



MEMORANDUM

To: Ching Wah Chin, Chairman and the Town of Ossining Planning Board

From: Valerie Monastra, AICP

Project: Riverknoll

Date: March 2, 2021

CC: Kathy Zalantis, Esq., Town of Ossining Planning Board Attorney
John Hamilton, Town of Ossining Building Inspector
Dan Ciarcia, PE, Town of Ossining Planning Board Engineer

The Applicant, Hudson Park Group LLC, is proposing to revise its previously proposed 188 multifamily unit project to a 98 unit age restricted townhouse project. The 188 multifamily unit project required the development and adoption of a MF2 overlay zone. The revised townhouse project also requires a rezoning of the property, but the Applicant is proposing to rezone the property to the existing MF zone. It was determined by the Planning Board at its December 16, 2020 meeting that the revised plan requires a Supplemental Draft Environmental Impact Statement ("SDEIS") because the proposed changes to the project had the potential to result in one or more significant adverse impact not addressed in the original EIS. The Town of Ossining Planning Board was in receipt of a draft SEIS scope prepared by the Applicant, Hudson Park Group LLC.

Upon my review of the Applicant's draft scope, the scope did not adequately address the impacts that need to be analyzed for the new proposed project nor was it in the proper SDEIS scope format. The required edits to the Applicant's scope were too numerous to directly edit. As a result, I took the original DEIS scope and revised it for this SDEIS. Kathy Zalantis had an opportunity to review my SDEIS scope as well. It is my recommendation that the Planning Board consider using this scope as the draft scope and review and provide any comments or edits on this scope.

DRAFT
SCOPING OUTLINE OF ISSUES TO BE ADDRESSED
IN DRAFT ENVIRONMENTAL IMPACT
STATEMENT(SDEIS)
RIVER KNOLL PROJECT, TOWN OF OSSINING, NY

SEQRA Classification: **Type I Action**

Lead Agency: **Town of Ossining Planning Board**

Applicant: **Hudson Park Group, LLC (the “Applicant”)**
 (Successor Company to Glenco Group, LLC)

Public Scoping Session: **XX**

The River Knoll Project (the “Project”) has been under review by the Town of Ossining through the municipal review process for more than six (6) years. The Project’s compliance with SEQRA guidelines is required as part of the Applicant’s rezoning petition and the site plan application. To provide perspective on the prior submitted documents and review process completed to date, the following is a summary timeline of those major submissions:

2014 – 2015	Preparation and submittal of Long-Form Environmental Assessment Form (the “EAF”) and Comprehensive Plan amendments pertaining to Stony Lodge property.
2016	Request for Environmental Impact Statement.
2016	Scoping process and adoption of Scope (June 22, 2016) (“Scoping Document”).
Feb 2017	Submittal of Environmental Impact Statement - Draft #1; the “DEIS”).
June 2017	Submittal of Environmental Impact Statement - Draft #2.
Dec. 2017	Submittal of Environmental Impact Statement - Draft #3.
Feb 2018	Notice of Completion
Aug 2018	Submittal of the draft Final EIS (the “FEIS”).
Spring 2019	Preparation of Final EIS incorporating Town’s requests.
Fall 2019	Project placed on hold following Town public meeting.
Fall 2020	Presentation of revised Alternative E.b; Townhouse Plan to the Planning Board.

Based upon the review process already undertaken and comments received by the public, the Applicant has revised its development plan to a development similar to “Alternative E.b – Townhouses with Existing Multifamily Zone” as displayed and analyzed in the EIS documents. This alternative is now being re-focused and reduced in size (previously 132 townhouse units for Alternative E.b and now 98 townhouse units), and, based upon public comments, is being presented as an age-restricted project (the “Proposed Project”). This Proposed Project maintains

the same site plan layout as with similar unit clusters. Of the 98 units, 10 will be affordable as mandated by Article VI of the Town of Ossining's zoning code, and 88 units will be market-rate for-sale condominium or PUD (Planned unit Development) units, and all units will be operated as a “55 or over” community pursuant to the Housing for Older Persons Act (“HOPA”).

As such, it was determined by the Planning Board that the revised plan requires a Supplemental Draft Environmental Impact Statement (“SDEIS”) because the changes to the proposed project had the potential to result in one or more significant adverse impact not addressed in the original EIS. The SDEIS will provide a comparison of environmental impacts of the previous 188 multi-family development project (“Former Project”) analyzed in the 2018 DEIS to the Refined Alternative.

