
SUPPLEMENTAL FEIS ENVIRONMENTAL IMPACT STATEMENT (SFEIS)

River Knoll

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

VOLUME I

Prepared for: **Hudson Park Group LLC**
100 Brookfield Road
Fleetwood, NY 10552

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

Prepared by:



Project 15064

Date: **December 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 FINAL ENVIRONMENTAL IMPACT STATEMENT

VOLUME I

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Supplemental Final Environmental Impact Statement
(SFEIS)
River Knoll

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- A. Comment Key
- B. Correspondence and Public Hearing Transcript
 - B-1--Public Hearing Transcript, July 20, 2022
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 - B-5--Letter from the Town of Ossining Environmental Advisory Committee, dated September 5, 2022
 - B-6--Letter from the Town of Ossining Town Board, dated September 6, 2022
- C. “Context Model” Visual Analysis, dated 12/22/2022, by BCT Design Group

Volume 2—Traffic Study Appendix D

- D. “Traffic Study”, revised December 2022.

Preliminary Site Plan Approval Drawings, which include:

<u>Dwg. No.</u>	<u>Title</u>	<u>Rev.</u>	<u>/Date</u>
C-010	“Existing Conditions Plan”	2	10/07/2021
C-100	“Layout Plan”	3	12/23/2022
C-200	“Grading Plan”	3	12/23/2022
C-300	“Utilities Plan”	3	12/23/2022
C-011	“Tree Preservation Plan”	3	12/23/2022
L-100	“Landscape Plan”	1	12/23/2022

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I. PROJECT DESCRIPTION

A. Introduction

This Supplemental Final Environmental Impact Statement (“SFEIS”) has been prepared pursuant to SEQRA (Article 8 of Environmental Conservation Law) and its implementing regulations (6 NYCRR Part 617). Pursuant to 6 NYCRR Part 617 (specifically §617.9(b)(8)), the purpose of this SFEIS is to provide Lead Agency responses to the substantive public comments (both written and verbal) made on the Supplemental Draft Environmental Impact Statement (“SDEIS”) during the public hearing and formal comment period. As such, this SFEIS addresses all substantive comments made on the SDEIS during the public comment period and will serve as a basis for making environmental findings for the Proposed Project described below. Those comments are summarized and responded to in Chapter 3 of the SFEIS, “Response to Comments on the SDEIS”.

B. 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 I-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, the Former Project was put on hold in the Fall of 2019. 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.

C. Site Location/Environmental Setting

The Proposed Project is located at 40 Croton Dam Road in the Town and Village of Ossining, New York (Figure I-1). 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.

D. SDEIS Plan

The Applicant notes that the River Knoll Project is programmed and designed to appeal to an older audience that seeks to downsize from a larger home, yet wants a well-amenitized and very attractive townhouse. This cohort wants a contemporary residence that has a modern kitchen, plenty of closet and storage space, an office to work from home because they are infrequent commuters, master bedrooms on the first floor, the

option to have a small elevator, and community amenities that cater to this mature resident. A community that is programmed to appeal to all age groups would be much less appealing, in the Applicant's opinion, to the empty-nester cohort and would negatively affect the marketability of the project.

The River Knoll project comprises 86 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.

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 220 bedrooms, the Proposed Project would therefore require 330,000 square feet of undeveloped permanent open space.

Approximately 11.4 acres (495,457 square feet) of undeveloped permanent open space is provided.

E. Description of the SFEIS Plan

In response to comments received on the SDEIS, the Applicant has modified the SDEIS plan as described below.

The Applicant recognizes the concern with the heights of the proposed townhouses and retaining walls adjacent to First and Second Avenues, which were discussed in the SDEIS.

As such, the Applicant has substantially redesigned this area by reducing the number of units from thirty two (32) to ten (10) units. Additionally, the newly designed units are a full story lower in height, the setbacks from the adjoining property line have been increased, the retaining walls have been reduced in height to approximately 8 feet at their highest, and the setback area may include gravel fill to also lower the perceived height of the retaining walls. Additionally, the walls will be fully landscaped with ornamental grasses and plantings.

In addition, the ten affordable units provided have now been spread throughout the Project site in three locations and fully mixed within the market-rate units. Their sizing will be larger than HUD guidelines and be very roughly 1,400 square feet for a two-bedroom unit and 1,700 square feet for a three-bedroom unit.

A greater range of price points for the proposed market rate units has been provided with the addition of 20 “stacker” units in addition to the 10 affordable stacker units provided in the SDEIS Plan. These market rate units will provide a greater spread of unit pricing within the Project, as requested by the Town.

One additional unit, for a total of 96, has been added to the SFEIS Plan versus the SDEIS Plan.

F. Review Procedures and Process Background

In December 2015, a Full EAF report and cover letter were submitted by the Applicant to the Planning Board for the previous 188-unit project. Based on direct feedback from the Boards, community and neighbors, the Former Project was put on hold in the Fall of 2019.

Based on the Proposed Project’s proposal to construct a 95-unit 55+ age-restricted townhome condominium community on the Project Site, the Board requested a Supplemental Draft Environmental Impact Statement be prepared. The Planning Board had previously declared a Positive Declaration for the Project on May 27, 2016.

The Planning Board conducted a Public Hearing on the proposed SDEIS Scoping document on April 7, 2021. The Scope was adopted by the Planning Board on April 22, 2021.

The Applicant prepared a SDEIS which was submitted to the Town Planning Consultant for initial review on September 7, 2021, and to the Planning Board and all the Town Consultants on September 27, 2021, February 22, 2022, and May 23, 2022. The SDEIS was accepted as complete by the Planning Board on June 15, 2022.

The Planning Board opened and closed the SDEIS Public Hearing on July 20, 2022, while accepting written comments from the public until September 6, 2022. The Planning Board held a workshop on August 17, 2022.

The SDEIS is hereby incorporated by reference into this SFEIS. Any terms relating to the description of the proposed project described in the DEIS are also used within this SFEIS.

Pursuant to SEQR regulations, the Planning Board is required to adopt an Environmental Findings Statement based on the environmental review record before it or any other Involved Agency in this SEQRA review may take action on the project.

This SFEIS fully anticipates all permitting and/or entitlements required for the project, as noted below in Table I-1. Accordingly, this SFEIS and related environmental findings will be applicable to the below noted approvals.

At its XXX meeting, the Planning Board accepted the SFEIS, dated XXX, as complete and set a public hearing for XXXX, at which the Board will consider comments on the SFEIS before adopting a written Findings Statement.

The SFEIS includes responses to comments received regarding the SDEIS as well as changes to the Proposed Project that reflect comments made during the public review period.

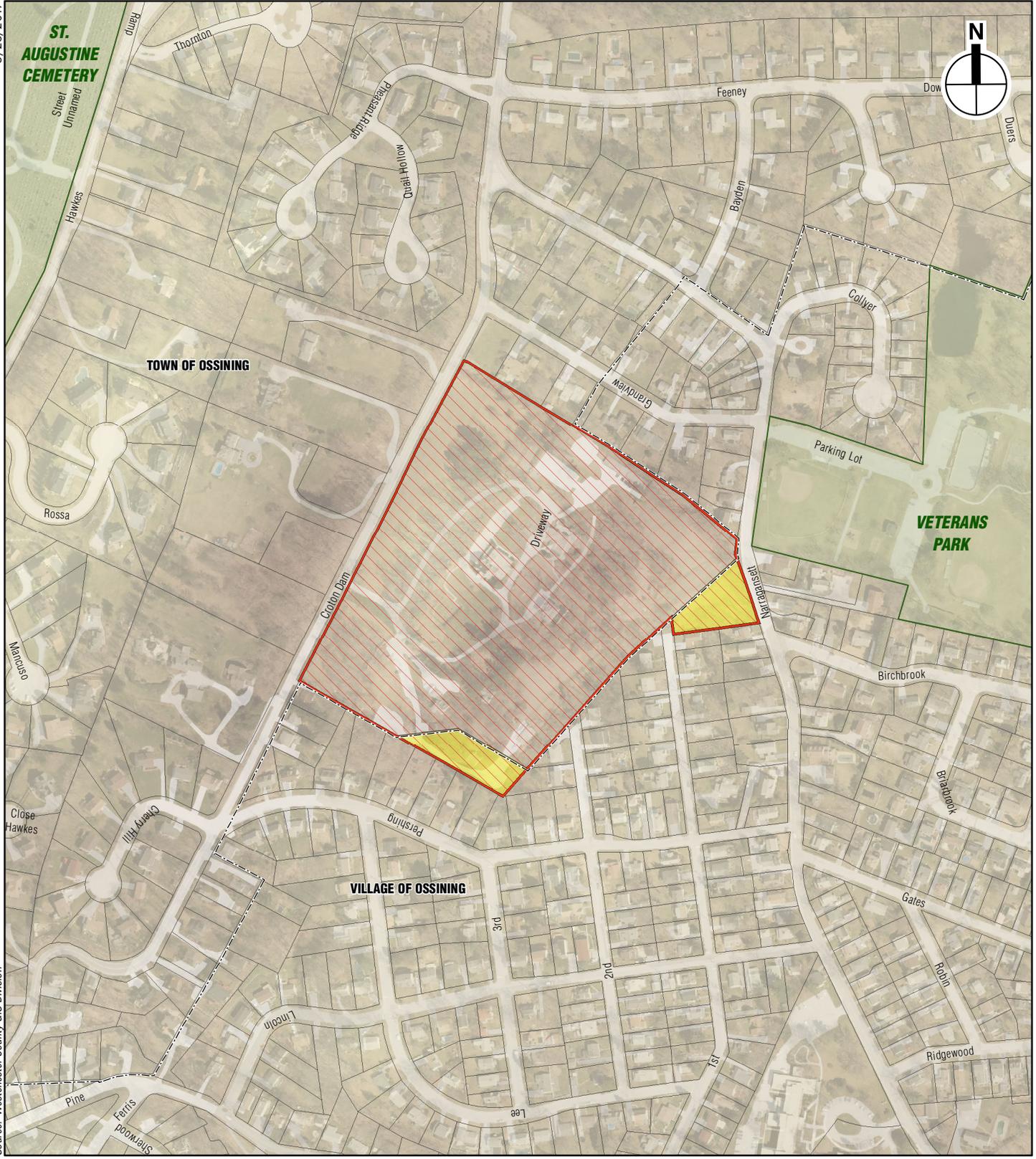
G. Required Approvals

Required approvals for the Proposed Project and a list of Involved and Interested Agencies are listed below in Table I-1. For SEQRA purposes, an agency is “involved” when the determination is made that the agency has or will have a discretionary decision to make regarding some aspect of the proposed action. If an agency does not have a discretionary decision to directly undertake, fund, or approve some aspect of the proposed action, then it cannot be an “involved” agency, and is instead considered an “interested” agency. If an interested agency is required to make recommendations about a proposed action, it is not considered an involved agency.

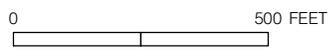
An “agency” is defined as a state or local agency, not private organizations, interest groups and/or individuals.

Table I-1
Required Approvals and Involved and Interested Agencies

Approval Required	Government Agency
Zoning Map and Text Amendments	Town Board (Involved Agency)
Steep Slope Permit	Planning Board (Involved Agency)
Tree Removal Permit	Planning Board (Involved Agency)
Site Plan Approval	Planning Board (Involved Agency)
Area Variance	Zoning Board of Appeals (Involved Agency)
Health Department Subdivision Approval	Westchester County Health Department (Involved Agency)
New York State Department of Environmental Conservation (NYSDEC) Stormwater Permit	NYSDEC (Involved Agency)
Water Supply Approval	Village of Ossining (Involved Agency)
Highway Work Permit	NYS Department of Transportation (Involved Agency)
Referral Required/Involved/Interested Agencies	
§239-l, m, n Referral	Westchester County Department of Planning (Interested Agency)
Town Board	Town of Ossining Departments and Boards (Involved Agency)
Planning Board	Town of Ossining Departments and Boards (Involved Agency)
Highway Department	Town of Ossining Departments and Boards (Interested Agency)
Environmental Advisory Board	Town of Ossining Departments and Boards (Interested Agency)



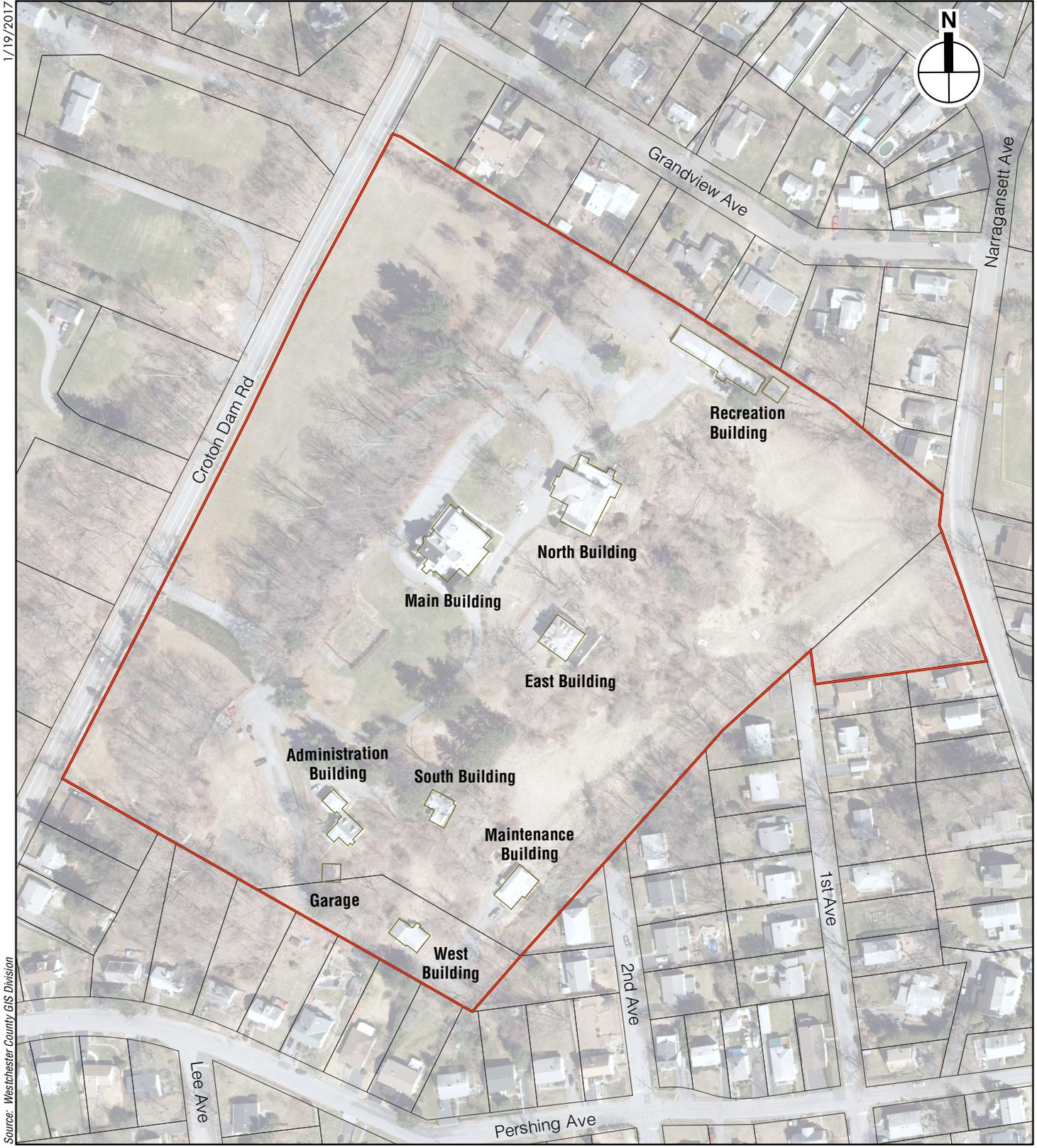
-  Project Site
-  Project Site Within Village Boundary
-  Village/Town Boundary
-  Tax Parcel Boundaries



RIVER KNOLL
Source: AKRF

Project Site Location
Figure 1-1

1/19/2017



Source: Westchester County GIS Division

- Project Site
- Tax Parcel Boundaries

0 200 FEET

Current Arrangement of the former Stony Lodge Hospital Buildings
Figure 2-2

II. SFEIS EXECUTIVE SUMMARY

A. Introduction

The Applicant recognizes the concern with the heights of the proposed townhouses and retaining walls adjacent to First and Second Avenues, which were discussed in the SDEIS. As such, the Applicant has substantially redesigned this area by reducing the number of units from thirty two (32) to ten (10) units. Additionally, the newly designed units are a full story lower in height, the setbacks from the adjoining property line have been increased, the retaining walls have been reduced in height to approximately 8 feet at their highest, and the setback area may include gravel fill to also lower the perceived height of the retaining walls. Additionally, the walls will be fully landscaped with ornamental grasses and plantings (see Appendix C —“Context Model” Visual Analysis, dated 12/22/2022, by BCT Design Group).

In addition, the ten affordable units provided have now been spread throughout the Project site in three locations and fully mixed within the market-rate units. Their sizing will be larger than HUD guidelines and be very roughly 1,400 square feet for a two-bedroom unit and 1,700 square feet for a three-bedroom unit.

A greater range of price points for the proposed market rate units has been provided with the addition of 20 “stacker” units in addition to the 10 affordable stacker units provided in the SDEIS Plan. These market rate units will provide a greater spread of unit pricing within the Project, as requested by the Town.

One additional unit, for a total of 96, has been added to the SFEIS Plan versus the SDEIS Plan.

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

As discussed in depth in Response 2-9 of the SFEIS, the Comprehensive Plan’s goals, objectives, and strategies include a number that are relevant to the Proposed Project. Examples of these include:

- Mitigating impacts to municipal infrastructure and resources, including roads, sewage, and schools, were new development to occur.
- Providing a range of housing that is diverse both in type and affordability.
- Providing green building practices in the new development.
- Providing environmentally sustainable building design to the extent these technologies are financially feasible.
- The use of green infrastructure, including retrofitting existing drainage systems with advanced stormwater filtration capability.
- Providing dark sky initiatives such as reducing nighttime lighting and updating infrastructure with “dark sky approved”, low-pollution nighttime lights.

At this point in time, in the Applicant’s opinion, a variance may be necessary for the minimum distance between buildings, as well as for a 7-unit building provided where a maximum of 6 units are permitted by the Zoning Code. In any case, the Applicant has made the ZBA an involved agency.

C. Wetlands

The Proposed Project will not impact the site wetlands nor wetland buffers.

D. Soils, Topography (Steep Slopes) and Geology

Based upon preliminary geotechnical investigation, blasting would appear to be likely in areas during the construction of the Proposed Project. In all cases, blasting procedures will be conducted in accordance with all pertinent Federal, State and local regulations, thereby mitigating the impacts of any blasting that would be conducted.

The Applicant has provided an entirely new site plan for the eastern portion of the site which has been of greatest concern. The revisions have been significant and have included the reduction of the number of townhouse units in this area from thirty-two (32) to ten (10). Additionally, these newly redesigned units have been lowered in height, set back

further from the adjoining property line, with lowered retaining walls. The tallest retaining walls are approximately eight (8) feet and are fully landscaped. In addition, the retaining walls may also have gravel added to the lowest level which will further reduce the perception of wall height.

E. Stormwater Management and Subsurface Water

The Applicant will conform to the requirements of the “New York State Stormwater Design Manual” by the NYSDEC, 2015, and the maintenance and good management practices specified therein.

The Preliminary Stormwater Pollution Prevention Plan has been prepared to describe the project’s pre and post-development stormwater management improvements and its sediment and erosion control improvements to be utilized during construction. The proposed permanent improvements and the interim improvements to be utilized during construction have been designed in accordance with state and Town regulations.

The project employs a variety of practices to enhance stormwater quality and reduce peak rates of runoff associated with the proposed improvements. These improvements will also mitigate runoff volumes from the proposed improvements as runoff volumes will be slightly reduced or maintained from existing conditions in all the analyzed storms.

The proposed improvements will provide water quantity and quality enhancements which exceed the above mentioned requirements and are not anticipated to have any adverse impacts to the site or any surrounding areas.

F. Vegetation and Wildlife

The Site has remained untouched and unoccupied since the original inventories were conducted. As such, there would be no significant changes to the inventories in the opinion of the Applicant.

The wetland is not being impacted and therefore a species inventory is not required.

G. Historic and Archeological Resources

Based on site investigations which were reviewed by the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP), there are no historic and/or archeological resources on the Site.

H. Infrastructure and Utilities

All utility connections/service lines proposed on the site will be installed underground.

The Town and the County have verified that there is sufficient flow and adequate capacity to accommodate the water demands of the Proposed Project, and the same is true for the Project's projected wastewater flows.

I. Traffic and Transportation

The proposed age-restricted development is anticipated to generate 20, 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.

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 a slight level of service degradation during the peak Saturday midday hour occurs at the Pershing Avenue approach to its intersection with Croton Dam Road.

J. Community Facilities

The Proposed Project age-restricted requirement is expected to cause marginal increase in the demand for community services. As such, no mitigation measures are required. Further, as explained in detail in Chapter 3.J of the SDEIS, the fiscal benefits of the project would more than offset the costs to provide services for the new residents generated by the project.

K. Fiscal Impacts

As noted above and as explained in detail in Chapter 3.J of the SDEIS, the fiscal benefits of the project would more than offset the costs to provide services for the new residents generated by the project.

L. Construction Impacts

The Proposed Project will be “sequenced” and not “phased”. Construction will be continuous on the site with all trades sequencing from one site location to the next. Construction will likely commence in two locations to include the top hill area, and also the rear-most and north-easterly portion of the site.

Construction will conform to the hours permitted 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.

III. RESPONSE TO COMMENTS ON THE SDEIS

A. Introduction

Volume I of the Supplemental Final Environmental Impact Statement (SFEIS) addresses comments that were made on the SDEIS that was accepted as complete and dated June 2022. Comments were provided either verbally at the Public Hearing held on July 20, 2022, or provided in writing through September 6, 2022. This includes all comments made by the public, the Westchester County Planning Board, the Town of Ossining and interested and involved agencies.

Full transcripts of public testimony and complete correspondence from which these comments are drawn are found in Volume I, Appendix B found at the rear of this volume of the SFEIS, which lists the agencies, Town consultants, and individuals who commented on the SDEIS. A total of 6 documents were received, reviewed and their substantive comments put into the SFEIS. All these comments have been addressed in Volume I of the SFEIS.

B. Comment Key

A Comment Key is provided in SFEIS Volume I Appendix A found at the rear of this volume of the SFEIS. The Comment Key notes the source of each comment from the correspondence documents within Appendix B (Sub-Appendices B-1 through B-6, which correspond to the correspondence documents noted below), and the corresponding SFEIS Comment Response Number in the SFEIS which contains the response. The transcript from the public hearing on July 20, 2022 is included.

Correspondence Documents Key

B-1—Transcript from Public Hearing, July 20, 2022.

B-2—Letter from Westchester County Planning Board, dated July 25, 2022.

B-3—Memorandum from Nelson, Pope, Vorhis, dated September 2, 2022.

B-4—Memorandum from Kimley-Horn, dated September 2, 2022.

B-5—Letter from the Town of Ossining Environmental Advisory Committee, dated September 5, 2022.

B-6—Letter from Town of Ossining Town Board, dated September 6, 2022.

[https://jmcpc.sharepoint.com/sites/15064/shared documents/shared documents/sfeis/2022-09-14 sfeis \(vol. i word document\)/iii. response to comments on the sdeis - 2022-09-28.docx](https://jmcpc.sharepoint.com/sites/15064/shared%20documents/shared%20documents/sfeis/2022-09-14%20sfeis%20(vol.%20i%20word%20document)/iii.%20response%20to%20comments%20on%20the%20sdeis%20-2022-09-28.docx)

III.C.IA Comments Regarding SDEIS Executive SummaryComment No. IA-1

Page I-1 states “the Proposed Project would provide a new and upscale housing community for residents who wish to remain in Ossining and the Hudson Valley region.” The projected sales for the market rate units would not be affordable to most residents in Ossining and are not comparable to other condominium developments in the Town or the Village. Please provide a better explanation of the price point of the units and anticipated residents. The concern is that upscale housing does not adequately address the senior housing needs of Ossining. Could the Project provide a variety of unit sizes in terms of overall square footage to provide more diversity in the sales price of the market rate units? Housing diversity in unit type is identified as a recommendation in the Towns’ adopted 2022 Comprehensive Plan.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. IA-1

The Project *will offer*, in fact, a range of unit types that will be priced depending on size, location, views and degree of finishing and amenities. The number of lower-priced units has been increased versus the SDEIS plan. A greater range of price points for the proposed market rate units has been provided with the addition of 20 “stacker” units in addition to the 10 affordable stacker units provided in the SDEIS Plan. These market rate units will provide a greater spread of unit pricing within the Project, as requested by the Town.

Comment No. 1A-2

Page I-2 does not include information on the other drafts of the SDEIS or the dates of its acceptance, public hearing, and public comment period. Please include that information.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 1A-2

This information is provided in Section I.F of the SFEIS.

Comment No. 1A-3

Table I-2 should provide a list of the involved and interested agencies and clearly note which agencies are involved or interested.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 1A-3

This information is provided on Table I-2 within Section I.F of the SFEIS.

Comment No. 1A-4

Table I-2 does not identify the Zoning Board of Appeals (ZBA) as an involved agency. They should be listed as the Proposed Project will require approval from the ZBA.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. IA-4

This information is provided in Section I.E of the SFEIS.

Comment No. IA-5

RETAINING WALL PLANTING PLANS – *this proposal includes the planting of trees on/along the retaining wall structures.*

- a) *Through tree root growth and expansion, the stability and longevity of the retaining walls would likely be compromised.*
- b) *The proposed plantings are not expected to provide sufficient screening for the lower-lying neighborhoods.*

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. IA-5

See Response IA-7.

Comment No. IA-6

MATURE EXISTING TREES - *the EAC noted on the site walk the existence of mature trees that may be preserved, e.g., pines/evergreens, magnolias, etc., along the western and northeast facing slope and other parts of the site.*

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. IA-6

To the greatest extent practicable, the Project construction will seek to maintain healthy mature trees. During the formal site plan level of design, a landscaping plan will be prepared and the trees that will be preserved will be identified.

Comment No. IA-7

MODIFY RETAINING WALL PLANTING PLANS

- a) *Minimize root impact over the long term, and plant suitable trees and shrubs as part of this landscaping design.*

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. IA-7

Similar to Response No. IA-6 above, a comprehensive landscaping plan will be prepared which will specify the plant types that will be used in and around the retaining walls. Plant types that may have root systems that might pose any problem to retaining wall stability and structure will be avoided.

Comment No. IA-8

PRESERVE MATURE EXISTING TREES

- a) *Protect mature, functional trees and shrubs on the site that may be marked for removal or threatened by foreseeable construction.*

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. IA-8

See Response IA-6.

[https://jmcpc.sharepoint.com/sites/15064/shared documents/shared documents/sfeis/2022-09-14 sfeis \(vol. i word document\)/iii.c.Ia comments on sfeis executive summary - 2022-09-28.docx](https://jmcpc.sharepoint.com/sites/15064/shared%20documents/shared%20documents/sfeis/2022-09-14%20sfeis%20(vol.%20i%20word%20document)/iii.c.Ia%20comments%20on%20sfeis%20executive%20summary%20-2022-09-28.docx)

III.C.IB. Comments Regarding SDEIS Project History and Proposed Project DescriptionComment No. IB-1

Section II.A-3 notes the residential zoning of the Village of Ossining properties but not the surrounding Town of Ossining residential properties. Please include the zoning district and the required minimum lot size of the residential properties within the ½ mile radius of the Project site in the Town of Ossining.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. IB-1

The Town zoning in the vicinity of the site is depicted on the SDEIS Figure 3.A-2, following page III.A-23 of the SDEIS document. The figure illustrates that the surrounding Town zoning is R-7.5 and R-15 “One Family Residential”, which have minimum required lot sizes of 7,500 s.f. and 15,000 s.f., respectively.

Comment No. IB-2A

What type of buffering would be installed to attenuate the sounds and visibility of the pool?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. IB-2A

The pool is separated from the nearest unit by the 60-foot wide parking lot, and in addition the HOA will determine the hours that the pool is open to mitigate any noise concerns that may or may not be raised.

Comment No. 1B-2B

What are the proposed dimensions of the garages?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 1B-2B

They will vary somewhat depending on location, but typical garages will be minimally 20' wide x 20' deep.

