\$149,504	N/A	N/A	\$149,504
Ambulance District	\$5,561	\$8	\$6	\$5,576
County Solid Waste	\$7,990	\$12	\$9	\$8,011
County Sewer - Ossining	\$20,954	\$31	\$23	\$21,008
Refuse/Light/Fire	\$37,991	\$57	\$42	\$38,090
Town-wide Water	\$1,358	\$2	\$1	\$1,361
Ossining Central School District	\$660,802	\$991	\$729	\$662,522
Ossining Library	\$26,020	\$39	\$29	\$26,088
Village of Ossining	N/A	\$423	\$311	\$734
Total	\$1,016,285	\$1,723	\$1,268	\$1,019,277

Source: River Knoll Draft Environmental Impact Statement, Table III.J-6, prepared by AKRF, Inc., dated January 26, 2018.

On the cost side, the 2018 DEIS estimated demographic impacts of 373 new residents generated by the Former Project, including between 22 to 29 school age children. As noted in Chapter 3.I “Community Facilities” and Chapter 3.F “Infrastructure and Utilities,” the increase in the residential and school children population were found to have marginal increase in demand for services.

Although school taxes generated by the Previous Project more than covered the average cost of the 22-29 students to be generated, in acknowledgment of programming and space challenges facing the OUFSD, the Applicant and school administration and school board agreed to a voluntary payment of \$350,000 to be used for school capital improvements.

The 2018 DEIS concluded that the tax revenues would more than offset the costs generated by the Former Project, and that the Former Project would have a beneficial fiscal effect on the community. Therefore, no mitigations were required.

2. Proposed Project

Current Taxes Generated by the Site

The Proposed Project will continue to utilize the same three parcels as the Former Project. The three parcels and their current assessments as of the 2020 Assessment Roll are summarized below:

- Tax Lot 89.08-1-83: 16.2 acres; \$1,900,000 in taxable value; located within the unincorporated portion of the Town of Ossining.
- Tax Lot 89.12-2-13: 0.64 acres; \$39,500 in taxable value; located within the Village of Ossining.
- Tax Lot 90.05-1-27: 0.6 acres; \$28,700 in taxable value; located within the Village of Ossining.

2020 tax rates for all affected taxing jurisdictions are summarized in Table III.J-2 and the resulting tax revenues generated under current conditions are summarized in Table III.J-3. Under the existing conditions, the Project Site current generates revenues totaling \$75,628. This includes \$6,076 to Westchester County, \$11,838 to the Town of Ossining, \$49,568 to the Ossining Central School District, \$740 to the Village of Ossining, and \$7,406 to various special districts.

Table III.J-2
Current Tax Rates, 2020

	Town of Ossining (Unincorporated)	Village of Ossining
Westchester County	3.087031	3.087031
Town-wide General	0.759922	0.759922
Town Unincorporated	5.442916	N/A
Ambulance District	0.210429	0.210429
County Solid Waste	0.258273	0.258273
County Sewer - Ossining	0.730160	0.730160
Refuse/Light/Fire	1.518174	1.518174
Town-wide Water	0.031102	0.031102
Ossining Central School District	25.184193	25.184193
Ossining Library	1.014945	1.014945
Village of Ossining	N/A	10.849200
Total Applicable Tax Rates	38.237145	43.643429

Source: Westchester County Tax Commission, 2020 Property Tax Rates.

Table III.J-3
Current Tax Revenues Generated by Site, 2020

	89.08-1-83	89.12-2-13	90.05-1-27	Total Site
Total Taxable Value	\$1,900,000	\$39,500	\$28,700	\$1,968,200
Westchester County	\$5,865	\$122	\$89	\$6,076
Town-wide General	\$1,444	\$30	\$22	\$1,496
Town Unincorporated	\$10,342	N/A	N/A	\$10,342
Ambulance District	\$400	\$8	\$6	\$414
County Solid Waste	\$491	\$10	\$7	\$508
County Sewer - Ossining	\$1,387	\$29	\$21	\$1,437
Refuse/Light/Fire	\$2,885	\$60	\$44	\$2,989
Town-wide Water	\$59	\$1	\$1	\$61
Ossining Central School District	\$47,850	\$995	\$723	\$49,568
Ossining Library	\$1,928	\$40	\$29	\$1,997
Village of Ossining	N/A	\$429	\$311	\$740
Total Property Taxes	\$72,651	\$1,724	\$1,253	\$75,628

Source: Town of Ossining 2020 Final Assessment Roll; Westchester County Tax Commission,

*2020 Property Tax Rates; Analysis by Phillips Preiss.*Economic Impacts during Construction

Economic impacts of the construction activity of the Proposed Project were estimated using the 2019 RIMS-II multipliers (most recent available) for Westchester County developed by the US Bureau of Economic Analysis. During the construction phase of the Project, there are three types of economic impacts: direct impacts to the construction sector; indirect impacts to sectors that provide goods and services to the construction sector (e.g., design and engineering, wholesale, transportation, real estate and financial services, etc.); and induced impacts to other sectors as a result of the increase in household spending by workers (e.g., retail, food and beverage services, etc.). It should be noted, however, because construction is not an ongoing economic activity, the impacts generated during the construction phase are temporary and limited to the construction stage. It should be further noted that, because the RIMS-II multipliers were developed in 2019 dollars, all inputs for calculating employment impacts were deflated from 2021 to 2019 dollars (with a deflator ratio of 1.051) based on the Consumer Price Index.

According to the Applicant, the estimated total construction cost (not including land acquisition) for the Project is \$50,825,000 (\$48,358,706 in 2019 dollars). Because the construction budget encompasses all commodities and services purchased in relation to the construction activity, the total construction budget represents the total value of industry sales in the construction sector generated as a result of the Project. Based on the RIMS-II multipliers for the residential construction sector, it is estimated that this increase in industry sales (i.e., the final demand) will generate approximately 206 direct jobs in the construction sector. The construction will additionally generate 51 indirect jobs in related sectors that support construction, and 63 induced jobs as result of increase in household spending (see Table III.J-4).

Table III.J-4
Construction Phase Employment Impacts of Proposed Project to
Westchester County

	Multiplier (per \$1M of Final Demand)*	Final Demand (2019 Dollars)	Employment Impact
Direct Impact (to Construction Sector)	4.2592	\$48,358,706	206
Indirect Impact (to Sectors that Support Construction)	1.0549	\$48,358,706	51
Induced Impact (From Household Spending)	1.3128	\$48,358,706	63
Total			320

* The breakdown of direct, indirect, and induced impact multipliers were derived using “final demand” and “direct effect” multipliers from both Type I and Type II models in RIMS-II.

Sources: US Bureau of Economic Analysis, 2019 RIMS-II Multipliers for Westchester County; Analysis by Phillips Preiss LLC.

The construction activity will also generate economic output and labor income to the region. As mentioned previously, the total industry sale during the construction phase is \$50,825,000, which represents the direct economic output impacts of the construction phase of the proposed Project. Based on the RIMS-II multipliers for the construction sector, it is estimated that this increase in industry sales in the residential construction sector (i.e., the final demand) will additionally generate approximately \$15,420,305 in indirect economic output in related sectors that provide goods and services for construction, as well as \$15,186,510 in induced economic output in other sectors as result of increase in household spending. In terms of increase in labor income, the new jobs generated as result of the construction activity will amount to approximately \$14,591,858 in direct impact, \$2,851,283 in indirect impact, and \$2,978,345 in induced impact (see Table III.J-5).

Table III.J-5
Construction Phase Economic Impacts of Proposed Project to
Westchester County

	Economic Output Multipliers*	Economic Output Impacts	Labor Income Multipliers*	Labor Income Impacts
Direct Impact (to Construction Sector)	1.0000	\$50,825,000	0.2871	\$14,591,858
Indirect Impact (to Sectors that Support Construction)	0.3034	\$15,420,305	0.0561	\$2,851,283
Induced Impact (From Household Spending)	0.2988	\$15,186,510	0.0586	\$2,978,345
Total		\$81,431,815		\$20,421,485

* The breakdown of direct, indirect, and induced impact multipliers were derived using “final demand” and “direct effect” multipliers from both Type I and Type II models in RIMS-II.

Sources: US Bureau of Economic Analysis, 2019 RIMS-II Multipliers for Westchester County; Analysis by Phillips Preiss LLC.

In summary, the proposed Project during construction stage would generate significant economic benefits to Westchester County, including new economic output totaling over \$81 million, 320 new jobs, and over \$20 million in labor income growth.

Fiscal Benefits at Full-Buildout

The Town of Ossining assesses properties held in condominium ownership as income-producing property. In accordance with this practice, the value of the proposed development was estimated using the Income Capitalization Approach, and the project is treated as a rental product for purposes of this analysis. Based on the average monthly rents estimated by the Applicant, and further assuming a vacancy/collection loss factor of 5%, operating expenses of 18% (excluding real estate

taxes), an equalized capitalization rate¹ of 10.32%, and the 2020 Town of Greenburgh equalization ratio of 100%, the portion of the project on Tax Lot 89.08-1-83 is estimated to have total assessed value of \$29,343,847 (see Table III.J-6). Because no improvements are proposed on Tax Lots 89.12-2-13 & 90.05-1-27 in the Village of Ossining, it is assumed that they will retain the current assessment value.

Table III.J-6
Assessed Value of the Proposed Project (Tax Lot 89.08-1-83), 2020

Tax Lot 89.08-1-83	Units	Monthly Rent	Annual Income
Market Rate			
2BR	67	\$3,450	\$2,773,800
3BR	18	\$4,250	\$918,000
Affordable			
2BR	8	\$1,550	\$148,800
3BR	2	\$1,950	\$46,800
Gross Income			\$3,887,400
Vacancy/Collection Loss (5%)			\$194,370
Effective Income			\$3,693,030
Expenses w/o Taxes (18%)			\$664,745
Net Operating Income			\$3,028,285
Base Capitalization Rate			6.50%
Town of Greenburgh Effective Tax Rate (Unincorporated)			3.82%
Equalized Capitalization Rate			10.32%
Estimated Market Value			\$29,343,847
2020 Town of Greenburgh Equalization Ratio			100%
Estimated Assessed Value			\$29,343,847

Source: Hudson Park Group, LLC; Westchester County Tax Commission, 2020 Property Tax Rates; Analysis by Phillips Preiss.

¹ Real estate taxes are excluded from the operating expenses. In order to account for the equitable burden of taxes for the project at completion, the effective tax rate is added to the base capitalization rate as a “load factor” to derive the equalized capitalization rate. This method is alternatively referred to as the “assessor’s formula” and is a common method of valuation for real estate tax certiorari proceedings in NY State. The effective tax rate is the total municipal tax rate multiplied by the state equalization ratio.

Based on the 2020 property tax rates for each of the affected taxing jurisdictions as detailed in Table III.J-2, this increase in the ratable base from the Project will generate aggregate tax revenues of \$1,125,002 across the three parcels (see Table III.J-7).

Table III.J-7
Estimated Tax Revenue of Proposed Project by Taxing Jurisdiction, 2020

	89.08-1-83	89.12-2-13	90.05-1-27	Combined
Total Taxable Value	\$29,343,847	\$39,500	\$28,700	\$29,412,047
Westchester County	\$90,585	\$122	\$89	\$90,796
Town-wide General	\$22,299	\$30	\$22	\$22,351
Town Unincorporated	\$159,716	N/A	N/A	\$159,716
Ambulance District	\$6,175	\$8	\$6	\$6,189
County Solid Waste	\$7,579	\$10	\$7	\$7,596
County Sewer - Ossining	\$21,426	\$29	\$21	\$21,476
Refuse/Light/Fire	\$44,549	\$60	\$44	\$44,653
Town-wide Water	\$913	\$1	\$1	\$915
Ossining Central School District	\$739,001	\$995	\$723	\$740,719
Ossining Library	\$29,782	\$40	\$29	\$29,851
Village of Ossining	N/A	\$429	\$311	\$740
Total Property Taxes	\$1,122,025	\$1,724	\$1,253	\$1,125,002

Source: Westchester County Tax Commission, 2020 Property Tax Rates; Analysis by Phillips Preiss.