GENERAL GUIDELINES

- The SDEIS should cover all items in this Scoping Outline. It is suggested that the SDEIS also conform to the format outlined in the Scope. The word “should” herein has the same meaning as “shall.”
- The document should be written in the third person. The terms "we" and "our" should not be used. The Applicant's conclusions and opinions should be identified as those of "the Applicant" or "the Developer."
- Narrative discussions should be accompanied by appropriate charts, graphs, maps and diagrams whenever possible. If a particular subject matter can be most effectively described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically. All plans and maps showing the site should include adjacent homes, other neighboring uses and structures, roads, watercourses, water bodies and a legend.
- The entire document should be checked carefully to ensure consistency with respect to the information presented in the various sections.
- Environmental impacts should be described in terms which the layperson can readily understand (e.g., truck-loads of fill and cubic yards rather than just cubicyards).
- All analysis in the SDEIS shall be performed by professionals in their respective fields.
- All discussions of mitigation measures should consider at least those measures mentioned in the Scoping Outline which are the same or similar to the 2018 DEIS Final Scope mitigation measures. Where reasonable and necessary, mitigation measures should be incorporated into the Proposed Action if they are not already included. For mitigation measures listed in this Scope that are not incorporated into

the Proposed Action, the reason why the Applicant considers them unnecessary should be discussed in the SDEIS.

- Maps in the SDEIS should also be made available in shapefile format to facilitate viewing and analysis.

A. SCOPE OF ENVIRONMENTAL IMPACT STATEMENT

COVER SHEET

The cover sheet should identify:

1. Title of the document
2. Title of the proposed action
3. The location of the proposed action
4. Name, address, telephone number and contact person(s) for:
 - a. The Lead Agency
 - b. The applicant
 - c. The preparer(s) of the SDEIS
5. Date of acceptance of SDEIS (to be inserted)
6. SDEIS public hearing date (to be inserted)
7. End of SDEIS comment period (to be inserted)

TABLE OF CONTENTS

The table of contents shall list all of the chapters of the DEIS and the corresponding page numbers, as well as lists of all exhibits, tables, and appendices, etc.

CHAPTER I: EXECUTIVE SUMMARY

The Executive Summary will outline details about the community that the Glenco Group plans to build. It will discuss the layout of the Proposed Project, as well as possible alternatives. This summary will also introduce any potential adverse impacts, along with all mitigation measures. It will also include a list of all approvals and permits required for the project.

CHAPTER II: PROJECT HISTORY AND PROPOSED PROJECT DESCRIPTION

- A. Introduction
 1. Provide an overall description of the Project History
 2. Description of the location, frontage, access, acreage, ownership and tax map

designation of lot(s) involved in the Proposed Project, including the proposed future disposition of the portion of the subject property in the Village of Ossining. This should also include descriptions of surrounding properties including those in the Village of Ossining.

3. Provide a description of the Former Project development program.

B. Description of Proposed Project

1. Regulations and requirements of the site's existing and proposed zoning designations.
2. Description of Environmental Characteristics of the Site
 - a. Steep slopes and elevations.
 - b. Wetlands and wetland buffer areas, watercourse(s) and hydrology.
 - c. Aesthetic resources and scenic views.
 - d. Flora and fauna, including but not limited to trees regulated by the Town code.
 - e. Potential for contamination from on-site underground fuel tanks.
 - f. Potential for contamination from any on-site hazardous waste.
 - g. Potential for contamination relating to the previous disposal of hospital and/or medical waste.
3. Describe components of the Proposed Project, including items such as potential number of market-rate and affordable dwelling units respectively, size and number of bedrooms of market-rate and affordable dwelling units respectively, amount of open space, total number of parking spaces required and provided, and nature and amount of other Proposed Project components.
4. Vehicular access and circulation of the Proposed Project.
5. Other components of Proposed Project including vegetated buffers, street trees, landscaping, lighting, roadways, sidewalks, recreation and other amenities, etc.
6. Plans for maintenance of the common elements of the Proposed Project including roads, utilities and passive open space.
7. Plans and a timeline for ongoing maintenance of all proposed mitigation for the Proposed Project.

8. Regulations and requirements of the site's existing and proposed zoning designations.
9. Describe the Project purpose and public need and benefits.
10. Summarize required approvals and provide a list of Involved and Interested Agencies.