Comment No. 1B-3

The DEIS notes that the Proposed Project does not meet the bulk requirement of §§200-16 and 22. On pages II-7 through-II-9, the SDEIS takes the position that variances are not required as certain Zoning Code requirements are waivable by the Planning Board. The Applicant must explain in detail its position that the Planning Board has the authority to waive the requirements in Zoning Code § 200.16(A)(2)(b) (separation between principal/accessory buildings) and § 200.16(A)(2)(d) (400 sq. ft. of play area per unit).

While Zoning Code §200.16(A)(4)(a) provides that for multiple-family and row and/or attached dwellings residential developments, the "Planning Board shall follow the procedures and requirements set forth in § 200-31, entitled "Cluster developments," the Applicant needs to set forth in detail how it is proposing to comply with all the cluster procedures and requirements.

The Applicant interprets the language in Zoning Code 200-31(D)(3)(a), which provides "if composed of attached dwelling units, a cluster development shall comply with the bulk regulations contained in § 200-22 for the Multifamily Residence District and the parking regulations contained in § 200-29A(1)", to mean that Zoning Code requirements not

part of 200-22 (or 200-29(A)(1)) are waivable by the Planning Board. The Applicant should further support and explain the basis for this position.

Even if the Applicant's interpretation is correct, the Applicant cannot focus solely on certain provisions of §200-31, but must show how it proposes to meet all the conditions of Zoning Code § 200-31, and further explanation

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. IB-3

As per Response 2-16, at this point in time, the Applicant acknowledges that a variance may be necessary for exceeding the required minimum distance between buildings and that a waiver or variance would be necessary for the required minimum 400 s.f. per unit play area. The play area is not considered necessary because the Proposed Project is age-restricted and therefore there is unlikely to be significant numbers of young children.

Comment No. IB-4

Section III.A.2.viii does not adequately address spot zoning in terms of the planning rationale behind the request for the rezoning. Provide a discussion as to why the proposed zoning change is a result of a reasoned and well considered Comprehensive Plan or area plan.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. IB-4

As noted in Response 2-10, the updated Comprehensive Plan notes that under existing conditions, “six percent of land is zoned for multifamily uses, all of which

is located on the western side of Unincorporated Ossining”. Also, “higher-density residences comprise only 0.04% of existing land use in Unincorporated Ossining”. The CP also notes that “...redevelopment should be prioritized over developing housing on undeveloped land”. The proposed Project provides a multifamily type of housing the currently is in short supply within the Town. In addition, the Town has no age-restricted housing, which the Project provides.

The Town Code states that properties that otherwise meet the requirements of the Multifamily (MF) district can apply to be rezoned, anywhere in the Town and not necessarily adjacent to the existing MF zones which are predominantly within the western side of Unincorporated Ossining, as noted above. The MF zone is established within the Town Code.

An examination of the Town Zoning Map indicates that the existing MF districts encompass large, single lots, similar to that of the site of the proposed project. These isolated MF zoning district lots show that a rezoning to the MF district is not considered spot zoning based on these precedents.

Comment No. IB-5

On page II-7, the SDEIS states that variances may be required and as such, the SDEIS must identify the ZBA as an involved agency. Please add the Zoning Board of Appeals to the list of required approvals in Table II-1. Provide a list of all variances that will be required from the Zoning Board of Appeals.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. IB-5

Please see Response IB-3. This information is provided on Table I-2 within Section I.F of the SFEIS.

Comment No. 1B-6

DISTURBANCE OF EAST/NORTHEAST FACING STEEP SLOPE - includes the construction of fifty-three units, i.e., more than half of the total proposed ninety-five units, on this currently wooded steep slope. The potentially negative environmental impacts are as follows:

- a) Significant irreversible regrading of existing moderate, very, and extremely steep slopes, potentially containing underlying bedrock, would likely destabilize the slope, and significantly disturb existing fauna and other natural habitats. Per Town Codes §167 Steep Slopes Protection, minimal disturbance of these steep slopes should be achieved to ensure a reasonable use of the property.
- b) Clearcutting of slope, i.e., approximately four hundred trees to be removed, will likely result in further destabilization of the steep slopes, disturbance, and dislocation of existing wildlife, fowl, and other fauna. Per Town Codes §183 Tree Protection, minimal disturbance of these stabilizing trees should be achieved to ensure a reasonable use of the property.
- c) Increased potential runoff and soil erosion from significantly altered steep slopes, with increased impervious surfaces, may negatively impact lower lying neighborhoods, noting a “bowl-like” dip at Second Avenue where the dead-end part of the street meets the bottom of the slope.
- d) Construction of sizable retaining wall to support the proposed 53 units, roads, and disturbed slopes. The wall design includes:
 - i. two-tiered structure,
 - ii. over 750 feet in length,
 - iii. nearly 40-feet high wall, top to bottom
- e) Elimination of natural buffer leaves minimal open space between above retaining wall and 53 units, and lower-lying neighborhood, i.e., negatively impacting natural habitat, existing residents’ viewshed and darkness at night.

- f) *Minimal set back of less than twenty feet, between 40-foot-high retaining wall and 53 units, and the property line, would likely encroach on existing wildlife habitat, and lower-lying neighborhood, including dead-end streets of First and Second Avenue.*

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. IB-6

a). The steep slopes are, more or less, already disturbed by the existing hospital and, due to the age of these existing buildings, they pose a near and long-term threat to the homes that abut the eastern side of the site due to the instability of the very aged hospital buildings and their aged foundations and lack of a comprehensive stormwater management system for the site. The Proposed Project will be professionally engineered and would stabilize these areas and provide a stormwater management system that would prevent erosion, prevent runoff to adjoining properties, and control stormwater entry into the Town stormwater system.

b). A significant portion of the northeast portion of the site will remain untouched as there is a 100' wetland setback that prevents development in this area. Additionally, the boundary between the homes on Grandview Avenue will benefit from a much larger and deeper green buffer as the existing vacant Recreation Building will be razed and replaced with trees.

c). Once again, the existing hospital site has no comprehensive stormwater management system, nor were the 100+ year old buildings designed with foundations that gave consideration to erosion and stormwater control.

d). These dimensions are incorrect and a more detailed plan with sections of the retaining wall alongside the homes on First and Second Avenues is contained in

Appendix C and these retaining are at their highest approximately 8 feet. The height of these walls will be further reduced in perceived height as drainage gravel will be placed at the base of the lowest wall. Additionally, the walls will be fully landscaped with ornamental grasses and plantings.

e). The existing residents viewshed will change for the better, in the Applicant's opinion, as they will see attractively designed homes instead of a rundown, vacant maintenance building and highly compromised and rundown vacant hospital buildings.

f). The proposed setbacks of the townhouses are considerably greater than the setbacks of the homes to which the Project abuts. The redesign of these townhouses has increased the setbacks from the Property line, has lowered these units by a full story, and significantly reduced the number of units from thirty-two units (32) to only ten (10) units. As previously stated, additional detail of the retaining wall and townhome foundations are contained in Appendix C.

Comment No. IB-7

REDUCE FOOTPRINT ON EASTERN AND NORTHEAST FACING SLOPE

- a. *Significantly reduce the number of proposed units and construction on this slope.*
- b. *Maximize buffer and open space between this proposed development and the lower-lying neighborhood along First, Second, Pershing and Narraganset Avenues.*
- c. *Minimize and significantly reduce amount of land disturbance, tree removal, potential run-off, and erosion.*
- d. *Minimize and reduce size of proposed retaining wall on slope.*
- e. *Optimize set back of proposed buildings from residential areas as mentioned above.*

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. IB-7

a). This area was developed over a century ago as the Stony Lodge Hospital grew and expanded. The buildings are an eyesore, rundown, lacking any upkeep and are a fire risk. The River Knoll proposal, in the Applicant's opinion, replaces these eyesores with modern townhomes that will be built with the most modern materials and methods.

b). The setbacks are already greater than what is required by code and greater than the setbacks between the homes to which the Project abuts.

c). The Applicant views this as a comment that completely ignores the purpose of this Project, and the comment simply implies "less is more" but with no rationale.

d). The retaining walls on the eastern side of the site have been redesigned and their dimensions and sections are within Appendix C.

e). The River Knoll Project adds significant new setbacks to back the northern and southern boundaries of the site. The vacant recreation building which sits on the northern boundary adjacent to homes on Grandview Avenue which is to be razed and replaced with green buffer and, similarly, the vacant ancillary buildings and large paved areas on the southeast portion of the site are also to be razed and removed and replaced with green buffer. Importantly, the River Knoll plan offers more adjacent green buffer when compared to the existing site.

Comment No. IB-8

The Applicant is proposing this development for 55 and over. How will this be implemented and enforced? What will the restrictions be? Does everyone residing on the Property have to be over 55? Can individuals under 55 reside in the units? Will there ever be school-aged children residing in the units? If not, how will this be ensured? There is

reference to the Housing for Older Persons Act. Please explain how that will be applied to this development.

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. IB-8

The ownership and condominium plan for River Knoll will be written to conform to the requirements of the Housing for Older Persons Act which is administered by the U.S. Department of Housing and Urban Development, and a) at least 80 percent of the occupied units must be occupied by at least one person 55 years of age or older per unit; b) the owner or management of the housing facility/community must publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons 55 years or older; and c) the facility/community must comply with rules issued by the Secretary for verification of occupancy through reliable surveys and affidavits.

Additionally, the following must be adhered to: a) the written rules, regulations, lease provisions, deed or other restrictions, b) the actual practices of the owner/management of the housing facility/community used in the enforcement of the rules; c) the kind of advertising used to attract prospective residents to the housing facility/community as well as the manner in which the facility/community is described to prospective residents; d) the housing community's/facility's age verification procedures, and its ability to produce, in response to a familial status complaint, verification of required occupancy.

Comment No. IB-9

The design of the town homes, 3-story units with a lot of stairs, do not appear to be conducive to individuals 55 and over who want to age in place. Can the units be designed to better accommodate the demographic that will be residing in these units? If someone

has to install an elevator because they cannot maneuver the stairs, what would the cost be and who would bear that cost? Will the elevators be wheelchair accessible?

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. 1B-9

The units are 2-stories with a basement that is frequently a walkout (either front walkout or rear walkout). Most of the units will have master bedrooms on the first floor and will offer the ability to add a small elevator to access the second floor or basement.

Comment No. 1B-10

The Town Board is concerned that the price of the units is too high and beyond the reach of Town residents wishing to downsize and remain in the community. The size of the units should be reduced so that the price of the units will likewise be reduced.

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. 1B-10

The Project will offer, in fact, a range of unit types that will be priced depending on size, location, views and degree of finishing and amenities. The price points will vary to a fair degree. The programming of the units is based on many factors including market assessment of other similar projects in the marketplace, the Applicant's knowledge of the features and sizing that empty-nesters seek in these townhouses, their knowledge of what financial institutions look for to underwrite these age-restricted/targeted projects, and the cost to build which has increased significantly in the past few years.

Comment No. IB-11

Given how expensive the townhomes are going to be, there should be an increase in the percentage of affordable units to provide greater accessibility for local residents.

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. IB-11

The ten affordable units currently being offered are quite expensive to build and, to the best of the Applicant’s knowledge, are the largest offering of new quality affordable units that the Town of Ossining has ever realized.

Comment No. IB-12

The units designated as affordable should be spread throughout the proposed development and must comply with the Code regarding the size and design requirements as compared to the market-rate units. The affordable units should be constructed in conjunction with the market-rate units, not at the end of construction.

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. IB-12

The affordable units will be built to “Code” which the Applicant assumes is the building code, and the requirements of HUD. The affordable units as currently designed exceed HUD design requirements.

Comment No. 1B-13

The Town Board would also like to see the Town's traffic engineer's comments on the SDEIS as it relates to this issue. [See Comment 9-15--While there are now proposed to be fewer units than the 188 that was previously proposed, 95 townhomes is still a lot of additional people – and cars – in the community and this specific area that already deals with a lot of traffic congestion. And because of the size of the townhomes, there could potentially be more people living in each unit than in the prior proposal. In light of this, the Town Board would like to see the improvements to the Route 9A intersection that were proposed as part of the previous proposal reincorporated into the project.]

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. 1B-13

Comment noted. See Response 9-15.

Comment No. 1B-14

Instead of making the previous proposal (one building on the top of the hill) smaller, the Applicant completely redesigned the project and the Property. While this did reduce the number of units, with the townhome layout the units are now spread out over more of the property. This means more fill and retaining walls, more impervious coverage, more stormwater runoff, more tree removal and less open space. So while the impacts to traffic and schools may be less (however, see discussion on Traffic), it appears there are greater environmental impacts on the Property from the current proposal. Is there a middle-ground? Whether that means fewer units or smaller units to preserve more open space and the green buffer.

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. IB-14

The new River Knoll townhouse plan, in the Applicant's opinion, is a very responsible use of the property and provides a housing type that is needed in the Greater-Ossining area whereby empty-nesters can downsize yet still have an ample, well designed and well-amenitized home. The Project will generate significant new tax revenues to the Town and school district, will offer 10 new affordable townhomes, and have minimal traffic generation and no school children generation. All of the new tax revenues to the district will be new revenues that will help the school support new programs.

Comment No. IB-15

While the Applicant is proposing to plant trees to offset the trees that will have to be removed, the trees being removed are mature trees. Can removal of any of these trees be avoided? What is the impact of replacing mature trees with younger trees? Do they absorb as much water? Please also be aware of Town Code 184-12(G) that sets forth the minimum tree replacement requirements, and if those requirements are not met, a payment will have to be made to the Town's tree bank fund in the amount of \$165/caliper inch.

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. IB-15

The Applicant will follow the requirements of Town Code 184-12(G) that sets forth the minimum tree replacement requirements, and if those requirements are not met, a payment will have to be made to the Town's tree bank fund in the amount of \$165/caliper inch.

Comment No. 1B-16

In light of recent occurrences in other parts of the Town, the Board is particularly concerned about the stability of the proposed retaining walls. Please explain how the stability of the retaining walls will be ensured in perpetuity. What would the impact be if any of the walls were to fail?

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. 1B-16

The retaining walls have been modified and significantly lowered to a maximum of approximately 8 feet in height adjacent to the homes near First and Second Avenues. Such retaining walls are commonplace in the built environment, particularly in the hilly terrain found throughout Westchester County. If properly constructed, they can be more secure than unreinforced hillsides which can be more affected by erosion, frost heaves, and vegetation intrusion. Regularly maintained retaining walls tend to last longer. The HOA would be responsible for regular retaining wall inspection and maintenance.

Comment No. 1B-17

The Board is concerned about the amount of fill being proposed, particularly near 1st and 2nd Avenue. What, if anything, will the long-term impacts be of developing the residential units on top of fill – both fill that is relocated from other areas of the site and fill that is brought onto the site? For the fill brought onto the site, where will it come from? Will it be inspected to make sure it is safe? How will introducing fill onto the Property to allow for the development change the topography of the property and therefore the visual impacts to the community?

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. IB-17

The site engineering of the Project seeks to balance cut and fill. The Applicant's belief is that the only possible type of fill that may be brought onto the site would be finish-grade topsoil needed for final landscaping. As such, this soil will likely be high-quality nutrient-rich soil.

Comment No. IB-18

The farmhouse design of the townhomes do not appear to be consistent with the character/design of the neighborhood or other townhomes in the area.

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. IB-18

The modern farmhouse design is not inconsistent with the home styles that are prevalent in the area. In the Applicant's opinion, the designs are very attractive, and the Applicant repeatedly receives compliments from those who've viewed the renderings. Additionally, material advancements dictate, to some degree, the choices of exterior cladding and windows, etc. And the townhomes that are present in the immediate area are of a prior generation of design and do not use modern materials.

III.C.2 Land Use, Comprehensive Plan, Zoning and Community Character

Comment No. 2-1

I believe it is table 1 in the SDEIS, about the first to the alternatives, and there is a table. At the bottom of that table it talks about land use and zonings, and in each of those sections it references whether or not the particular alternative is in context with the comprehensive plan.

But there doesn't seem to be a direct link. Like for instance when he talks about – or when it talks about the previous project and this project it says you know, it is in contrast with the comprehensive plan, but it is just a vague statement. So I just would like maybe a direct link to the comprehensive plan and what it is that they are referencing. I think that would be helpful for the public to understand how they are determining what is in context with the comprehensive plan and what isn't.

(Appendix B-1, Public Hearing – Marissa Caruso)

Response No. 2-1

The Town's Comprehensive Plan (CP), adopted May 10, 2022, may be viewed/downloaded from the Town's website at:

[Town of Ossining Comprehensive Plan - Sustainable Ossining - Town of Ossining, New York](#)

Please see Response 2-9, below for additional discussion of the latest Comprehensive Plan and how the proposed project conforms with the CP.

Comment No. 2-2

And then the second comment just in reviewing Mr. Ventromile's presentation, is when he talks about community character. He references lots that are S-5 and R-7, which fall within the village boundaries and this the development as I understand it is all to take place in the town boundaries, and maybe a reference to town zoning would be more accurate when we are – when we are considering density.

(Appendix B-1, Public Hearing – Marissa Caruso)

Response No. 2-2

The Town zoning in the vicinity of the site is depicted on the SDEIS Figure 3.A-2, following page III.A-23 of the SDEIS document. The figure illustrates that the surrounding Town zoning is R-7.5 and R-15 “One Family Residential”.

Comment No. 2-3

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.

(Appendix B-2, Letter - Westchester County Planning Board)

Response No. 2-3

The Applicant notes that the River Knoll Project is programmed and designed to appeal to an older audience that seeks to downsize from a larger home, yet wants a well-amenitized and very attractive townhouse. This cohort wants a contemporary residence that has a modern kitchen, plenty of closet and storage space, an office to work from home because they are infrequent commuters, master bedrooms on the first floor, the option to have a small elevator, and community amenities that cater to this mature resident. A community that is programmed to appeal to all age groups would be much less appealing, in the Applicant's opinion, to the empty-nester cohort and would negatively affect the marketability of the project.

Comment No. 2-4

Section III.A.2.i does not provide a discussion of the visual analysis found in Appendix H. A discussion of the impacts and any proposed mitigation should be included. The model does not depict the retaining walls and landscaping as they are shown on the site plan. All simulations should include the proposed retaining walls as depicted on the site plan and proposed landscaping as per the landscaping plan. Please revise the images in Appendix H or revise the site plan to show the tiered retaining walls.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 2-4

The Applicant recognizes the concern with the heights of the proposed townhouses and retaining walls adjacent to First and Second Avenues, which were discussed in the SDEIS. As such, the Applicant has substantially redesigned this area by reducing the number of units from thirty two (32) to ten (10) units. Additionally, the newly designed units are a full story lower in height, the setbacks

from the adjoining property line have been increased, the retaining walls have been reduced in height to approximately 8 feet at their highest, and the setback area may include gravel fill to also lower the perceived height of the retaining walls. Additionally, the walls will be fully landscaped with ornamental grasses and plantings.

Comment No. 2-5

What level of affordability is proposed for the ten affordable units, and what units are proposed to be affordable? Please provide unit size and unit type. Where will the affordable units be located? Provide a description on how the proposed affordable units will comply with §200-35.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 2-5

The ten affordable units provided have now been spread throughout the Project site in three locations and fully mixed within the market-rate units. Their sizing will be larger than HUD guidelines and be very roughly 1,400 square feet for a two-bedroom unit and 1,700 square feet for a three-bedroom unit.

Comment No. 2-6

Page III.A-7 states “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.” What does this statement mean in terms of any public trails being proposed on-site? Will the site provide trails and connections? If so, where on the site will they be located, and what type of trails are proposed?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 2-6

The internal roads within River Knoll will connect from Croton Dam Road to Narragansett Avenue via the proposed emergency accessway at the northeast corner of the Property. This connection will allow the public and the residents access to Veteran’s Memorial Park, and the emergency accessway at the northwest corner of the Property will also provide access to Croton Dam Road.

Comment No. 2-7

The DEIS states that the Proposed Project will provide an “interconnection with the publicly accessible Veterans Memorial Park.” Please confirm that this is the case. Is this interconnection for the residents only and will there be sidewalks added for this interconnection?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 2-7

See Response No. 2-6 above.

Comment No. 2-8

How does the Sponsor propose to “seek ways to provide trail connections to the nearby Maryknoll Seminary..., Anne Corner Middle School, Dale Cemetery, Torview Club’s open space?”

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 2-8

The Sponsor is only able to provide trail connections on property under the control of the Sponsor. As noted in Response 2-6, there will be a public connection through the site between Croton Dam Road and Narragansett Avenue, permitting access to Veteran’s Memorial Park. From there, access to these other areas would be via the local roadway network.

Comment No. 2-9

Section III.A.2.iv provides information on the 2015 Comprehensive Plan and the January 2022 draft Comprehensive Plan. The Town adopted its Comprehensive Plan on May 10, 2022. Discuss the Project’s consistency with the adopted Comprehensive Plan.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 2-9

The 2022 Comprehensive 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 sourced 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.

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 96 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. As noted in Response 2-3, a community that is programmed to appeal to all age groups would, in the Applicant’s opinion, be much less appealing to the empty-nester cohort and would negatively affect the marketability of the project.

Sustainable Infrastructure

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

- Encourage environmentally sustainable building design to the extent these technologies are financially feasible.

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 provide 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.

Comment No. 2-10

Section III.A.2.viii does not adequately address spot zoning in terms of the planning rationale behind the request for the rezoning. Provide a discussion as to why the proposed zoning change is a result of a reasoned and well considered Comprehensive Plan or area plan.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 2-10

The updated Comprehensive Plan notes that under existing conditions, “six percent of land is zoned for multifamily uses, all of which is located on the western side of Unincorporated Ossining”. Also, “higher-density residences comprise only 0.04% of existing land use in Unincorporated Ossining”. The CP also notes that “...redevelopment should be prioritized over developing housing on undeveloped land”. The proposed Project provides a multifamily type of housing the currently is in short supply within the Town. In addition, the Town has no age-restricted housing, which the Project provides.

The Town Code states that properties that otherwise meet the requirements of the Multifamily (MF) district can apply to be rezoned, anywhere in the Town and not necessarily adjacent to the existing MF zones which are predominantly within the western side of Unincorporated Ossining, as noted above. The MF zone is established within the Town Code.

An examination of the Town Zoning Map indicates that the existing MF districts encompass large, single lots, similar to that of the site of the proposed project. These isolated MF zoning district lots show that a rezoning to the MF district is not considered spot zoning based on these precedents.

Comment No. 2-11

POTENTIAL NEGATIVE IMPACT OF FLOOR TO CEILING GLASS STRUCTURES - *the proposed glass windows may act as reflectors during the day and be a potential hazard for birds in flight, and lights from these structures will likely impact dark sky at night and be visible in lower-lying neighborhoods (see above concern regarding elimination of natural buffer).*

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. 2-11

Collisions by birds with windows are caused by a variety of factors, most notably because glass is reflective, particularly at oblique angles, the glass panes may tend to blend into their surroundings. Also, the location of the windows in relation to other obstacles, such as other buildings, local topography and geography, would all account for variability in the potential of bird strikes at a particular location and whether they would occur at all.

From a search of online literature, locations that are subject to bird strikes might consider a variety of potential mitigation measures such as vertical or horizontal stripes (or other markings) spaced 2” apart. Patterns do not have to be on the glass itself. Three-dimensional solutions in front of the glass include regular insect window screens, for example, which eliminate reflections and provide a cushion if a bird does hit a window. In summary, there are many potential bird-strike mitigation measures should it be determined that a particular location is subject to bird strikes. Inhabitants of such prone buildings would naturally be concerned should such a situation arise and would, in the Applicant’s opinion, take corrective measures accordingly.

Comment No. 2-12

EVALUATE POTENTIAL NEGATIVE IMPACT OF FLOOR TO CEILING GLASS STRUCTURES

- a) *Minimize negative environmental impacts from reflective glass, and optimize dark sky at night for wildlife and lower-lying neighborhoods.*

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. 2-12

See Response 2-11.

Dark-sky compliant lighting is proposed for the project.

Comment No. 2-13

SCHEDULE LATE FALL SITE WALK – since the SDEIS was submitted in June 2022, it should be noted that foliage has been in full bloom, and slopes have been screened with mature trees. Site walks of this proposed project site, including its surrounding neighborhoods, after the leaves have fallen, are strongly recommended. Potential environmental impact concerns of the proposed construction of 95 units, and particularly the 53 proposed units on the east/northeast slopes, may be further evaluated during the late October/November months.

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. 2-13

The Applicant would welcome a Winter site walk.

Comment No. 2-14

SOLICIT TOWN ARCHITECTURAL REVIEW BOARD input on this proposed project.

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. 2-14

Such input will be sought by the Applicant at the appropriate time within the entitlement review process.

Comment No. 2-15

While there is reference in the SDEIS to the new comprehensive plan adopted by the Town Board in May 2022, most of the references in the SDEIS are to the Town's former comprehensive plan, which is no longer controlling. The Town engaged in a thorough and lengthy multi-year process to adopt this comprehensive plan and the SDEIS should address it in greater detail and substance. This is especially important given that any zone change considered by this Board would have to be consistent with the current comprehensive plan. Many of the comments raised herein are based upon objectives and goals in the current comprehensive plan.

(Appendix B-6, Letter – Town of Ossining Town Board)

Response No. 2-15

See Responses 2-9 and 2-10.

Comment No. 2-16

There is reference to the possibility of needing variances. If that is the case, the Town Board should know what variances would be needed in order to assess the potential impacts from the zone proposed change. While we understand the needed variances could change based upon changes made to the plans through the SEQRA process, the Applicant should be able to assess based upon the current proposal what variances would be needed, if any. In addition, if variances are needed, that would make the Zoning Board

of Appeals an involved agency that should have an opportunity to review and weigh in on this project during the SEQRA process, if so desired.

(Appendix B-6, Letter – Town of Ossining Town Board)

Response No. 2-16

At this point in time, in the Applicant’s opinion, a variance may be necessary for the minimum distance between buildings, as well as for a 7-unit building provided where a maximum of 6 units are permitted by the Zoning Code. In any case, the Applicant has made the ZBA an involved agency.

Comment No. 2-17

Please address the comments from Westchester County Planning Board in the SFEIS.

(Appendix B-6, Letter – Town of Ossining Town Board)

Response No. 2-17

The SFEIS incorporates the comments from the Westchester County Planning Board (see Appendix B-2).

Comment No. 2-18

Please identify if any of the alternatives discussed in the SFEIS that are comparable to the Village of Ossining zoning districts that are in close proximity to the Property.

(Appendix B-6, Letter – Town of Ossining Town Board)

Response No. 2-18

As noted in Response 2-2, the zoning in the vicinity of the site is depicted on the SDEIS Figure 3.A-2, following page III.A-23 of the SDEIS document. The figure illustrates that the nearby Village zoning is S-50 “Single-Family Residence District”.

The SDEIS Alternatives that featured single-family home development scenarios are Alternatives B, C, and D.

Comment No. 2-19

Other than the increased tax revenue and providing affordable units – which are required by Code for any residential development – identify the benefits to the Town from this development.

(Appendix B-6, Letter – Town of Ossining Town Board)

Response No. 2-19

The two project benefits mentioned above are not, in the Applicant’s opinion, inconsequential. In addition, as noted in Response 2-3, the project is programmed and designed to appeal to an older audience who want the simplicity of townhouse condo living that provides professional management of all exterior requirements, yet with a spacious unit that is full of amenities. This provides the Town with a type of housing that is lacking in the Town, which according to the latest Comprehensive Plan, consisted of 84% of Unincorporated Ossining as of 2021 utilized as single-family residential development. The proposed multifamily development expands the type of housing currently lacking in the Town as opposed to single-family residential housing.

III.C.3 Wetlands

Comment No. 3-1

Section III.B.2.i indicates that “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.” However, III.B.1 indicates that the delineated wetlands within the boundary of the Former Project as such: “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.” Are these statements referencing the same wetland areas? If so, please explain in further detail the discrepancies in size (i.e., why has the wetland area decreased almost by ½ in size from 2015 to 2021?)

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 3-1

As noted in the comment, the delineations were made in 2015 and 2021. Wetlands may change over time. As stated on the NYSDEC website, “wetlands are a changing natural resource and their boundaries often change over time.”¹ In addition, the US Army Corps of Engineers (USACOE) website states that wetland determinations are only valid for 5 years², for the reasons noted above. As such and with a 6-year gap between wetland mappings, such wetland boundary changes are to be anticipated.

¹ [Freshwater Wetlands Mapping - NYS Dept. of Environmental Conservation](#). Accessed 11/14/2022.

² [Slide 1 \(army.mil\)](#). Pg. 110 of 114. Accessed 11/14/2022.

Comment No. 3-2

Figure III.B-1. Streams are not identified in the map legend but are present in the map.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 3-2

This figure has been revised to address the comment (see Figure 3.B-1).