On the cost side, as noted in Chapter 3.I “Community Facilities,” the Proposed Project is not anticipated to have significant impacts on community facilities or require significant capital investments by the public service providers. Further, because the Proposed Project is age-restricted, there are no anticipated impacts to the school district. To confirm this, the Applicant looked at the number of school children sourcing from similar projects in northern Westchester. These projects include:

- Glassbury Court at Hunterbrook, Yorktown: Active Adult luxury townhome condominium community. No school children.
- Glassbury Court at Cold Spring: Semi-attached homes for Active Adults. No school children.
- Woodcrest Village, Mount Kisco: Senior condominium community. No school children.

None of these Active Adult communities produce school children.

~~As such, the~~The service cost per resident under current operating conditions is a reasonable estimate of future per capita service costs for residents of the Proposed Project.

Per capita costs (see Table III.J-8) were estimated using the “proportional valuation” method, which assumes that the allocation of service costs is roughly proportional to the share of the total tax base represented by residential and non-residential uses within a service area. The percentage of the tax base attributable to residential uses (including apartments) within each taxing jurisdiction was estimated by averaging the percentage of total tax parcels and the percentage of total assessed valuation attributable to residential uses. The percentage of tax base attributable to residential uses was then applied to the tax levy to derive the total service costs for residential uses supported by property taxes within each taxing jurisdiction. Finally, the property tax supported residential costs were divided by the total serviced residential population to derive the per capita cost. Because no impacts are anticipated to the school district or to the Village of Ossining, costs for these taxing jurisdictions were not considered for this analysis.

Table III.J-8
Estimated Per Capita Service Cost by Taxing Jurisdiction, 2020

	Local Tax Levy	% Residential Tax Base	Serviced Residents	Per Capita Cost
Westchester County	\$15,360,032	78.33%	37,702	\$319

Town-wide General	\$3,800,357	78.33%	37,702	\$79
Town Unincorporated	\$5,244,814	71.83%	4,796	\$786
Ambulance District	\$668,363	74.71%	20,016	\$25
County Solid Waste	\$1,315,452	78.33%	37,702	\$27
County Sewer - Ossining	\$3,996,271	76.71%	39,757	\$77
Refuse/Light/Fire	\$1,477,550	74.71%	4,796	\$230
Town-wide Water	\$33,486	74.71%	4,796	\$5
Ossining Library	\$4,163,175	75.73%	34,230	\$92

Sources: Westchester County GIS Boundary & District Data; New York State Office of Real Property Tax Services, Westchester County Parcel GIS data; US Census American Community Survey 2015-2019 Five-Year Estimates; Analysis by Phillips Preiss LLC.

As shown in Table III.J-9, the Proposed Project at full build-out is expected to generate a combined public service cost of \$249,280 across all affected jurisdictions.

Table III.J-9
Estimated Service Costs of Project by Taxing Jurisdiction, 2020

	Per Capita Cost	Project Residents	Total Cost
Westchester County	\$319	152	\$48,488
Town-wide General	\$79	152	\$12,008
Town Unincorporated	\$786	152	\$119,472
Ambulance District	\$25	152	\$3,800
County Solid Waste	\$27	152	\$4,104
County Sewer - Ossining	\$77	152	\$11,704
Refuse/Light/Fire	\$230	152	\$34,960
Town-wide Water	\$5	152	\$760
Ossining Library	\$92	152	\$13,984
Combined			\$249,280

Sources: Westchester County GIS Boundary & District Data; New York State Office of Real Property Tax Services, Westchester County Parcel GIS data; US Census American Community Survey 2015-2019 Five-Year Estimates; Analysis by Phillips Preiss LLC.

It should be noted, however, that these costs represent a highly conservative estimate. In reality, certain costs associated with general government staffing and other fixed-cost, budgeted items like employee benefits and debt service are unlikely to be impacted by the proposed Project. Additionally, services such as snow removal and road maintenance within the project site will be privately handled. Thus, it is likely that the actual service demands generated by the new residents will be lower than the estimate utilized in this analysis.

The cost-revenue comparison and net fiscal impact for each taxing jurisdiction is summarized in Table III.J-10. The Proposed Project will result in net positive fiscal impact for all taxing jurisdictions. The total annual net fiscal impact of the Proposed Project is \$875,722. Compared to the existing conditions, the Proposed Project will result in a total increase of approximately \$800,094 in annual net surplus revenue. In short, the Proposed Project will bring substantial fiscal benefits (see Table III.J-11).

Table III.J-10
Net Fiscal Impact of Proposed Project by Taxing Jurisdiction, 2020

	Tax Revenues	Service Costs	Net Fiscal Impacts
Westchester County	\$90,796	\$48,488	\$42,308
Town-wide General	\$22,351	\$12,008	\$10,343
Town Unincorporated	\$159,716	\$119,472	\$40,244
Ambulance District	\$6,189	\$3,800	\$2,389
County Solid Waste	\$7,596	\$4,104	\$3,492
County Sewer - Ossining	\$21,476	\$11,704	\$9,772
Refuse/Light/Fire	\$44,653	\$34,960	\$9,693
Town-wide Water	\$915	\$760	\$155
Ossining Central School District	\$740,719	\$0	\$740,719
Ossining Library	\$29,851	\$13,984	\$15,867
Village of Ossining	\$740	\$0	\$740
Total	\$1,125,002	\$249,280	\$875,722

Source: Analysis by Phillips Preiss LLC.

Table III.J-11
Net Fiscal Impact of Proposed Project vs Existing Conditions

	Proposed Project	Existing Conditions	Net Increase in Surplus Revenue
Westchester County	\$42,308	\$6,076	\$36,232
Town-wide General	\$10,343	\$1,496	\$8,847
Town Unincorporated	\$40,244	\$10,342	\$29,902
Ambulance District	\$2,389	\$414	\$1,975
County Solid Waste	\$3,492	\$508	\$2,984
County Sewer - Ossining	\$9,772	\$1,437	\$8,335
Refuse/Light/Fire	\$9,693	\$2,989	\$6,704
Town-wide Water	\$155	\$61	\$94
Ossining Central School District	\$740,719	\$49,568	\$691,151
Ossining Library	\$15,867	\$1,997	\$13,870
Village of Ossining	\$740	\$740	\$0
Total	\$875,722	\$75,628	\$800,094

Source: Analysis by Phillips Preiss LLC.

Comparison of Fiscal Impacts of the Proposed Project with Former Project

As Table III.J-12 shows, compared to the former project, the Proposed Project would generate \$105,725 more in combined property taxes across all taxing jurisdictions. It should be noted, however, that the DEIS for the Former Project mainly considered the property tax revenues generated by the former project, but did not conduct a detailed analysis of the net fiscal impacts for each taxing jurisdiction as in this SDEIS. However, the DEIS noted that the Former Project was estimated to add 373 residents, whereas the Proposed Project would generate only 152 residents. As such, the public service costs for the Former Project would likely have been more than 2 times that of the Proposed Project. Additionally, the Former Project would generate between 22 and 29 school aged children, requiring costs ranging from \$426,184 to \$561,788 annually. In contrast, the Proposed Project with age-restricted units will generate no such costs, allowing the school district to retain the full amount of property taxes generated by the project. As such, the currently Proposed Project represents a significant increase in not only property taxes, but also net fiscal benefits, compared

to the Former Project.

Table III.J-12
Property Taxes of Proposed Project vs Former Project

	Proposed Project	Existing Conditions Former Project	Net Difference in Property Taxes
Westchester County	\$90,796	\$87,613	\$3,183
Town-wide General	\$22,351	\$18,769	\$3,582
Town Unincorporated	\$159,716	\$149,504	\$10,212
Ambulance District	\$6,189	\$5,576	\$613
County Solid Waste	\$7,596	\$8,011	-\$415
County Sewer - Ossining	\$21,476	\$21,008	\$468
Refuse/Light/Fire	\$44,653	\$38,090	\$6,563
Town-wide Water	\$915	\$1,361	-\$446
Ossining Central School District	\$740,719	\$662,522	\$78,197
Ossining Library	\$29,851	\$26,088	\$3,763
Village of Ossining	\$740	\$734	\$6
Total	\$1,125,002	\$1,019,277	\$105,725

Source: Analysis by Phillips Preiss LLC.

3. **Mitigation**

As noted above, the Proposed Project is expected to result in fiscal benefits to local taxing jurisdictions. The Town of Ossining, the Ossining School District, and various special districts would all receive surplus revenues from the Proposed Project. Because the service costs required to support the new residents are more than offset by the tax revenues, no adverse fiscal impacts are expected. Therefore, no mitigation measures are necessary and proposed at this time.

As noted above, the Previous Project anticipated generating between 22 to 29 school age children, in contrast to none for the Proposed Project. Because of this difference in the Proposed Project versus the Previous Project, the voluntary payment of \$350,000 to be used for school capital improvements agreed to by the Previous Project is no longer valid and pertinent. The Proposed Project will not impact the

School District other than paying an additional approximately \$691,151 in school taxes in excess of the approximately \$49,568 paid by the existing Site. There are no costs to the School District as a result of the Proposed Project.

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III.K Construction Impacts

I. Former Project

The Former Project had a construction schedule of approximately 18 to 21 months, starting with site preparation, and then followed by the demolition of the existing Stony Lodge Hospital buildings. Full build-out of the Former Project was to occur over a single phase. The majority of the construction for the Former Project was to take place in the upper elevations of the property, on the southern and eastern portions of the site. Subsequently, the building superstructure, mechanicals, interiors, and finishes were to follow. Subsequent to the adoption of the Proposed Zoning, the Former Project included a detailed Construction Management Plan that was prepared to Town specifications as part of the site plan review process.

Consistent with the Town Code, construction would only take place between the hours of 8:00 am and 8:00 pm Monday through Friday and occasionally between 9:00 am and 5:00 pm on Saturdays, Sundays, and Holidays. Construction access to the site would have been via the existing site driveway off Croton Dam Road.

2. Proposed Project

The Proposed Project will have a similar construction timeline to the Former Project. This chapter discusses the proposed construction sequence as well as the potential for adverse impacts that may occur as a result of the construction of the Proposed Project. As for any construction project, there is the potential for environmental impacts, such as those associated with soil erosion, traffic, noise, vibrations, and dust. This chapter documents the various activities that would be involved in construction sequence of the Proposed Project.

i. Construction Sequence

The Proposed Project will have a similar timeline for its construction sequence as the former project, 18 to 21 months, and would take place at times conforming to the Town Code, specifically, between 8:00 am and 8:00 pm from

Monday through Friday and occasionally between 9:00 am to 5:00 pm on Saturdays, Sundays, and Holidays. Construction impacts are similar to the Former Project.

Construction phases, their estimated duration and number of employees are depicted in Table III.K-I, below.

Table III.K-I
Construction Phasing

Construction Phase	Duration	No. of Employees
Mobilization and Site Clearing	2-3 months	20
Excavation	5-6 months	15
Foundations	3-4 months	28
Superstructure	3-4 months	30
Mechanicals	3-4 months	30
Interior and Finishes	3-4 months	24
Cleaning and Final Fitting and Installation	2-3 months	24
Notes: Number of months are weather dependent Source: Glenco LLC		

The construction sequence will incorporate the following tasks:

- Pre-construction meeting(s) with the Town officials
- Installation of erosion and sediment control measures
- Demolition of all nine of the existing buildings on the property
- Clear vegetation on portions of the property to be developed
- Strip and stockpile topsoil
- Begin rough grading and construction of building and parking lot
- Install storm drain and sanitary sewer system complete (immediately install erosion & sediment control protection on all inlets)
- Install utilities (gas, electric and telephone)
- Install concrete and asphalt concrete pavement complete

- Finish grading, redistribute topsoil and establish vegetation and/or landscaping
- Clean pavements and storm drain system of all accumulated sediment in conjunction with the removal of all temporary sediment and erosion control devices.
- Complete site and building construction.

ii. **Construction Truck Routes and Truck Traffic Volumes**

Construction of the Proposed Project will create construction-related traffic to and from the Project Site, including trips related to workers as well as delivery of materials and equipment. In addition, there will be truck traffic associated with removing construction debris and excavated materials from the Project Site.