Table 1: Required Approvals

Approval Required	Government Entity
Zoning Map and Text Amendments	Town Board
Sewer District Extension	Town Board
Subdivision Approval	Planning Board
Wetland Permit	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

CHAPTER III: EXISTING CONDITIONS, POTENTIAL IMPACTS AND PROPOSED MITIGATION

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

1. Former Project: Summarize the 2018 DEIS discussion of the Former Project and the identified impacts to the land use, Town's 2015 Comprehensive Plan, zoning and community character.
2. Proposed Project
 - a. This section will discuss how the Proposed Project differs from the use of the adjacent properties in the Town and Village. This section will describe the architectural features, intensity and scale of the Proposed Project, relative to the character of residential areas in the surrounding neighborhoods. Visual analysis (such as site sections, photographic or video simulations, 3D computer modeling, etc.) will be used to generate images of the potential visual impacts of the Proposed Project from various vantage points on the surrounding neighborhood. Google Earth imaging will be utilized in conjunction with this modeling. Potential impact should include lighting, signage

- and other proposed changes that may impact the surrounding neighborhood.
 - b. This section will discuss the affordable housing component of the Proposed Project and whether said component complies with the provisions of Article VI, Affordable Housing, of the Zoning Law.
 - c. This section will discuss the way(s) in which the Proposed Project addresses the reservation of parkland or the provision of money in lieu thereof (recreation fee) requirements of the Town code.
 - d. This section will also discuss regional planning initiatives, including Westchester County’s “Patterns” and “Westchester 2025,” as well as the County’s 2019 Housing Needs Assessment concerning the development of new “affordable housing” units.
 - e. This section will also discuss the project’s consistency with the Town’s planning initiatives, including the 2015 Comprehensive Plan and to the extent that a Draft Vision, Goals, Objectives or Recommendations have been released by the Comprehensive Plan Committee.
 - f. This section will also discuss the potential impact of the approval of the proposed MF zoning district and a comparison of the impacts will be made to the proposed rezoning of the property to a MF zoning district to the 2018 DEIS development of a MF2 zoning district.
 - g. Discussion of any possible relevance of “spot zoning.”
3. Mitigation: Mitigation measures for any adverse impacts caused by the development of this site will be discussed in this section.

B. Wetlands

- 1. Former Project: Provide a summary of the analysis undertaken and the impacts identified in the 2018 DEIS.
- 2. Proposed Project:
 - a. Describe potential new disturbance to or crossing of wetlands, wetlands buffers, water courses, and watercourse buffers as a result of the proposed project including a new analysis of any impact to vegetative cover as the Proposed Project and a comparison will be made to the impacts identified in the 2018 DEIS to the Proposed

Project.

- b. Describe compliance of the Refined Alternative with the Freshwater Wetlands chapter of the Town and Village codes.
3. Mitigation: Wetland disturbance will be avoided as much as feasibly possible. Wetland mitigation measures will be clearly proposed, described, and as deemed necessary and approved by the Town, monitored, and maintained by the developer for a set number of years.

C. Soils, Topography (Steep Slopes) and Geology

1. Former Project: Provide a summary of the analysis undertaken and the impacts identified in the 2018 DEIS.
2. Proposed Project: Potential impacts to the steep slopes with the different steep slope categories described in the Ossining Town Code §167-2 will be discussed in the SDEIS. Grading will be carried out as to minimize runoff, potentially utilizing land swales to redirect water runoff and minimize any impacts caused by construction (where reasonable and possible). A preliminary grading plan will be provided to identify potential negative impacts to the steep slopes. The potential for, and methods of rock removal shall also be discussed as well as the potential and anticipated amounts of cut and fill. Compliance of the Proposed Project with the Steep Slope Protection chapter of the Town code will be discussed.
3. Mitigation: The developer will comply with the Town of Ossining's steep slope codes, and mitigation will be provided to any adverse impacts, as necessary. Designated soil stockpiling areas and silt fencing will be used during construction to minimize runoff and to prevent runoff into the wetlands and wetland buffer areas. Wetlands protection and the prevention of problematic runoff to the existing adjacent homes below are two important issues on this project; they will be thoroughly and adequately addressed. Blasting mitigation measures will be discussed in the SDEIS.

D. Stormwater Management and Subsurface Water

1. Former Project: Provide a summary of the analysis undertaken and the impacts identified in the 2018 DEIS.
2. Proposed Project: The potential impact following the introduction of new impervious surfaces (among other things), will be outlined and discussed in the SDEIS. The stormwater management system will be described, including the description and location of any applicable detention basin(s),

catch basins and drainage configurations. The project site will be modeled for the peak rates of runoff and volumes of runoff for the 1-, 10-, and 100-year Type III – 24-hour storm events in both the Pre- and Post-Developed Conditions. Pre- and post-developed watershed maps will be included in the SDEIS. The potential short and long-term impact of runoff carrying fertilizers, pesticides, herbicides, fungicides, and other chemicals from lawns, roadways, other impervious surfaces, and sedimentation will also be included. The potential impact of failed erosion, sedimentation, and stormwater control waters during construction activities and post completion should also be assessed. Lack of adverse impact upon neighboring properties shall be demonstrated through the design of stormwater management facilities and practices which are entirely compliant with NYSDEC regulations.