Comment No. 3-3

Figure III.B-1. Streams are identified in the map with small “C” along their course. What does this signify?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 3-3

The NYSDEC provides all waters of the state with a class and standard designation based on existing or expected best usage of each water or waterway segment. Classification “C” is for waters supporting fisheries and suitable for non - contact activities.

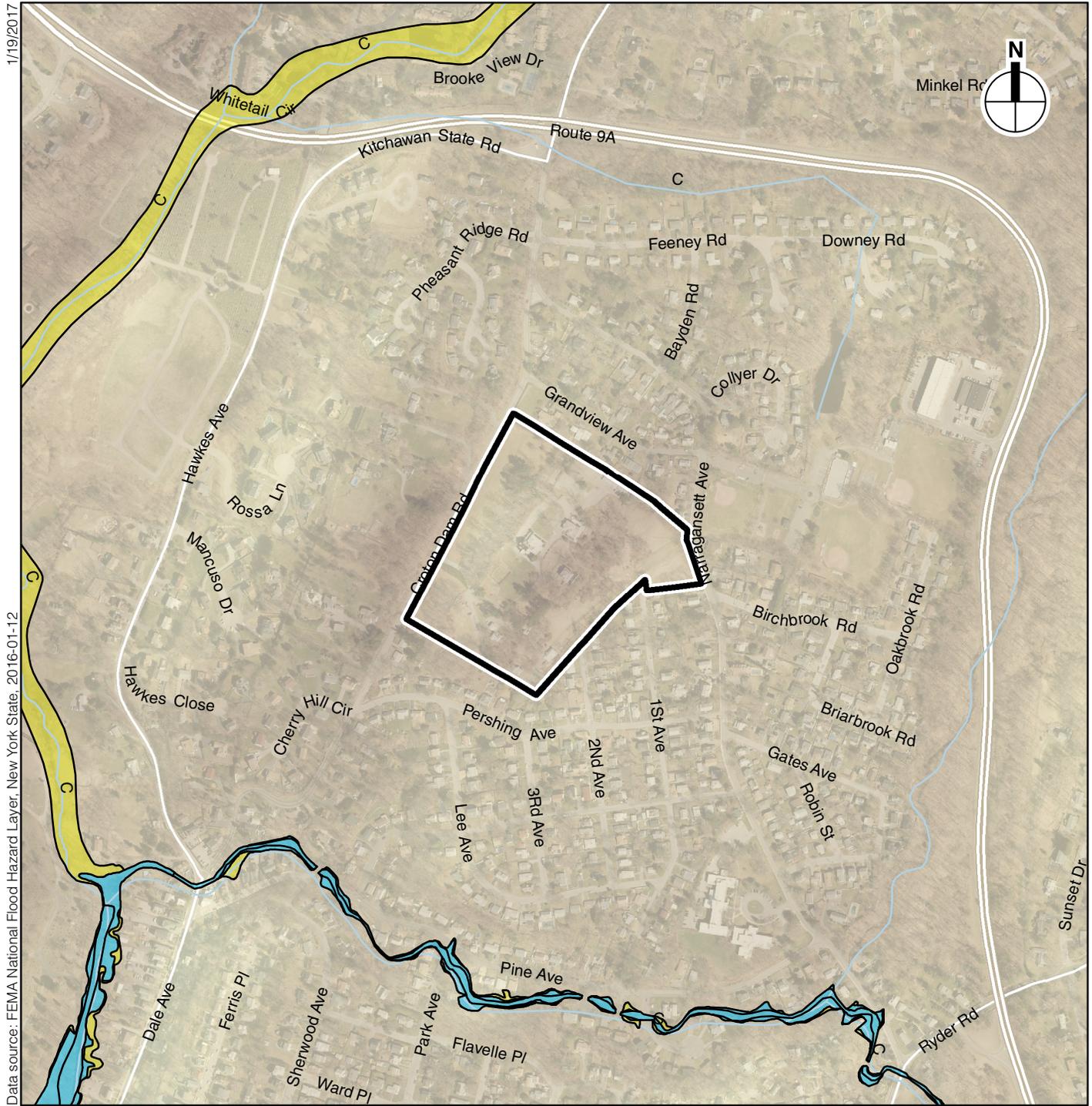
Comment No. 3-4

Figure III.B-2[3]. Sources should be indicated for on-site delineated wetlands.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 3-4

This figure has been revised to address the comment (see Figure 3.B-3).



1/19/2017

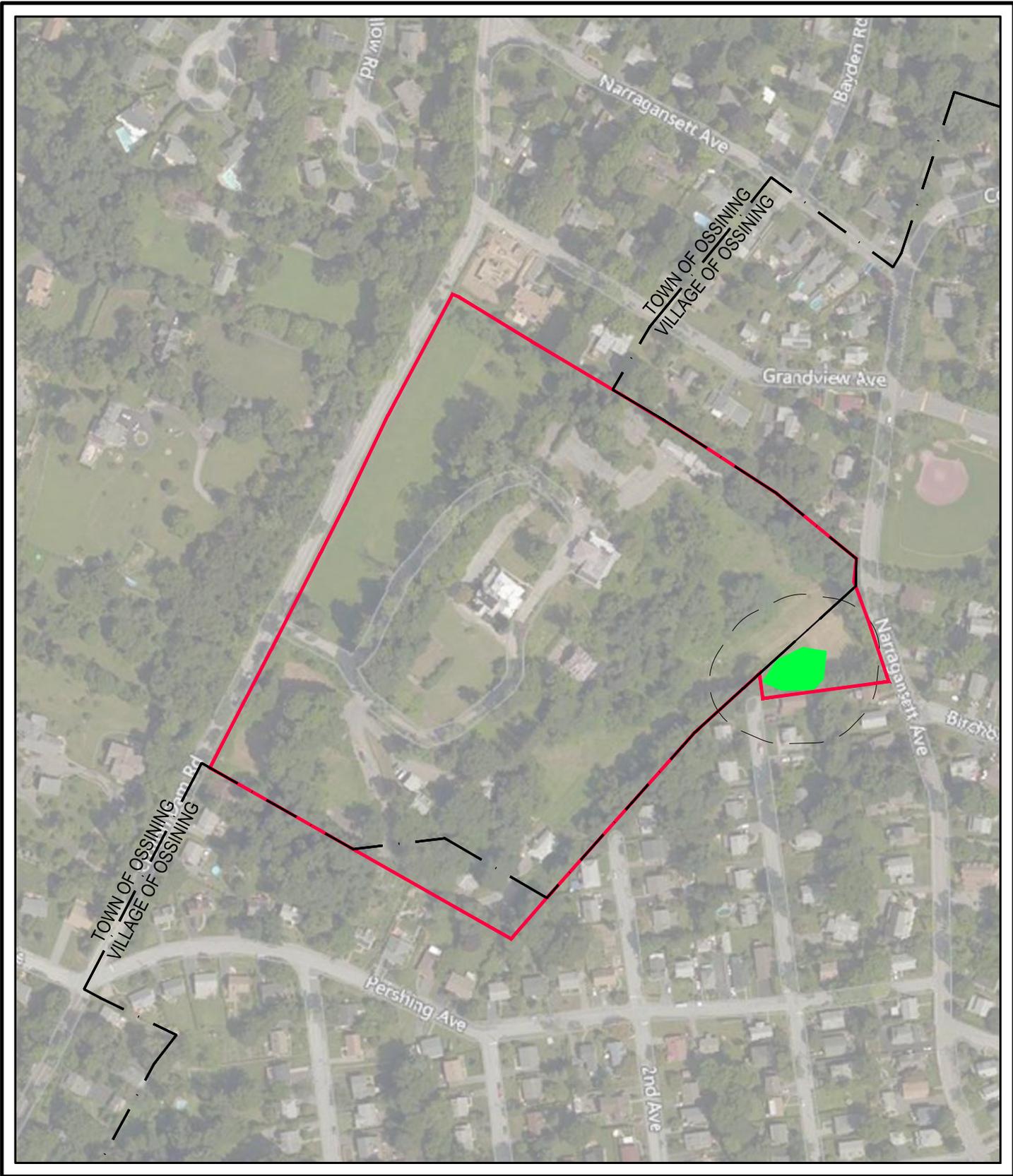
Data source: FEMA National Flood Hazard Layer, New York State, 2016-01-12



- Project Site
- 1% Annual Chance Flood Hazard (100-year floodplain)
- 0.2% Annual Chance Flood Hazard (500-year floodplain)
- NYSDEC Stream Classification C



FEMA Floodplains and NYSDEC-mapped Streams with Classification
Figure 3.B-1



- PROJECT SITE
- VILLAGE/TOWN BOUNDARY
- WETLAND BOUNDARY
- 100 ft WETLAND BUFFER

RIVER KNOLL

NOTE:
 EXISTING ON-SITE WETLANDS WERE
 DELINEATED AND FLAGGED BY
 ECOLOGICAL SOLUTIONS, LLC ON JUNE
 11 2021 AND FIELD SURVEYED ON JUNE
 28 2021.


 SCALE: 1" = 250'

**On-site Delineated Wetlands
 Figure 3.B-3**

III.C.4 Geology, Soils, Topography and Steep Slopes

Comment No. 4-1

On April 8, 2021, a letter was submitted on my behalf from Bleakley Platt and Schmidt, our attorneys and there were a number of things that they had asked to be reviewed and one of the bullet points was whether blasting would occur and if so, its magnitude.

I also find that in this SDEIS the language is very vague, it says some may occur and then it refers you to whatever the procedures are for blasting. So – but there is no real clear indication of the magnitude of the blasting, so we would appreciate a response to that April 8th letter which has been submitted to the Planning Board.

(B-1, Public Hearing – Marisa Caruso)

Response No. 4-1

At this point in time and based upon the geotechnical investigations conducted to-date and the fact that the Preliminary Site Plans are still within the SEQRA review process and have not been finalized for Site Plan Approval, it is not feasible to estimate the magnitude of the blasting. Based on the geotechnical investigations, as noted in the SDEIS, rock blasting will likely be required in areas.

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.

In all cases, blasting procedures will be conducted in accordance with all pertinent Federal, State and local regulations, as noted in the comment, thereby mitigating the impacts of any blasting that would be conducted.

Comment No. 4-2

Could the applicant provide a side-by-side illustration of the existing topography and the proposed topography so that a visual comparison can be made of pre and post construction impacts? It would be easier to assess this if the illustrations were just of the topography

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 4-2

The Applicant has provided an entirely new site plan for the eastern portion of the site which has been of greatest concern. The revisions have been significant and have included the reduction of the number of townhouse units in this area from thirty-two (32) to ten (10). Additionally, these newly redesigned units have been lowered in height, set back further from the adjoining property line, with lowered retaining walls. In addition, the retaining walls may also have gravel added to the lowest level which will further reduce the perception of wall height.

Comment No. 4-3

The FEIS briefly refers to the retaining walls and refers the reader to the Grading Plan for the elevations. Please provide a narrative that discusses the lengths and heights of the retaining walls proposed on site. Are there other options to adding over 20 feet of fill in the southeast property?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 4-3

Similar to Response No. 4-2 above, the site plan in this easterly portion of the site has been completely redone. Beyond reducing the total number of units, the redesign substantially lowered the townhouse unit heights and also the retaining walls heights. The tallest retaining walls are approximately 8 feet in height and are fully landscaped. Additionally, the retaining walls may also have gravel added to the lowest level which will further reduce the perception of wall height.

Comment No. 4-4

The additional fill is causing the need for the retaining walls. Is there a way to move units 1 through 32 elsewhere on site? Could the size of the other units be reduced, and be built in a similar arrangement as units 1 through 32? This may reduce the impacts of the proposed retaining walls and fill.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 4-4

See Response No. 4-2 and Response No. 4-3 above.

Comment No. 4-5

The applicant should give the anticipated amount of fill to be used for the retaining walls, in addition to their heights and lengths. The heights of the retaining walls should be marked on the site plan to include the location of the highest points of each retaining wall.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 4-5

See Response No. 4-2 and Response 4-3.

Comment No. 4-6

The DEIS notes that approximately 14% of the proposed grading will impact very steep slopes and will require a waiver from the Planning Board. The DEIS further states that “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.” If the Planning Board does not grant the waiver, the Project cannot proceed as proposed. Please discuss why this Project should be granted these waivers.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 4-6

The most visually interesting and “steepest” steep slopes are found on the western side of the site and face Croton Dam Road. The site design of River Knoll will preserve this “rock face” and, in the Applicant’s opinion, it will become a dramatic landscape element to the overall site plan. The east side of the site where the greatest degree of disturbance will occur is in areas that have already been impacted by the existing Stony Lodge hospital buildings and ancillary buildings. The River Knoll project plan will reshape these disturbances to provide stable individual sites for the townhouses. The primary purpose of requiring further review and detail of steep slope disturbance is to ensure the engineering of retaining walls and stormwater management, in particular, are done properly. The existing site currently has areas of stormwater runoff and soil erosion in the southeast and southwest sections of the site which spill onto adjoining residences

along Pershing Avenue and Second Avenue. The proposed site engineering will alleviate these problems.

Comment No. 4-7

The Project site is surrounded by residential developments. The DEIS states that some blasting may be required. Please confirm if blasting is required or not, and if so, how much. What is the period of time that the blasting phase will last? What mitigation would be implemented for the proposed blasting?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 4-7

Please refer to Response 4-1, above.

Comment No. 4-8

Please provide additional information on the dust control proposed for the Proposed Project. Will air monitoring be conducted during construction?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 4-8

As noted in the SWPPP (SDEIS Volume 2 Appendix), the contractor is responsible for maintaining the temporary sediment and erosion control measure throughout construction. For dust control purposes, the requirement is to moisten all exposed graded areas with water at least twice a day in those areas where soil is exposed and cannot be planted with a temporary cover due to construction operations or the season (December through March).

During rough grading, areas which are not to be disturbed for fourteen or more days are to be stabilized with temporary seed mixture, as defined on the plans. All piles of dirt in exposed soil areas that will not receive a permanent surface treatment are to be seeded.

All construction entrances are to be stabilized. The rock covered entrance will be a minimum of 50 feet in length by 20 feet in width by 8 inches in depth such that dust does not get tracked onto the roadway with the potential to become windborne.

Air monitoring is typically not conducted for site construction work.

Comment No. 4-9

PROVIDE AND CREATE OVERLAY MAPS

- a) *Review overlay topographical maps of existing site and proposed project to better understand the before and after environmental conditions of this area, e.g., disturbed steep slopes and tree inventory, if applicable.*

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. 4-9

The drawings C-010 “Existing Conditions Plan” and C-200 “Grading Plan”, submitted as part of the SDEIS, may be visually compared with each other to determine the differences between existing and proposed conditions. Trees to be removed are listed in drawing C-011 “Tree Preservation Plan”, and trees to be removed are indicated on the drawing by an “X”. With regard to steep slopes, SDEIS Figure 3.C-3 depicts the proposed impacts to steep slopes.

III.C.5 Stormwater Management and Subsurface Water

Comment No. 5-1

A description of how this stormwater infiltration basin will be planted and maintained should be provided. Will this be a mowed lawn, or an environmentally beneficial prairie area mowed yearly? Will the plants be native plants or lawn grasses?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 5-1

Acceptable stormwater management practices are specified in the “New York State Stormwater Design Manual” by the NYSDEC, 2015. Infiltration basins are designed to allow infiltration of stormwater runoff into the surrounding soils from the bottom and sides of the basin. A minimum infiltration rate of 0.5 inches per hour must be provided, and the maximum dewatering time is 48 hours. The Design Manual specifies that for an infiltration basin the flat basin floor must be comprised of grass turf, along with a grass channel provided at the inflow to the basin. This is necessary to meet the functional requirements of the practice.

Comment No. 5-2

The existing site has no modern stormwater practice. And the project will be designed with two (2) infiltration basins for water treatment and to retain stormwater run-off. Both laudable. Water retention membranes/methodologies should be introduced for better stormwater containment. These basins/containment areas should be utilized as sources for landscape drip irrigation systems.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 5-2

The infiltration basins are not intended nor designed for water retention. See Response 5-1.

Comment No. 5-3

According to the SWPPP, runoff from Existing Drainage Area 2A (EDA-2A) flows overland to a wetland in the Village of Ossining. The Proposed Project also identifies Proposed Drainage Area 2A (PDA-2A) as flowing overland to the wetland in the northeast corner of the site, as in existing conditions. Please provide more information regarding how runoff from the Proposed Project and its increase in impervious surface areas will impact the wetland area and/or buffer.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 5-3

The flows from the Proposed Project will not differ significantly from existing flows in order to preserve the hydrology of the wetland.

Comment No. 5-4

In the first paragraph under the section titled “Proposed Conditions,” a list of the Project improvements identifies “subsurface parking garage” as an improvement for the Proposed Project. It is our understanding that a subsurface parking garage was included in the Former Project, and not the Proposed Project. Please clarify.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 5-4

This comment is correct, the “subsurface parking garage” was included in the Former Project and is no longer proposed.

Comment No. 5-5

In the second paragraph of the section titled “Soil Erosion & Sediment Control” the Applicant states that a qualified professional will conduct two site inspections every seven calendar days when greater than five acres of soil is disturbed at any one time. Furthermore, the Applicant indicates on Page III.E-7 that any disturbance at any given time over five (5) acres requires a “5-acre waiver” from the Municipal Separate Storm Sewer System (MS4). With a proposed disturbance of 14.6 acres, please verify whether this waiver will be obtained. Additionally, please provide more information on the anticipated phase of the disturbance and the acres associated with each phase.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 5-5

A 5-acre waiver will be sought by the Applicant.

The Proposed Project will be “sequenced” and not “phased”. Construction will be continuous on the site with all trades sequencing from one site location to the next. Construction will likely commence in two locations to include the top hill area, and also the rear-most and north-easterly portion of the site.

Comment No. 5-6

SWALE MAINTENANCE PLAN – excessive mowing of these meadows and other conditions may produce negative environmental impacts.

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. 5-6

See Response 5-7.

Comment No. 5-7

CREATE AND ESTABLISH SWALE MAINTENANCE PLAN

- a) Minimize mowing and follow good management practices (GMP) to optimize environmental benefits.
- b) If needed, the outside opinion of an expert in the field is advisable.

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. 5-7

See Response 5-1.

The Applicant will conform to the requirements of the “New York State Stormwater Design Manual” by the NYSDEC, 2015, and the maintenance and good management practices specified therein.

In the Applicant’s opinion, as long as the proposed stormwater practices conform to the Design Manual and other relevant NYSDEC stormwater management

requirements, there is no need to solicit an outside opinion of an expert. The SWPPP will be reviewed by the Town Engineer who will confirm that the stormwater design is adequate and functional.

[https://jmcpc.sharepoint.com/sites/15064/shared documents/shared documents/sfeis/2022-09-14 sfeis \(vol. i word document\)/iii.c.5 stormwater management and subsurface water 2022-09-28.docx](https://jmcpc.sharepoint.com/sites/15064/shared%20documents/shared%20documents/sfeis/2022-09-14%20sfeis%20(vol.%20i%20word%20document)/iii.c.5%20stormwater%20management%20and%20subsurface%20water%202022-09-28.docx)

III.C.6 Vegetation and Wildlife

Comment No. 6-1

Will there be plantings in the stormwater infiltration basin? If so what type of vegetation is proposed? If this will be a mowed lawn or an environmentally beneficial prairie area? Will it be mowed yearly? Will the plants be native plants or lawn grasses?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 6-1

Acceptable stormwater management practices are specified in the “New York State Stormwater Design Manual” by the NYSDEC, 2015. Infiltration basins are designed to allow infiltration of stormwater runoff into the surrounding soils from the bottom and sides of the basin. A minimum infiltration rate of 0.5 inches per hour must be provided, and the maximum dewatering time is 48 hours. The Design Manual specifies that for an infiltration basin the flat basin floor must be comprised of grass turf, along with a grass channel provided at the inflow to the basin. This is necessary to meet the functional requirements of the practice.

Comment No. 6-2

Please provide details on how the Project proposes to handle the removal of the invasive species on-site.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 6-2

The removal of invasive species will be accomplished through standard invasive control best management practices such as, for example, mechanical methods (pulling and digging, suffocation, cutting or mowing); permitted chemical control methods, and removing the cuttings as appropriate to help prevent re-establishment of the invasives. Repeat treatments may be required. The type of treatment(s) to use depends upon the extent of the invasive growth and what individual species of invasives are to be removed.

Comment No. 6-3

The large open windows on the buildings may have an impact on birds. How will the windows prevent birds from unintentionally flying into them?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 6-3

See Response 2-11.

Collisions by birds with windows are caused by a variety of factors, most notably because glass is reflective, particularly at oblique angles, the glass panes may tend to blend into their surroundings. Also, the location of the windows in relation to other obstacles, such as other buildings, local topography and geography, would all account for variability in the potential of bird strikes at a particular location and whether they would occur at all.

From a search of online literature, locations that are subject to bird strikes might consider a variety of potential mitigation measures such as vertical or horizontal stripes (or other markings) spaced 2” apart. Patterns do not have to be on the

glass itself. Three-dimensional solutions in front of the glass include regular insect window screens, for example, which eliminate reflections and provide a cushion if a bird does hit a window. In summary, there are many potential bird-strike mitigation measures should it be determined that a particular location is subject to bird strikes. Inhabitants of such buildings prone to bird strikes would naturally be concerned should such a situation arise and would, in the Applicant's opinion, take corrective measures accordingly.

Comment No. 6-4

The landscaping plan should include a more diverse plant selection.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 6-4

Comment acknowledged. The final Landscaping Plan to be submitted as part of the Site Plan Review process will reflect a more diverse plant selection.

Comment No. 6-5

The illustration of the two (2)-tier retaining wall shows trees/shrubs between the tiers. What size plants are being proposed? The size of the mature root systems must be taken into. How will the plants be maintained - watered, weeded? How much space is between this retaining wall and the property line? Will there be plantings between the property line and the retaining wall? If so, what plants are being proposed?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 6-5

The noted illustration was conceptual only, and not intended to present a scenario of actual plantings. The retaining wall will be planted with appropriate species suitable for such a retaining wall. An access to the retaining wall will be provided for plant maintenance. The final Landscaping Plan to be submitted as part of the Site Plan Review process will address these concerns.

There is a distance of 21 feet between the retaining wall and the property line, as reflected on the SFEIS drawings. The final Landscaping Plan to be submitted as part of the Site Plan Review process will illustrate and specify any plantings between the property line and the retaining wall.

Comment No. 6-6

The Applicant has indicated that “701 trees with DBH of 6” and above were survey-located on-site (see Figure 3.E-2 and full-sized drawing C-011).” However, in the discussion of the tree removal permit that will be sought through the Site Plan Review process on pages III.E-2 and III.E-3, there is no mention of the number of trees, if any, to be removed. This should be specified in this section. Further, L-100, Landscape Plan, included with the SDEIS conceptually depicts the deciduous and evergreen tree plantings that are to enhance the buffer screening along the perimeter of the Site adjacent to the residential use, but the text of page III.E-4 does not mention the specific number of trees to be planted, which should be included.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 6-6

The number of trees proposed to be removed is 443. The number of trees to be planted is 450.

Comment No. 6-7

Items (9) and (10) are a continuation of the list on page III.E-3 and therefore should be labeled as items “I.” and “J.” and not numerically.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 6-7

This change is noted.

Comment No. 6-8

Should the word “habit” in the fourth paragraph be replaced with “habitat”?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 6-8

This change is noted.

Comment No. 6-9

The Applicant has indicated that the Project HOA will regularly remove any invasive species that impact the landscaping as part of its maintenance of the landscaping. How will this be ensured?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 6-9

The Project HOA will be managed by professional property managers and professional landscapers will be employed to handle all landscaping. The management will be in accordance with the landscape plan that will be submitted during formal site plan application. No invasive plant species will be specified in this plan, as it will be prepared by registered landscape architects.

Comment No. 6-10

With a proposed disturbance of 14.6 acres, please verify whether a five (5)-acre waiver will be obtained. Additionally, please provide more information on the anticipated phase of the disturbance and the acres associated with each phase.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 6-10

The Proposed Project will be “sequenced” and not “phased”. Construction will be continuous on the site with all trades sequencing from one site location to the next. Construction will likely commence in two locations to include the top hill area, and also the rear-most and northeasterly portion of the site.

Comment No. 6-11

OUTDATED VEGETATION AND WILDLIFE INVENTORIES – *the inventories in the SDEIS are sourced from over five years ago, i.e., September 2015 through April 2017, reference “Executive Summary; Vegetation and Wildlife”, p. I-13, and “Project History and Proposed Project Description”, p. II-17, also noting the proliferation over the past few years of various invasive species throughout the site.*

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. 6-11

See Response 6-13, below. The Site has remained untouched and unoccupied since the original inventories were conducted. As such, there would be no significant changes to the inventories in the opinion of the Applicant.

Comment No. 6-12

TREE INVENTORY – *over seven hundred regulated trees have been listed in the SDEIS to “remain” or be “removed”, forty and sixty percent, respectively. The identity and health of the trees and overall replanting plan should be corroborated.*

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. 6-12

Comment noted.

Comment No. 6-13

UPDATE VEGETATIVE, HABITAT, INVASIVE SPECIES INVENTORIES

- a) *An inventory of vegetation and habitat species should be conducted to supersede outdated findings.*
- b) *Update the review of the identified wetland in the northeastern portion of the site and its fauna in the springtime when standing water is more likely present and habitat breeding more prevalent, rather than in October and December.*
- c) *Remove and prevent the migration of existing invasive species using GMP.*

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. 6-13

The Site has remained untouched and unoccupied since the original inventories were conducted. As such, there would be no significant changes to the inventories in the opinion of the Applicant.

The wetland is not being impacted and therefore a species inventory is not required.

Regarding invasive species removal, please see Response 6-2, above.

Comment No. 6-14

SOLICIT TOWN TREE WARDEN EXPERTISE

- a) *The Town Tree Warden may:*
 - i. *Confirm the identity of trees to be saved,*
 - ii. *Identify healthy trees that should not be removed, and*

- iii. Evaluate trees to be removed to fully comply with above mentioned Tree Protection Code.

(Appendix B-5, Letter - Town Environmental Advisory Committee)

Response No. 6-14

Comment noted.

[https://jmcpc.sharepoint.com/sites/15064/shared documents/shared documents/sfeis/2022-09-14 sfeis \(vol. i word document\)/iii.c.6 vegetation and wildlife - 2022-09-28.docx](https://jmcpc.sharepoint.com/sites/15064/shared%20documents/shared%20documents/sfeis/2022-09-14%20sfeis%20(vol.%20i%20word%20document)/iii.c.6%20vegetation%20and%20wildlife%20-2022-09-28.docx)

III.C.7 Historic and Archeological Resources

Comment No. 7-1

Should the phrase “January 20171” in the first paragraph be replaced with “January 2017”?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 7-1

This correction is noted.

[https://jmcpc.sharepoint.com/sites/15064/shared documents/shared documents/sfeis/2022-09-14 sfeis \(vol. i word document\)/iii.c.7 historic and archeological resources- 2022-09-281.docx](https://jmcpc.sharepoint.com/sites/15064/shared%20documents/shared%20documents/sfeis/2022-09-14%20sfeis%20(vol.%20i%20word%20document)/iii.c.7%20historic%20and%20archeological%20resources-2022-09-281.docx)

III.C.8 Infrastructure and UtilitiesComment No. 8-1**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.

(B-2, Letter - Westchester County Planning Board)

Response No. 8-1

I&I mitigation measures are to be determined by the Town in consultation with the Applicant.

Comment No. 8-2**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.

(B-2, Letter - Westchester County Planning Board)

Response No. 8-2

The Proposed Project will provide sufficient space to accommodate the storage needs for recyclables under the expanded County recycling program.

The Town of Ossining participates in the County's Residential Food Scrap Transportation and Disposal Program. The Ossining Composts website ¹ notes that individual participation is free and starter kits are available from the Town for \$20, but any container is acceptable to collect and transport food scraps to the

¹ [Program FAQs – Ossining Composts](#). Accessed 11/14/2022.

Food Scrap Recycling drop-off site at Cedar Lane Park as often as needed. As such, residents of the Proposed Project may also participate in this program.

Comment No. 8-3

Paragraph 1 references “Appendix I-1” in regard to a letter from the Westchester County Department of Environmental Facilities. However, this letter appears to be in Appendix G. Please correct.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 8-3

Correction noted.

Comment No. 8-4

The first paragraph of the section titled “Energy and Telephone Services” indicates that the Former Project would underground all electrical and gas service lines on the Project Site, which was also stated on III.G-6. Please confirm/correct that electrical and gas service lines at the Proposed Project would also be underground.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 8-4

The current Proposed Project will underground all utility connections/service lines to the Site (electric, cable, gas, etc.)