Based on the topography of the Project Site, and in order to accommodate development in accordance with the proposed plan, the project would result in a net cut of approximately 14,943 cubic yards of excess material (Figure 3.C-5). Approximately 89 percent of the material to be excavated will be re-used on the Project Site as compacted fill, and the balance of the excavated material would be exported from the site. The excess material would be exported in accordance with all applicable regulations to appropriate location(s). These trips would be spread over 5 to 6 months during the earthwork period, such that the number of truck trips during a single day would be roughly 6.5 truck trips per work day, which equates to less than one trip per hour.

Tables III.K-2 and III.K-3 provide summaries of truck traffic by construction phase for infrastructure development and site grading, and building construction, respectively. The infrastructure development and site grading are anticipated to take approximately 6 to 8 months, and the building construction is anticipated to take approximately 10 to 11 months.

Table III.K-2
General Construction Truck Traffic for Site
Grading and Infrastructure Development

	Truck Totals
Lowbed	30
Concrete Truck	28
Material Delivery	242
Trailer Load	158
Dumpsters	40
10 Wheel Dump Truck	747
Haul Truck	100
Miscellaneous	10

Table III.K-3
General Construction Truck Traffic for
Building Demolition and Construction

	Truck Totals
Lowbed	24
Concrete Truck	281
Material Delivery	303
Trailer Load	263
Dumpsters	115

Most construction-related trucking will utilize NY 9A from the south, and NY 9 to NY 9A from the north. Trucks will exit NY 9A at its intersection with NY 134 (Croton Dam Road) and proceed along NY 134 to the existing site entrance, which will continue to be used. The Applicant does not believe that the construction traffic traveling to and from the Project Site will increase significantly over existing conditions because NY Routes 9 and 9A are major roadways and existing truck routes.

iii. **Construction Noise**

Construction of the Proposed Project will generate noise and vibration from construction equipment, construction vehicles, worker traffic, and delivery vehicles traveling to and from the Project Site. Noise levels caused by

construction activities will vary, depending on the phase of construction—demolition, excavation, foundation, building construction, etc.—and the specific task being undertaken. All construction activities will be conducted in compliance with existing regulations, including local day and hour construction limitations. As noted above, consistent with the Ossining Town Code, construction activity will only take place between the hours of 8:00 am and 8:00 pm Monday through Friday and occasionally between 9:00 am and 5:00 pm on Saturdays, Sundays and holidays.

Thus, construction equipment will meet specific noise emission standards. Usually, noise levels associated with construction and equipment are identified for a reference distance of 50 feet (see Table III.K-4).

Significant noise levels typically occur nearest the construction activities, and may reach as high as 90 A-weighted decibels (dBA) under worst-case conditions. The level of noise impacts at local receptors will depend on the noise characteristics of the equipment and activities involved, the hours of operation, and the location of sensitive noise receptors. Noise levels will decrease with distance from the construction site. These distances help to mitigate construction noise impacts. Increased noise levels due to construction activity may be most significant during the early construction phases such as clearing, demolition, and excavation, which will be relatively short in duration (approximately two to three months) and intermittent based on the equipment in use and the work being done.

Construction operations, for some limited time periods, will result in temporary increased noise levels. Therefore, these noise effects will be temporary in nature and will occur during noise-regulated hours. Therefore, no significant adverse noise impacts will be expected to occur.

Based on the findings of the geotechnical investigations, some blasting may be required. If so, blasting will be conducted in accordance with applicable local, state, and federal regulations, including Town Code Chapter 89, “Explosives.”

Chapter 89 requires that no person is to manufacture, sell, possess, store, use or detonate explosives within the Town unless a permit has been issued by the Building Inspector. Conditions of the permit include:

Inspection. Because of the compelling and overriding public safety issues involved in the handling and use of explosives, the Building Inspector, the Chief of Police, or their designee, may inspect any vehicle, structure, dwelling, construction site, workplace or other area where explosives are manufactured, sold, possessed, stored or used within the Town for the limited purpose of ascertaining and verifying compliance with Chapter 89.

Permit revocation. The Building Inspector may revoke or modify a permit issued pursuant to the procedures and standards set forth by the Building Inspector where it appears that the permit holder has violated any local, state or federal rule, safety standard or regulation, including any regulation promulgated by the Building Inspector, or where such permit holder has made a false statement or representation on the application for a blasting permit or where the Building Inspector determines that public safety has been compromised. The Building Inspector may modify or revoke a permit.

The licensed blasting specialist will use care and caution to prevent excessive shock waves or stones and other material from flying off. The blasting of material near to any building or other structure will be conducted so as to prevent any damage. All blasting will be under the direct supervision of persons approved and licensed by New York State.

Blasting may be conducted when authorized by permit Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m. Blasting is prohibited Saturdays, Sundays and legal holidays.

§89-9 states that the Building Inspector is to promulgate explosive and blasting regulations and standards deemed necessary or desirable to protect public health, safety and welfare. A copy of all such regulations and standards promulgated under this section are to be provided with each application for a permit.

Table III.K-4
Typical Noise Emission Levels For Construction Equipment

Equipment Item	Noise Level at 50 Feet (dBA)
Air Compressor	81
Asphalt Spreader (paver)	89
Asphalt Truck	88
Backhoe	85
Bulldozer	87
Compactor	80
Concrete Plant	83 ⁽¹⁾
Concrete Spreader	89
Concrete Mixer	85
Concrete Vibrator	76
Crane (derrick)	76
Delivery Truck	88
Diamond Saw	90 ⁽²⁾
Dredge	88
Dump Truck	88
Front End Loader	84
Gas-driven Vibro-compactor	76
Hoist	76
Jack Hammer (Paving Breaker)	88
Line Drill	98
Motor Crane	93
Pile Driver/Extractor	101
Pump	76
Equipment Item	Noise Level at 50 Feet (dBA)
Roller	80
Shovel	82
Truck	88
Vibratory Pile Driver/Extractor	89 ⁽³⁾

Notes:

- ¹ Wood, E.W., and A.R. Thompson, Sound Level Survey, Concrete Batch Plant; Limerick Generating Station, Bolt Beranek and Newman Inc., Report 2825, Cambridge, MA, May 1974.
- ² New York State Department of Environmental Conservation, *Construction Noise Survey, Report No. NC-P2*, Albany, NY, April 1974.
- ³ F.B. Foster Company, *Foster Vibro Driver/Extractors, Electric Series Brochure*, W-925-10-75-5M.

Sources: Patterson, W.N., R.A. Ely, And S.M. Swanson, *Regulation of Construction Activity Noise*, Bolt Beranek and Newman, Inc., Report 2887, for the Environmental Protection Agency, Washington, D.C., November 1974, except for notated items.

The geotechnical investigation also concluded that rock chipping may be used where appropriate as an alternative to blasting. A hydraulic hammer would be used to chip and break the rock apart, without the use of blasting. The impacts of rock ripping and chipping are ground vibrations in the immediate vicinity of the ripping and chipping machinery, and potential fly-off rock fragments occurring in the immediate vicinity of the ripping and chipping operation. While there is little that can be done to mitigate ground vibrations, there are steps that can be taken to mitigate the impacts of fly-off rock fragments. In the first instance, the impacts of fly-off rock fragments are mitigated by providing the operator of the machinery working within an enclosed cab and/or wearing protective eye gear. Impacts of fly-off rock fragments on other persons and/or off-site will be mitigated by limiting accessibility to the area of the ripping and chipping operation with signage and fencing, and installing controls—such as protective screening—would help ensure that any potential fly-off rock fragments remain in the immediate vicinity on-site.

Lead-based paint and asbestos surveys may need to be performed before demolition of the buildings commences. As is often found in older homes and buildings, any lead-based paint and asbestos found as part of this investigation will be removed in accordance with current regulations. Demolition will then proceed by disconnecting utility connections from the existing buildings and removing appurtenances. This will include removing existing buildings and

structures, light fixtures and conduits, walkways, oil tanks, and sanitary sewage systems. The type of construction equipment will include track mounted demolition equipment, hammers, buckets, and grapplers. Material will be loaded into containers and removed from the site on a regular basis. Building debris will be removed from the site to licensed disposal facilities. Dust control and erosion control measures will be implemented as needed.

Airborne dust may be created by the chipping and demolition operations, which may be mitigated by wetting of the material being ripped or demolished.

The potential impacts associated with construction include sediment deposition and erosion, and the potential for causing turbidity within receiving water bodies. To prevent the potential negative effects of soil erosion, the Proposed Project will conform to the requirements of NYSDEC State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges Associated with Construction Activity Permit No. GP-0-20-001, and the “New York State Standards and Specifications for Erosion and Sediment Control”, November 2016. This permit requires that projects disturbing more than one acre of land must develop a Stormwater Pollution Prevention Plan (SWPPP) (see Volume 2 Appendix), containing both temporary erosion control measures during construction and post-construction stormwater management practices to avoid flooding and water quality impacts in the long-term (see Appendix Volume 2).

The following practices will be used throughout construction to minimize the potential erosion and sedimentation impacts associated with the disturbance, and will be coordinated with the final SWPPP.

Stabilized Construction Entrance/Exit (SCE) – The construction entrance/exit will have a stabilized aggregate pad underlain with filter cloth to prevent

construction vehicles from tracking sediment off-site. Stabilized construction entrances will be located at specific transition areas between concrete/asphalt to exposed earth.

Silt Fence – Silt fencing will be installed on the down-gradient edge of disturbed areas parallel to existing or proposed contours or along the property line as perimeter control. Silt fencing will be used where stakes can be driven into the ground as per the Silt Fence detail in the New York State Standards and Specifications for Erosion and Sediment Control (ECS) and as shown on the Drawings attached to this DEIS. Silt fencing controls sediment runoff where the soil has been disturbed by slowing the flow of water and encouraging the deposition of sediment before the water passes through the straw bale or silt fence. Built-up sediment will be removed from silt fencing when it has reached one-third the height of the bale/fence and properly disposed.

Storm Drain Inlet Protection – Inlet protection will be installed at all inlets where the surrounding area has been disturbed. The inlet protection will be constructed in accordance with NYSDEC Standards and Specifications for Erosion and Sediment Control. Typically, they will be constructed to pass stormwater through, but prevent silt and sediment from entering the drainage system.

Stockpile Detail – Stockpiled soil will be protected, stabilized, and sited in accordance with the Soil Stockpile Detail, as shown on the detail sheets. Soil stockpiles and exposed soil will be stabilized by seed, mulch, or other appropriate measures, when activities temporarily cease during construction for seven days or more in accordance with NYSDEC requirements.

Dust Control – During the demolition and construction process, debris and any disturbed earth will be wet down with water, if necessary, to control dust. After demolition and construction activities, all disturbed areas will be covered and/or

vegetated to provide for dust control on the site.

Temporary Seeding and Stabilization – In areas where demolition and construction activities, clearing, and grubbing have ceased, temporary seeding or permanent landscaping will be performed to control sediment-laden runoff and provide stabilization to control erosion during storm events. This temporary seeding/stabilization or permanent landscaping will be in place no later than 14 days after demolition and construction activity have ceased.

Sump Pit – Depending on the results of the geotechnical investigations, a temporary pit may be necessary to trap and filter water for pumping to a suitable discharge area. The purpose will be to remove excessive water from excavations. Sump pits will be constructed when water collects during the excavation phase of construction.

Dewatering – Depending on the results of the geotechnical investigations, there may be areas of construction where the groundwater table will be intercepted and dewatering activities would take place. Site-specific practices and appropriate filtering devices will be employed by the contractor so as to avoid discharging turbid water to the surface waters of the State of New York.

Temporary Sediment Trap – The purpose of a sediment trap is to intercept sediment-laden runoff and filter the sediment laden stormwater runoff leaving the disturbed area to protect drainage ways, properties, and rights-of-way below the sediment trap. The trap will be installed down gradient of construction operations which expose critical areas to soil erosion. The trap will be maintained until the disturbed area is protected against erosion by permanent stabilization.

Materials Handling – The Contractor will store construction and waste materials as far as practical from any environmentally sensitive areas. Where possible,

materials will be stored in a covered area to minimize any potential runoff. The Contractor will incorporate storage practices to minimize exposure of the materials to stormwater, and spill prevention and response where practicable. Prior to commencing any construction activities, the contractor will obtain necessary permits or verify that all permits have been obtained.