3. Mitigation: An updated Storm Water Pollution Prevention Plan (SWPPP) which complies with the NYSDEC SPDES General Permit No. GP-0-15-002 for Stormwater Discharges from Construction Activity will be provided in the SDEIS to assist with the drainage analysis and design of the mitigating practices. All peak rates of runoff in the developed condition will be *less* than those in the pre-developed condition. Detention basins will only be constructed outside of existing wetlands.

E. Vegetation and Wildlife

1. Former Project: Provide a summary of the analysis undertaken and the impacts identified in the 2018 DEIS.
2. Proposed Project: Any potential impacts to vegetation, habitats and wildlife will be described and evaluated. All trees that are proposed to be removed are to be identified. To address potential impacts on existing bird migration patterns, specifications for all proposed outdoor lighting should be provided. Potential light trespass of outdoor lighting onto habitats within the project area should be illustrated and included where appropriate.
3. Mitigation: Mitigation will be provided, as feasible, for any adverse impacts to the vegetative, habitats and wildlife resources. Methods of erosion mitigation, such as silt fencing, will be utilized during construction to alleviate erosion caused by loss of vegetative cover. Plans and methods that will be employed to protect plant materials not permitted for removal, including but not limited to their complete root systems, will be described.

F. Historical and Archaeological Resources

1. Former Project: Provide a summary of the analysis undertaken and the

impacts identified in the 2018 DEIS.

2. Proposed Project: Any potential new impacts to historic and archaeological resources will be identified and described.
3. Mitigation: Mitigation will be provided, as feasible, for any adverse impacts to historical and archaeological resources identified.

G. Infrastructure and Utilities

1. Former Project: Provide a summary of the analysis undertaken and the impacts identified in the 2018 DEIS.
2. Proposed Project: Any new potential adverse impacts/additional loading on current municipal facilities will be described. Any sewer or water main extensions that may be needed for the development will be discussed. Any increase in energy usage, as a result of this development will be discussed.
3. Mitigation: Measures of mitigation will be provided, where possible, and any adverse impacts to existing infrastructure and utilities will be identified.

H. Traffic and Transportation

1. Former Project: Provide a summary of the analysis undertaken and the impacts identified in the 2018 DEIS. This should include a summary of the “Future Conditions without the Preferred Project” found within the 2018 DEIS.
2. Proposed Project:
 - a. Provide an update of the 2017 Traffic Impact Study based on the Proposed Project that will include all intersections and analysis criteria as the 2017 Traffic Impact Study.
 - b. Provide a comparison between traffic impacts of the Former Project and Proposed Project.
 - c. A mitigation plan, as necessary, should be provided describing responsibility, type of mitigation and basis for need for this mitigation. If a traffic signal is to be warranted at any location, a Traffic Signal Warrant Analysis must be provided, which follows the criteria set forth by the New York State Department of Transportation (NYSDOT). Mitigation will be recommended by the Applicant to address significant traffic impacts to area roadways.

- d. Intersection sight distance analyses for each of the proposed intersections should follow criteria set forth by the American Association of State Highway and Transportation Officials (AASHTO). Intersection sight distance should be based on the 85th percentile of vehicles traveling on these roadways. The intersection sight distance should not be based on the posted speed limit, but rather on a speed study along the site's frontage.
- e. A discussion of construction traffic should be provided in text and table format based on each phase of development, as necessary. The number of trucks, by size and number of employees by phase should be provided. Hours of operation for construction should be included. Potential impacts to public transportation, as well as to school bus routes and stops, should be identified.
- f. The potential to increase the capacity of the intersection of Croton Dam Road and Route 9A, as well as alternate mitigation, shall be discussed.
- g. The jitney service which is part of the Former Project proposal shall be factored into the traffic analysis if it is anticipated as part of the Proposed Project.
- h. The potential impact of increased traffic from the Proposed Project upon the safety of pedestrians and bicyclists on nearby roadways will be evaluated and discussed.