III.C.9 Traffic and TransportationComment No. 9-1

I have a question about the traffic report that was spoken about.

I guess my question is when was that conducted and how long was it conducted? What was the timing of it? Was it done at several times of the day, different days of the week, or was it all done, you know, from a Saturday morning standpoint which would obviously be a lot different than a Tuesday night at 6:00 o'clock? And how long did the study go on for to come to the conclusion that was reported to us a little while ago?

(B-1, Public Hearing – Denise Motta)

Response No. 9-1

Traffic counts were conducted from 6:00 AM to 10:00 AM and from 3:00 PM to 7:00 PM on a weekday as well as from 9:00 AM to 1:00 PM on a Saturday. The peak hour within each count period (weekday morning, weekday afternoon, Saturday midday) was utilized for analysis.

Comment No. 9-2**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.

(B-2, Letter - Westchester County Planning Board)

Response No. 9-2

Because of the steep gradient between the Site and First and Second Avenue, connections to the Site would not be feasible. In addition, First Avenue is adjacent to the Site wetland within the Village of Ossining, and any construction to make a roadway connection would disturb the wetland and adjacent area. The grade change between First Avenue and the middle of the Site is approximately 70 feet, which would necessitate major earthwork and potential blasting. The connection does not make sense in terms of the Site design.

Excluding disturbance to the wetland, the same arguments apply to any connection to Second Avenue.

The internal roads within River Knoll will connect from Croton Dam Road to Narragansett Avenue via the proposed emergency accessway at the northeast corner of the Property. This connection will allow the public and the residents access to Veteran's Memorial Park, and the emergency accessway at the northwest corner of the Property will also provide access to Croton Dam Road.

Comment No. 9-3

Additional comments will be submitted by the Town’s Traffic consultant, Kimley-Horn.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 9-3

Comment noted.

Comment No. 9-4

The DEIS discusses the Town’s Complete Streets policy but does not reflect on the goals and recommendations in the study about increasing pedestrian mobility through the addition of sidewalks. While there is no singular design formula for Complete Streets, the design may include various elements such as sidewalks. Will the emergency access be only accessible to the residents or the public? Could sidewalks be added to these access roads?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 9-4

The internal roads within River Knoll will connect from Croton Dam Road to Narragansett Avenue via the proposed emergency accessway at the northeast corner of the Property. This connection will allow the public and the residents access to Veteran’s Memorial Park, and the emergency accessway at the northwest corner of the Property will also provide access to Croton Dam Road.

The emergency accessways will likely only be used by emergency vehicles should the main entrance to the Project become blocked. In the Applicant’s opinion, this

will be a rare occurrence as there are no trees or other objects that might fall on the entrance during a severe storm event. As such, the Applicant has proposed that the two emergency accessways be designed with a “Vevor” grid system that can support the weight of emergency vehicles yet will appear as a grass surface. As such, the Applicant is intending to provide a gravel walking surface alongside this grid system to allow for residents to connect to Narragansett Avenue or Croton Dam Road. In the Applicant’s opinion, this design will keep the look of these entrance points as more natural in appearance.

Comment No. 9-5

Given the stated construction hours, it appears that school bus activity will coincide with construction traffic activity. We would recommend that the FEIS provide information on school bus stop locations in the study area and the morning and afternoon pick-up and drop-off times at each location with an evaluation of potential impacts and mitigation.

(B-4, Memorandum - Kimley-Horn)

Response No. 9-5

Correspondence has been sent to the Supervisor of Transportation of the Ossining Union Free School District requesting this information. No response has been received to-date.

No significant impacts are anticipated, however, because New York State Transportation and Vehicle and Traffic laws protect students who are getting on and off a school bus by making it illegal for drivers to pass a school bus while the school bus is stopped for the purpose of dropping off or picking up passengers and the red lights on the school bus are flashing, regardless of the direction of approach. This of course would apply to all construction traffic, and therefore

construction traffic is not anticipated to have a significant impact on school bus activity within the study area.

Comment No. 9-6

We note that the accident data were obtained from the Town/Village Police Department which may not have included all records for the study area, most notably for the intersection of NYS 9A with Croton Dam Road. We recommend that the Applicant obtain accident records from the NYSDOT crash records database for all locations and redo the analysis to include any crashes that were not included in the TIS analysis. At locations where the calculated accident rate exceeds the statewide average, the Applicant should provide a discussion on whether there was a discernible pattern of crashes, discuss potential impacts from the Proposed Action and recommend any measures that could be implemented to reduce the frequency of crashes.

(B-4, Memorandum - Kimley-Horn)

Response No. 9-6

Additional accident reports were requested from New York State Department of Transportation for all the studied intersections and the roadway segments between the intersections during the analyzed time period. The accident analysis tables and discussion have been updated within the traffic study (Appendix D within Volume 2 of the SFEIS) accordingly.

Comment No. 9-7

We note that the Project trips are based on an older version of the ITE Trip Generation Manual (the 11th Edition is the current version). Regarding the imbalanced arrival and departure distribution percentages along Croton Dam Road, Kimley-Horn has reviewed the existing volumes entering and exiting Feeney Road/Pheasant Ridge Road (residential

dead-end streets that would be a good data source in determining distributions for the proposed residential development) and we feel that there would be a similar directional distribution along Croton Dam Road for entering and exiting traffic (60% to/from the east and 40% to/from the west). It is recommended that the Applicant revise the trip distributions using the 11th Edition rates and either modify the distributions using a balanced flow or provide justification for using the imbalanced trip distributions. As the NYS Route 9A intersection with Croton Dam Road is a critical intersection, the Build analyses at this location should be revised to reflect the modified Project trips.

(B-4, Memorandum - Kimley-Horn)

Response No. 9-7

The trip generation for the proposed development has been updated to the 11th Edition within the revised traffic study (Appendix D within Volume 2 of the SFEIS). The projected trip distribution for the proposed development has been revised to reflect the existing distribution present at Pheasant Ridge Road.

Comment No. 9-8

Build Traffic Volumes

The Project trips were added to the No-Build volumes and the hospital trips were removed to represent the future 2025 Build condition. We find the methodology to develop the Build volumes to be acceptable. However, as noted above, it is recommended that the Applicant modify the trip generations and distributions, as appropriate.

(B-4, Memorandum - Kimley-Horn)

Response No. 9-8

The trip generation for the proposed development has been updated to the 11th Edition within the revised traffic study (Appendix D within Volume 2 of the SFEIS).

Comment No. 9-9

We note that the Synchro version used for the analysis is an older version (Synchro 11 is the current version). It is recommended that, in revising the analyses of operating conditions at the intersection of NYS 9A with Croton Dam Road (discussed above), the Applicant use Version 11.

(B-4, Memorandum - Kimley-Horn)

Response No. 9-9

Synchro Version 10 utilized for the analysis of the studied intersection is based on the methodologies of the Highway Capacity Manual (HCM) 6th Edition. Synchro Version 11 also utilizes methodologies of the HCM 6th Edition in its analysis. Since the same methodologies are utilized between the two Synchro versions the Synchro 10 analysis previously performed maintains the validity of results.

Comment No. 9-10

The analyses provided in the TIS indicate that the proposed redevelopment of the site will not have a significant adverse impact on traffic conditions at the Route 9A intersection with Croton Dam Road. However, this should be confirmed by making the changes to trip generation and trip distribution previously discussed. A further comparison of the hospital and Project trips added to this intersection reveals that the former Hospital adds 32 trips during the AM peak hour and 35 trips during the PM and Saturday peak hours while the Proposed Action is projected to add 10 AM, 15 PM and 20 Saturday trips to the intersection, or 69%, 57% and 43% fewer trips, respectively, compared to the hospital.

(B-4, Memorandum - Kimley-Horn)

Response No. 9-10

Comment noted.

Comment No. 9-11

As the Project will significantly increase the northbound queues during the AM peak hour, it is recommended that the Applicant explore mitigation measures with NYSDOT, such as AM signal retiming to increase the green time for the northbound approach and/or adding “Do Not Block the Box” signage and striping along northbound Croton Dam Road at the Kitchawan State Road intersection.

(B-4, Memorandum - Kimley-Horn)

Response No. 9-11

The applicant has explored mitigation measures and proposes to install “Do Not Block the Box” signage and striping along Croton Dam Road northbound at its intersection with Kitchawan State Road.

Comment No. 9-12

It appears that adequate sight distances will be provided (415 feet to the left and 475 feet to the right), provided that the stone wall and pillars are moved out of the sightlines and the vegetation along Croton Dam Road is removed/kept clear from the driver’s sightlines.

(B-4, Memorandum - Kimley-Horn)

Response No. 9-12

A sight distance analysis narrative has been provided within the traffic study (Appendix D within Volume 2 of the SFEIS) with a sight distance plan provided in Appendix G of the Traffic appendix. The existing walls adjacent to the site driveway are proposed to be relocated to improve the sight distance.

Comment No. 9-13

To improve safety, we would recommend that a sidewalk be added along the internal road from the area of Unit 65 to the clubhouse to provide a safer walking route for the residents. A sidewalk is also recommended for the section of roadway between Units 32 and 59 as well as between Unit 1 and the emergency access to Narragansett Avenue. It is also recommended that crosswalks be added to the approaches to the T- intersection near the clubhouse.

The Applicant should indicate if on-street parking will be permitted along the internal roadways or if parking is to be prohibited during any or all hours of the day.

(B-4, Memorandum - Kimley-Horn)

Response No. 9-13

Given that the Project's demographic will be an older resident that will want the safety and convenience of sidewalks and, as such, the majority of streets within the Project will have sidewalks to the extent possible given the Site's constraints. During the Site Plan phase of the review process the Applicant will introduce sidewalks.

On-street parking will be permitted in areas of the housing clusters. There has been no determination as to hours that this will be permitted, and this determination will be a combination of observing use patterns and the desires of the association once that is established and operative.

Comment No. 9-14

Alternatives

The SDEIS provides a trip generation comparison (Table V-1) of the Proposed Action to Alternatives A through E. The table indicates that the Proposed Action will generate fewer trips than each of the Alternatives. The Applicant should indicate if the trip generations are based on the current 11th Edition of the ITE Trip Generation Manual or on a previous version and update the table to reflect the current ITE trip rates.

(B-4, Memorandum - Kimley-Horn)

Response No. 9-14

The trip generation for Table V-1 has been updated to utilize the 11th Edition of the ITE Trip Generation Manual.

The comparative trip generations are as follows:

SDEIS Preferred Project

19 AM and 25 PM peak trips revised using 11th Edition to 20 AM and 25 PM peak trips.

Alternative A – The Former Project

96 AM and 121 PM peak trips revised using 11th Edition to 81 AM and 102 PM peak trips.

Alternative B – Conventional Layout with R-15 Zoning

31 AM and 36 PM peak trips revised using 11th Edition to 25 AM and 32 PM peak trips.

Alternative C – Clustered Development Based on R-15 Layout Density

34 AM and 41 PM peak trips revised using 11th Edition to 24 AM and 31 PM peak trips.

Alternative D – Conventional Layout with R-5 Zoning

57 AM and 73 PM peak trips revised using 11th Edition to 52 AM and 68 PM peak trips.

Comment No. 9-15**Construction Traffic**

Chapter III.K of the SDEIS provides information on the construction traffic expected and the route taken to/from the site. All trucks will use either NYS Route 9 or NYS Route 9A and travel on Croton Dam Road to the site. We note that signage prohibits trucks exceeding 5 tons from traveling along Croton Dam Road.

(B-4, Memorandum - Kimley-Horn)

Response No. 9-15

The route along Croton Dam Road between NY 9A and the subject property does not contain any bridges or other vehicle load sensitive crossing. Section 188-20 of the Town of Ossining Code permits an exception from the 5 ton weight limit along Croton Dam Road for local delivery or pickup of materials. Based on this section of the Town Code, the construction trucks destined to/from the site would be exempt from this prohibition.

Comment No. 9-16

While there are now proposed to be fewer units than the 188 that was previously proposed, 95 townhomes is still a lot of additional people – and cars – in the community and this specific area that already deals with a lot of traffic congestion. And because of the size of the townhomes, there could potentially be more people living in each unit than in the prior proposal. In light of this, the Town Board would like to see the improvements to the Route 9A intersection that were proposed as part of the previous proposal reincorporated into the project.

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. 9-16

The 55+ requirement of the Project requires the units to be marketed and sold to an older empty-nester audience. The purchaser profile is not a peak hour commuter and is either pre-retirement, retired, or retired with part-time work that will be handled in the dens planned for these units. The traffic analysis performed by JMC Engineers and reviewed by Kimley-Horn's traffic engineers demonstrates that River Knoll will have imperceptible traffic impact to the NY 9A/Croton Dam Road intersection at peak hours. Virtually all traffic that impacts this intersection is caused by commuters from either the north, south or east locations. The comparison to the density of the prior multifamily plan serves no purpose because the profile of renter of that use is a much younger professional that will commute at peak hours. Recognizing this, the prior proposal did offer to provide certain improvements to this intersection. However, we may be amenable to a town-led and managed traffic improvement district for this intersection that solicits and/or imposes fees, on a pro-rata basis, from surrounding uses.

III.C.10 Community Facilities

There are no substantive comments on this chapter.

III.C.11 Fiscal

Comment No. 11-1

My question is about the cost of this one-bedroom townhouse or two-bedroom townhouse. A two-bedroom with some extra feature, if you know at this point.

(B-1, Public Hearing - Tamie Wilenchick)

Response No. 11-1

The are no one-bedroom townhouses planned for River Knoll. The two-bedroom units will be well appointed with sizeable kitchens and a full appliance package, large walk-in closets, wide-plank wood floors, dens, and the ability to add a small gym in the lower level, and to also add a small elevator.

Comment No. 11-2

These pages, including Table III.J-6, refer to the Town of Greenburgh. Please update the text and table to the Town of Ossining.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 11-2

Adjustment is noted.

Comment No. 11-3

While the DEIS provided school children from other active adult community projects, it did not provide the unit mix or if the development projects were rental or condominium

projects. This would assist with confirming the applicant's assertion that the projects are similar to the Proposed Project.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 11-3

The other active adult communities were condominium projects. The unit mix of these other projects is very similar to the unit mix planned for River Knoll.

Comment No. 11-4

A property tax comparison of the Former Project to the Proposed Project is provided in Table III.J-12 and described in the narrative. The DEIS does not go into detail on the calculations involved in the Former Project, but if both projects are being evaluated as income producing properties, additional explanation should be provided as to how a project with 188 units (Former Project) would generate less taxes than one with 95 units (Proposed Project).

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 11-4

The Former Project contained many one-bedroom units and much smaller two-bedroom units. There are no one-bedroom units planned for the Proposed Project, and the two-bedroom units are much larger and of higher condo-quality finishes, amenities, sizing, and convenience. The Proposed Project also has attached garages, full basements that can be outfitted with small gyms or other uses, and direct access outside to patios or decks. The market perception of the townhouses is of a “private residence” with private entrance. The market perception of the Former Project's rental units is of a common-entrance building.

The market value of a relatively small two-bedroom rental in a congregate setting is much lower than the market value of a free-standing sizeable two-bedroom condominium unit with attached garage.

[https://jmcpc.sharepoint.com/sites/15064/shared documents/shared documents/sfeis/2022-09-14 sfeis \(vol. i word document\)/iii.c.11 fiscal - 2022-09-28.docx](https://jmcpc.sharepoint.com/sites/15064/shared%20documents/shared%20documents/sfeis/2022-09-14%20sfeis%20(vol.%20i%20word%20document)/iii.c.11%20fiscal%20-2022-09-28.docx)

III.C.12 ConstructionComment No. 12-1

We live on the intersection of Pershing and Lee, so we are close to the vicinity of the proposed construction site and we have an issue here where we are dealing with a seizure disorder, a type of epilepsy that can be triggered by different kinds of loud sounds such as harmonics that occur when multiple power tools or power equipment is in use, or low frequency, and infrasonics that for example are caused say by a tire driver and say a front loader that is being used in a hammer like fashion.

So we want to see if there is noise abatement consideration is being given to the site and if those noise abatement considerations are they of general nature or they are more – how they're being held to a level of effectiveness that will solve our problem.

We can include more detail in an e-mail, but that is the gist of our concern, that the loud noises and the unusual types of noises that construction causes may be a seizure trigger.

(B-1, Public Hearing – Fred Cramer)

Response No. 12-1

The initial aspects of construction of River Knoll which will include site excavation, grading, installation of foundations framing of the units and enclosing them, will be the noisiest period of construction. Once the buildings are enclosed, the interior work of MEP installation, sheet-rocking, installation of finishes and cabinetry, etcetera, will be muted. The work within the enclosed buildings will be approximately 65% of the entire work required to complete these townhomes.

Comment No. 12-2

The construction sequence listed does not detail the Proposed Project but seems to outline work for a standalone building. Please provide the construction sequence for the Proposed Project.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 12-2

Please see Response 12-1, above.

Comment No. 12-3

The 18-21 month construction phase works if everything commences in April, but what happens if construction starts later in the season? Does the winter affect the construction timeframe?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 12-3

Construction work is able to be continued throughout much of the year and will not impact construction timing substantially.

Comment No. 12-4

Please provide the average truck trips per day for each phase of construction.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 12-4

Construction vehicle traffic will vary throughout the course of the work. The majority of the construction equipment will remain on-site during construction, thus minimizing movement of equipment to and from the Site. Truck movements will be spread throughout the day and will generally occur between the hours of 8:00 a.m. and 4:30 p.m., depending on the period of construction.

Construction vehicle traffic will maintain a steady flow during the foundation and structural framework for daily deliveries of materials (formwork, concrete, steel, etc.). This will include large trucks required to deliver construction materials. This level of traffic would be approximately 3 to 4 trips per day and would be maintained or somewhat increased as multiple trades work simultaneously on-site to complete the building enclosures and interior fit-out of the buildings. The average number of truck trips will therefore be relatively low and will not have a significant impact on traffic operations on Croton Dam Road.

The Proposed Project estimates a net export of approximately 14,943 cubic yards occurring at an approximate rate of 6.5 truckloads per workday during an approximately five-to-six-month initial excavation phase.

Comment No. 12-5

Where will the construction staging area be located? Will the field along Croton Dam Road be used for the parking of construction vehicles?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 12-5

The construction staging area will likely utilize the field along Croton Dam Road for the parking of construction vehicles.

Comment No. 12-6

If construction will take place after dark, how will the site be lit, and what will the effects of the construction lighting be on the neighboring properties? What mitigation measures will be incorporated to reduce any impacts on the neighboring properties?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 12-6

Construction will conform to the hours permitted 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.

Typically, outside site work would not be conducted after dark. Should such be judged necessary, all lighting would conform to the Town Code §200-30.B which states that artificial lighting facilities of any kind are prohibited which cause illumination beyond the property on which the lighting is located in excess of 0.5 footcandle, or the equivalent.

Comment No. 12-7

Will the Proposed Project require a five (5)-acre disturbance of land waiver?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 12-7

Such a five (5)-acre disturbance of land waiver will be required for the Proposed Project.

Comment No. 12-8

Will a dust control plan be developed for this Project? How will the dust be mitigated besides wetting disturbed soil? Will there be air monitoring?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 12-8

As noted in the SWPPP (SDEIS Volume 2 Appendix), the contractor is responsible for maintaining the temporary sediment and erosion control measure throughout construction. For dust control purposes, the requirement is to moisten all exposed graded areas with water at least twice a day in those areas where soil is exposed and cannot be planted with a temporary cover due to construction operations or the season (December through March).

During rough grading, areas which are not to be disturbed for fourteen or more days are to be stabilized with temporary seed mixture, as defined on the plans. All piles of dirt in exposed soil areas that will not receive a permanent surface treatment are to be seeded.

All construction entrances are to be stabilized. The rock covered entrance will be a minimum of 50 feet in length by 20 feet in width by 8 inches in depth such that dust does not get tracked onto the roadway with the potential to become windborne.

Air monitoring is typically not conducted for site construction work.

Comment No. 12-9

Will the Proposed Project include a phone number or contact information for neighbors to call if there are concerns or issues

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 12-9

Yes, such a number/contact information will be provided for neighbors.

Comment No. 12-10

To the extent there is blasting, a process should be put in place to document and photograph the condition of other properties within a certain radius in advance to ensure if there is any damage as a result of the blasting it will be remedied by the Applicant.

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. 12-10

Such a pre-blast survey will be conducted.

Comment No. 12-11

At this stage in the process, is it possible to provide any more detail on the anticipated construction process. Will the townhomes be built in stages? Is there a sequencing of which areas will be developed in which order?

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. 12-11

The Proposed Project will be “sequenced” and not “phased”. Construction will be continuous on the site with all trades sequencing from one site location to the next. Construction will likely commence in two locations to include the top hill area, and also the rear-most and north-easterly portion of the site.

Comment No. 12-12

For construction, the Applicant should hire local contractors/workers and enter into labor agreements to ensure prevailing wage is adhered to.

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. 12-12

Comment noted.

The Applicant would abide by all pertinent regulations with regard to hiring of the contractor and the sub-contractors, who in turn would follow their own hiring practices in conformance with Federal and state laws.

III.C.13 **Alternatives****Comment No. 13-1**

Section 167-5(B) prohibits the disturbance of extremely steep slopes without a waiver from the Planning Board and demonstration by the applicant of certain conditions. If the Alternative proposes to disturb extremely steep slopes, the Alternative layouts should be modified, or it should be noted that a waiver should be requested along with a narrative demonstrating that the Alternative meets the conditions outlined in Section 167-5(B).

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 13-1

Comment noted.

All of the Alternatives provide some level of disturbance to extremely steep slopes. Therefore, a waiver would be requested along with the Applicant providing a narrative demonstrating that the particular Alternative meets the conditions outlined in Section 167-5(B) of the Town Code.

Comment No. 13-2

Please confirm that this Alternative [Alternative B: Conventional Layout Using R-15 Zoning District] conforms to Section 176-18(F)(1) of the Subdivision chapter and Chapter 105, Freshwater Wetlands, Watercourses, and Water Body Protection. If not, please amend the layout to meet this regulation.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 13-2

The noted Alternative B is conceptual in nature and has not been engineered to conform to Section 176-18(F)(1) of the Subdivision chapter and Chapter 105, Freshwater Wetlands, Watercourses, and Water Body Protection. As such, the Applicant acknowledges that the unit count would be lower with such an engineered plan.

Comment No. 13-3

Please provide more information on the wetland, steep slope, and site disturbance.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 13-3

Please see Response 13-2.

Comment No. 13-4

Please confirm that this Alternative [Alternative C: Clustered Development Based Upon R-15 Conventional Layout Density] conforms to Section 176-18(F)(1) of the Subdivision chapter and Chapter 105, Freshwater Wetlands, Watercourses, and Water Body Protection. If not, please amend the layout to meet this regulation. This Alternative is supposed to analyze a clustered development based upon the R-15 conventional layout density (Alternative B).

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 13-4

The noted Alternative C is conceptual in nature and has not been engineered to conform to Section 176-18(F)(1) of the Subdivision chapter and Chapter 105, Freshwater Wetlands, Watercourses, and Water Body Protection. As such, the Applicant acknowledges that the unit count would be lower with such an engineered plan.

Comment No. 13-5

Please provide more information on the wetland, steep slope, and site disturbance for this Alternative.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 13-5

See Response 13-4.

Comment No. 13-6

Please provide more information on the wetland, steep slope, and site disturbance for this Alternative [Alternative D: Conventional Layout which meets all 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].

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 13-6

The noted Alternative D is conceptual in nature. As such, the Applicant acknowledges that the unit count would be lower with an engineered plan.

III.C.14 Significant Impacts that Cannot be Avoided

There are no substantive comments for this section.

III.C.15 Growth Inducing Aspects

There are no substantive comments for this section.

III.C.16 Irreversible and Irretrievable Commitment of Resource

There are no substantive comments for this section.

III.C.17 Effects on the Use and Conservation of Energy Resources

Comment No. 17-1

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.

(Appendix B-2, Letter - Westchester County Planning Board)

Response No. 17-1

The Applicant is constantly exploring the quickly evolving industries that provide building technologies that are green and sustainable. Roofing products, window glazing, energy efficient siding, energy efficient HVAC systems, electric vehicle charging stations and/or homes pre-wired for this use, are some of the areas that the Applicant studies and considers for its projects. Sections III.G-6&7 also provide discussion on best practices the Applicant will include in the design of the townhomes.

Comment No. 17-2

Please provide more information on how the Proposed Project will meet the NY Stretch Code.

(Appendix B-2, Letter - Westchester County Planning Board)

Response No. 17-2

The NY Stretch Energy Code 2020 project was undertaken by the New York State Energy Research and Development Authority (NYSERDA) to develop a tool for New York jurisdictions to support the State’s energy and climate goals by accelerating the energy savings obtained through their local building energy codes. Authorities having jurisdiction have the legal ability to voluntarily adopt NY Stretch-Energy.

On average, the NY Stretch-2020 supplement improves the State Energy Code’s efficacy by roughly 10%.

The Town of Ossining adopted the NY Stretch Energy Code 2020 to be used in conjunction with the New York State Energy Conservation Construction Code (State Energy Code). Building Permit applications must include a certification that the plans are in compliance with the NY Stretch Energy Code 2020 in addition to all other applicable codes.

The Proposed Project will follow these requirements and procedures.

Comment No. 17-3

Please provide more information on the green building elements being proposed for the Proposed Project.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 17-3

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, as well as the NY Stretch Energy Code 2020 (see Response 17-2, above).

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:

- The roof surfaces will be fiberglass shingle;
- 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.

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.

Low intensity and dark-sky compliant energy-efficient LED 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.

Comment No. 17-4

Will there be charging stations or opportunities for units to install charging stations?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 17-4

Yes, all townhouse units will be pre-wired to allow for easy installation of chargers.

Comment No. 17-5

Will there be solar panels?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 17-5

The Applicant is studying the use of solar panels and the unit designs will allow for the inclusion of solar panels – either during initial construction or for subsequent installation by a unit owner. This may include additional roof structure to handle

the weight of these panels should they be introduced post-construction completion.

Comment No. 17-6

Does the Proposed Project need to use gas? Can it use electricity or solar instead of gas?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 17-6

The project will not use gas range-tops as initially thought and will move to induction cooktops which are not greenhouse gas emitting and safer to operate.

See Response 17-5.

Comment No. 17-7

Under “Sustainable Infrastructure,” Section III.A-15, states the Proposed Project will use a roofing material of “white membrane heat-reflective roof lowering surface temperatures by up to 50% at peak times.” The 3D graphics depict a shift in roof color. Clarify the shift in design strategy.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 17-7

This is incorrectly presented in the FEIS. The roof surfaces will be fiberglass shingle.

Comment No. 17-8

The 3D graphics show an expanse of exterior glass panels. The design provides a heat gain which is ideal for cold months but can be very uncomfortable for summer. Please state the target U-value for the building envelope and clarify how the design intends to reduce heat gain during warm weather.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 17-8

It is difficult to generalize as to a “target” U-value for the townhouses as each has differing amounts of glass and differing orientation to the sun/shade. The design of units with glazing along the chimney will provide distant views of the Hudson River, Maryknoll, and considerable greenspace that surrounds the site.

Comment No. 17-9

Can the Proposed Project incorporate heat pumps, permeable pavement, native plants, and a reduction of mowing?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 17-9

See Response 17-3.

Comment No. 17-10

Please provide information on how this project is consistent with the goals of the Climate Leadership and Community Protection Act.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 17-10

The Applicant is constantly exploring the quickly evolving industries that provide various building technologies that are green and sustainable. Roofing products, window glazing, energy efficient siding, energy efficient HVAC systems, electric vehicle charging stations and/or homes pre-wired for this use, are some of the areas that the Applicant studies and considers for its projects.

Comment No. 17-11

Front Entry Building glass wall: Which direction does this wall face (North/South/East/West)? What is the R-value and UV rating of the glass? Exactly where is it facing? Please indicate on the site plan so that the Planning Board can better assess possible impacts to the neighbors. Nighttime illumination from an interiorly lit glass wall will have negative impacts on wildlife. How do the plans to mitigate these impacts?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 17-11

See Response 17-3 for Applicant's proposed energy-conservation design and material considerations.

It is difficult to generalize as to a “target” U-value for the townhouses as each will have differing amounts of glass and differing orientation to the sun/shade. And interior light casting will also differ greatly depending on each townhouse unit’s location but, generally speaking, the Applicant does not believe there will be any deleterious effects to wildlife, which consist of typical suburban species that have acclimated to the surrounding residential neighborhood.