A continuing maintenance program will be implemented for the control of sediment transport and erosion control after construction and throughout the useful life of the project.

iv. Mitigation Measures

The practices discussed above including implementation of the Erosion and Sediment Control Plan, Best Practices, and construction management techniques will reduce potential temporary conditions related to erosion and sedimentation. Since a landscape plan will be implemented, all temporary site disturbances would ultimately be restored and landscaped.

The proposed Developer/Contractor will have a qualified professional conduct an assessment of the site prior to the commencement of demolition/construction and certify that the appropriate erosion and sediment controls, as shown on the Sediment and Erosion Control Plans, have been adequately installed to ensure overall preparedness of the site to begin demolition/construction. In addition, the Developer/Contractor will have a qualified professional conduct one site inspection at least every seven calendar days and at least two site inspections every seven calendar days when greater than five acres of soil is disturbed at any one time. It should be noted that any disturbance at any given time over 5 acres requires a “5-acre waiver” from the Municipal Separate Storm Sewer System (MS4).

The Contractor will take every precaution to minimize and control all odors, smoke, noise, dust, nuisance, vibration or disturbances caused by machinery,

pumping, compressing, blasting, trucking or by any of the Contractor's or subcontractors' operations, and the Contractor will be liable for all damage therefore or for violations of any and all present and future laws, ordinances or regulations relating to same until completion of the work.

The Contractor will schedule and conduct operations to minimize erosion of soil and to prevent muddying of streams, rivers, impoundments and lands adjacent to or affected by the work. Construction of drainage facilities and other work which will contribute to the control of erosion and sedimentation is to be carried out in conjunction with earthwork operations or as soon thereafter as practicable so that the area of bare soil exposed at any one time by construction operations will be kept to a minimum. The conduct of all work to be performed is to be carried out in accordance with all laws, ordinances and regulations relating to soil erosion and water pollution control, and the Contractor will be held liable for violation of any and all such laws, ordinances and regulations.

The Town of Ossining has the authority to enforce compliance with the approved SWPPP. Should compliance not be maintained, the Town can place a stop work order on the project and/or fine the parties found responsible for violations.

To ensure that construction takes place as efficiently as possible, the Applicant has prepared a Construction Management Plan as illustrated at the end of this section and within Appendix E.

Based on the foregoing technical analysis, it is the Applicant's conclusion that construction of the Proposed Project will not result in any significant adverse impacts.

V. ALTERNATIVES

A. Alternative A: The Former Project

The Former Project proposed to construct a 188 unit residential community housing development (“River Knoll”) on the site of the former Stony Lodge Hospital at 40 Croton Dam Road in the Town and Village of Ossining, New York (the “Project Site”). The River Knoll project) comprised 169 market-rate and 19 affordable rental units, as mandated by Article VI of the Town of Ossining’s Zoning Code (see Figure 5-1). The Former Project was intended to provide a new and upscale housing product for the community for residents who wish to remain in Ossining and the Hudson Valley region.

The Former Project also included a petition to rezone the 16.65 acre portion of the site located in the Town of Ossining from the R-15 single family zoning district to a new Multifamily Residence 2 (MF 2) Zoning District. No structures or paved areas were proposed within the 1.24 acres of land within the Village of Ossining, currently zoned S-50 single family residential. The portion located within the Village of Ossining was to be put into an open space easement to prevent future development on that portion of the Project Site.

Wetlands

The Former Project did not encroach into the 0.004 acre wetland or the 100 foot buffer regulated by the Town of Ossining. The Village of Ossining does not regulate a buffer around the 0.277 acres of Village regulated wetlands. There are no New York State Department of Environmental Conservation (NYSDEC) regulated wetlands on or within the proximity of the Project Site.

The Former Project avoided disturbance to the wetland and wetland buffer. The Former Project was not expected to adversely impact the existing wetland or wetland buffer.

Soils and Topography

A cut-and-fill analysis to accommodate the Former Project showed a net export of approximately 2,500 cubic yards (approximately 125 trucks of soil export) occurring at an average rate of one or two truckloads per workday during an approximately two to three month initial excavation phase.

The Former Project was designed to avoid most steep slopes and affected approximately 25 percent of the 53% of the slopes over 15% on the Site. The geotechnical investigation concluded that some blasting may have been required.

It was the Applicant's conclusion that with the implementation of an approved SWPPP and ESC Plan, the Former Project would avoid any adverse impacts to soils and would not result in any significant adverse impacts to soils or topography on or in the vicinity of the Project Site.

Stormwater Management and Subsurface Surface Water

Currently, there are three separate drainage areas at the site, and there is neither a formal collection system nor organized system to treat stormwater runoff.

Stormwater is currently discharged untreated directly off-site to the surrounding neighborhoods and streets, particularly along the southern edge of the property. This condition was to be alleviated by the Former Project which would collect and convey runoff into an engineered new onsite stormwater management system.

The proposed drainage improvements included conventional and green infrastructure stormwater practices, such as infiltration basins with forebays and stormwater planters. The vegetated stormwater practices and overland discharges would provide opportunities to enhance water quality and infiltration practices. Based upon the detailed analysis contained in the stormwater pollution prevention plan (SWPPP) prepared for the Former Project, the Applicant's conclusion was that implementation

of the proposed stormwater management plan would significantly improve stormwater management for both stormwater quantity and stormwater quality over existing conditions. The proposed stormwater management improvements would provide runoff reduction, water quality treatment for the 90 percent rainfall event, stream channel protection, and attenuate peak rates of runoff for the 10- and 100-year storms as required by NYSDEC SPDES General Permit No. GP-0-15-002 in effect at the time.

Vegetation and Wildlife

The Former Project Site design specifically focused on the retention and maximization of the property's green space resulting in the protection and preservation of 70 percent of the mature trees on the site. Most of the wooded periphery of the site and the majority of wooded/shrub areas scattered throughout the site would remain undisturbed; including the majority of the area of steeply sloped oak and maple woods located west of the proposed building. In addition, no trees would be removed within the 100-foot buffer zone of the onsite wetlands.

Retention of these wooded areas would continue to provide wildlife habitat and add to the site's visual appeal. Because new pavement and buildings would be clustered in the center of the site (where the existing hospital buildings and accessory uses are located) the vegetated buffers surrounding the Project Site would be expanded particularly to the north, east, and west. In addition, existing impervious surfaces (buildings/pavement) around the periphery of the site would be removed and converted to landscaped areas. In this way, the vegetated buffers would be up to 260 feet separating the new building from surrounding properties.

The Project Site was evaluated for the potential presence of threatened and endangered species. Thus, no significant adverse impacts to threatened or endangered species were anticipated.

Lighting fixtures would comply with dark sky requirements through the use of shielded

and directional lighting, minimizing up-lighting and reducing unnatural lighting on nocturnal wildlife.

Historical and Archeological Resources

The Phase IA was submitted to the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) who concurred that a Phase IB Archaeological Investigation of potential sensitive areas within the limits of disturbance would need to be conducted to confirm the presence or absence of archaeological resources. A Phase IB study was conducted in May 2017 and found no archaeological artifacts on the River Knoll project.

Based on correspondence from OPRHP (see DEIS Appendix H), since no significant artifacts were discovered in the archaeological Phase IB testing, no impacts to archaeology would result.

Infrastructure and Utilities

Water

Water system improvements that were engineered in connection with the Former Project would further improve the function and reliability of the Town/Village water system in the vicinity of the Project Site.

The Former Project would be connected to a new 8" water main to be installed by the Ossining Water Department as part of its water system improvements. The water main would cross the Project Site in a 10' wide easement that would be dedicated to the Village of Ossining. A private service line would be connected to the new 8" water main to serve the proposed building.

Based upon consultation with Town representatives, since water demands of the Former Project could be met with or without the proposed improvements, no significant adverse impacts would be anticipated to the Ossining Water

Department.

Sanitary Sewer

Sewage would be conveyed to the Ossining Wastewater Treatment Plant. A connection was proposed to the existing 8” sewer line at an existing manhole between First and Second Avenues to serve the new building. A video inspection was performed of the existing 8” sanitary line along the site’s east property line, and the line was cleaned in connection with performing the video.

Westchester County had advised that the existing wastewater treatment plant had adequate capacity to serve the anticipated volume from the Former Project. It was the Applicant’s conclusion that no significant adverse impacts were anticipated to the Ossining Wastewater Treatment Plant or sanitary sewer lines.

Land Use, Public Policy, Zoning and Community Character

Land Use

The Former Project would change the use on the Project Site from an institutional use to a multifamily residential use. The former Stony Lodge Hospital provided residential care for 61 children at a time on a two week rotation (600 children annually) with a support staff of approximately 200 in three shifts (morning shift, early evening shift, and midnight shift).

In the Applicant’s opinion, the change in land use did not make the Project Site incompatible with surrounding land uses or constitute an adverse impact. The Former Project was in the Applicant’s opinion more consistent with neighboring residential uses than was the existing institutional hospital use, though the hospital did have resident patients and staff, so there was previously a form of residential occupancy of the Project Site. The elimination of the ten buildings and the construction of one newer building on the central portion of the Project Site would be a change but would not constitute an impact on surrounding land uses

as the bulk of the new development would be on the interior of the Project Site, well screened from most views from surrounding areas, including abutting residential homes. The routine activities of potential future tenants of River Knoll would be no different from the routine activities of residents of the surrounding neighborhood. Vehicular circulation would be directed to Croton Dam Road, which previously carried traffic associated with Stony Lodge Hospital.

The visual character of the Project Site would be similar as the proposed building will also be located on the top of the Project Site and would be buffered from surrounding properties by dense existing and proposed vegetation. However, instead of the three-story Main Hospital building being surrounded by eight accessory buildings, there would be only one three-story residential building located at the top of a hill—in the same general area as the former Main Hospital building. The proposed building would be larger than the existing Main Hospital building, but the removal of the nine accessory buildings would allow the area in which these buildings are located to be replaced with a larger permanently landscaped buffer between the proposed residential building and the adjacent residential neighborhood.

Public Policy

The Former Project was in the Applicant's opinion in conformance with a number of the principles from the 2015 Comprehensive Plan update.

It was the Applicant's opinion that the Former Project was consistent with local and regional policies that promoted redevelopment of older properties in a manner that preserves community character, environmental features, and provides for affordable housing.

Zoning

The Former Project required a MF-2 (Multifamily Residence 2) zoning district be

adopted to accommodate the use and the site would be re-mapped from the One-Family Residence (R-15) District to the proposed MF-2 District. Multifamily housing would be permitted in the proposed MF-2 district by the Planning Board as a conditional use.

Community Character

The Former Project would have resulted in the construction of one new building on the upper, central portion of the Project Site with significant landscaped buffers to the adjoining residential properties. The building would be designed in the Hudson Valley architectural vernacular and was considered a significant improvement over the existing hospital buildings that are in disrepair.

It was the Applicant's opinion that no significant adverse impacts to community character would result from the Former Project. While the proposed building would be partially visible from select locations in the study area, most of those views would be shielded by existing or proposed vegetation. During winter months, views of the proposed building would be greater, but distance and angles of view would limit most views. Furthermore, reuse of the existing hospital property into a multifamily property is consistent with the Town's Comprehensive Plan and would represent a similar land use to the existing hospital.

Traffic and Transportation

The original Traffic Impact Study (TIS) identified signal timing improvements to manage the additional trips that would be generated from the Former Project to mitigate the Former Project's traffic impacts. However, to improve local traffic conditions, and in talks with neighbors, the Project Sponsor independently investigated the possibility of improvements to the intersection of NY 9A and Croton Dam Road. The Project Sponsor submitted preliminary plans to NYSDOT for a right turn lane on both Croton Dam Road approaches and recommended reducing the existing 150 second cycle length to 110 seconds. This cycle change would improve the delay experienced by

vehicles due to the long cycle length. The review of this improvement by NYSDOT was positively received and was to continue concurrent with the SEQRA process. The proposed improvements at the intersection of NY 9A and Croton Dam Road would be a benefit to the community to improve an existing condition.

