

George Latimer
County Executive

July 25, 2022

Sandra Anelli, Planning and Zoning Secretary
Town of Ossining
P.O. Box 1166
Ossining, NY 10562

**County Planning Board Referral File OST 22-002 – River Knoll, 40 Croton Dam Road
Zoning Map Amendment and Site Plan Approval
Draft Supplemental Environmental Impact Statement**

Dear Ms. Anelli:

The Westchester County Planning Board has received a draft supplemental environmental impact statement (DSEIS) for an application to redevelop the former 17.89-acre Stony Lodge Hospital site located at 40 Croton Dam Road with a new multi-family development. The hospital ceased operations in 2012, and the site is currently vacant. The applicants are petitioning the Town to rezone the 16.65-acre portion of the site that is located within the Town of Ossining from R-15 single-family residential to MF multi-family residential. A 1.24-acre portion of the site is located within the Village of Ossining and would not be rezoned since no buildings would be constructed on this portion of the site. The applicant proposes to preserve this area as open space.

The development proposal has been under consideration by the Town since 2014, with an initial proposal for a development containing 188 rental apartments with 376 parking spaces and a variety of on-site amenities. According to the Town's zoning, 19 units were to be set aside as affordable affirmatively furthering fair housing (AFFH) units. This proposal was the preferred alternative in the draft EIS, which was completed in February 2018.

The application has since been reduced in scale and now proposes 95 age-restricted townhomes for seniors 55 and over. Although intended to appeal to empty nesters between 55 and 80 years old, these two-and-a-half-story townhouses would be comprised of 81 two-bedroom-plus-den units and 14 three-bedroom units.

We previously reviewed the DEIS for this application under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and we responded to the Town in a letter dated March 30, 2018. We have now reviewed the DSEIS and we offer the following comments:

1. Consistency with County Planning Board and local policies.

While the concept of redeveloping a former hospital site with new housing is generally consistent with the County Planning Board's long-range planning policies set forth in *Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning*, adopted by the Board on May 6, 2008, amended January 5, 2010, and its recommended strategies set forth in *Patterns for Westchester: The Land and the People*, adopted December 5, 1995, we do not agree that large, two-and-a-half-story townhomes restricted to seniors is the best use for this site. The DSEIS states that there is not sufficient housing available

for seniors in Ossining, however that is not consistent with what we recently reviewed in the proposed comprehensive plan update that the Town recently referred to us. In that document, *Sustainable Ossining*, it is noted that 45% of Unincorporated Ossining's population is older than 55, which as the plan notes is "roughly double that" of nearby municipalities. If this is the case, the Town should be focusing on building more housing for families and other household types, without age restrictions.

As we pointed out in our review of *Sustainable Ossining*, the plan demonstrates the stark economic and racial disparity between Unincorporated Ossining and the Village of Ossining, which was in part, caused by the zoning that was adopted in Unincorporated Ossining in 1969, which places such a large emphasis on single-family dwellings. At the time this zoning was established, a legacy of discriminatory federal housing policies, banking practices and economic factors ensured that most homebuyers would be white. As Unincorporated Ossining was built out with single-family housing in the years after this zoning was adopted, it was today's seniors who were purchasing those homes. The fact that the applicant is claiming that this development was scaled back from a non-age restricted apartment building with 188 units to a 95-unit townhouse development restricted to seniors "based on direct feedback from (Ossining's) Boards" indicates that the Town may only be focused on providing housing opportunities for those who have historically enjoyed an advantage in obtaining housing in Unincorporated Ossining.

For this proposed development to be fully consistent with both County Planning Board policies as well as the policies currently contemplated by the Town in its proposed *Sustainable Ossining* document, this development should not be restricted to seniors. Two- and three-bedroom townhouses are needed across all age cohorts in Westchester's population, and we point out that the removal of an age restriction will not preclude any seniors from living in this development. In addition, we encourage the applicant and the Town to consider adding additional density to this site, since it appears that higher density could be supported in this location. To accomplish this, we recommend the Town consider offering density bonuses to encourage the construction of more affordable affirmatively furthering fair housing (AFFH) units.

2. Street connectivity.

We disagree with the statement in the DGEIS that "the clustering of the townhouse site planning provides is a more efficient use of the site". For many years, this site has existed as a hospital while the abutting areas were developed with housing. The fact that such a large parcel was held in private ownership for so long also made it an obstacle for orderly development patterns to occur as the surrounding parcels were developed. This can be seen by looking at First and Second Avenues which dead-end at the subject site's boundaries. The subject site is essentially a missing piece in a larger network of connections, and this application offers the opportunity to improve those connections. We recommend that connections be made to both of these streets as well as to Narragansett Avenue which also abuts the site. Doing so will greatly improve pedestrian circulation in this area as well as better integrate this new development with the surrounding neighborhoods.

3. County sewer impacts.

The proposed development will add to the flow requiring treatment at the Ossining Water Resource Recovery Facility operated by Westchester County. In our previous reviews, we noted that future SEQR review documents should specifically include the identification of mitigation measures that will offset the projected increase in flow through reductions in inflow/infiltration (I&I) at a ratio of three for one for market rate units and a ratio of one for one for affordable AFFH units. In particular, we asked that the DSEIS provide specific details on how implementation of these improvements is to be accomplished. However the DSEIS did not

include this discussion. Because of this omission, the FSEIS should specifically discuss I&I mitigation. For example, will the applicant be required to place funds into a dedicated account for I&I work based on a per gallon cost of removal of flow through I&I? How will I&I projects to be identified? Who will conduct the work and in what timeframe? We recommend this topic be listed in the scoping document and discussed in the draft supplemental EIS.

As a general matter, the County Planning Board further recommends that the Town implement a program that requires inspection of sewer laterals from private structures for leaks and illegal connections to the sewer system, such as from sump pumps. These private connections to the system have been found to be a significant source of avoidable flows.

4. Recycling.

Although the final scoping document for the preparation of the DSEIS required a discussion of recycling, the DSEIS did not contain this discussion. The Town should require the applicant to verify that there will be sufficient space to accommodate the storage needs for recyclables under the expanded County recycling program. County regulations for recycling may be found at: <http://environment.westchestergov.com>. In addition, the FSEIS should discuss the Town's participation in the County's Residential Food Scrap Transportation and Disposal Program and how the proposed development can help further the Town's efforts to remove food waste from the County's waste stream.

5. Green building technology.

We encourage the Town to work with the applicant to include as much green or sustainable building technology into the development as possible.

Please inform us of the Town's decision so that we can make it a part of the record.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

By: 

Norma V. Drummond
Commissioner

NVD/LH