Comment No. 17-12

Building larger projects bring advantages. There is efficiency in construction, better material management, and better energy usage through consolidated implementation and maintenance. These translate to better dollar savings and eventually fewer greenhouse gas (GHG) emissions. This is also the best time to employ zero-net energy (ZNE) practices. Please provide more information on the integration of more efficient technologies that will be implemented in the Proposed Project. The final product may cost more, but it will be a huge boost to reducing GHG emissions and help reduce global warming.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 17-12

Please see Response 17-3.

Comment No. 17-13

It’s good that you’ll be utilizing smart thermostats. How many zones will the average house have? Having more zones increases comfort as well as efficiency.

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 17-13

This will depend upon the interior design of each unit. However, multiple zones are in demand by the residential housing market and will be provided to the extent practicable.

Comment No. 17-14

Renewable energy sources like solar energy are available in abundance, and solar panels are becoming cheaper and more efficient. Solar technology should be offered as an upgrade for each unit. Has the Applicant looked into the Clean Energy Standards offered by NYSEDA to developers in pursuit of NYS' goal of generating 70% of its electricity from renewables by 2030? If so, please discuss what if any part of the program is being considered and if not, would this be a program worth considering as part of the proposed development program?

(Appendix B-3, Memorandum - Nelson, Pope, Voorhis)

Response No. 17-14

See Response 17-5.

Comment No. 17-15

The Town Board adopted the NYStretch Energy Code and any development in the Town must comply with those standards that are more stringent than the State Energy Code.

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. 17-15

See Response 17-2.

Comment No. 17-16

The SDEIS stated that the project would have gas service through Con Edison. The Town would like to see new developments be more environmentally sustainable, and therefore the Applicant should consider having the development be electric.

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. 17-16

See Response 17-6.

Comment No. 17-17

The Applicant should consider having the development be LEED certified.

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. 17-17

Comment noted.

Comment No. 17-18

Along these lines, at the time the Applicant is doing the construction you should consider implementing infrastructure for charging electric vehicles so that you have the pieces in

place to accommodate them over the long-term – this is something to Town Board raised in its comments on the DEIS.

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. 17-18

See Response 17-4. Yes, all townhouse units will be pre-wired to allow for easy installation of chargers.

Comment No. 17-19

Please consider other mobility options like electric bikes and/or electric scooters, and providing infrastructure to accommodate them on the Property.

(Appendix B-6, Letter - Town of Ossining Town Board)

Response No. 17-19

While electric cars need 220V of power to achieve reasonable recharging rates, electric bikes and scooters can use readily available standard 110V outlets and achieve good recharging rates. No special infrastructure is required.

APPENDIX A

Comment Key

COMMENT KEY

River Knoll SFEIS

The table below notes the source of each comment from the correspondence documents within Appendix B (Sub-Appendices B-1 through B-6, which correspond to the correspondence documents noted below), and the corresponding SFEIS Comment Response Number in the SFEIS which contains the response. The transcript from the public hearing on July 20, 2022 is included.

Correspondence Documents Key

- **B-1**—Transcript from Public Hearing, July 20, 2022.
- **B-2**—Letter from Westchester County Planning Board, dated July 25, 2022.
- **B-3**—Memorandum from Nelson, Pope, Vorhis, dated September 2, 2022.
- **B-4**—Memorandum from Kimley-Horn, dated September 2, 2022.
- **B-5**—Letter from the Town of Ossining Environmental Advisory Committee, dated September 5, 2022.
- **B-6**—Letter from Town of Ossining Town Board, dated September 6, 2022.

<u>CORRESPONDENCE/ APPENDIX/KEY</u>			<u>COMMENTER</u>	<u>FEIS SUBSECTION</u>	<u>FEIS COMMENT RESPONSE NUMBER</u>
Public Hearing	B-1	1	Tamie Wilenchick	Fiscal	11-1
Public Hearing	B-1	2	Denice Motta	Traffic and Transportation	9-1
Public Hearing	B-1	3	Marissa Caruso	Land Use, Comp. Plan, Zoning & Commun. Char.	2-1
Public Hearing	B-1	4	Marissa Caruso	Land Use, Comp. Plan, Zoning & Commun. Char	2-2
Public Hearing	B-1	5	Marissa Caruso	Soils, Topo. & Geology	4-1
Public Hearing	B-1	6	Fred Cramer	Construction	12-1
Letter	B-2	1	West. Cty. Plan.	Land Use, Comp. Plan, Zoning & Commun. Char.	2-3
Letter	B-2	2	West. Cty. Plan.	Traffic and Transportation	9-2
Letter	B-2	3	West. Cty. Plan.	Infrastructure and Utilities	8-1

<u>CORRESPONDENCE/ APPENDIX/KEY</u>			<u>COMMENTER</u>	<u>FEIS SUBSECTION</u>	<u>FEIS COMMENT RESPONSE NUMBER</u>
Letter	B-2	4	West. Cty. Plan.	Infrastructure and Utilities	8-2
Letter	B-2	5	West. Cty. Plan.	Effects on Use & Conservation of Energy Resources	17-1
Memorandum	B-3	1	Nelson, Pope, Voorhis	Executive Summary	1A-1
Memorandum	B-3	2	Nelson, Pope, Voorhis	Executive Summary	1A-2
Memorandum	B-3	3	Nelson, Pope, Voorhis	Executive Summary	1A-3
Memorandum	B-3	4	Nelson, Pope, Voorhis	Executive Summary	1A-4
Memorandum	B-3	5	Nelson, Pope, Voorhis	Proj. History & Prop. Project Description	1B-1
Memorandum	B-3	6.A	Nelson, Pope, Voorhis	Proj. History & Prop. Project Description	1B-2A
Memorandum	B-3	6.B	Nelson, Pope, Voorhis	Proj. History & Prop. Project Description	1B-2B
Memorandum	B-3	7	Nelson, Pope, Voorhis	Proj. History & Prop. Project Description	1B-3
Memorandum	B-3	8	Nelson, Pope, Voorhis	Proj. History & Prop. Project Description	1B-4
Memorandum	B-3	9	Nelson, Pope, Voorhis	Proj. History & Prop. Project Description	1B-5
Memorandum	B-3	10	Nelson, Pope, Voorhis	Land Use, Comp. Plan, Zoning & Commun. Char.	2-4
Memorandum	B-3	11	Nelson, Pope, Voorhis	Land Use, Comp. Plan, Zoning & Commun. Char.	2-5
Memorandum	B-3	12	Nelson, Pope, Voorhis	Land Use, Comp. Plan, Zoning & Commun. Char.	2-6

<u>CORRESPONDENCE/ APPENDIX/KEY</u>			<u>COMMENTER</u>	<u>FEIS SUBSECTION</u>	<u>FEIS COMMENT RESPONSE NUMBER</u>
Memorandum	B-3	13	Nelson, Pope, Voorhis	Land Use, Comp. Plan, Zoning & Commun. Char.	2-7
Memorandum	B-3	14	Nelson, Pope, Voorhis	Land Use, Comp. Plan, Zoning & Commun. Char.	2-8
Memorandum	B-3	15	Nelson, Pope, Voorhis	Land Use, Comp. Plan, Zoning & Commun. Char.	2-9
Memorandum	B-3	16	Nelson, Pope, Voorhis	Land Use, Comp. Plan, Zoning & Commun. Char.	2-10
Memorandum	B-3	17	Nelson, Pope, Voorhis	Wetlands	3-1
Memorandum	B-3	18	Nelson, Pope, Voorhis	Wetlands	3-2
Memorandum	B-3	19	Nelson, Pope, Voorhis	Wetlands	3-3
Memorandum	B-3	20	Nelson, Pope, Voorhis	Wetlands	3-4
Memorandum	B-3	21	Nelson, Pope, Voorhis	Soils, Topo., and Geology	4-2
Memorandum	B-3	22	Nelson, Pope, Voorhis	Soils, Topo., and Geology	4-3
Memorandum	B-3	23	Nelson, Pope, Voorhis	Soils, Topo., and Geology	4-4
Memorandum	B-3	24	Nelson, Pope, Voorhis	Soils, Topo., and Geology	4-4
Memorandum	B-3	25	Nelson, Pope, Voorhis	Soils, Topo., and Geology	4-6
Memorandum	B-3	26	Nelson, Pope, Voorhis	Soils, Topo., and Geology	4-7
Memorandum	B-3	27	Nelson, Pope, Voorhis	Soils, Topo., and Geology	4-8
Memorandum	B-3	28	Nelson, Pope, Voorhis	Stormwater Management & Subsurface Water	5-1
Memorandum	B-3	29	Nelson, Pope, Voorhis	Stormwater Management & Subsurface Water	5-2

<u>CORRESPONDENCE/ APPENDIX/KEY</u>			<u>COMMENTER</u>	<u>FEIS SUBSECTION</u>	<u>FEIS COMMENT RESPONSE NUMBER</u>
Memorandum	B-3	30	Nelson, Pope, Voorhis	Stormwater Management & Subsurface Water	5-3
Memorandum	B-3	31	Nelson, Pope, Voorhis	Stormwater Management & Subsurface Water	5-4
Memorandum	B-3	32	Nelson, Pope, Voorhis	Stormwater Management & Subsurface Water	5-5
Memorandum	B-3	33	Nelson, Pope, Voorhis	Vegetation & Wildlife	6-1
Memorandum	B-3	34	Nelson, Pope, Voorhis	Vegetation & Wildlife	6-2
Memorandum	B-3	35	Nelson, Pope, Voorhis	Vegetation & Wildlife	6-3
Memorandum	B-3	36	Nelson, Pope, Voorhis	Vegetation & Wildlife	6-4
Memorandum	B-3	37	Nelson, Pope, Voorhis	Vegetation & Wildlife	6-5
Memorandum	B-3	38	Nelson, Pope, Voorhis	Vegetation & Wildlife	6-6
Memorandum	B-3	39	Nelson, Pope, Voorhis	Vegetation & Wildlife	6-7
Memorandum	B-3	40	Nelson, Pope, Voorhis	Vegetation & Wildlife	6-8
Memorandum	B-3	41	Nelson, Pope, Voorhis	Vegetation & Wildlife	6-9
Memorandum	B-3	42	Nelson, Pope, Voorhis	Vegetation & Wildlife	6-10
Memorandum	B-3	43	Nelson, Pope, Voorhis	Historic and Archeological Resources	7-1
Memorandum	B-3	44	Nelson, Pope, Voorhis	Infrastructure & Utilities	8-3
Memorandum	B-3	45	Nelson, Pope, Voorhis	Infrastructure & Utilities	8-4
Memorandum	B-3	46	Nelson, Pope, Voorhis	Traffic and Transportation	9-3
Memorandum	B-3	47	Nelson, Pope, Voorhis	Traffic and Transportation	9-4

<u>CORRESPONDENCE/ APPENDIX/KEY</u>			<u>COMMENTER</u>	<u>FEIS SUBSECTION</u>	<u>FEIS COMMENT RESPONSE NUMBER</u>
Memorandum	B-3	48	Nelson, Pope, Voorhis	Fiscal	11-2
Memorandum	B-3	49	Nelson, Pope, Voorhis	Fiscal	11-3
Memorandum	B-3	50	Nelson, Pope, Voorhis	Fiscal	11-4
Memorandum	B-3	51	Nelson, Pope, Voorhis	Construction	12-2
Memorandum	B-3	52	Nelson, Pope, Voorhis	Construction	12-3
Memorandum	B-3	53	Nelson, Pope, Voorhis	Construction	12-4
Memorandum	B-3	54	Nelson, Pope, Voorhis	Construction	12-5
Memorandum	B-3	55	Nelson, Pope, Voorhis	Construction	12-6
Memorandum	B-3	56	Nelson, Pope, Voorhis	Construction	12-7
Memorandum	B-3	57	Nelson, Pope, Voorhis	Construction	12-8
Memorandum	B-3	58	Nelson, Pope, Voorhis	Construction	12-9
Memorandum	B-3	59	Nelson, Pope, Voorhis	Alternatives	13-1
Memorandum	B-3	60	Nelson, Pope, Voorhis	Alternatives	13-2
Memorandum	B-3	61	Nelson, Pope, Voorhis	Alternatives	13-3
Memorandum	B-3	62	Nelson, Pope, Voorhis	Alternatives	13-4
Memorandum	B-3	63	Nelson, Pope, Voorhis	Alternatives	13-5
Memorandum	B-3	64	Nelson, Pope, Voorhis	Alternatives	13-6
Memorandum	B-3	65	Nelson, Pope, Voorhis	Use & Conservation of Energy Resources	17-2
Memorandum	B-3	66	Nelson, Pope, Voorhis	Use & Conservation of Energy Resources	17-3

<u>CORRESPONDENCE/ APPENDIX/KEY</u>			<u>COMMENTER</u>	<u>FEIS SUBSECTION</u>	<u>FEIS COMMENT RESPONSE NUMBER</u>
Memorandum	B-3	67	Nelson, Pope, Voorhis	Use & Conservation of Energy Resources	17-4
Memorandum	B-3	68	Nelson, Pope, Voorhis	Use & Conservation of Energy Resources	17-5
Memorandum	B-3	69	Nelson, Pope, Voorhis	Use & Conservation of Energy Resources	17-6
Memorandum	B-3	70	Nelson, Pope, Voorhis	Use & Conservation of Energy Resources	17-7
Memorandum	B-3	71	Nelson, Pope, Voorhis	Use & Conservation of Energy Resources	17-8
Memorandum	B-3	72	Nelson, Pope, Voorhis	Use & Conservation of Energy Resources	17-9
Memorandum	B-3	73	Nelson, Pope, Voorhis	Use & Conservation of Energy Resources	17-10
Memorandum	B-3	74	Nelson, Pope, Voorhis	Use & Conservation of Energy Resources	17-11
Memorandum	B-3	75	Nelson, Pope, Voorhis	Use & Conservation of Energy Resources	17-12
Memorandum	B-3	76	Nelson, Pope, Voorhis	Use & Conservation of Energy Resources	17-13
Memorandum	B-3	77	Nelson, Pope, Voorhis	Use & Conservation of Energy Resources	17-14
Memorandum	B-4	1	Kimley-Horn	Traffic and Transportation	9-5
Memorandum	B-4	2	Kimley-Horn	Traffic and Transportation	9-6
Memorandum	B-4	3	Kimley-Horn	Traffic and Transportation	9-7
Memorandum	B-4	4	Kimley-Horn	Traffic and Transportation	9-8

<u>CORRESPONDENCE/ APPENDIX/KEY</u>			<u>COMMENTER</u>	<u>FEIS SUBSECTION</u>	<u>FEIS COMMENT RESPONSE NUMBER</u>
Memorandum	B-4	5	Kimley-Horn	Traffic and Transportation	9-9
Memorandum	B-3	6	Kimley-Horn	Traffic and Transportation	9-10
Memorandum	B-4	7	Kimley-Horn	Traffic and Transportation	9-11
Memorandum	B-4	8	Kimley-Horn	Traffic and Transportation	9-12
Memorandum	B-4	9	Kimley-Horn	Traffic and Transportation	9-13
Memorandum	B-4	10	Kimley-Horn	Traffic and Transportation	9-14
Memorandum	B-4	11	Kimley-Horn	Traffic and Transportation	9-15
Letter	B-5	1	Town Environmental Advisory Committee	Proj. History & Prop. Project Description	1B-6
Letter	B-5	2	Town Environmental Advisory Committee	Executive Summary	1A-5
Letter	B-5	3	Town Environmental Advisory Committee	Executive Summary	1A-6
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<u>CORRESPONDENCE/ APPENDIX/KEY</u>			<u>COMMENTER</u>	<u>FEIS SUBSECTION</u>	<u>FEIS COMMENT RESPONSE NUMBER</u>
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[https://jmcpc.sharepoint.com/sites/15064/shared documents/shared documents/sfeis/comment key 2022-09-14.docx](https://jmcpc.sharepoint.com/sites/15064/shared%20documents/shared%20documents/sfeis/comment%20key%202022-09-14.docx)

APPENDIX B

Correspondence and Public Hearing Transcripts

APPENDIX B-I

Public Hearing Transcript,
July 20, 2022

APPENDIX B-1

STATE: STATE OF NEW YORK
COUNTY: WESTCHESTER COUNTY

-----x

TOWN OF OSSINING PLANNING BOARD

IN THE MATTER OF: RIVER KNOLL PROJECT - SDEIS

-----x

Virtual Via Zoom
July 20, 2022
7:31 p.m.

RECEIVED

AUG 09 2022

Town of Ossining
Building & Planning Department

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A P P E A R A N C E S :

CHAIR	CAROLYN STEVENS
BOARD MEMBER	JIM BOSSINAS
BOARD MEMBER	MANNY ENRIQUEZ
BOARD MEMBER	DONNA SHARRETT
BOARD MEMBER	JASON MENCHER

ALSO PRESENT:

Glen Ventromile - Applicant's Consultant
Wayne Spector, Esq. - Applicant's attorney
Kathy Zalantis, Esq. - Attorney for the Planning Board
Valerie Monastra, AICP - Town Planner
Daniel Ciarcia, PE - Consulting Town Engineer
Sandy Anelli, Secretary
Margaret Conn, Secretary

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CHAIRWOMAN STEVENS: Good evening
welcome to the July 20, 2022 meeting of the
Planning Board of the Town of Ossining.
Okay. We are going to start with Board
members. Okay, let's start with you Jason,
you may introduce yourself.

MR. MENCHER: Jason Mencher, Planning
Boarding alternate.

CHAIRWOMAN STEVENS: Manny.

MR. ENRIQUEZ: Good evening, Manny
Enriquez Board member.

CHAIRWOMAN STEVENS: Donna.

MS. SHARRETT: Donna Sharrett,
Planning Board member.

CHAIRWOMAN STEVENS: Kathy.

MS. ZALANTIS: Kathy Zalantis,
Planning Board attorney.

CHAIRWOMAN STEVENS: Sandy.

MS. ANELLI: Sandy Anelli, Planning
Board secretary.

CHAIRWOMAN STEVENS: Dan.

MR. CIARCIA: Daniel Ciarcia,
consulting engineer of the Planning Board.

CHAIRWOMAN STEVENS: Margaret.

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1 MS. CONN: Margaret Conn, secretary.

2 CHAIRWOMAN STEVENS: Valerie.

3 MS. MONASTRA: Valerie Monastra,
4 Planning Consultants attorney.

5 CHAIRWOMAN STEVENS: And I am Carolyn
6 Stevens, Planning Board Chair.

7 Okay, our next item, do we need to do
8 a motion Kathy, or are we good?

9 MS. ZALANTIS: We can do a motion to
10 continue the public hearing and depending on
11 when the submission is made, you know, just
12 do a motion to continue the public hearing.

13 CHAIRWOMAN STEVENS: Okay. Can I
14 have a motion to continue the public
15 hearing?

16 MR. MENCHER: I make a motion.

17 MS. SHARRETT: I seconded.

18 CHAIRWOMAN STEVENS: Okay. Jim, how
19 do you vote.

20 MR. BOSSINAS: Yes.

21 CHAIRWOMAN STEVENS: Jason.

22 MR. MENCHER: Yes.

23 CHAIRWOMAN STEVENS: Manny.

24 MR. ENRIQUEZ: Yes.

25 CHAIRWOMAN STEVENS: Donna, how do

APPENDIX B-1

1 you vote?

2 MS. SHARRETT: Yes.

3 CHAIRWOMAN STEVENS: And I vote yes.

4 Okay. All right, our next item is River
5 Knoll. Hi Glen.

6 MR. VETROMILE: Hi everybody.

7 CHAIRWOMAN STEVENS: Hi Wayne.

8 MR. VETROMILE: You are muted Wayne.
9 Wayne, maybe he is asleep.

10 CHAIRWOMAN STEVENS: Sandy, just for
11 my edification, how many people do we have?

12 MS. ANELLI: So far it looks likes we
13 have eleven attendees from the public.

14 CHAIRWOMAN STEVENS: Thank you.
15 Okay.

16 MR. SPECTOR: I am unmuted now,
17 right?

18 CHAIRWOMAN STEVENS: You are unmuted
19 now, yes.

20 MR. SPECTOR: Okay. Can you hear me?

21 CHAIRWOMAN STEVENS: Yes. So Glen or
22 Wayne, whichever, I am going to ask one of
23 you to do just a very short presentation,
24 like five-minutes, about the project, and
25 then we will go to the public hearing on it,

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okay?

MR. VETROMILE: Okay. We have something ready and we will share the screen. Sandy.

MS. ANELLI: I think you have to share your screen.

CHAIRWOMAN STEVENS: Yes.

MR. VETROMILE: Okay. Can you see my screen?

CHAIRWOMAN STEVENS: Yes.

MR. VETROMILE: There we go.

Alright, I have about a eight-minute update for I guess for the people listening more than anybody. So, everybody knows that there is a new plan, it is 95 units, it's a senior's plan.

The prior plan was this Adirondack project rental that sat up on the bluff, it was 188 units and our take away from the years of it been reviewed that people -- certain people didn't want a rental because they were concerned about transient residents. Or didn't want more school age children, that the school was already overcrowded and the community had much

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traffic particularly up that 9A, wanted it to be a tax positive revenues and then we were encouraged by some of the town members to look into a seniors oriented community. So these are the various submissions that began at the end of 2014.

This submission that we made last fall for this new project, and I just want to point out that during the course of this project we've had upwards of 20 different firms, you name it, involved in this project, and then lastly last month we submitted the most recent version of the DEIS.

And then we've gone -- Carolyn is the latest and the greatest Planning Board Chair, I've counted, me I've been through 15 public hearings or town presentations, and this fall, September, will be 9-years that I have been working on this project, by far it gets the award for me for the longest gestation period. And these are all the things that are addressed in most DEISs, really for the people listening in.

And then I wanted to quickly walk

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1 through the existing conditions, the highly
2 compromised buildings that are in disrepair
3 that you know eight, nine-years of minimal
4 tax revenues. Manny -- most of the Board
5 members have walked the site at different
6 vantage points of the site as it exists
7 today.

8 So the proposal is a 95 townhouse
9 project, 85 of which are market rate, 10
10 will be affordable, and this will restrict
11 those under 19. And this is a birdseye
12 view, we've done a lot of computer modeling
13 of the project and we were asked to look at
14 the project from these four vantage points.
15 Two on Croton Dam Road, one on Second
16 Avenue, if you can see my pointer, and one
17 over by Narragansett.

18 So this is the Croton Dam Road view
19 looking eastbound. The frontage of the site
20 is about a quarter of a mile in length, that
21 building on the foreground is what we are
22 thinking about proposing for a community
23 building with a pool and then this is
24 looking westbound. These areas here are all
25 like swells that look like all of the water.

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1 There are residence over on Pershing,
2 both at the Croton Dam Road side and also at
3 Pershing and also on the southeast side that
4 do get runoff during heavy rain events, and
5 these swells will capture all the water, let
6 it percolate and then some of it will runoff
7 into the domestic system on the Croton Dam
8 Road.

9 This is looking from Narragansett
10 Avenue. In the foreground is Veteran's
11 Memorial Park. This is an emergency access
12 point for firetrucks and there will be a
13 break away access control gate here for
14 emergency vehicles. And then similarly this
15 is Second Avenue view.

16 The existing hospital building is
17 kind of sitting here. Our highest building
18 is about 12, 15 feet lower than the existing
19 hospital building sits, sit up here and sit
20 up here.

21 And this is kind of a birdseye view
22 looking down at that same location, this
23 being the Second Avenue and the green space
24 we have been careful to try to keep,
25 maintain green buffers around the buildings

APPENDIX B-1

1 and any of the greenery that would be
2 surrounding these buildings closest to
3 Second will be evergreens.

4 And then some interior views of the
5 buildings, a modern farmhouse style, another
6 row of them, more. Many of the buildings
7 fit on sloping sides so the lowest level,
8 the basement level can be fitness rooms and
9 additional offices. All of the units will
10 have one office or a den, but also the
11 ability for a second office if there is a
12 two -- two people -- a couple working at
13 home.

14 These are what we view -- will be
15 affordable units, and then at looking at the
16 green space we have been careful on all
17 edges, certainly on Croton Dam Road pulling
18 back here from people up on Grand View.
19 There is an existing game room or game
20 facility that will be raised and then that
21 will be a new green space, but really all of
22 the edges will have a lot of green.

23 This is Narragansett. We have a
24 small wetland from runoff Narragansett down
25 in this area, and then green buffers here, a

APPENDIX B-1

1 large green buffer here and then certainly
2 green buffers here. The distances are quite
3 long from the Pershing homes and then there
4 is Hillside, so we have some sections to get
5 a better understanding of that. Here is
6 Pershing and the homes that sit down on
7 Pershing are much lower than the back of our
8 nearest units.

9 This is Second Avenue. There is an
10 existing maintenance building here, so that
11 would give some idea to the nearest neighbor
12 as to distance, or are slightly behind, will
13 sit up a little bit higher, but you know,
14 certainly a better looking building.

15 And then over on First Avenue, a
16 building sitting well bellow, that's 70-foot
17 from the nearest edge and then the nearest
18 edge up on this would be Grand View way over
19 here, these would be the setbacks and you
20 can get a sense of where we are taking the
21 section.

22 And then these were some of the early
23 precedents we looked at for the styles, I'll
24 discuss this just real quick. I love this
25 from terms of color palet, and then this was

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1 something that is inspiring us for the entry
2 building and then we did a lot of study of
3 windows, of doors, farmhouse doors, railings
4 and then roof lines, studied a lot.

5 And then we are proposing a mix of
6 two-bedroom and three-bedroom, two-level
7 units with basements. The sizes are going
8 to range from 17 to 2,400 square feet plus
9 the lower level, two-car garages in all the
10 market rate units, dens and offices in all
11 the units, large foyers, large walk-in
12 closets in all the bedroom, contemporary
13 kitchens, a small gym or second office as an
14 option on the lower level and then an option
15 to put an elevator in all of the units.

16 So there will be four-foot square
17 closets on all of the floors, so if you want
18 the option of an elevator we can do that
19 easily.

20 The profile would be people typically
21 late 50s, 60s, 70s, 80s who had a house and
22 no longer want to maintain a house with all
23 of the maintenance that is required outside
24 and they would prefer to be professionally
25 managed, all of the, you know, cleaning of

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1 gutters, maintenance of the exterior
2 landscaping all done professionally and if
3 they want to go away they can have
4 professional management oversee their units
5 if they wanted to travel.

6 And once again, it is a 55 plus
7 community which restricts those under 19.
8 And the three areas that always kind of hit
9 the top of the list in terms of concerns,
10 the fiscal analysis was done by Phillips
11 Preiss, a third party group, it's been
12 reviewed but the town's consultants.

13 The town's project is gonna throw off
14 a million 125; 740,000 is going to the
15 school with no offsetting cost to educate
16 children. So the increase would be over a
17 million dollars over the current 98,000
18 being thrown off by the uptick and increase
19 over services; about \$800,000.

20 Traffic. So the traffic we -- we
21 studied the -- all of the intersections
22 around the project numerous times. Stony
23 Lodge Hospital, so we did the mornings and
24 evenings, Stony Lodge threw off 51 cars in
25 the morning and 60 in the evening. Our new

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1 plan will generate 19 in the morning, 25 in
2 the evening. And I would say anybody
3 listening in, that the town hired its own
4 consulting engineer, Kimley-Horn, their firm
5 do a lot of this work and they consulted our
6 numbers, and so you kind of average it over.
7 They -- an hourly generation it would be
8 something between five to six cars per hour
9 in the morning, six to seven per hour in the
10 evening. So a net reduction to some of the
11 prior use, the Stony Lodge Hospital use,
12 about 32 percent reduction and then percent
13 reduction, I am sorry, the number I mean of
14 cars and then the percent reduction.

15 So next, and these are kind of where
16 all the traffic measurements were taken. So
17 this is my crude chart map showing our
18 existing site, Croton Dam Road, Veterans
19 Hospital -- Veterans Park and the red
20 crossed hatch is the S-50 zoning and then
21 the purple crossed hatch is R-5. S-50 being
22 five thousand square foot lot zoning, R-7.5
23 being 7,500 square foot zoning.

24 The reason I bring that up is that if
25 you take all of the lots abutting our

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1 property, the majority of them, 85 percent
2 of them are the 5,000 square foot lot types
3 and that represents again 85 percent, and if
4 you did simple math by using our land area
5 of 7.89 acres it would -- and divide it
6 through by 5,000 square foot lots, you will
7 get 166 lots. Obviously not taking into
8 consider roads and steep slopes and all of
9 the rest. However, we're well bellow of
10 what the zoning would provide if those were
11 to be applied.