In contrast, the currently proposed age-restricted development does not propose any improvements at this intersection and will have fewer traffic impacts than the Former Project. For example, during the peak weekday AM hour for the intersection of Croton Dam Road and NY 9A, the NY 9A westbound approach is projected to operate at a level of service C with the previously proposed development compared to a level of service B with the currently proposed development. During the peak weekday PM hour, at the intersection of Croton Dam Road and NY 9A, the NY 9A eastbound approach is projected to operate at a level of service C with the previously proposed development compared to a level of service B with the currently proposed development. During the peak Saturday midday hour, the NY 9A eastbound left turn onto Croton Dam Road is projected to operate at a level of service E with the previously proposed development compared to a level of service D with the currently proposed development.

When the proposed redevelopment's traffic is compared to the other traffic volumes at the intersection of NY 9A & Croton Dam Road, the proposed redevelopment's traffic represents less than 0.6% of the traffic at the intersection. The proposed redevelopment's traffic represents 0.24%, 0.36%, and 0.58% of the overall intersection volumes at the NY 9A and Croton Dam Road under build conditions during the peak weekday AM, weekday PM, and Saturday midday hours, respectively.

Community Facilities

With 188 proposed dwelling units, the Former Project was expected to have 373 residents. The residents at River Knoll would be a combination of current Town and Village residents looking to downsize into a well amenitized apartment community, and residents from the surrounding communities with no similar residential offering

within their area.

As such, impacts to community facilities were not anticipated to increase greatly.

Schools

The Former Project was to add 22 to 29 students within the Ossining Union Free School District (OUFSD). It was the Applicant's conclusion that the school property taxes that would be generated from the Former Project would be sufficient to cover the per student educational costs and provide surplus tax revenues. The Project Sponsor additionally agreed to a community benefit fund of \$350,000 to contribute towards enhancing school programs and facilities. It was the Applicant's conclusion that the Former Project would not result in any significant adverse impacts to the OUFSD.

Open Space and Recreation

The Former Project would offer recreational amenities to residents of River Knoll including a fitness center for residents with state-of-the-art exercise equipment, a yoga studio, a club room providing gathering areas and billiards and a Wi-Fi equipped library, and a "dog spa" providing a range of pet care, walking and sitting services. Outdoor amenities would include a swimming pool for residents, an outdoor kitchen for private entertaining, extensive landscaping, a dedicated dog walk, and a walkway to Veterans Memorial Park. Based upon the number and quality of recreational amenities to be provided, it was the Applicant's opinion that the Former Project would provide its residents with ample on-site recreation amenities, and meet the demand for recreational needs.

River Knoll residents would likely participate in Town recreation programs and leagues as well as the many recreation facilities that were to be provided on-site. In addition, River Knoll residents would enjoy the passive use of the open space and trails and walkways that would be part of the site programming. It was the

Applicant's conclusion that the taxes projected to be generated by the Former Project would be sufficient to cover the additional costs.

Emergency Services

Demand for emergency services would be comparable to similar residential developments elsewhere in the community. In contrast, the former Stony Lodge Hospital was a frequent and disproportionate user of emergency services. It was the Applicant's conclusion that no significant adverse impacts to emergency services were anticipated.

Fiscal Impacts

Due to the conversion from an almost vacant lot to a residential use, the Former Project would result in a 90.5 percent increase in Full Market Valuation (or an increase of \$23,834,291), and 94.4 percent increase in Taxable Assessed Valuation (or an increase of \$1,331,970). Tax revenue would increase by 90.4 percent (or an increase of \$921,486) from 2016 conditions.

The Former Project was anticipated to generate approximately 373 residents, of which approximately 22 to 29 would be students enrolled in the OUFSD. Projected net tax revenue growth to the Town of Ossining, Village of Ossining, and Ossining Union Free School District would be positive, and would offset additional costs for providing emergency services and educating new school-age children that may reside at River Knoll. While it was the conclusion of the Applicant that the property taxes that would be generated from the Former Project would be sufficient to cover the per student educational costs, the Applicant agreed to a voluntary payment of \$350,000 that would be used by the District to address capital needs.

It was the Applicant's conclusion that the Former Project would have a beneficial fiscal effect on the community.

Construction

In order to avoid or minimize soil erosion and potential related effects on water quality during construction of the Former Project, a Stormwater Pollution Prevention Plan (SWPPP) and an Erosion and Sediment Control Plan was to be implemented pursuant to applicable local and state regulations. A Work Zone Traffic Control Plan (WZTCP) would be put in place to direct construction vehicles and foster efficient traffic flow near the Project Site during the construction period. Construction activity would be limited to hours specified in the Village and Town Codes, which are designed to minimize impacts on residences. Air quality would be maintained through use of truck mats, watering of exposed areas during dry periods, and drainage diversion methods to reduce fugitive dust. Construction vehicles would not be permitted to idle when not in use, thereby reducing impacts related to emissions.

The construction period for the Former Project was expected to last approximately 18 months (months 11-18 of construction cycle would largely focus on work internal to the building with less noise generation). A Landscape Plan would be implemented after construction of the Former Project to return disturbed areas to their previous condition or an improved state. It was the Applicant's conclusion that construction of the Former Project would not result in any significant adverse impacts.

B. Alternative B: Conventional layout Using R-15 Zoning District

Alternative B is a conventional subdivision that could be developed under the existing R-15 zoning in the Town of Ossining. The R-15 Zoning District is a single-family residential district with a minimum lot size of 15,000 square feet. Section 176-18.F(1) specifies that with respect to a conventional subdivision layout, at least 75% of the minimum lot area requirement of a proposed lot is to consist of neither "wetland" nor "extremely steep slope" as these terms are defined in the Code. As noted elsewhere in the SDEIS, there is one wetland on the project site, which is situated in the Village of Ossining where no development is proposed. The wetland is 6,360 s.f.

in area and is to be deducted from the area of the site.

The property contains 86,633 s.f. of extremely steep slopes, defined in §167-2 of the Town Code as a slope equal to or greater than 35% and covering a minimal horizontal area of 0.10 of an acre.

The total deductions to the site area are therefore 6,360 plus 86,633 equals 92,993 s.f. or approximately 2.14 acres. Deducting this from the site area of 779,179 s.f. (which includes the portion within the Village of Ossining) yields 779,179 s.f. minus 92,993 s.f. equals 686,186 s.f. or approximately 15.75 acres of net lot area.

Taking the net lot area and dividing it by 15,000 s.f., the minimum lot area for the R-15,000 district, yields 45 lots. The Alternative B depicted in Figure 5-2 depicts 30 lots, which is 15 fewer lots than the maximum permitted for the site.

Alternative B would be required to designate 10 percent of its dwelling units, or 3 single-family homes as affordable housing as mandated by Article VI of the Town of Ossining's zoning code. The R-15 Zoning District permits single-family detached dwellings (no more than one per lot); limited commercial agricultural operations; and structures and uses owned or operated by the Town of Ossining. In addition, the R-15 Zoning District permits Special Permit Uses consistent with the R-40 Zoning District.¹ Pursuant to §200-21 of the Zoning Code, the maximum amount of impervious surface for each lot would be 4,520 square feet per lot, or 135,600 square feet for 30 lots. This does not include impervious surfaces associated with new roadways.

This alternative would use virtually all upland areas on the Project Site and would eliminate most of the existing stands of trees on the Project Site. The opportunity to

¹ Uses permitted by special permit granted by the Board of Appeals are identical to that of the R-40 zoning district and include places of worship, schools and educational facilities, public utility rights-of-ways, annual membership organizations, temporary structures for retail sales of agricultural and nursery products, and cemeteries.

provide/maintain a green buffer adjacent to Croton Dam Road would be eliminated.

Overall, unlike the Proposed Project, there would be no green space adjacent to Croton Dam Road. Furthermore, construction of this Alternative would disturb nearly the entire Project Site. Existing trees and vegetation would consequently be removed, steep slopes would be affected, the wetland and wetland buffer would be disturbed, and extensive internal utility and stormwater management systems would be required.

Wetlands

This alternative would require permanent disturbance to the small wetland in the northeastern portion of the site (within the Town and Village of Ossining) to create a stormwater basin. The stormwater basin would be re-vegetated with hydrophytic vegetation to replace wetland functions. This alternative would also require permanent disturbance to the 100-foot Town-regulated wetland buffer.

Soils and Topography

Under Alternative B, the existing topography would be altered to accommodate a 30 lot subdivision and associated roadway and utility infrastructure. As such, this alternative would disturb nearly 100 percent of the Project Site, compared to 80 percent site disturbance for the Proposed Project. This alternative would also irretrievably alter the campus-like appearance of the property attributed to the mature landscaping and bucolic lawn area along Croton Dam Road, as it would be removed to accommodate this alternative.

The concept layout for this alternative recognizes areas of steep slope and is adjusted per the Town's steep slopes regulations to ensure each lot has sufficient buildable area and minimizes impacts to slopes to the maximum extent practicable. As discussed in Section III.C.2 for the Proposed Project, for this Alternative as well the Applicant would seek a Steep Slope Permit and a waiver from the Planning

Board, subject to the conditions of §167-5.b(2) of the Town Code as discussed in Section III.C.2, during the site plan approval process.

Stormwater Management and Subsurface Water

In comparison with the Proposed Project, Alternative B would likely result in more impervious surfaces and would be expected to generate slightly more stormwater runoff. Similar to the Proposed Project, a stormwater management plan would be developed for this layout that would significantly improve the quality and quantity of stormwater runoff from existing conditions.

Vegetation and Wildlife

Alternative B would disturb existing vegetation and wildlife habitat on the Project Site to create new roadways, utility extensions, and building lots. Unlike the Proposed Project, Alternative B would neither maintain the landscaped buffer nor include a comprehensive landscaping plan. The landscaping for the residential subdivision would be primarily the responsibility of individual lot owners. As a result, this alternative would result in greater alteration of existing habitat areas. Further, this alternative would fragment existing habitat areas, thereby disrupting wildlife movements. Therefore, the subdivision of the Project Site into 30 individual house lots would result in greater impacts to vegetation, habitat, and wildlife.

Historical and Archaeological Resources

Like the Proposed Project, Alternative B would result in removal of all existing buildings on the Project Site. Based on correspondence from SHPO (see DEIS Appendix H), since no significant artifacts were discovered in the archaeological Phase IB testing, no impacts to archaeology would result. Based upon concurrence from OPRHP (see DEIS Appendix H), since the existing buildings on the Project Site are not currently determined eligible for listing (and are not listed) on the State/National Register of Historic Places, no impacts to historic resources

would result.

Infrastructure and Utilities

Since this alternative would have fewer residents than the Proposed Project, this alternative would be expected to result in less water consumption and less wastewater generation.

Land Use, Public Policy, Zoning, and Community Character

This alternative would not advance the goal of the Town's Comprehensive Plan that encourages a diversity of housing types, and contrary to the policy in the 2015 Update:

“The Town should be open to an analysis of the zoning of the underutilized and non-conforming Stony Lodge Hospital property in order for this property to be adaptively reused or redeveloped in a manner that is feasible and which protects surrounding neighborhoods and environmental resources to the maximum extent practicable.”

Further, the Comprehensive Plan Update as well as the 2002 Comprehensive Plan stress the importance of protecting and conserving the Town's environmental resources including open space, landscaped buffers, trees, steep slopes, viewsheds, scenic resources, wildlife habitats, and other important environmental assets of the community. Developing the Project Site in conformance with the R-15 zoning district would mean that the entire Project Site would be disturbed and uniformly developed with single-family homes. This type of development would disturb the existing green perimeter and require the removal of significant specimen trees on the Project Site. In addition, Alternative B would likely have a greater visual impact than the Proposed Project.

Traffic And Transportation

The 30 single-family housing units associated with Alternative B would generate

greater vehicle trips on area roadways than would the Proposed Project. Applying standard trip generation rates from the Institute of Traffic Engineers, Alternative B would generate an estimated 31 trips in the AM peak hour and 36 trips during the PM peak hour. Therefore, Alternative B would generate more peak traffic than the Proposed Project.