I. Community Facilities

- 1. Former Project: Provide a summary of the analysis undertaken and the impacts identified in the 2018 DEIS.
- 2. Proposed Project: Any new potential impacts to community facilities will be identified and described. A comparison of demand on community facilities of the Former Project to the Proposed Project will be prepared.
- 3. Mitigation: Mitigation should be provided, as feasible, for any adverse impacts to community services caused by the development of the proposed community.

J. Fiscal Impacts

1. Former Project: Provide a summary of the analysis undertaken and the impacts identified in the 2018 DEIS.
2. Proposed Project: Updated current taxes generated from the site will be identified and described. A projection of expected taxes generated from the proposed development will be prepared and discussed. The amount of additional tax revenues generated by construction activity resulting from the proposed community will be estimated. The costs and benefits of the proposed development will be discussed, in terms of tax revenues and increased employment opportunities as a direct result of the construction of the proposed community. Revenue generated from the residents of River Knoll will be compared to the cost of providing community facilities to the extent available from information publicly available. Governmental costs, including an analysis of service costs including but not limited to the Town of Ossining and the school district associated with providing services to the development will be identified. A comparison of the fiscal impacts of the Former Project to the Proposed Project will be prepared.
3. Mitigation: Proposed mitigation measures for any identified adverse impacts will be discussed including the proposed contribution to the Ossining School District as identified in the 2018 FEIS.

K. Construction Impacts

1. Former Project: Provide a summary of the analysis undertaken and the impacts identified in the 2018 DEIS.
2. Proposed Project:
 - a. Any new potential impacts to construction impacts will be identified and described. A comparison of the construction impacts of the Former Project to the Proposed Project will be prepared.
 - b. Describe the anticipated schedule, as well as the days and hours of operation for the various construction phases of the proposed development.
 - c. Identify truck routes and truck traffic volumes associated with construction activities at the site.
 - d. Estimate construction noise levels and vibration levels from various pieces of construction equipment used at the site and construction traffic. Also discuss the potential for adverse impacts on adjacent

land uses. Discuss potential need for rock excavation and blasting, describe the pre- and post-construction protocols for rock excavation and blasting, and discuss alternatives to blasting.

3. Mitigation: Discuss measures to mitigate potential adverse impacts of construction activities. An updated construction management plan which discusses the mitigation measures related to the potential impacts above should be included in the SDEIS.

CHAPTER IV: ADVERSE ENVIRONMENTAL IMPACTS THAT CANNOT BE AVOIDED

Describe the short- and long-term adverse environmental impacts that cannot be avoided or adequately mitigated if the Proposed Action is implemented.

CHAPTER V: ALTERNATIVES

A table layout shall be prepared for each alternative analyzed in the 2018 DEIS. Each alternative will be discussed at such a level of detail sufficient to permit a comparative assessment of the impacts with each alternative and the Proposed Project. Alternatives to be further summarized in the SDEIS are:

- A. The Former Project
- B. Conventional layout which meets all of the requirements of the R-15 zoning district, the balance of the Zoning Law, and the various chapters of the Town Code, and which respects the site's environmental constraints.
- C. Clustered development based upon R-15 conventional layout density.
- 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.
- 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.

CHAPTER VI: IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Identify natural resources that would be consumed, converted or made unavailable for future use by the Proposed Project.

CHAPTER VII: GROWTH-INDUCING IMPACTS

- A. The potential for the Proposed Project to induce growth based on anticipated increases in local expenditures that would be made by new residents of the proposed community through the local purchases of goods and services should be discussed.

CHAPTER VIII: EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES AND SOLID WASTE MANAGEMENT

The energy sources to be used, anticipated levels of consumption, efficiency of energy consumption, and energy conservation measures are to be identified and discussed. The discussion is to include the standards of the NYS Energy Code and the NYS Energy Research and Development Authority Programs. The management of solid waste produced by the Proposed Project shall also be discussed. The SDEIS will analyze the potential and feasibility for the use of alternative energy resources for heating, cooling and power, including the use of solar energy.

TECHNICAL APPENDICES SHALL INCLUDE (BUT NOT NECESSARILY BE LIMITED TO)

- A. Any updated Natural Resource Studies (including wetlands, vegetation, soils, all animals including fish, terrestrial and aquatic macroinvertebrates, birds, amphibians, reptiles, etc.)
- B. Storm Water Pollution Prevention Plan
- C. Water and Sewer System Report(s)
- D. Traffic Study
- E. Construction Management Plan
- F. All SEQRA Documentation (for example, Scoping Outline)
- G. All official correspondence related to issues discussed in the SDEIS