12 And then the last thing I want to
13 just say is, through this lost in all of
14 this studying very closely this EIS
15 documents is just you know, I studied
16 architecture, I want to pat myself on the
17 back a little bit. I studied architecture
18 in Cornell and economics and I take a deep
19 interest in the look of my projects and the
20 quality of the projects, and I get nothing
21 more pleasure out of going back to projects
22 that I have completed years later to see how
23 they are holding up and how they are
24 thriving, and every project I have ever done
25 today is still something I'm very proud of

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1 and doing well and the people that are in
2 them.

3 My project that I did down in
4 Tuckahoe, I can't tell you how many
5 compliments I get for it. So I think an
6 objective consideration that people need to
7 think about, because developments come in
8 all different shapes and sizes. They
9 come -- some of them come from finance
10 background, some of them come from legal
11 background, some of them come from brokerage
12 backgrounds, etc. And what -- personally
13 the ones that come from some architectural
14 training I believe tend to produce the best
15 project for a long term. That's all I have
16 to say.

17 CHAIRWOMAN STEVENS: Thank you Glen.
18 Okay. At this point, Sandy you will be
19 ready to open the hearing. Are you ready?

20 MS. ANELLI: Yes. I am ready. If
21 there is anyone that would like to speak,
22 they can raise their hand or --

23 CHAIRWOMAN STEVENS: Before we start
24 I would like to remind everybody that we are
25 going to ask Sandy to time everybody.

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1 Everybody has there minutes to speak and we
2 would like you to keep your comments to
3 those three-minutes. And in addition, I
4 would just ask that everybody keep in mind
5 is, if somebody else has made your point,
6 you know, just don't repeat it. If you have
7 something new to add, then by all means add
8 it, but if you just want to agree with
9 somebody that spoke before you on the same
10 points, please do that. I mean, we are here
11 to listen this evening, we are not going to
12 be commenting, the applicant will not be
13 commenting and we are here solely to take
14 your comments on the DEIS that has been
15 submitted.

16 So with that Sandy, what is the first
17 person that's raised their hand speak.

18 MS. ANELLI: If you can raise your
19 virtual hand and state your name and address
20 for the record. If you are using a cell
21 phone, you can press star (*)9. Okay, the
22 first speaker is Tania Martin and Fred
23 Cramer or Fred Cramer. They're coming on.

24 CHAIRWOMAN STEVENS: Okay. Tania,
25 you need to unmute yourself. Tania?

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Ms. Martin, you need to unmute yourself.

MR. BOSSINAS: Can we come back to them?

MS. ANELLI: Yes, we can get back to them.

CHAIRWOMAN STEVENS: Okay.

MS. ANELLI: Is there anyone else that would like to speak on this matter? Okay, I have Tamie Wilenchick. Tamie?

MS. WILENCHICK: My question is about the cost of this one-bedroom townhouse or two-bedroom townhouse. A two-bedroom with some extra feature, if you know at this point.

CHAIRWOMAN STEVENS: Okay. Like I said, we are taking comments this evening, we will not be nor will the applicant be responding to them at this point.

MS. WILENCHICK: Oh.

CHAIRWOMAN STEVENS: Okay.

MS. WILENCHICK: Okay.

CHAIRWOMAN STEVENS: Thank you.

MS. WILENCHICK: Sure.

CHAIRWOMAN STEVENS: Okay. Is there anyone else out there Sandy with their hand

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raised?

MS. ANELLI: Yes, Denice Motta. I don't know if I pronounced that right. Denice?

MS. MOTTA: Hello?

CHAIRWOMAN STEVENS: Yes, Ms. Motta.

2 MS. MOTTA: Thank you. I have a question about the traffic report that was spoken about.

CHAIRWOMAN STEVENS: Yes.

2 MS. MOTTA: I guess my question is when was that conducted and how long was it conducted? What was the timing of it? Was it done at several times of the day, different days of the week, or was it all done, you know, from a Saturday morning standpoint which would obviously be a lot different than a Tuesday night at 6:00 o'clock? And how long did the study go on for to come to the conclusion that was reported to us a little while ago?

CHAIRWOMAN STEVENS: Okay. Thank you. Like I said this evening we will not -- there will not be responses made, we are just here to hear comments.

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MS. MOTTA: Thank you.

CHAIRWOMAN STEVENS: Okay, thank you Ms. Motta. Is there anyone else Sandy?

MS. ANELLI: I don't see anybody with their hand raised.

CHAIRWOMAN STEVENS: Should we try Tania and Fred again?

MS. ANELLI: We have Marisa Caruso.

CHAIRWOMAN STEVENS: Okay.

MS. CARUSO: Hi, am I unmuted?

CHAIRWOMAN STEVENS: Yes.

MS. CARUSO: Hi, how are you? Okay,

I just have a couple of comments. I believe it is table 1 in the SDEIS, about the first to the alternatives, and there is a table. At the bottom of that table it talks about land use and zonings, and in each of those sections it references whether or not the particular alternative is in context with the comprehensive plan.

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But there doesn't seem to be a direct link. Like for instance when he talks about -- or when it talks about the previous project and this project it says you know, it is in contrast with the comprehensive

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plan, but it is just a vague statement. So I just would like maybe a direct link to the comprehensive plan and what it is that they are referencing. I think that would be helpful for the public to understand how they are determining what is in context with the comprehensive plan and what isn't.

The second comment --

UNIDENTIFIED SPEAKER: The buttons are clicked.

MS. CARUSO: -- is there somebody talking?

UNIDENTIFIED SPEAKER: I am sorry about that.

4

MS. CARUSO: And then the second comment just in reviewing Mr. Ventromile's presentation, is when he talks about community character. He references lots that are S-5 and R-7, which fall within the village boundaries and this -- the development as I understand it is all to take place in the town boundaries, and maybe a reference to town zoning would be more accurate when we are -- when we are considering density. So those are my

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comments.

CHAIRWOMAN STEVENS: Thank you.

MS. CARUSO: Oh, wait, wait. I am sorry, I'm sorry. I do have another comment. On April 8, 2021, a letter was submitted on my behalf from Bleakley Platt and Schmidt, our attorneys and there were a number of things that they had asked to be reviewed and one of the bullet points was whether blasting would occur and if so, its magnitude.

I also find that in this SDEIS the language is very vague, it says some may occur and then it refers you to whatever the procedures are for blasting. So -- but there is no real clear indication of the magnitude of the blasting, so we would appreciate a response to that April 8th letter which has been submitted to the Planning Board. And that's all I have, thank you.

CHAIRWOMAN STEVENS: Okay, thank you Ms. Caruso. Sandy, anybody else?

MS. ANELLI: We can try Tania and Fred Cramer again, Tanya Martin.

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CHAIRWOMAN STEVENS: Ms. Martin or Mr. Cramer, do you want to unmute yourselves?

MR. CRAMER: There we are, can you hear us now?

CHAIRWOMAN STEVENS: Yes.

MR. CRAMER: Thank you. All right, this is our first meeting with your Zoom and forgive our technical oopses.

CHAIRWOMAN STEVENS: Okay.

MR. CRAMER: We are actually quite impressed with the meeting and with the planning procedure that this project has gone through. But we have one perhaps unusual concern.

6



We live on the intersection of Pershing and Lee, so we are close to the vicinity of the proposed construction site and we have an issue here where we are dealing with a seizure disorder, a type of epilepsy that can be triggered by different kinds of loud sounds such as harmonics that occur when multiple power tools or power equipment is in use, or low frequency, and infrasonics that for example are caused say

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by a tire driver and say a front loader that is being used in a hammer like fashion.

So we want to see if there is noise abatement consideration is being given to the site and if those noise abatement considerations are they of general nature or they are more -- how they're being held to a level of effectiveness that will solve our problem.

We can include more detail in an e-mail, but that is the gist of our concern, that the loud noises and the unusual types of noises that construction causes may be a seizure trigger. Thank you.

CHAIRWOMAN STEVENS: Thank you very much for your comment. And yes, sending an e-mail would be helpful.

MR. CRAMER: Very good, thanks. And thank you for a good meeting.

CHAIRWOMAN STEVENS: Thank you. Anyone else?

MS. ANELLI: I don't see anybody else with their raised hand.

CHAIRWOMAN STEVENS: Okay. All right, well in that case Kathy, should we

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close the meeting -- the hearing.

MS. ZALANTIS: We are going to leave open public comment for written comments.

CHAIRWOMAN STEVENS: Correct. So September 6th, I believe.

MS. ZALANTIS: Right.

CHAIRWOMAN STEVENS: Because we withdrew August 3rd.

MS. ZALANTIS: Yes. So we are going to be leaving it open for a written comment so we don't need to close the meeting.

CHAIRWOMAN STEVENS: Okay. All right, so if anybody wants to submit any further comments or additional comments, you have until September 6th to do it in writing and we thank you for coming this evening.

MS. MONASTRA: Kathy, just in terms of procedure. So, this procedure of the application is not going to be on the August 3rd agenda, and the August 17th will be for more or less a workshop with the Planning Board.

MS. ZALANTIS: Right.

CHAIRWOMAN STEVENS: Right.

MS. ZALANTIS: So, I mean if you want

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1 to close -- we are not really closing this,
2 but the oral comment period is going to be
3 over after today, but you are still leaving
4 it open for the public to submit written
5 comments through September 6th.

6 CHAIRWOMAN STEVENS: Right. Thank
7 you.

8 MR. VETROMILE: Kathy, does that
9 require a motion to close the oral comments?

10 MS. ZALANTIS: I mean, I just don't
11 want to be unclear that people still have
12 the right to comment on it. We've already
13 noticed it that written comments will be
14 allowed through September 6th.

15 CHAIRWOMAN STEVENS: Okay.

16 MS. ZALANTIS: But to be clear, the
17 Board will not be accepting any more oral
18 comments.

19 CHAIRWOMAN STEVENS: Okay. All
20 right, so we can move on then to our
21 minutes.

22 (Time noted 8:26 p.m.)

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C E R T I F I C A T I O N

I, Eunice Patchen, Certified Court Reporter, before whom this proceeding was taken, do hereby state on the Record:

This to be a true and accurate transcript of the aforesaid proceeding and that due to the interaction in the spontaneous discourse of the proceedings, dashes (--) have been used to indicate pauses, changes in thought, and/or talk-overs; that same is the proper method for a Court Reporter's transcription of proceedings, and that the dashes (--) do not indicate that words or phrases have been left out of this transcript;

That any words and/or names which could not be verified through reference material have been denoted with the parenthetical "(ph)."



Eunice Patchen

Dated: August 3, 2022

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<p>CHAIRWOMAN STEVENS: [52] MR. BOSSINAS: [2] 4/20 18/2 MR. CIARCIA: [1] 3/23 MR. CRAMER: [4] 23/4 23/7 23/11 24/18 MR. ENRIQUEZ: [2] 3/11 4/24 MR. MENCHER: [3] 3/8 4/16 4/22 MR. SPECTOR: [2] 5/16 5/20 MR. VETROMILE: [6] 5/6 5/8 6/2 6/8 6/11 26/8 MS. ANELLI: [12] 3/20 5/12 6/5 16/20 17/18 18/4 18/7 19/2 20/4 20/8 22/24 24/22 MS. CARUSO: [5] 20/10 20/12 21/11 21/15 22/3 MS. CONN: [1] 4/1 MS. MONASTRA: [2] 4/3 25/17 MS. MOTTA: [4] 19/5 19/7 19/11 20/1 MS. SHARRETT: [3] 3/14 4/17 5/2 MS. WILENCHICK: [4] 18/10 18/19 18/21 18/23 MS. ZALANTIS: [9] 3/17 4/9 25/2 25/6 25/9 25/23 25/25 26/10 26/16 UNIDENTIFIED SPEAKER: [2] 21/9 21/13</p> <p>\$</p> <p>\$800,000 [1] 13/19</p> <p>-</p> <p>-----x</p> <p>[2] 1/2 1/7</p> <p>0</p> <p>0201 [1] 1/25</p> <p>1</p> <p>10 [1] 8/9 10801 [1] 1/24 12 [1] 9/18 125 [1] 13/14 15 [2] 7/17 9/18 166 [1] 15/7 17 [1] 12/8 17th [1] 25/20 188 [1] 6/19 19 [3] 8/11 13/7 14/1</p> <p>2</p> <p>2,400 [1] 12/8 20 [3] 1/8 3/3 7/10 2014 [1] 7/6 2021 [1] 22/5 2022 [3] 1/8 3/3 27/22 25 [1] 14/1</p> <p>3</p> <p>32 [1] 14/12 357 [1] 1/24 3rd [2] 25/8 25/20</p>	<p>5</p> <p>5,000 [2] 15/2 15/6 50 [2] 14/20 14/21 50s [1] 12/21 51 [1] 13/24 55 [1] 13/6</p> <p>6</p> <p>60 [1] 13/25 60s [1] 12/21 684-0201 [1] 1/25 6:00 o'clock [1] 19/19 6th [4] 25/5 25/15 26/5 26/14</p> <p>7</p> <p>7,500 [1] 14/23 7.5 [1] 14/22 7.89 acres [1] 15/5 70-foot [1] 11/16 70s [1] 12/21 740,000 [1] 13/14 7:31 [1] 1/9</p> <p>8</p> <p>80s [1] 12/21 85 [1] 8/9 85 percent [2] 15/1 15/3 8:26 p.m [1] 26/22 8th [1] 22/18</p> <p>9</p> <p>9-years [1] 7/19 914 [1] 1/25 95 [2] 6/15 8/8 98,000 [1] 13/17 9A [1] 7/1</p> <p>A</p> <p>abatement [2] 24/4 24/5 ability [1] 10/11 about [18] abutting [1] 14/25 accepting [1] 26/17 access [2] 9/11 9/13 accurate [2] 21/24 27/6 acres [1] 15/5 actually [1] 23/11 add [2] 17/7 17/7 addition [1] 17/3 additional [2] 10/9 25/14 address [1] 17/19 addressed [1] 7/23 Adirondack [1] 6/17 affordable [2] 8/10 10/15 aforsaid [1] 27/7 after [1] 26/3 again [4] 13/6 15/3 20/7 22/25 age [1] 6/23 agenda [1] 25/20 ago [1] 19/21 agree [1] 17/8 AICP [1] 2/17</p>	<p>all [31] allowed [1] 26/14 already [2] 6/24 26/12 Alright [1] 6/12 also [5] 2/12 9/2 9/3 10/10 22/12 alternate [1] 3/9 alternative [1] 20/19 alternatives [1] 20/15 always [1] 13/8 am [9] 1/9 4/5 5/16 5/22 14/13 16/20 20/10 21/13 22/3 am-pm [1] 1/9 analysis [1] 13/10 Anelli [1] 2/19 Anelli [1] 3/20 another [2] 10/5 22/4 any [4] 10/1 25/13 26/17 27/15 anybody [6] 6/14 14/2 20/4 22/23 24/22 25/13 anyone [5] 16/21 18/7 18/25 20/3 24/21 applicant [2] 17/12 18/17 Applicant's [2] 2/14 2/15 application [1] 25/19 applied [1] 15/11 appreciate [1] 22/18 April [2] 22/5 22/18 architectural [1] 16/13 architecture [2] 15/16 15/17 are [52] area [2] 10/25 15/4 areas [2] 8/24 13/8 around [2] 9/25 13/22 as [5] 8/6 11/12 12/13 21/21 23/22 ask [3] 5/22 16/25 17/4 asked [2] 8/13 22/8 asleep [1] 5/9 attendees [1] 5/13 attorney [4] 2/15 2/16 3/18 4/4 attorneys [1] 22/7 August [4] 25/8 25/19 25/20 27/22 Avenue [6] 8/16 9/10 9/15 9/23 11/9 11/15 average [1] 14/6 award [1] 7/21 away [3] 6/19 9/13 13/3</p> <p>B</p> <p>back [6] 10/18 11/7 15/17 15/21 18/2 18/4 background [2] 16/10 16/11 backgrounds [1] 16/12 basement [1] 10/8 basements [1] 12/7 be [42] because [3] 6/21 16/7 25/7 bedroom [6] 12/6 12/6 12/12 18/11 18/12 18/12 been [11] 6/20 7/17 7/20 9/24 10/16 13/11 17/14 22/19 27/9 27/13 27/16 before [3] 16/23 17/9 27/4 began [1] 7/6</p>

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<p>M</p> <p>made [4] 4/11 7/7 17/5 19/24 magnitude [2] 22/11 22/17 mail [2] 24/11 24/17 maintain [2] 9/25 12/22 maintenance [3] 11/10 12/23 13/1 majority [1] 15/1 make [1] 4/16 managed [1] 12/25</p>	<p>N</p> <p>name [2] 7/11 17/19 names [1] 27/15 Narragansett [4] 8/17 9/9 10/23 10/24</p>	<p>O</p> <p>o'clock [1] 19/19 objective [1] 16/6 obviously [2] 15/7 19/17 occur [3] 22/10 22/14 23/23 off [3] 13/13 13/18 13/24 office [3] 10/10 10/11 12/13 offices [2] 10/9 12/10 offsetting [1] 13/15 Oh [2] 18/19 22/3 okay [30] once [1] 13/6 one [7] 5/22 8/15 8/16 10/10 18/11 22/9 23/14 one-bedroom [1] 18/11 ones [1] 16/13 oopses [1] 23/9 open [4] 16/19 25/3 25/10 26/4 option [3] 12/14 12/14 12/18 oral [3] 26/2 26/9 26/17 oriented [1] 7/4 OSSINING [2] 1/4 3/4 our [16] out [4] 7/9 15/21 18/25 27/14 outside [1] 12/23 over [9] 8/17 9/1 11/15 11/18 13/16 13/17 13/19 14/6 26/3 overcrowded [1] 6/25 overs [1] 27/10 oversee [1] 13/4 own [1] 14/3</p> <p>P</p> <p>p.m [2] 1/9 26/22 palet [1] 11/25 parenthetical [1] 27/17 Park [2] 9/11 14/19</p>

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Letter from County Planning Board
Referral Review, dated July 25, 2022

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.

1.

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

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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.

1. 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.

2. 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.

3. 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

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Referral File No OST 22-002 – River Knoll, 40 Croton Dam Road
Supplemental Draft Environmental Impact Statement

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3. 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.

4. 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.

5. 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

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Memorandum from Nelson, Pope,
Vorrhis, dated September 2, 2022

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NELSON POPE VOORHIS

environmental • land use • planning

MEMORANDUM

TO: Carolyn Stevens, Chair, and the Town of Ossining Planning Board

FROM: Valerie Monastra, AICP

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

DATE: September 2, 2022

RE: River Knoll SDEIS Review

Nelson, Pope and Voorhis, LLC (NPV) has reviewed the June 2022 Supplemental Draft Environmental Impact Statement (SDEIS) for the proposed River Knoll development, including all plans, appendices, and associated materials. The purpose of this review, as outlined in this memo, is to assist the Planning Board, as the Lead Agency, in a detailed technical review of the SDEIS and ensure that potential environmental impacts are thoroughly examined, and appropriate impact prevention and mitigation strategies are identified to mitigate environmental impacts to the maximum extent practicable. This review includes comments from the Planning Board and the Planning Board Attorney. Comments associated with this review must be addressed along with other substantive comments received from the Town Board, other involved and interested agencies, and the general public in a Final Environmental Impact Statement (FEIS) to be prepared after the close of the public comment period.

Involved Agency Comments and Letters

While all substantive comments from involved and interested agencies, as well as the public, must be addressed, we specifically note that the following agency letters have been received, and need to be addressed in the FEIS:

- Westchester County Planning Board, dated July 25, 2022; and
- Ossining Town Board, dated September 6, 2022.

The following are DEIS substantive comments, keyed to the SDEIS by page and topic area.

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General Substantive Comments

1. FEIS – Project Description. To the extent that the Project changes to address any adverse impacts that are required to be mitigated, an updated Description of the Proposed Action should be included at the beginning of the FEIS, and a summary of how any impacts will change by implementing the same.
2. The Planning Board is interested in seeing all comments from Westchester County addressed, particularly the potential connections of the Project site with First and Second Avenues, the response to the sewer impacts, and the Proposed Project’s proposed recycling program.

Comment Number	Page Number	Comment
Chapter 1: EXECUTIVE SUMMARY		
In general, the Executive Summary should provide page and chapter references so that the reader can easily understand where to obtain additional information on the topic in the SDEIS, specifically the tables found on pages I-29 and I-30.		
A. Introduction		
		Chapter 1 provides a summary of basic facts and conclusions contained in the body of the SDEIS. Substantive review comments are therefore provided under Chapters 2 through 8 below.
1.	I-1	Page I-1 states “the Proposed Project would provide a new and upscale housing community for residents who wish to remain in Ossining and the Hudson Valley region.” The projected sales for the market rate units would not be affordable to most residents in Ossining and are not comparable to other condominium developments in the Town or the Village. Please provide a better explanation of the price point of the units and anticipated residents. The concern is that upscale housing does not adequately address the senior housing needs of Ossining. Could the Project provide a variety of unit sizes in terms of overall square footage to provide more diversity in the sales price of the market rate units? Housing diversity in unit type is identified as a recommendation in the Towns’ adopted 2022 Comprehensive Plan.
	I-2	Page I-2 does not include information on the other drafts of the SDEIS or the dates of its acceptance, public hearing, and public comment period. Please include that information.
		E. List of Involved and Interested Agencies and Required Approvals/Permits
3.	I-28	Table I-2 should provide a list of the involved and interested agencies and clearly note which agencies are involved or interested.

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	I-28	Table 1-2 does not identify the Zoning Board of Appeals (ZBA) as an involved agency. They should be listed as the Proposed Project will require approval from the ZBA.	4.
Chapter II: PROJECT HISTORY AND PROPOSED PROJECT DESCRIPTION			
A. Introduction			
5.	II-2	Section II.A-3 notes the residential zoning of the Village of Ossining properties but not the surrounding Town of Ossining residential properties. Please include the zoning district and the required minimum lot size of the residential properties within the ½ mile radius of the Project site in the Town of Ossining.	
B. Description of Proposed Project			
		What type of buffering would be installed to attenuate the sounds and visibility of the pool?	6.A.
6.B.		What are the proposed dimensions of the garages?	
	II-4 to II-9	<p>The DEIS notes that the Proposed Project does not meet the bulk requirement of §§200-16 and 22. On pages II-7 through-II-9, the SDEIS takes the position that variances are not required as certain Zoning Code requirements are waivable by the Planning Board. The Applicant must explain in detail its position that the Planning Board has the authority to waive the requirements in Zoning Code § 200.16(A)(2)(b) (separation between principal/accessory buildings) and § 200.16(A)(2)(d) (400 sq. ft. of play area per unit).</p> <p>While Zoning Code §200.16(A)(4)(a) provides that for multiple-family and row and/or attached dwellings residential developments, the "Planning Board shall follow the procedures and requirements set forth in § 200-31, entitled "Cluster developments," the Applicant needs to set forth in detail how it is proposing to comply with all the cluster procedures and requirements.</p> <p>The Applicant interprets the language in Zoning Code 200-31(D)(3)(a), which provides "if composed of attached dwelling units, a cluster development shall comply with the bulk regulations contained in § 200-22 for the Multifamily Residence District and the parking regulations contained in § 200-29A(1)", to mean that Zoning Code requirements not part of 200-22 (or 200-29(A)(1)) are waivable by the Planning Board. The Applicant should further support and explain the basis for this position.</p> <p>Even if the Applicant's interpretation is correct, the Applicant cannot focus solely on certain provisions of §200-31, but must show how it proposes to meet all the conditions of Zoning Code § 200-31, and further explanation</p>	7.

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		<p>and information are required on this. The Applicant should go through and address each of the §200-31 conditions and requirements.</p> <p>Please revise the Proposed Project to meet the requirements of §§200-16 and 22 or identify the variances that may be required from the Zoning Board of Appeals. If the Applicant proposes to request zoning text amendments instead of seeking variances or modifying the site plan, please revise the DEIS accordingly to reflect the proposed zoning text amendments.</p>	7.
8.	II-9	Section III.A.2.viii does not adequately address spot zoning in terms of the planning rationale behind the request for the rezoning. Provide a discussion as to why the proposed zoning change is a result of a reasoned and well considered Comprehensive Plan or area plan.	
	II-26	On page II-7, the SDEIS states that variances may be required and as such, the SDEIS must identify the ZBA as an involved agency. Please add the Zoning Board of Appeals to the list of required approvals in Table II-1. Provide a list of all variances that will be required from the Zoning Board of Appeals.	9.
Chapter III: EXISTING CONDITIONS, POTENTIAL IMPACTS AND PROPOSED MITIGATION			
A. Land Use, Comprehensive Plan, Zoning and Community Character			
10.	III.A-3	Section III.A.2.i does not provide a discussion of the visual analysis found in Appendix H. A discussion of the impacts and any proposed mitigation should be included. The model does not depict the retaining walls and landscaping as they are shown on the site plan. All simulations should include the proposed retaining walls as depicted on the site plan and proposed landscaping as per the landscaping plan. Please revise the images in Appendix H or revise the site plan to show the tiered retaining walls.	
	III.A-6	What level of affordability is proposed for the ten affordable units, and what units are proposed to be affordable? Please provide unit size and unit type. Where will the affordable units be located? Provide a description on how the proposed affordable units will comply with §200-35.	11.
12.	III.A-7	Page III.A-7 states “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.” What does this statement mean in terms of any public trails being proposed on-site? Will the site provide trails and connections? If so, where on the site will they be located, and what type of trails are proposed?	
	III.A-9	The DEIS states that the Proposed Project will provide an “interconnection with the publicly accessible Veterans Memorial Park.” Please confirm that	13.