Community Facilities

Alternative B would generate a population of approximately 110 residents². Using the same methodology as in Chapter 3.I, “Community Facilities,” but based on multipliers for single-family homes, there would be approximately 26 school-age children³ that would be eligible to enroll in the Ossining Union Free School District (OUFSD) (compared to no students for the Proposed Project). Alternative B would have a smaller residential population than the Proposed Project (110 versus 152 residents for the Proposed Project) so would have less of an impact to police, fire, and emergency services. However, with school-age children there would be increased stress on the OUFSD. With a lack of on-site recreational amenities and school-age children there would also be greater impacts to parks and recreation services.

Fiscal Impacts

Under this alternative, the Project Site would be improved with the construction of 30 single-family homes. As discussed in Chapter 3.I, “Fiscal Impacts,” the estimated assessed value of future residential development can be based upon the estimated total sales price realized. According to local sources, the median sales price of single-family homes in the Town of Ossining is approximately \$550,000 or \$229/square foot. Applying this median value to this alternative, the assessed

² Rutgers University Center for Urban Policy Research, “Residential Demographic Multipliers: Estimates of the Occupants of New Housing” (June 2006). Single family home with 4 bedroom has a multiplier of 3.67 residents per dwelling unit.

³ Rutgers University Center for Urban Policy Research, “Residential Demographic Multipliers: Estimates of the Occupants of New Housing” (June 2006). Single-family home with 4 bedrooms has a multiplier of 0.87 public school age children per dwelling unit.

value of the development would be approximately \$16.5 million. The assessed value per lot has been assigned proportionally to the size of each lot. As shown in Table V-1, the estimated total taxes generated by this alternative would be approximately \$668,213, which is less than the taxes that would be expected to be generated by the Proposed Project (approximately \$1,125,002).

Overall, this alternative would generate fewer taxes than the Proposed Project for the Town, but slightly more property taxes for the Village of Ossining. In addition, Alternative B would generate school children (approximately 27 compared to none for the Proposed Project). Unlike the Proposed Project, which is net tax positive, the costs associated with the number of school children would exceed the tax generation for the OUFSD. As of 2016, the school district cost per child was of \$19,372, or \$523,584 under this alternative. Since the taxes generated by this alternative would not cover costs, it would be tax negative to the OUFSD.

Construction

This alternative would result in significantly more disturbance than the Proposed Project. This alternative would likely be built in phases and homes would be constructed as lots are sold. As a result, the construction period would be unknown and possibly longer than the Proposed Project. A longer construction period could potentially be protracted and result in longer periods of construction traffic, noise, and air quality-related construction equipment and workers involved in the extended project build-out.

C. Clustered development based upon R-15 conventional layout density.

Section 176-18.F(2) specifies that with respect to a clustered development layout, the Planning Board is to strive to achieve the 75% standard as discussed above, but the Board is to have latitude with respect to the degree to which building sites and lots may contain “wetland” and/or “extremely steep slopes” in the furtherance of fulfilling one or more of the purposes of cluster development, that is, to enable and encourage

flexibility of design and development of land in such a manner as to promote the most appropriate use of land, to facilitate the adequate and economical provision of streets and utilities, to preserve the natural and scenic qualities of open lands, to protect areas of meaningful ecological value and to reserve suitable lands for park and recreation purposes.

Using the same calculations as for Alternative B, the net lot area of approximately 15.75 acres yields 45 lots. The Alternative C depicted in Figure 5-3 depicts 35 lots, which is 10 fewer lots than the maximum permitted for the site.

Alternative C would be required to designate 10 percent of its dwelling units, or 3 single-family homes as affordable housing as mandated by Article VI of the Town of Ossining's zoning code. Under the Town's Zoning code, the clustering of lots would not reduce the amount of disturbed land when compared to the conventional subdivision layout described above in Alternative B. Impervious surface coverage would be greater than the Proposed Project.

As a cluster subdivision, per §200-31 the bulk regulations of the R-5 Zoning District would apply. Therefore, the maximum building coverage per lot would be 30 percent of the lot area. Pursuant to §200-21 of the Zoning Code, the maximum amount of impervious surface for each lot would be 4,520 square feet per lot, or 158,200 square feet for 35 lots. This does not include impervious surfaces associated with new roadways.

Compared to the Proposed Project, the internal roadway system of this alternative would involve more disturbance and remove more trees than the Proposed Project and would eliminate the front meadow alongside Croton Dam Road. In addition, new residential lots would abut existing homes on First and Second Avenues. Finally, the existing wetland and wetland buffer would be disturbed to construct a stormwater basin.

Wetlands

This alternative would require permanent disturbance to the small wetland in the northeastern portion of the site (within the Town and Village of Ossining) for the construction of a stormwater basin. The stormwater basin would be re-vegetated with hydrophytic vegetation to replace wetland functions. This alternative would also require permanent disturbance to the 100-foot Town wetland buffer.

Soils, Topography (Steep Slopes), And Geology

This alternative would result in substantial disturbance to steep slopes (above 25 percent). Therefore, like Alternative B, this alternative would result in more impacts to soils, topography, and steep slopes when compared to the Proposed Project.

The concept layout for this alternative recognizes areas of steep slope and is adjusted per the Town's steep slopes regulations to ensure each lot has sufficient buildable area and minimizes impacts to slopes to the maximum extent practicable. As discussed in Section III.C.2 for the Proposed Project, for this Alternative as well the Applicant would seek a Steep Slope Permit and a waiver from the Planning Board, subject to the conditions of §167-5.b(2) of the Town Code as discussed in Section III.C.2, during the site plan approval process.

Stormwater Management and Subsurface Water

In comparison with the Proposed Project, Alternative C would likely result in more impervious surface and would be expected to generate slightly more stormwater runoff. Similar to the Proposed Project, a stormwater management plan would be developed for this layout that would significantly improve the quality and quantity of stormwater runoff from existing conditions.

Vegetation and Wildlife

The configuration of Alternative C would increase potential impacts to vegetation and

wildlife. The beautiful meadow running the length of Croton Dam Road would be eliminated.

Historical and Archeological Resources

Like the Proposed Project, Alternative C would result in removal of all existing buildings on the Project Site. Based on correspondence from SHPO (see DEIS Appendix H), since no significant artifacts were discovered in the archaeological Phase IB testing, no impacts to archaeology would result. Based upon concurrence from OPRHP (see DEIS Appendix H), since the existing buildings on the Project Site are not currently determined eligible for listing (and are not listed) on the State/National Register of Historic Places, no impacts to historic resources would result.

Land Use, Public Policy, Zoning, And Community Character

This alternative would not further the Town's Comprehensive Plan that encourages a diversity of housing types, and contrary to the policy in the 2015 Update that says:

“The Town should be open to an analysis of the zoning of the underutilized and non-conforming Stony Lodge Hospital property in order for this property to be adaptively reused or redeveloped in a manner that is feasible and which protects surrounding neighborhoods and environmental resources to the maximum extent practicable.”

This alternative would not be consistent with policies in the Town's Comprehensive Plan Update that stress the importance of protecting and conserving the Town's environmental resources including open space, landscaped buffers, trees, steep slopes, viewsheds, scenic resources, wildlife habitats, and other important environmental assets of the community. This cluster concept would significantly impact all of these stated resources. In addition, Alternative C in the Applicant's opinion would have a greater visual impact than the Proposed Project.

Traffic And Transportation

The 35 single-family housing units associated with Alternative C would more vehicle trips on area roadways than would the Proposed Project. Applying standard trip generation rates from the Institute of Traffic Engineers, Alternative C would generate an estimated 34 trips in the AM peak hour and 41 trips during the PM peak hour. Therefore, Alternative B would generate more peak traffic than the Proposed Project.

Community Facilities

Alternative C would generate a population of approximately 128 residents⁴. Using the same methodology as in Chapter 3.I, “Community Facilities,” but based on multipliers for single-family homes, there would be approximately 30 school-age children that would be eligible to enroll in the Ossining Union Free School District (OUFSD)⁵ (compared to no students for the Proposed Project). Alternative C would have a smaller residential population than the Proposed Project (128 versus 152 residents for the Proposed Project) so would have less of an impact to police, fire, and emergency services. However, with school-age children there would be increased stress on OUFSD. With a lack of on-site recreational amenities and school-age children there would also be greater impacts to parks and recreation services.

Fiscal Impacts

This alternative would be “tax negative” to the OUFSD as it would generate school-age children less net school tax revenue when compared to the Proposed Project which has no school children because of the age-restriction. Under this alternative, the Project Site would be improved with the construction of 35 single-family homes. Applying this median value to this alternative, the assessed value of the development would be approximately \$19.3 million. As shown in Table V-I, the estimated total taxes generated by this alternative would be approximately \$760,000, which is

⁴ Rutgers University Center for Urban Policy Research, “Residential Demographic Multipliers: Estimates of the Occupants of New Housing” (June 2006). Single family home with 4 bedroom has a multiplier of 3.67 residents per dwelling unit.

⁵ Rutgers University Center for Urban Policy Research, “Residential Demographic Multipliers: Estimates of the Occupants of New Housing” (June 2006). Single-family home with 4 bedrooms has a multiplier of 0.87 public school age children per dwelling unit.

approximately \$365,002 less than the taxes that would be expected to be generated by the Proposed Project (\$1,125,002).

Overall, this alternative would generate fewer taxes than the Proposed Project for the Town, but slightly more property taxes for the Village of Ossining compared to existing conditions. In addition, Alternative C would generate school children (approximately 30 compared to none for the Proposed Project), resulting in less net school taxes than the Proposed Project which is therefore net tax positive.

Construction Impacts

This alternative would result in more disturbance than the Proposed Project. This alternative would likely be built in phases and homes would be constructed as lots are sold. As a result, the construction period would be unknown and possibly longer than the Proposed Project. A longer construction period could potentially be protracted and result in longer periods of construction traffic, noise, and air quality-related construction equipment and workers involved in the extended project build-out. Unlike the Proposed Project, it would not be possible to manage construction workers equipment and staging efficiently during the construction of the various buildings on-site.

D. Conventional layout which meets all of the requirements of the R-5 zoning district, the balance of the Zoning Law, and the various chapters of the Town Code, and which respects the site's environmental constraints.

Using the same calculations as for Alternative B, the net lot area of approximately 15.75 acres yields 137 lots. The Alternative D depicted in Figure 5-4 depicts 67 lots, which is 70 fewer lots than the maximum permitted for the site.

This Alternative does not take into account on a lot-by-lot basis deductions for extremely steep slopes or for wetland and wetland buffers. This conventional layout would require a site-wide grading plan which incorporates roadways, storm-water control, utility installations, landscaping and, of course, individual sites for each home.

Varying amounts of steep slope interference is required to accomplish this – as is required by most subdivision and townhouse plans. The plan seeks to minimize any interference with any steep slope. But, beneficially, some amount of interference is required to maximize setbacks to adjoining properties and to maximize green buffers.

Alternative D is a conventional subdivision that could be developed under the R-5 Zoning District in the Town of Ossining. The R-5 Zoning District is a single-family residential district with a minimum lot size of 5,000 square feet. Under this alternative, approximately 67 dwelling units would be built with an average lot size of 5,600 square feet and a maximum building coverage of 30 percent (see Figure 5-4). Alternative D would be required to designate 10 percent of its dwelling units, or 7 single-family homes as affordable housing as mandated by Article VI of the Town of Ossining's zoning code. A conventional R-5 layout would have smaller lots that would be spread over a larger area. Pursuant to §200-21 of the Zoning Code, the maximum amount of impervious surface for each lot would be 2,200 square feet per lot, or 147,400 square feet for 67 lots. This does not include impervious surfaces associated with new roadways.

Similar to Alternatives B and C, this alternative would result in more disturbance than the Proposed Project as the lots would be dispersed throughout the property. Since this alternative would disturb virtually the entire site, it would result in the removal of existing trees and other existing vegetation. The green buffer area would be significantly less than the Proposed Project. It would also result in more impervious surfaces than the Proposed Project.

In comparison with the Proposed Project, this alternative would disturb more of the Project Site, eliminate existing stands of trees and eliminate the front meadow fronting on Croton Dam Road. Finally, the proposed home sites would abut the existing homes on First and Second Avenues and would disturb the wetland and wetland buffer in order to construct a stormwater basin.