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		this is the case. Is this interconnection for the residents only and will there be sidewalks added for this interconnection?	13.
14.	III.A-9	How does the Sponsor propose to “seek ways to provide trail connections to the nearby Maryknoll Seminary..., Anne Corner Middle School, Dale Cemetery, Torview Club’s open space?”	
	III.A-12	Section III.A.2.iv provides information on the 2015 Comprehensive Plan and the January 2022 draft Comprehensive Plan. The Town adopted its Comprehensive Plan on May 10, 2022. Discuss the Project’s consistency with the adopted Comprehensive Plan.	15.
16.	III.A-22	Section III.A.2.viii does not adequately address spot zoning in terms of the planning rationale behind the request for the rezoning. Provide a discussion as to why the proposed zoning change is a result of a reasoned and well considered Comprehensive Plan or area plan.	
B. Wetlands			
	III.B-2	Section III.B.2.i indicates that “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.” However, III.B.1 indicates that the delineated wetlands within the boundary of the Former Project as such: “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.” Are these statements referencing the same wetland areas? If so, please explain in further detail the discrepancies in size (i.e., why has the wetland area decreased almost by ½ in size from 2015 to 2021?)	17.
18.	III.B-5	Figure III.B-1. Streams are not identified in the map legend but are present in the map.	
	III.B-5	Figure III.B-1. Streams are identified in the map with small “C” along their course. What does this signify?	19.
20.	III.B-5	Figure III.B-2. Sources should be indicated for on-site delineated wetlands.	
C. Soils, Topography (Steep Slopes) and Geology			
		Could the applicant provide a side-by-side illustration of the existing topography and the proposed topography so that a visual comparison can be made of pre and post construction impacts? It would be easier to assess this if the illustrations were just of the typography	21.
22.	III.C-4	The FEIS briefly refers to the retaining walls and refers the reader to the Grading Plan for the elevations. Please provide a narrative that discusses	

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22.		the lengths and heights of the retaining walls proposed on site. Are there other options to adding over 20 feet of fill in the southeast property?	
	III.C-4	The additional fill is causing the need for the retaining walls. Is there a way to move units 1 through 32 elsewhere on site? Could the size of the other units be reduced, and be built in a similar arrangement as units 1 through 32? This may reduce the impacts of the proposed retaining walls and fill.	23.
24.	III.C-4	The applicant should give the anticipated amount of fill to be used for the retaining walls, in addition to their heights and lengths. The heights of the retaining walls should be marked on the site plan to include the location of the highest points of each retaining wall.	
	III.C-4 to III.C-5	The DEIS notes that approximately 14% of the proposed grading will impact very steep slopes and will require a waiver from the Planning Board. The DEIS further states that “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.” If the Planning Board does not grant the waiver, the Project cannot proceed as proposed. Please discuss why this Project should be granted these waivers.	25.
26.	III.C-3	The Project site is surrounded by residential developments. The DEIS states that some blasting may be required. Please confirm if blasting is required or not, and if so, how much. What is the period of time that the blasting phase will last? What mitigation would be implemented for the proposed blasting?	
	III.C-8	Please provide additional information on the dust control proposed for the Proposed Project. Will air monitoring be conducted during construction?	27.
D. Stormwater Management and Subsurface Water			
		Additional comments will be submitted by the Town’s Engineer, Dan Ciarcia.	
28.		A description of how this stormwater infiltration basin will be planted and maintained should be provided. Will this be a mowed lawn, or an environmentally beneficial prairie area mowed yearly? Will the plants be native plants or lawn grasses?	
		The existing site has no modern stormwater practice. And the project will be designed with two (2) infiltration basins for water treatment and to retain stormwater run-off. Both laudable. Water retention membranes/methodologies should be introduced for better stormwater containment. These basins/containment areas should be utilized as sources for landscape drip irrigation systems.	29.
30.	Appendix B	According to the SWPPP, runoff from Existing Drainage Area 2A (EDA-2A) flows overland to a wetland in the Village of Ossining. The Proposed Project	

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30.	(SWPPP), Page 11	also identifies Proposed Drainage Area 2A (PDA-2A) as flowing overland to the wetland in the northeast corner of the site, as in existing conditions. Please provide more information regarding how runoff from the Proposed Project and its increase in impervious surface areas will impact the wetland area and/or buffer.	31.
	Appendix B (SWPPP), Page 12	In the first paragraph under the section titled "Proposed Conditions," a list of the Project improvements identifies "subsurface parking garage" as an improvement for the Proposed Project. It is our understanding that a subsurface parking garage was included in the Former Project, and not the Proposed Project. Please clarify.	
32.	Appendix B (SWPPP), Page 20	In the second paragraph of the section titled "Soil Erosion & Sediment Control" the Applicant states that a qualified professional will conduct two site inspections every seven calendar days when greater than five acres of soil is disturbed at any one time. Furthermore, the Applicant indicates on Page III.E-7 that any disturbance at any given time over five (5) acres requires a "5-acre waiver" from the Municipal Separate Storm Sewer System (MS4). With a proposed disturbance of 14.6 acres, please verify whether this waiver will be obtained. Additionally, please provide more information on the anticipated phase of the disturbance and the acres associated with each phase.	
E. Vegetation and Wildlife			
		Will there be plantings in the stormwater infiltration basin? If so what type of vegetation is proposed? If this will be a mowed lawn or an environmentally beneficial prairie area? Will it be mowed yearly? Will the plants be native plants or lawn grasses?	33.
34.		Please provide details on how the Project proposes to handle the removal of the invasive species on-site.	
		The large open windows on the buildings may have an impact on birds. How will the windows prevent birds from unintentionally flying into them?	35.
36.		The landscaping plan should include a more diverse plant selection.	
		The illustration of the two (2)-tier retaining wall shows trees/shrubs between the tiers. What size plants are being proposed? The size of the mature root systems must be taken into. How will the plants be maintained - watered, weeded? How much space is between this retaining wall and the property line? Will there be plantings between the property line and the retaining wall? If so, what plants are being proposed?	37.
38.	III.E-2 through III.E-3	The Applicant has indicated that "701 trees with DBH of 6" and above were survey-located on-site (see Figure 3.E-2 and full-sized drawing C-011)." However, in the discussion of the tree removal permit that will be sought through the Site Plan Review process on pages III.E-2 and III.E-3, there is no mention of the number of trees, if any, to be removed. This should be	

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38.		specified in this section. Further, L-100, Landscape Plan, included with the SDEIS conceptually depicts the deciduous and evergreen tree plantings that are to enhance the buffer screening along the perimeter of the Site adjacent to the residential use, but the text of page III.E-4 does not mention the specific number of trees to be planted, which should be included.	
	III.E-4	Items (9) and (10) are a continuation of the list on page III.E-3 and therefore should be labeled as items "I." and "J." and not numerically.	39.
40.	III.E-4	Should the word "habit" in the fourth paragraph be replaced with "habitat"?	
	III.E-7	The Applicant has indicated that the Project HOA will regularly remove any invasive species that impact the landscaping as part of its maintenance of the landscaping. How will this be ensured?	41.
42.	III.E-7	With a proposed disturbance of 14.6 acres, please verify whether a five (5)-acre waiver will be obtained. Additionally, please provide more information on the anticipated phase of the disturbance and the acres associated with each phase.	
F. Historical and Archeological Resources			
	III.F-1	Should the phrase "January 20171" in the first paragraph be replaced with "January 2017"?	43.
G. Infrastructure and Utilities			
44.	III.G-5	Paragraph 1 references "Appendix I-1" in regard to a letter from the Westchester County Department of Environmental Facilities. However, this letter appears to be in Appendix G. Please correct.	
	III.G-6	The first paragraph of the section titled "Energy and Telephone Services" indicates that the Former Project would underground all electrical and gas service lines on the Project Site, which was also stated on III.G-6. Please confirm/correct that electrical and gas service lines at the Proposed Project would also be underground.	45.
H. Traffic and Transportation			
46.		Additional comments will be submitted by the Town's Traffic consultant, Kimley-Horn.	
	III.H-14	The DEIS discusses the Town's Complete Streets policy but does not reflect on the goals and recommendations in the study about increasing pedestrian mobility through the addition of sidewalks. While there is no singular design formula for Complete Streets, the design may include various elements such as sidewalks. Will the emergency access be only accessible to the residents or the public? Could sidewalks be added to these access roads?	47.

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J. Fiscal Impacts			
48.	III.J-6 to III.J-7	These pages, including Table III.J-6, refer to the Town of Greenburgh. Please update the text and table to the Town of Ossining.	
	III.J-8	While the DEIS provided school children from other active adult community projects, it did not provide the unit mix or if the development projects were rental or condominium projects. This would assist with confirming the applicant's assertion that the projects are similar to the Proposed Project.	49.
50.	III.J-12	A property tax comparison of the Former Project to the Proposed Project is provided in Table III.J-12 and described in the narrative. The DEIS does not go into detail on the calculations involved in the Former Project, but if both projects are being evaluated as income producing properties, additional explanation should be provided as to how a project with 188 units (Former Project) would generate less taxes than one with 95 units (Proposed Project).	
K. Construction Impacts			
	III.K-2	The construction sequence listed does not detail the Proposed Project but seems to outline work for a standalone building. Please provide the construction sequence for the Proposed Project.	51.
52.	III.K-1	The 18-21 month construction phase works if everything commences in April, but what happens if construction starts later in the season? Does the winter affect the construction timeframe?	
	III.K-3	Please provide the average truck trips per day for each phase of construction.	53.
54.		Where will the construction staging area be located? Will the field along Croton Dam Road be used for the parking of construction vehicles?	
		If construction will take place after dark, how will the site be lit, and what will the effects of the construction lighting be on the neighboring properties? What mitigation measures will be incorporated to reduce any impacts on the neighboring properties?	55.
56.	III.K-12	Will the Proposed Project require a five (5)-acre disturbance of land waiver?	
		Will a dust control plan be developed for this Project? How will the dust be mitigated besides wetting disturbed soil? Will there be air monitoring?	57.
58.		Will the Proposed Project include a phone number or contact information for neighbors to call if there are concerns or issues	
CHAPTER V: ALTERNATIVES			
		Section 167-5(B) prohibits the disturbance of extremely steep slopes without a waiver from the Planning Board and demonstration by the applicant of certain conditions. If the Alternative proposes to disturb extremely steep slopes, the Alternative layouts should be modified, or it should be noted	59.

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		that a waiver should be requested along with a narrative demonstrating that the Alternative meets the conditions outlined in Section 167-5(B).	59.
B. Alternative B: Conventional Layout Using R-15 Zoning District			
60.		Please confirm that this Alternative conforms to Section 176-18(F)(1) of the Subdivision chapter and Chapter 105, Freshwater Wetlands, Watercourses, and Water Body Protection. If not, please amend the layout to meet this regulation.	
		Please provide more information on the wetland, steep slope, and site disturbance.	61.
C. Clustered Development Based Upon R-15 Conventional Layout Density			
62.		Please confirm that this Alternative conforms to Section 176-18(F)(1) of the Subdivision chapter and Chapter 105, Freshwater Wetlands, Watercourses, and Water Body Protection. If not, please amend the layout to meet this regulation. This Alternative is supposed to analyze a clustered development based upon the R-15 conventional layout density (Alternative B).	
		Please provide more information on the wetland, steep slope, and site disturbance for this Alternative.	63.
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			
64.		Please provide more information on the wetland, steep slope, and site disturbance for this Alternative.	
CHAPTER VIII: EFFECTS ON THE USE AND CONSERVATION OF ENERGY			
B. Energy Use			
		Please provide more information on how the Proposed Project will meet the NY Stretch Code.	65.
66.		Please provide more information on the green building elements being proposed for the Proposed Project.	
		Will there be charging stations or opportunities for units to install charging stations?	67.
68.		Will there be solar panels?	
		Does the Proposed Project need to use gas? Can it use electricity or solar instead of gas?	69.
70.		Under "Sustainable Infrastructure," Section III.A-15, states the Proposed Project will use a roofing material of "white membrane heat-reflective roof lowering surface temperatures by up to 50% at peak times." The 3D graphics depict a shift in roof color. Clarify the shift in design strategy.	
		The 3D graphics show an expanse of exterior glass panels. The design provides a heat gain which is ideal for cold months but can be very	71.

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		uncomfortable for summer. Please state the target U-value for the building envelope and clarify how the design intends to reduce heat gain during warm weather.	71.
72.		Can the Proposed Project incorporate heat pumps, permeable pavement, native plants, and a reduction of mowing?	
		Please provide information on how this project is consistent with the goals of the Climate Leadership and Community Protection Act.	73.
74.		Front Entry Building glass wall: Which direction does this wall face (North/South/East/West)? What is the R-value and UV rating of the glass? Exactly where is it facing? Please indicate on the site plan so that the Planning Board can better assess possible impacts to the neighbors. Nighttime illumination from an interiorly lit glass wall will have negative impacts on wildlife. How do the plans to mitigate these impacts?	
		Building larger projects bring advantages. There is efficiency in construction, better material management, and better energy usage through consolidated implementation and maintenance. These translate to better dollar savings and eventually fewer greenhouse gas (GHG) emissions. This is also the best time to employ zero-net energy (ZNE) practices. Please provide more information on the integration of more efficient technologies that will be implemented in the Proposed Project. The final product may cost more, but it will be a huge boost to reducing GHG emissions and help reduce global warming.	75.
76.		It's good that you'll be utilizing smart thermostats. How many zones will the average house have? Having more zones increases comfort as well as efficiency.	
		Renewable energy sources like solar energy are available in abundance, and solar panels are becoming cheaper and more efficient. Solar technology should be offered as an upgrade for each unit. Has the Applicant looked into the Clean Energy Standards offered by NYSERDA to developers in pursuit of NYS' goal of generating 70% of its electricity from renewables by 2030? If so, please discuss what if any part of the program is being considered and if not, would this be a program worth considering as part of the proposed development program?	77.

APPENDIX B-4

Memorandum from Kimley Horn,
dated September 22, 2022

APPENDIX B-4



MEMORANDUM

To: Gareth Hougham, Chairperson
and Members of the Town of Ossining Planning Board

From: John Canning, P.E.
Andrea Connell, RSP
Kimley-Horn Engineering and Landscape Architecture of New York, P.C.

Date: September 2, 2022

Subject: River Knoll
40 Croton Dam Road, Town of Ossining, Westchester County, New York
SDEIS Substantive Review – Traffic and Transportation

Kimley-Horn Engineering and Landscape Architecture of New York, P.C. (Kimley-Horn) has completed its technical review of the traffic and transportation elements of the SDEIS (accepted June 2022) for the proposed River Knoll residential development to be located on the former Stony Lodge Hospital site at 40 Croton Dam Road in the Town of Ossining. This memorandum summarizes the findings of our substantive evaluation of the transportation section of SDEIS to determine that it was conducted following accepted methodologies and that these methodologies were correctly applied. Our review of the SDEIS also encompasses the proposed Site access.

Project Description

The Project site is comprised of 17.89 acres with 16.68 acres within the Town of Ossining and 1.21 acres within the Village of Ossining. The Applicant previously proposed to construct an apartment building on the property with 188 rental units, consisting of 169 market-rate units and 19 affordable units. Per the SDEIS, the Proposed Action is to consist of 95 age-restricted (55+) townhomes to be constructed on the 16.68 portion of the site within the Town. The Applicant (Hudson Park Group, LLC) proposes to put the 1.21-acre Village portion of the site into an open space easement.

Access to the property is currently provided via one driveway on Croton Dam Road. The Applicant proposes to reconstruct/widen the existing driveway and proposes to add two (2) emergency access only driveways; one connecting to Croton Dam Road to the north of the main site driveway and the second connecting to Narragansett Avenue. The Design Year for the Project is 2025.

The Traffic Impact Study (TIS) in Appendix D of the SDEIS provides analysis of nine (9) study intersections, including the existing site driveway intersection on Croton Dam Road. Three (3) study hours were evaluated (the weekday AM, weekday PM and Saturday Midday peak hours). The study locations and study hours are consistent with the study locations/hours analyzed for the previous apartment proposal for the site.

The following provides our comments on the key traffic and transportation elements of the SDEIS,

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including the TIS¹ in Appendix D, and **our recommendations regarding additional information that we believe should be included in the FEIS.**

Existing Conditions

Existing Traffic Volumes

The Existing traffic volumes in the TIS are derived from September and October 2016 counts conducted at the study intersections. Kimley-Horn compared the existing volumes to available weekday counts from the New York State Department of Transportation (NYSDOT) at three of the study locations to confirm the validity of the Existing weekday AM and PM peak hour volumes used in the TIS². This comparison indicated that the TIS existing volumes are generally higher than the NYSDOT counts. Therefore, we find the Existing volumes to be acceptable for use in the analysis. Although the Existing volumes are 6 years old, the Covid-19 pandemic has had an impact on traffic volumes in the region (essentially resulting in no change or a slight reduction in traffic activity since 2019) and we feel that the 2016 Existing volumes are appropriate to use in the analysis.

Peak Hours

The traffic counts reveal the following peak hours that were analyzed in the TIS:

- Weekday AM Peak Hour 7:15 to 8:15 AM
- Weekday PM Peak Hour 4:30 to 5:30 PM
- Saturday Peak Hour 10:30 AM to 11:30 PM

Public Transportation

The SDEIS notes that there are no public transit bus routes that travel along Croton Dam Road and that the Proposed Action is not anticipated to have significant impacts on public transportation.

The SDEIS also notes that school bus stops in the area won't be impacted by construction traffic traveling to and from the site as the construction traffic would generally arrive and depart outside of school bus traffic periods and that the Project won't add any school-aged children to the community or require new school bus stops.

Regarding school bus and construction activity, we note that the SDEIS (page III.K-1) states that "...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".

1. **Given the stated construction hours, it appears that school bus activity will coincide with construction traffic activity. We would recommend that the FEIS provide information on school**

¹ The traffic study information provided in the SDEIS transportation chapter (III.H) is generally repeated in the TIS, although the TIS also provides the supporting Figures, Tables and analyses.

² There were no Saturday or Sunday volumes available from the NYSDOT for the study area.

1. **bus stop locations in the study area and the morning and afternoon pick-up and drop-off times at each location with an evaluation of potential impacts and mitigation.**

Accident Analysis

The TIS provides an accident analysis for the study area intersections and roadway segments using data obtained from the Town/Village of Ossining Police Department from January 2009 to November 2017 and provides a separate accident rate calculation for the three-year period when the hospital was in operation and for a three-year period after the hospital had closed. The accident analysis identified the number of crashes that occurred at the study intersections and roadway segments between intersections and compared these crashes to the statewide average for similar types of intersections and roadway segments.

A review of the accident summary table (Table ARS in the TIS) indicates that there was a total of 38 crashes from 2009 to 2017, with 6 crashes occurring from 2009 to 2012 (covering the period when the hospital was in operation) and 32 crashes in the period after the hospital had closed. The intersection of Dale Avenue with Pine Avenue had the highest number of crashes (5); the roadway segment with the highest number of crashes was NYS 134 between Hawkes Avenue and NYS 9A with 19 crashes. All other intersections and roadway segments experienced 5 or fewer crashes. Surprisingly, the signalized intersection of NYS 9A and Croton Dam Road had only one (1) crash in the 8-year period. Six (6) locations were identified as having crash rates higher than the statewide accident rate.

We note that the accident data were obtained from the Town/Village Police Department which may not have included all records for the study area, most notably for the intersection of NYS 9A with Croton Dam Road. We recommend that the Applicant obtain accident records from the NYSDOT crash records database for all locations and redo the analysis to include any crashes that were not included in the TIS analysis. At locations where the calculated accident rate exceeds the statewide average, the Applicant should provide a discussion on whether there was a discernible pattern of crashes, discuss potential impacts from the Proposed Action and recommend any measures that could be implemented to reduce the frequency of crashes.

2.

Future Conditions

No-Build Traffic Volumes

The future 2025 No-Build traffic volumes were developed by applying a 1% annual growth rate to the 2016 Existing traffic volumes (9% total increase), adding the former Hospital trips and traffic to be generated by the Parth Knolls development. The Hospital trips were based on 2006 traffic counts conducted at the Hospital driveway.

We find No-Build volumes to be acceptable but note that the hospital has been closed since approximately 2012.

Project Trip Generation

The trips to be generated by the proposed Project were estimated based on the Institute of Transportation Engineers' (ITE) publication, *Trip Generation Manual*, Tenth Edition. ITE trip rates for

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Land Use Code (LUC) 252 “Senior Adult Housing – Attached” were used to determine the trips generated by the 95 townhouse units. The trip generations were compared to the trips generated by the property’s former use as a hospital and summarized in Table No. 1A in the TIS, which indicates that the Project will generate 19 trips during the AM peak hour, 25 trips in the PM peak hour and 32 trips during the Saturday midday peak hour. Compared to the hospital use, the Proposed Action is projected to generate 32 fewer trips in the AM peak hour, 35 fewer trips in the PM peak hour and 28 fewer trips in the Saturday peak hour.

According to the TIS, the Project trips were distributed to the study intersections based on existing traffic volumes, with 75% of the entering trips from the east and 25% from the west. Different directional distributions are used for the departing traffic, with 40% to the east and 60% to the west.

3. **We note that the Project trips are based on an older version of the ITE *Trip Generation Manual* (the 11th Edition is the current version). Regarding the imbalanced arrival and departure distribution percentages along Croton Dam Road, Kimley-Horn has reviewed the existing volumes entering and exiting Feeney Road/Pheasant Ridge Road (residential dead-end streets that would be a good data source in determining distributions for the proposed residential development) and we feel that there would be a similar directional distribution along Croton Dam Road for entering and exiting traffic (60% to/from the east and 40% to/from the west). It is recommended that the Applicant revise the trip distributions using the 11th Edition rates and either modify the distributions using a balanced flow or provide justification for using the imbalanced trip distributions. As the NYS Route 9A intersection with Croton Dam Road is a critical intersection, the Build analyses at this location should be revised to reflect the modified Project trips.**

Trip Comparison to Previous Apartment Proposal

Table 1 in the TIS provides the trip generations for the previous proposal for the site (188 apartments) which include a credit for shuttle bus trips to/from the train station. The Table reveals that the apartments would generate 83 trips during the AM peak hour, 103 trips during the PM peak hour and 84 trips during the Saturday peak hour, more than three times greater than the number of trips projected to be generated by the Proposed Action. The trip comparison is summarized below.

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Development	Trip Generations		
	AM Peak Hour	PM Peak Hour	SAT Peak Hour
<i>Compare to former Apartment Proposal</i>			
Previous Proposal - Apartments (188 units)	83	103	84
Current Proposal -Townhomes (age 55+) (95 units)	19	25	32
<i>Difference in Trips (Townhomes – Apts)</i>	-64	-78	-52
<i>Compare to former Hospital Use</i>			
Former Hospital Use	51	60	60
Difference in Trips (Apts – Hospital)	+32	+43	+24
Difference in Trips (Townhomes – Hospital)	-32	-35	-28

Build Traffic Volumes

The Project trips were added to the No-Build volumes and the hospital trips were removed to represent the future 2025 Build condition. We find the methodology to develop the Build volumes to be acceptable. **However, as noted above, it is recommended that the Applicant modify the trip generations and distributions, as appropriate.**

4.

Impacts & Mitigation

Capacity Analysis Results

Synchro 10 software (using Highway Capacity Manual 6 results) was used to conduct capacity analyses at the study intersections for the Existing, 2025 No-Build and 2025 Build conditions. The No-Build condition is the benchmark against which the potential impacts of the proposed Project are compared. The TIS provides copies of the Synchro worksheets and tables summarizing the level of service (LOS)³, delays and queueing at each study location. A review of the Synchro analysis reveals that the appropriate input parameters (peak hour factors, lane geometry, heavy vehicle percentages) were used in the analysis.

5. **We note that the Synchro version used for the analysis is an older version (Synchro 11 is the current version). It is recommended that, in revising the analyses of operating conditions at the**

³ Traffic operating conditions or LOS are graded by traffic engineering professionals on an “A” to “F” scale, with LOS “A” representing the best conditions and LOS “F” representing the worst conditions.

5. | intersection of NYS 9A with Croton Dam Road (discussed above), the Applicant use Version 11.

The following provides our assessment of the Synchro analyses for the study intersections and potential impacts from the Proposed Action.

Unsignalized Intersections

At the eight (8) unsignalized study intersections, the Synchro analysis for the Existing volume condition reveals that the minor street approaches at each location currently operate acceptably, at LOS “A” or “B” during the AM, PM and Saturday peak hours.

Under 2025 No-Build conditions with background traffic growth, traffic from Parth Knolls and the former hospital added, each intersection and approach will continue to operate at acceptable levels with minor increases in delay.

Under 2025 Build conditions, with the proposed Project traffic added to the No-Build volumes and the hospital trips removed, each intersection will continue to operate acceptably. Some movements will see slightly lower delays compared to the No-Build conditions with the hospital trips, as the Project will generate lower volumes than the hospital.

Signalized Intersection

At the signalized intersection of NYS Route 9A with Croton Dam Road (NYS 134), the Synchro analysis for the Existing volume condition reveals that the intersection currently operates at an overall LOS “C” during the AM and Saturday peak hours and at overall LOS “E” during the PM peak hour. For individual movements, LOS “F” is experienced on three (3) movements; the NYS 9A westbound left-turn lane (during each study hour), the eastbound NYS Route 9A left-turn lane (PM peak hour) and the westbound through movement (PM peak hour).

Under 2025 No-Build conditions with background traffic growth, traffic from Parth Knolls and from the former hospital added, the overall intersection LOS will remain at Existing levels, except during the AM peak hour where a 14.7 second increase in delay will trigger a LOS change from Existing LOS “C” to LOS “D”. During each study hour, some movements will experience significant increases in delay, resulting in a degradation in LOS. LOS “F” conditions will be experienced on an additional two (2) movements, the Croton Dam Road northbound and southbound shared left-turn/through/right-turn lanes (AM and PM hours).

Under 2025 Build conditions with the proposed Project traffic added to the No-Build volumes and the hospital trips removed, the overall intersection LOS will remain at No-Build levels, with slightly lower delays than No-Build conditions with the former hospital use (delay reductions from 1.4 to 6.2 seconds). Most of the individual movements will see reduction in delays compared to the No-Build condition, although LOS “F” conditions will continue to be experienced on the westbound left-turn (during all peak hours), the westbound through movement (PM peak hour), westbound left-turn (PM peak hour), eastbound left-turn (PM peak hour) and the northbound and southbound Croton Dam Road approaches (AM and PM peak hours). On the Croton Dam Road northbound approach, delays will be noticeably reduced during the AM and PM peak hours compared to the No-Build condition. Based on a

comparison of the No-Build to Build analyses, the Applicant has determined that the proposed redevelopment of the property from the former hospital to 95 age-restricted townhomes will not have a significant impact at this intersection and is not proposing any mitigation measures.

The analyses provided in the TIS indicate that the proposed redevelopment of the site will not have a significant adverse impact on traffic conditions at the Route 9A intersection with Croton Dam Road. However, this should be confirmed by making the changes to trip generation and trip distribution previously discussed. A further comparison of the hospital and Project trips added to this intersection reveals that the former Hospital adds 32 trips during the AM peak hour and 35 trips during the PM and Saturday peak hours while the Proposed Action is projected to add 10 AM, 15 PM and 20 Saturday trips to the intersection, or 69%, 57% and 43% fewer trips, respectively, compared to the hospital.

6.

Build Analysis with Previous Apartment Development

The Applicant conducted Synchro analyses for the Build condition with the previous proposal for the site (188 apartments). The analysis results (provided in Tables 2 to 4 in the SDEIS (pages III.H.16 to III.H.18)) for the unsignalized intersections reveal that all approaches will operate similar to the Build condition with the Proposed Action (at LOS "A" or "B").

At the signalized intersection of NYS 9A with Croton Dam Road, the analysis indicates that most individual movements will experience higher delays when compared to the Build condition with the Proposed Action. The delay increases will generally be on the order of 1 to 5 seconds except for the Croton Dam Road northbound approach where delays will increase significantly, by 37.6 seconds in the AM peak hour and by 34.2 seconds in the PM peak hour. One movement, the westbound NYS 9A left-turn lane, although it will continue to operate at LOS "F", will have fewer delays compared to the Build condition with the Proposed Action (22.6 seconds lower in the AM peak hour, 24.3 seconds lower in the PM peak hour and 12.8 seconds lower in the Saturday peak hour).

Build Analysis with Previous Intersection Improvements

Per the adopted Scope, the Applicant conducted Synchro analyses for the NYS 9A intersection with Croton Dam Road with the intersection improvements that were previously proposed for the 188-unit apartment development. The previous improvements called for widening both approaches of Croton Dam Road to provide a shared left-turn/through lane and an exclusive right-turn lane and reducing the cycle length of the traffic signal. The results (shown in SDEIS Tables 2 to 4) indicate that with the improvements, the intersection will see improved conditions during each peak hour, most notably during the PM peak hour where the overall intersection is projected to operate at LOS "D" (compared to LOS "E" experienced under Existing, No-Build and Build conditions).

Queuing Analyses

The Synchro analyses provide queuing results for the average queue (50th percentile) and maximum queue (95th percentile) for each lane/lane group at the study intersections and compares the projected queues to the available storage lengths. A review of the queuing results provided in Tables 5 to 7 in the TIS reveal that, at the unsignalized intersections, the average and maximum queues are acceptable

as they do not exceed the available storage.

At the signalized NYS 9A intersection with Croton Dam Road, the queues on the NYS 9A eastbound left-turn lane exceed the 110-foot storage length under Existing, No-Build and Build conditions for each peak hour. The Build queues will be identical to the No-Build queues during each peak hour. Due to the short (78-foot) storage length on northbound Croton Dam Road from NYS 9A and the adjacent Kitchawan State Road intersection, the queues on the northbound Croton Dam Road approach to NYS 9A extend well beyond Kitchawan State Road during the peak hours under Existing, No-Build and Build conditions. Under the Build conditions during the AM peak hour, the maximum queue will increase from a No-Build queue of 309 feet to 533 feet, a 224-foot increase. During the PM and Saturday peak hours, the queues will be similar to or less than the No-Build queues.

7. **As the Project will significantly increase the northbound queues during the AM peak hour, it is recommended that the Applicant explore mitigation measures with NYSDOT, such as AM signal retiming to increase the green time for the northbound approach and/or adding “Do Not Block the Box” signage and striping along northbound Croton Dam Road at the Kitchawan State Road intersection.**

Sight Distance Analysis

An analysis of the site driveway was conducted to identify the available and required sight distances to ensure that there will be sufficient visibility provided for motorists entering and exiting the driveway as well as traveling along Croton Dam Road. The sight distances were calculated based on a speed study along Croton Dam Road and using standards provided by the American Association of State Highway and Transportation Officials (AASHTO). The required sight distances were added to a plan provided in the TIS appendix.

The TIS on (page 16) indicates that the required intersection sight distance (ISD) for vehicles exiting the driveway is 474 feet to the north (looking right) and 411 feet to the south (looking left). Our calculations indicate similar results for the ISD (475 feet to the right and 415 feet to the left on Croton Dam Road). It appears that the required stopping sight distance values for drivers travelling on Croton Dam Road are incorrect. The TIS reports that 335 feet are required in either direction, which is based on a level (0%) grade along Croton Dam Road. Our calculations indicate that a required stopping sight distance of 310 feet in the northbound direction and 375 feet in the southbound direction (assuming a 6% uphill and 6% downhill grade, respectively).

- It appears that adequate sight distances will be provided (415 feet to the left and 475 feet to the right), provided that the stone wall and pillars are moved out of the sightlines and the vegetation along Croton Dam Road is removed/kept clear from the driver’s sightlines.**

8.