Wetlands

This alternative would require permanent disturbance to the small wetland in the northeastern portion of the site (within the Town and Village of Ossining), for the creation of a stormwater basin. The stormwater basin would be planted with hydrophytic vegetation to replace wetland functions to the extent feasible. However, the significantly increased density and development coverage of this alternative—with 67 individual lots, driveways, and a new roadway system—can be expected to require more stormwater treatment. It would also likely require a larger extended detention basin, which would not replace the ecological functions of the on-site herbaceous wetland to the same degree as a less dense development plan. This alternative would also disturb the wetland buffer that lies within the Town of Ossining for the construction of grading of house lots.

Soils, Topography (Steep Slopes), and Geology

Due to the larger number of dwelling units, and the more extensive amount of site development, this alternative would impact all steep slopes, including those that exceed 25 percent—which is significantly greater than the Proposed Project.

The concept layout for this alternative recognizes areas of steep slope and is adjusted per the Town's steep slopes regulations to ensure each lot has sufficient buildable area and minimizes impacts to slopes to the maximum extent practicable. As discussed in Section III.C.2 for the Proposed Project, for this Alternative as well the Applicant would seek a Steep Slope Permit and a waiver from the Planning Board, subject to the conditions of §167-5.b(2) of the Town Code as discussed in Section III.C.2, during the site plan approval process.

Stormwater Management and Subsurface Water

In comparison with the Proposed Project, Alternative D would result in substantially more impervious surface and would be expected to generate more stormwater runoff. As described above, given the extent of the stormwater management system

required, it would not have the same wetland function benefits as a stormwater management system for a smaller development. However, similar to the Proposed Project, a stormwater management plan would be developed for this layout that would significantly improve the quality and quantity of stormwater runoff from existing conditions.

Vegetation and Wildlife

Due to the maximization of development, impacts to vegetation and wildlife would also be higher than other alternatives. Both perimeter and interior habitats would be impacted under this alternative, as all habitats that currently exist on the Project Site would be disturbed.

Historical and Archeological Resources

Like the Proposed Project, Alternative D would result in removal of all existing buildings on the Project Site. Based on correspondence from SHPO (see DEIS Appendix H), since no significant artifacts were discovered in the archaeological Phase IB testing, no impacts to archaeology would result. Based upon concurrence from OPRHP (see DEIS Appendix H), since the existing buildings on the Project Site are not currently determined eligible for listing (and are not listed) on the State/National Register of Historic Places, no impacts to historic resources would result.

Land Use, Public Policy, Zoning, and Community Character

This alternative would not further the Town's Comprehensive Plan that encourages a diversity of housing types, and contrary to the policy in the 2015 Update that says:

“The Town should be open to an analysis of the zoning of the underutilized and non-conforming Stony Lodge Hospital property in order for this property to be adaptively reused or redeveloped in a manner that is feasible and which protects surrounding neighborhoods and environmental resources to the maximum extent practicable.”

Developing the Project Site utilizing the R-5 zoning district would disturb virtually the entire Project Site and uniformly develop it with single-family homes. As such, it would be inconsistent with the Comprehensive Plan Update as well as the 2002 Comprehensive Plan which stresses the importance of protecting and conserving the Town's environmental resources including open space, landscaped buffers, trees, steep slopes, viewsheds, scenic resources, wildlife habitats, and other important environmental assets of the community. This type of development would disturb the existing green perimeter and require the removal of significant specimen trees on the Project Site.

Traffic and Transportation

The 67 single-family housing units associated with Alternative D would generate more vehicle trips on area roadways than would the Proposed Project. Applying standard trip generation rates from the Institute of Traffic Engineers, Alternative D would generate an estimated 57 trips in the AM peak hour and 73 trips during the PM peak hour, which would be more than traffic generated by the Proposed Project.

Community Facilities

Alternative D would generate a population of approximately 246 residents⁶. Using the same methodology as in Chapter 3.I, "Community Facilities," but based on multipliers for single-family homes, there would be approximately 58 school-age children⁷ that would be eligible to enroll in the Ossining Union Free School District (OUFSD) (compared to none for the Proposed Project). Alternative D would have a larger residential population than the Proposed Project (246 versus 152 residents for the Proposed Project) so would have more of an impact to police, fire, and emergency services. Moreover, with school-age children there would be increased stress on

⁶ Rutgers University Center for Urban Policy Research, "Residential Demographic Multipliers: Estimates of the Occupants of New Housing" (June 2006). Single family home with 4 bedroom has a multiplier of 3.67 residents per dwelling unit.

⁷ Rutgers University Center for Urban Policy Research, "Residential Demographic Multipliers: Estimates of the Occupants of New Housing" (June 2006). Single-family home with 4 bedrooms has a multiplier of 0.87 public school age children per dwelling unit.

OUFSD. With a lack of on-site recreational amenities and school-age children there would also be greater impacts to parks and recreation services.

Fiscal Impacts

This alternative would be “tax negative” to the OUFSD as it would generate 58 school-aged children but would not generate an equivalent school tax. Applying this median value to this alternative, the assessed value of the development would be approximately \$36.8 million. The estimated total taxes generated by this alternative would be approximately \$1.4 million, yet the net gain in taxes (new taxes less associated municipal and school costs) would be less than the Proposed Project.

Although this alternative would have a higher assessed valuation and would thus generate more taxes than the Proposed Project, it would generate school-aged children (approximately 58 compared to none for the Proposed Project). As such, the school taxes (approximately \$930,000) would not be adequate to cover the cost per child of \$19,372 (or \$1.1 million for 58 children).

Construction Impacts

This alternative would result in more disturbance to the Project Site than the Proposed Project. This alternative would likely be built in phases, and individual homes would likely be constructed as lots were sold. As a result, the construction period would likely be more protracted than the Proposed Project. A longer construction period could potentially result in extended construction traffic, noise, and air quality-related construction impacts.

E. No Action alternative. The No Action alternative discussion should evaluate the adverse or beneficial site changes that are likely to occur in the reasonably foreseeable future, in the absence of the Proposed Action.

Under the No Action Alternative, the Project Site would not be redeveloped and the existing conditions would remain. There would be no change to development coverage, impervious surface coverage, open space, or stormwater management. The

property would remain in its current state, and none of the benefits associated with the Proposed Project would occur. The No Action Alternative would not align with the goals or objectives that were set forth in the 2015 update to the Comprehensive Plan of the Town of Ossining. This scenario would not enable the community of Ossining to achieve their objective of increasing the number of affordable housing units or the adaptive reuse and redevelopment of the former Stony Lodge Hospital property.

Wetlands

Since no construction or development activities would occur under this alternative, there would be no disturbance to the wetland and wetland buffer areas on the site.

Soils, Topography (Steep Slopes), and Geology

Since no construction or development activities would occur under this alternative, there would be no disturbance to existing soils, steep slopes or other important geological features.

Stormwater Management and Subsurface Water

The No Action Alternative would not result in landscaping enhancements around the perimeter of the site, nor the stormwater management plan that is a feature of the Proposed Project. The Project Site would remain dominated by surface parking and underutilized deteriorating institutional buildings, and would not benefit from the drainage improvements that are included with the Proposed Project.

Vegetation and Wildlife

Since no construction or development activities would occur under this alternative, there would be no disturbance to existing vegetation, mature trees, or wildlife. Unmaintained field habitat would eventually shift towards more woody species, which would alter the habitat dynamic and attract fewer meadow specific plant and wildlife species.

Historical and Archeological Resources

Since no construction or development activities would occur under this alternative, there would be no potential impacts to historic or archeological resources.

Infrastructure and Utilities

Under the No Action Alternative, water, sewer, and energy usage would remain as it is today.

Land Use, Public Policy, Zoning, and Community Character

Under the No Action Alternative, the Project Site structures and facilities would continue to remain vacant. This is inconsistent with the Town of Ossining Comprehensive Plan Update which promotes the adaptive reuse or redevelopment of the property, as well as the creation of affordable housing. In addition, the continued disuse of the buildings and structures would further their decline and would result in a blighted condition in the neighborhood.

Traffic and Transportation

Since the Project Site would remain unoccupied under the No Action Alternative, no traffic would be associated with this alternative. Therefore, traffic would remain unchanged from existing conditions. In addition, the No Action Alternative would not result in any improvements to the intersection of NYS 9A and Croton Dam Road.

Community Facilities

Under the No Action Alternative, the property would remain unoccupied. Therefore, demand for Town of Ossining for municipal, school, police, fire, and emergency services would be the same as existing conditions.

Fiscal Impacts

Under the No Action Alternative existing tax revenues would be expected to continue at their present rate, which is an underutilization of the property. No additional property tax revenue or tax revenue from construction activity would be realized. In addition, there would be no increase in employment opportunities under this alternative.

Construction Impacts

There would be no construction or development activities under this alternative. Therefore, there would be no off-site export of materials, or any other construction related impacts under this alternative.

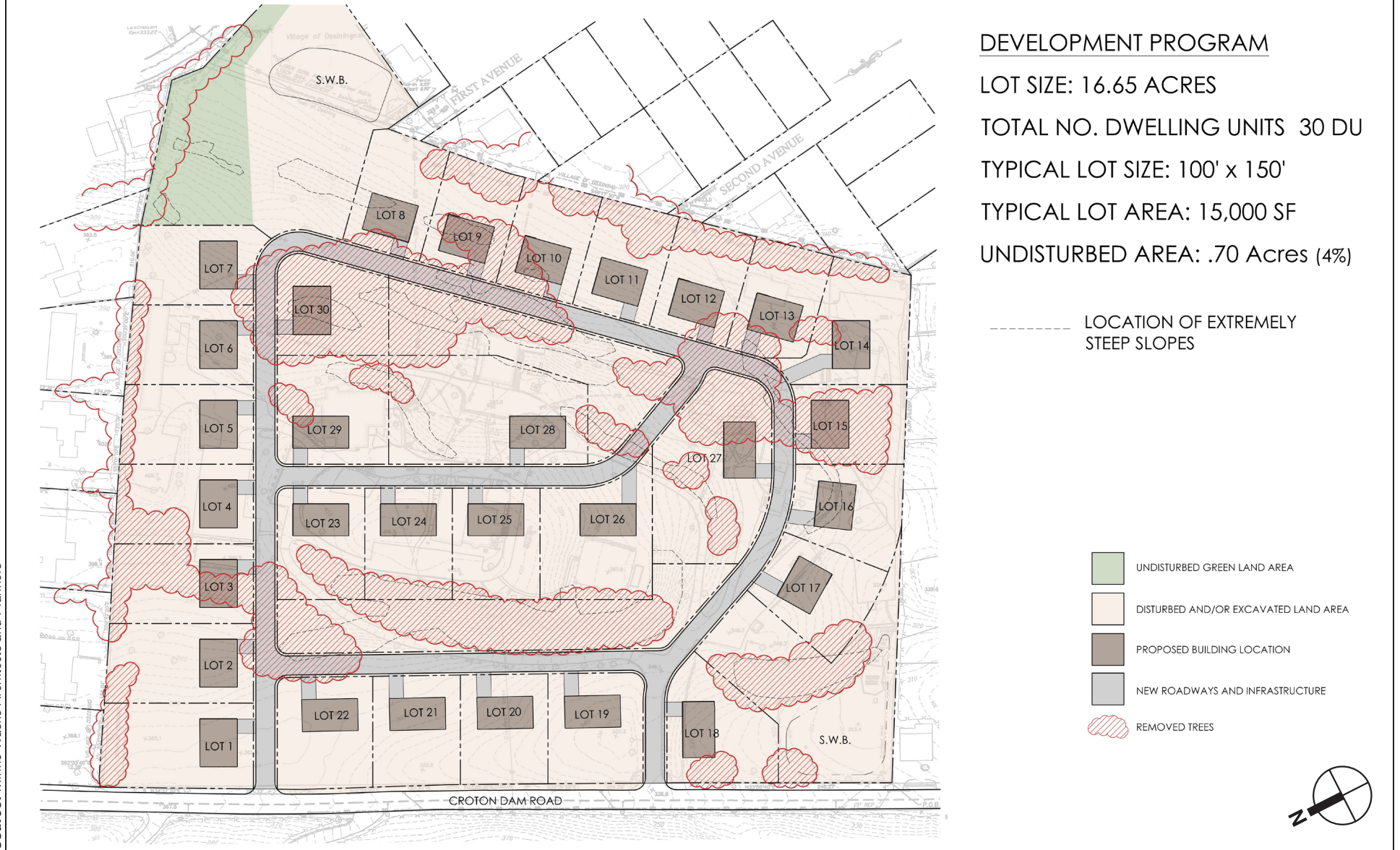
Table V-I
Comparison of Alternatives

SDEIS Analysis Area	SDEIS Proposed Project	Alternative A - The Former Project	Alternative B - Conventional Layout with R-15 Zoning	Alternative C - Clustered Development Based on R-15 Layout Density	Alternative D - Conventional Layout with R-5 Layout	Alternative E – No Action Alternative
Project Description	95 age-restricted townhouse units, including 10 affordable units in 19 multifamily buildings	188 multifamily units, including 19 affordable units in one building. 373 residents.	30 single-family lots, including 3 affordable homes. 110 residents.	29 single-family lots, including 3 affordable homes. 128 residents	67 single-family lots, including 7 affordable homes. 246 residents	Existing buildings to remain. No residents anticipated.
Wetlands	Wetland and wetland buffer will not be disturbed	Wetland and wetland buffer will not be disturbed	Direct disturbance to wetland for stormwater management. Wetland buffer disturbance for new road and 115 house lots.	Direct disturbance to wetland for stormwater management. Wetland buffer disturbance for new road and 35 house lots.	Direct disturbance to wetland for stormwater management. Wetland buffer disturbance for new road and house lots.	No new wetland or wetland buffer disturbance.
Soils and Topography	7.6 acres of steep slopes (>15%) disturbance.	5.3 acres of steep slopes (>15%) disturbance.	Significantly greater steep slopes disturbance than Proposed Project.	Significantly greater steep slopes disturbance than Proposed Project.	Significantly greater steep slopes disturbance than Proposed Project.	No steep slopes disturbance.
Site Disturbance*	Approximately 80% percent of the site will be disturbed by construction. *	Approximately 61 percent of the site will be disturbed by construction. *	Approximately 87% would be disturbed by construction.*	Approximately 85% would be disturbed by construction.*	Approximately 87% would be disturbed by construction.*	No change from existing conditions.
Stormwater Management	New stormwater management to improve water quality.	New stormwater management to improve water quality.	New stormwater management would improve water quality.	New stormwater management would improve water quality.	New stormwater management would improve water quality.	Stormwater would remain untreated
Vegetation and Wildlife	11.8 ac of green space will be preserved and enhanced. Significant amount of contiguous buffer with habitat value to be maintained. No impact to threatened or endangered species.	13.65 ac of green space will be preserved and enhanced. Significant amount of contiguous buffer with habitat value to be maintained. No impact to threatened or endangered species.	Significantly more site disturbance than Proposed Project. Majority of the Project Site would need to be revegetated. Lawn and green space would not be contiguous, and would have less habitat value. No impacts to threatened or endangered species.	Significantly more site disturbance than Proposed Project. Majority of Project Site would need to be revegetated. Lawn and green space would not be contiguous, and would have less habitat value. No impacts to threatened or endangered species.	Significantly more site disturbance than Proposed Project. Majority of Project Site would need to be revegetated. Lawn and green space would not be contiguous, and would have less habitat value. No impacts to threatened or endangered species.	No change from existing conditions, existing habitat corridors would remain fragmented. No impacts to threatened or endangered species.
Historic and Archaeological Resources	No impact to historic resources.	No impact to historic resources. SHPO to determine if further assessment of impacts to archeological resources is needed.	No impact to historic resources. SHPO to determine if further assessment of potential impacts to archeological resources is needed.	No impact to historic resources. SHPO to determine if further assessment of potential impacts to archeological resources is needed.	No impact to historic resources. SHPO to determine if further assessment of potential impacts to archeological resources is needed.	No change from existing conditions.
Infrastructure and Utilities	Adequate services available to support Proposed Project.	Adequate services available to support Former Project.	Adequate services available to support this Alternative.	Adequate services available to support this Alternative.	Adequate services available to support this Alternative.	Adequate services available to support this Alternative.

SDEIS Analysis Area	SDEIS Preferred Project	Alternative A - The Former Project	Alternative B - Conventional Layout with R-15 Zoning	Alternative C - Clustered Development Based on R-15 Layout Density	Alternative D - Conventional Layout with R-5 Layout	Alternative E – No Action Alternative
Land Use, Zoning, and Public Policy	Rezoning to existing MF zoning district. Proposed use consistent with Comprehensive Plan.	Zoning amendment required. Proposed use consistent with Comprehensive Plan.	Consistent with zoning and not consistent with Comprehensive Plan.	Consistent with zoning and Comprehensive Plan.	Zoning amendment required. Not consistent with Comprehensive Plan.	No change to existing zoning. Not consistent with Comprehensive Plan.
Traffic	19 AM and 25 PM peak trips.	96 AM and 121 PM peak trips.	31 AM and 36 PM peak trips.	34 AM and 41 PM peak trips	57 AM and 73 PM peak trips.	No change from existing conditions
Off-site Road Improvement	None required.	Yes. Improvements To Route 9A and Croton Dam Road. Improvements to the LOS	No improvement to LOS	No improvement to LOS	No improvement to LOS	No improvement to LOS
Community Facilities	No school children.	22-29 school children. \$350,000 community benefits fund	26 school children. No community benefit fund	30 school children. No community benefit fund.	58 school children. No community benefit fund.	No school children generated. No community benefit fund.
Fiscal	Net increase in tax revenues (\$29 million AV).	Net increase in tax revenues (\$26 million AV). School taxes generated will exceed costs associated with the increase in school children to the OUFSD. In addition, \$350,000 community benefits fund proposed.	Net increase in tax revenues (\$16.5 million AV). However, school taxes generated would not cover costs associated with the increase in school children to the OUFSD. No community benefit fund.	Net increase in tax revenues (\$19.3 million AV). However, school taxes generated would not cover costs associated with the increase in school children to the OUFSD. No community benefit fund.	Net increase in tax revenues (\$36.9 million AV). However, school taxes generated would not cover costs associated with the increase in school children to the OUFSD. No community benefit fund.	No change from existing conditions.
Construction	Site excess of 14,943 cubic yards.	Site cut-and-fill would balance.	Site cut-and-fill would balance.	Site cut-and-fill would balance.	Site cut-and-fill would balance.	No change from existing conditions.
Adverse Environmental Impacts that Cannot Be Avoided	No significant adverse impacts that cannot be avoided	No significant adverse impacts that cannot be avoided	Adverse impacts to steep slopes and wetlands.	Adverse impacts to steep slopes and wetlands.	Adverse impacts to steep slopes and wetlands.	No change from existing conditions.
Irreversible and Irretrievable Commitment of Resources	Land and building materials would be irreversibly and irretrievably committed. However, no significant adverse impacts anticipated.	Land and building materials would be irreversibly and irretrievably committed. However, no significant adverse impacts anticipated.	Land and building materials would be irreversibly and irretrievably committed. However, no significant adverse impacts anticipated.	Land and building materials would be irreversibly and irretrievably committed. However, no significant adverse impacts anticipated.	Land and building materials would be irreversibly and irretrievably committed. However, no significant adverse impacts anticipated.	No change from existing conditions.
Growth-Inducing Impacts	No significant adverse growth inducing impacts anticipated.	No significant adverse growth inducing impacts anticipated.	No significant adverse growth inducing impacts anticipated.	No significant adverse growth inducing impacts anticipated.	No significant adverse growth inducing impacts anticipated.	No change from existing conditions.
Effects on the Use and Conservation of Energy Resources and Solid Waste Management	New building would be designed with green building technology to reduce energy consumption.	New building would be designed with green building technology to reduce energy consumption.	New single-family homes would not be as energy efficient as the design considered for the Proposed Project Site.	New single-family homes would not be as energy efficient as the design considered for the Proposed Project Site.	New single-family homes would not be as energy efficient as the design considered for the Proposed Project Site.	No change from existing conditions.
	Note: * Calculation of site disturbance to construct the alternative. Such disturbance includes the removal of trees and green habitat, excavation, installation of new roads, infrastructure, storm water systems and the footprint of the proposed alternative structures and parking areas.					



- Existing Trees
- Proposed Trees



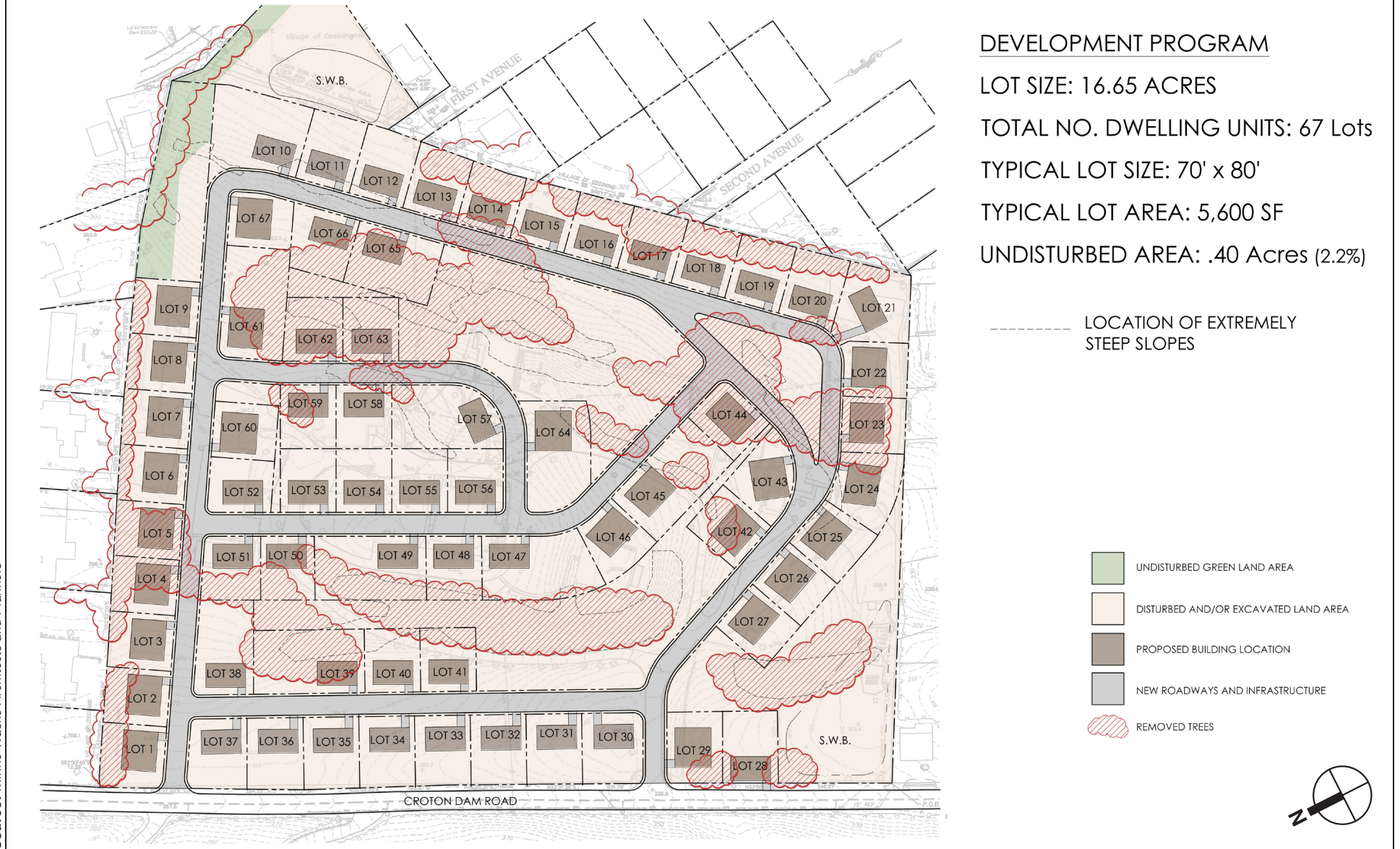
Alternative B - Conventional Layout with R-15 Zoning

Figure 5-2



Alternative C - Clustered Development Based on R-15 Layout Design

Figure 5-3



Alternative D - Conventional Layout with R-5 Layout

Figure 5-4