Site Plan

Pedestrians and Bicyclists/Complete Streets

The SDEIS provides a discussion on the Town’s Complete Streets Policy as well as the proposed

pedestrian and bicycle facilities within the property. As shown on the site plan, the Applicant proposes to construct a sidewalk connecting the clubhouse parking lot to the clubhouse and indicates that a bicycle rack will be added at the clubhouse. The SDEIS notes that the site's internal roadways will be 26-feet wide and, since the Project generates a low amount of traffic, that "...pedestrians and bicyclists could share utilization of the 26 foot wide roads..." The SDEIS also notes that pedestrian and bicycle use of the two proposed emergency access roads is anticipated.

9. **To improve safety, we would recommend that a sidewalk be added along the internal road from the area of Unit 65 to the clubhouse to provide a safer walking route for the residents. A sidewalk is also recommended for the section of roadway between Units 32 and 59 as well as between Unit 1 and the emergency access to Narragansett Avenue. It is also recommended that crosswalks be added to the approaches to the T- intersection near the clubhouse.**

The Applicant should indicate if on-street parking will be permitted along the internal roadways or if parking is to be prohibited during any or all hours of the day.

Alternatives

The SDEIS provides a trip generation comparison (Table V-1) of the Proposed Action to Alternatives A through E. The table indicates that the Proposed Action will generate fewer trips than each of the Alternatives. **The Applicant should indicate if the trip generations are based on the current 11th Edition of the ITE Trip Generation Manual or on a previous version and update the table to reflect the current ITE trip rates.**

10.

Construction Traffic

11. Chapter III.K of the SDEIS provides information on the construction traffic expected and the route taken to/from the site. All trucks will use either NYS Route 9 or NYS Route 9A and travel on Croton Dam Road to the site. **We note that signage prohibits trucks exceeding 5 tons from traveling along Croton Dam Road.**

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Letter from the Town of Ossining
Environmental Advisory Committee,
dated September 5, 2022



**The Town of Ossining
Environmental Advisory Committee**

September 5, 2022

Carolyn Stevens, Chairperson
Town of Ossining Planning Board
Route 9A – P.O. Box 1166
Ossining, New York 10562

RE: River Knoll
40 Croton Dam Road, Ossining, New York

Dear Chairperson Stevens,

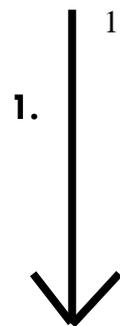
On behalf of the Town of Ossining Environmental Advisory Committee (EAC), we have reviewed the Supplemental Draft Environmental Impact Statement (SDEIS) currently before the Planning Board, dated June 2022, submitted by applicant Hudson Park Group LLC, for the proposed ninety-five-unit project, River Knoll, 40 Croton Dam Road. In addition, members of the EAC conducted a site walk with applicant Hudson Park, LLC, Glen Vetromile, on August 22, 2022. The findings of the EAC are below.

Firstly, the EAC commends the developer for his commitment to and implementation of environmental conservation measures, such as improved green space designs and storm water mitigation plans in the southern, western, and northern parts of the site. These areas appear to include existing natural buffers and updated drainage systems to support the new construction and nearby roads of the lower-lying neighborhoods.

Despite the above, the EAC has identified significant environmental concerns, including the disturbance of steep slopes at the east and northeast parts of the site, elimination of numerous mature trees, and its proximity to the lower-lying established neighborhoods. In addition, several other environmental issues regarding this proposed project have been identified. Below are details of our findings and concerns with respect to the proposed plan.

I. ENVIRONMENTAL CONCERNS

- 1. **DISTURBANCE OF EAST/NORTHEAST FACING STEEP SLOPE** - includes the construction of fifty-three units, i.e., more than half of the total proposed ninety-five units, on this currently wooded steep slope. The potentially negative environmental impacts are as follows:
 - a) **Significant irreversible regrading** of existing moderate, very, and extremely steep slopes, potentially containing underlying bedrock, would likely destabilize the slope, and significantly disturb existing fauna and other natural habitats. Per





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The Town of Ossining Environmental Advisory Committee

1.

Town Codes §167 Steep Slopes Protection, minimal disturbance of these steep slopes should be achieved to ensure a reasonable use of the property.

 - b) **Clearcutting of slope**, i.e., approximately four hundred trees to be removed, will likely result in further destabilization of the steep slopes, disturbance, and dislocation of existing wildlife, fowl, and other fauna. Per Town Codes §183 Tree Protection, minimal disturbance of these stabilizing trees should be achieved to ensure a reasonable use of the property.
 - c) **Increased potential runoff and soil erosion** from significantly altered steep slopes, with increased impervious surfaces, may negatively impact lower lying neighborhoods, noting a “bowl-like” dip at Second Avenue where the dead-end part of the street meets the bottom of the slope.
 - d) **Construction of sizable retaining wall** to support the proposed 53 units, roads, and disturbed slopes. The wall design includes:
 - i. two-tiered structure,
 - ii. over 750 feet in length,
 - iii. nearly 40-foot high wall, top to bottom
 - e) **Elimination of natural buffer** leaves minimal open space between above retaining wall and 53 units, and lower-lying neighborhood, i.e., negatively impacting natural habitat, existing residents’ viewshed and darkness at night.
 - f) **Minimal set back** of less than twenty feet, between 40-foot-high retaining wall and 53 units, and the property line, would likely encroach on existing wildlife habitat, and lower-lying neighborhood, including dead-end streets of First and Second Avenue.
2. **RETAINING WALL PLANTING PLANS** – this proposal includes the planting of trees on/along the retaining wall structures.
 - a) Through tree root growth and expansion, the stability and longevity of the retaining walls would likely be compromised.
 - b) The proposed plantings are not expected to provide sufficient screening for the lower-lying neighborhoods.
3. **MATURE EXISTING TREES** - the EAC noted on the site walk the existence of mature trees that may be preserved, e.g., pines/evergreens, magnolias, etc., along the western and northeast facing slope and other parts of the site.
4. **POTENTIAL NEGATIVE IMPACT OF FLOOR TO CEILING GLASS STRUCTURES** - the proposed glass windows may act as reflectors during the day and be a potential hazard for birds in flight, and lights from these structures will likely impact dark sky at night and be visible in lower-lying neighborhoods (see above concern regarding elimination of natural buffer).



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5. | 5. **SWALE MAINTENANCE PLAN** – excessive mowing of these meadows and other conditions may produce negative environmental impacts.
6. **OUTDATED VEGETATION AND WILDLIFE INVENTORIES** – the inventories in the SDEIS are sourced from over five years ago, i.e., September 2015 through April 2017, reference “*Executive Summary; Vegetation and Wildlife*”, p. I-13, and “*Project History and Proposed Project Description*”, p. II-17, also noting the proliferation over the past few years of various invasive species throughout the site. | 6.
7. | 7. **TREE INVENTORY** – over seven hundred regulated trees have been listed in the SDEIS to “remain” or be “removed”, forty and sixty percent, respectively. The identity and health of the trees and overall replanting plan should be corroborated.

II. EAC RECOMMENDATIONS

1. **REDUCE FOOTPRINT ON EASTERN AND NORTHEAST FACING SLOPE**
- a) Significantly reduce the number of proposed units and construction on this slope.
 - b) Maximize buffer and open space between this proposed development and the lower-lying neighborhood along First, Second, Pershing and Narragansett Avenues.
 - c) Minimize and significantly reduce amount of land disturbance, tree removal, potential run-off, and erosion.
 - d) Minimize and reduce size of proposed retaining wall on slope.
 - e) Optimize set back of proposed buildings from residential areas as mentioned above.
8. |
9. | 2. **MODIFY RETAINING WALL PLANTING PLANS**
- a) Minimize root impact over the long term, and plant suitable trees and shrubs as part of this landscaping design.
3. **PRESERVE MATURE EXISTING TREES**
- a) Protect mature, functional trees and shrubs on the site that may be marked for removal or threatened by foreseeable construction. | 10.
11. | 4. **EVALUATE POTENTIAL NEGATIVE IMPACT OF FLOOR TO CEILING GLASS STRUCTURES**
- a) Minimize negative environmental impacts from reflective glass, and optimize dark sky at night for wildlife and lower-lying neighborhoods.



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- 12.
5. **CREATE AND ESTABLISH SWALE MAINTENANCE PLAN**
- a) Minimize mowing and follow good management practices (GMP) to optimize environmental benefits.
 - b) If needed, the outside opinion of an expert in the field is advisable.
- 13.
6. **UPDATE VEGETATIVE, HABITAT, INVASIVE SPECIES INVENTORIES**
- a) An inventory of vegetation and habitat species should be conducted to supersede outdated findings.
 - b) Update the review of the identified wetland in the northeastern portion of the site and its fauna in the springtime when standing water is more likely present and habitat breeding more prevalent, rather than in October and December.
 - c) Remove and prevent the migration of existing invasive species using GMP.
- 14.
7. **SOLICIT TOWN TREE WARDEN EXPERTISE**
- a) The Town Tree Warden may:
 - i. Confirm the identity of trees to be saved,
 - ii. Identify healthy trees that should not be removed, and
 - iii. Evaluate trees to be removed to fully comply with above mentioned Tree Protection Code.
- 15.
8. **PROVIDE AND CREATE OVERLAY MAPS**
- a) Review overlay topographical maps of existing site and proposed project to better understand the before and after environmental conditions of this area, e.g., disturbed steep slopes and tree inventory, if applicable.
- 16.
9. **SCHEDULE LATE FALL SITE WALK** – since the SDEIS was submitted in June 2022, it should be noted that foliage has been in full bloom, and slopes have been screened with mature trees. Site walks of this proposed project site, including its surrounding neighborhoods, after the leaves have fallen, are strongly recommended. Potential environmental impact concerns of the proposed construction of 95 units, and particularly the 53 proposed units on the east/northeast slopes, may be further evaluated during the late October/November months.
- 17.
10. **SOLICIT TOWN ARCHITECTURAL REVIEW BOARD** input on this proposed project.

III. SUMMARY

The EAC recommends that the footprint along the east/northeast steep slope with its fifty-three units be reduced considerably to strike an enhanced environmentally balanced design of this proposed project. Although this proposal includes improved drainage and reduced



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The Town of Ossining Environmental Advisory Committee

areas of impervious surfaces in other parts of this site, resulting in minimal disturbance of existing steep slopes and trees, the EAC strongly recommends that the same environmental conservation measures and balance be applied to the east/northeast slope. The EAC recommends reconsidering the proposed number of units, retaining wall size, and significant disturbance of this east/northeast steep sloped area.

This existing forested east/northeast steep slope on the site towers over and is in close proximity to a lower lying, well-established neighborhood. Preservation of this existing steep slope, its fauna and trees, and maintaining a functional, attractive buffer between the proposed development and existing residents below, particularly on First, Second, Pershing, and Narragansett Avenues, would result in improved land stability and environmental protection.

Additional EAC recommendations include the further protection of existing natural resources, environmentally/green friendly design and maintenance practices, and enhanced mapping capabilities, if applicable. The input of the Town's Architectural Review Board, along with independent experts in the environmental field, is advisable.

The EAC supports the preservation and protection of the natural resources of the entire site, including the steep slopes which lie to the east/northeastern part of the property. Such initiatives would help strike the needed balance between development, growth, and impactful environmental conservation in the Town of Ossining and beyond.

Thank you for this opportunity to comment.

Yours truly,

Mitzi Elkes
Chairperson, Environmental Advisory Committee

cc: Dana Levenberg, Town of Ossining Supervisor
Jim Bossinas, member
Manny Enriquez, member
Jason Mencher, member (alternate)
Donna Sharrett, member
Valerie Monastra, AICP, Nelson, Pope & Voorhis, LLC, Town Planner
Katherine Zalantis, Silverberg, Zalantis LLP, Planning Board Attorney
Daniel Ciarca, P.E., Consulting Engineer
John Hamilton, Building Inspector
Sandy Anelli, Planning Department Secretary
Members of the EAC

APPENDIX B-6

Letter from the Town of Ossining
Town Board, dated
September 6, 2022



APPENDIX B-6 TOWN OF OSSINING

The Volunteer Spirited Town

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Dana A. Levenberg
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Council Member

Jennifer Fields-Tawil
Council Member

Angelo A. Manicchio
Council Member

Gregory G. Meyer
Council Member

September 6, 2022

Town of Ossining Planning Board
c/o Sandra Anelli, Planning Board Secretary
via e-mail: SAnelli@townofossining.com

Dear Planning Board members:

The Town Board submits these comments in response to the Supplemental Draft Environmental Impact Statement ("SDEIS") dated June 2022 for the proposed River Knoll development at 40 Croton Dam Road. The Town Board held two work sessions on this matter, including at its August 9, 2022 meeting at which the principal of the applicant, Glen Vetromile, made a presentation to the Board. These comments are based upon the Town Board's role as the legislative and policy-making Board of the Town and an involved agency that will be tasked with considering the Applicant's proposed zone change should the proposed project proceed to that point. The below comments should be addressed by the Applicant and comprehensive responses included in the Supplemental Final Environmental Impact Statement ("SFEIS").

Comprehensive Plan/Zoning

1.
 - While there is reference in the SDEIS to the new comprehensive plan adopted by the Town Board in May 2022, most of the references in the SDEIS are to the Town's former comprehensive plan, which is no longer controlling. The Town engaged in a thorough and lengthy multi-year process to adopt this comprehensive plan and the SDEIS should address it in greater detail and substance. This is especially important given that any zone change considered by this Board would have to be consistent with the current comprehensive plan. Many of the comments raised herein are based upon objectives and goals in the current comprehensive plan.
 - There is reference to the possibility of needing variances. If that is the case, the Town Board should know what variances would be needed in order to assess the potential impacts from the zone proposed change. While we understand the needed variances could change based upon changes made to the plans through the SEQRA process, the Applicant should be able to assess based upon the current proposal what variances would be needed, if any. In addition, if variances are needed, that would make the Zoning Board of Appeals an

2.

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- involved agency that should have an opportunity to review and weigh in on this project during the SEQRA process, if so desired. | 2.
3. | • Please address the comments from Westchester County Planning Board in the SFEIS. |
- Please identify if any of the alternatives discussed in the SDEIS that are comparable to the Village of Ossining zoning districts that are in close proximity to the Property. | 4.
5. | • Other than the increased tax revenue and providing affordable units – which are required by Code for any residential development – identify the benefits to the Town from this development.

Residency

- The Applicant is proposing this development for 55 and over. How will this be implemented and enforced? What will the restrictions be? Does everyone residing on the Property have to be over 55? Can individuals under 55 reside in the units? Will there ever be school-aged children residing in the units? If not, how will this be ensured? There is reference to the Housing for Older Persons Act. Please explain how that will be applied to this development. | 6.
7. | • The design of the town homes, 3-story units with a lot of stairs, do not appear to be conducive to individuals 55 and over who want to age in place. Can the units be designed to better accommodate the demographic that will be residing in these units? If someone has to install an elevator because they cannot maneuver the stairs, what would the cost be and who would bear that cost? Will the elevators be wheelchair accessible?
- The Town Board is concerned that the price of the units is too high and beyond the reach of Town residents wishing to downsize and remain in the community. The size of the units should be reduced so that the price of the units will likewise be reduced. | 8.
9. | • Given how expensive the townhomes are going to be, there should be an increase in the percentage of affordable units to provide greater accessibility for local residents.
- The units designated as affordable should be spread throughout the proposed development and must comply with the Code regarding the size and design requirements as compared to the market-rate units. The affordable units should be constructed in conjunction with the market-rate units, not at the end of construction. | 10.

Traffic

11. | • While there are now proposed to be fewer units than the 188 that was previously proposed, 95 townhomes is still a lot of additional people – and cars – in the community and this specific area that already deals with a lot of traffic congestion. And because of the size of the townhomes, there could potentially be more people living in each unit than in the prior proposal. In light of this, the Town Board would like to see the improvements to the Route 9A intersection that were proposed as part of the previous proposal reincorporated into the project.
- The Town Board would also like to see the Town’s traffic engineer’s comments on the SDEIS as it relates to this issue. | 12.

Layout of Development

APPENDIX B-6

13. • Instead of making the previous proposal (one building on the top of the hill) smaller, the Applicant completely redesigned the project and the Property. While this did reduce the number of units, with the townhome layout the units are now spread out over more of the property. This means more fill and retaining walls, more impervious coverage, more stormwater runoff, more tree removal and less open space. So while the impacts to traffic and schools may be less (however, see discussion on Traffic), it appears there are greater environmental impacts on the Property from the current proposal. Is there a middle-ground? Whether that means fewer units or smaller units to preserve more open space and the green buffer.
- While the Applicant is proposing to plant trees to offset the trees that will have to be removed, the trees being removed are mature trees. Can removal of any of these trees be avoided? What is the impact of replacing mature trees with younger trees? Do they absorb as much water? Please also be aware of Town Code 184-12(G) that sets forth the minimum tree replacement requirements, and if those requirements are not met, a payment will have to be made to the Town's tree bank fund in the amount of \$165/caliper inch. 14.
15. • In light of recent occurrences in other parts of the Town, the Board is particularly concerned about the stability of the proposed retaining walls. Please explain how the stability of the retaining walls will be ensured in perpetuity. What would the impact be if any of the walls were to fail?
- The Board is concerned about the amount of fill being proposed, particularly near 1st and 2nd Avenue. What, if anything, will the long-term impacts be of developing the residential units on top of fill – both fill that is relocated from other areas of the site and fill that is brought onto the site? For the fill brought onto the site, where will it come from? Will it be inspected to make sure it is safe? How will introducing fill onto the Property to allow for the development change the topography of the property and therefore the visual impacts to the community? 16.
17. • The farmhouse design of the townhomes do not appear to be consistent with the character/design of the neighborhood or other townhomes in the area.

Construction/Environmental Considerations

- The Town Board adopted the NYStretch Energy Code and any development in the Town must comply with those standards that are more stringent than the State Energy Code. 18.
19. • The SDEIS stated that the project would have gas service through Con Edison. The Town would like to see new developments be more environmentally sustainable, and therefore the Applicant should consider having the development be electric.
- The Applicant should consider having the development be LEED certified. 20.
21. • Along these lines, at the time the Applicant is doing the construction you should consider implementing infrastructure for charging electric vehicles so that you have the pieces in place to accommodate them over the long-term – this is something to Town Board raised in its comments on the DEIS.
- Please consider other mobility options like electric bikes and/or electric scooters, and providing infrastructure to accommodate them on the Property. 22.
23. • To the extent there is blasting, a process should be put in place to document and photograph the condition of other properties within a certain radius in advance to ensure if there is any damage as a result of the blasting it will be remedied by the Applicant.

APPENDIX B-6

- At this stage in the process, is it possible to provide any more detail on the anticipated construction process. Will the townhomes be built in stages? Is there a sequencing of which areas will be developed in which order? **24.**
- For construction, the Applicant should hire local contractors/workers and enter into labor agreements to ensure prevailing wage is adhered to. **25.**

Sincerely,

A handwritten signature in black ink, appearing to read 'Dana Levenberg', with a long, sweeping flourish extending to the right.

Dana Levenberg
Supervisor
Town of Ossining

APPENDIX C

“Context Model” Visual Analysis,
dated 12/22/2022,
by BCT Design Group



Town of Ossining

Context Model

12.22.2022

prepared for:

HUDSONPARK



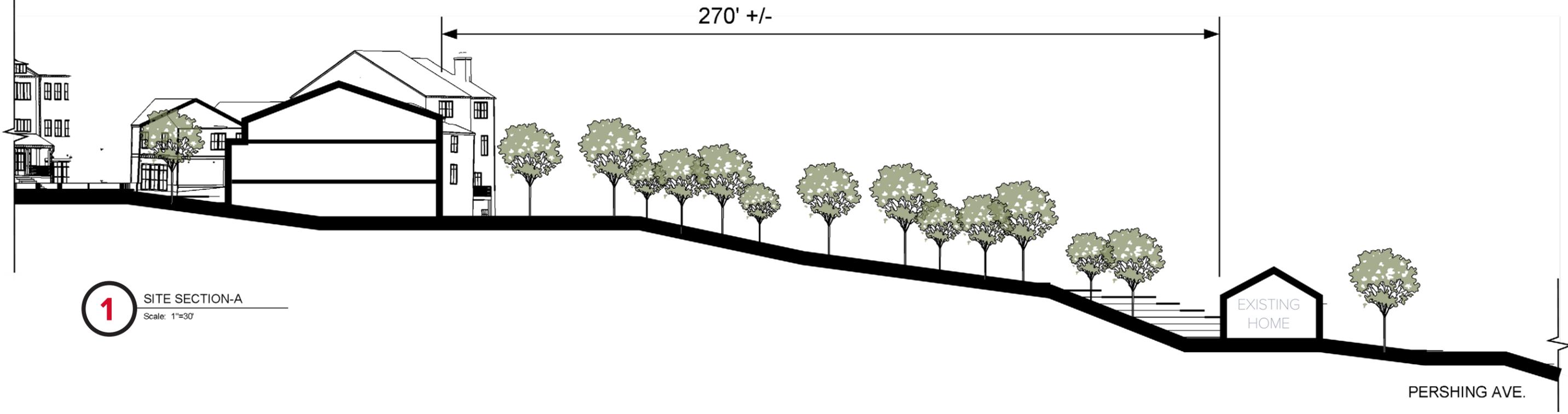
VIEW 01



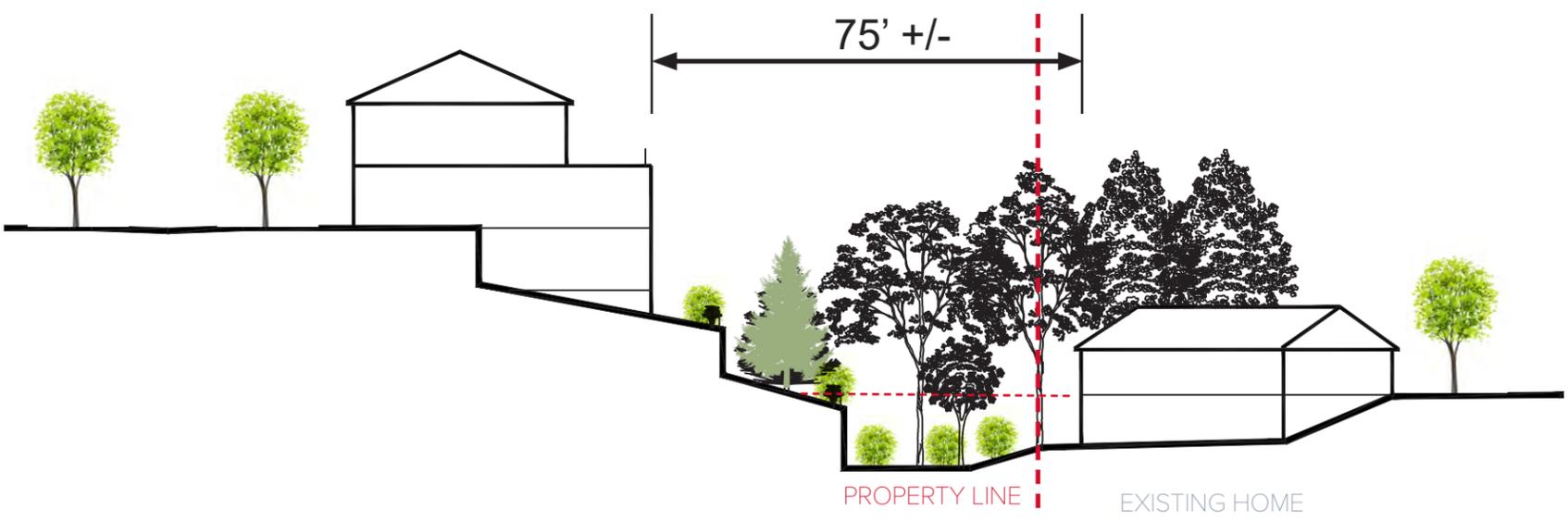
VIEW 02

SCALE 1"=150'





1 SITE SECTION-A
Scale: 1"=30'



2 SITE SECTION-B
SCALE 1"=30'

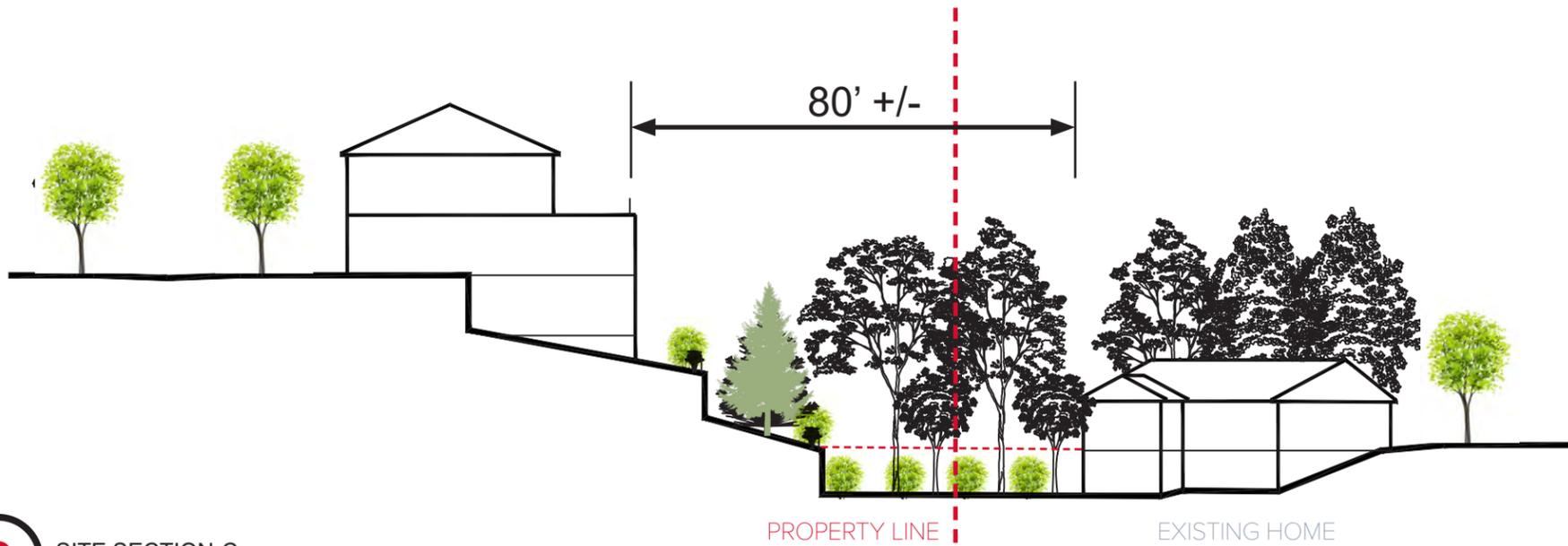


KEY PLAN

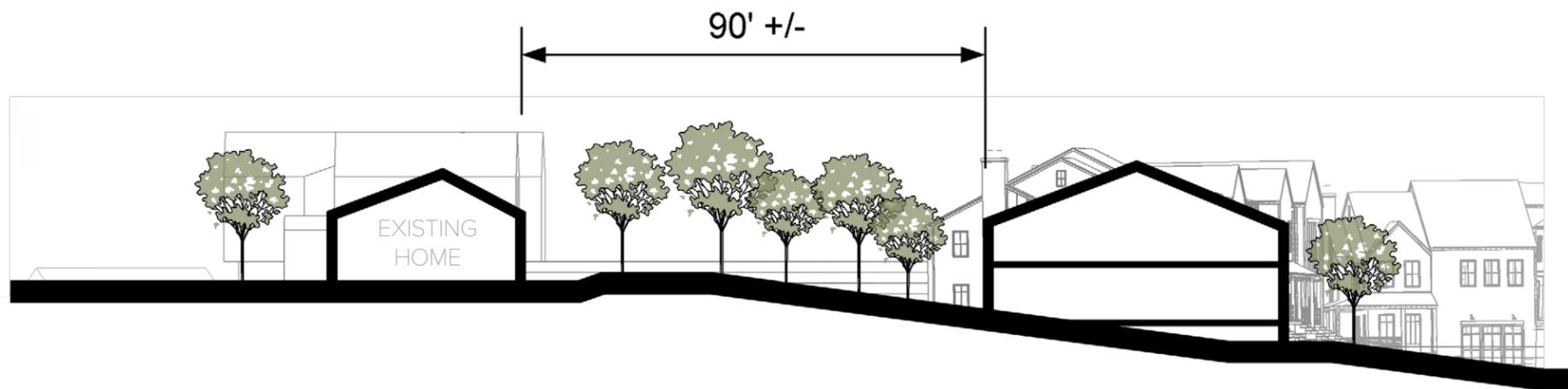
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SCALE 1"=30'

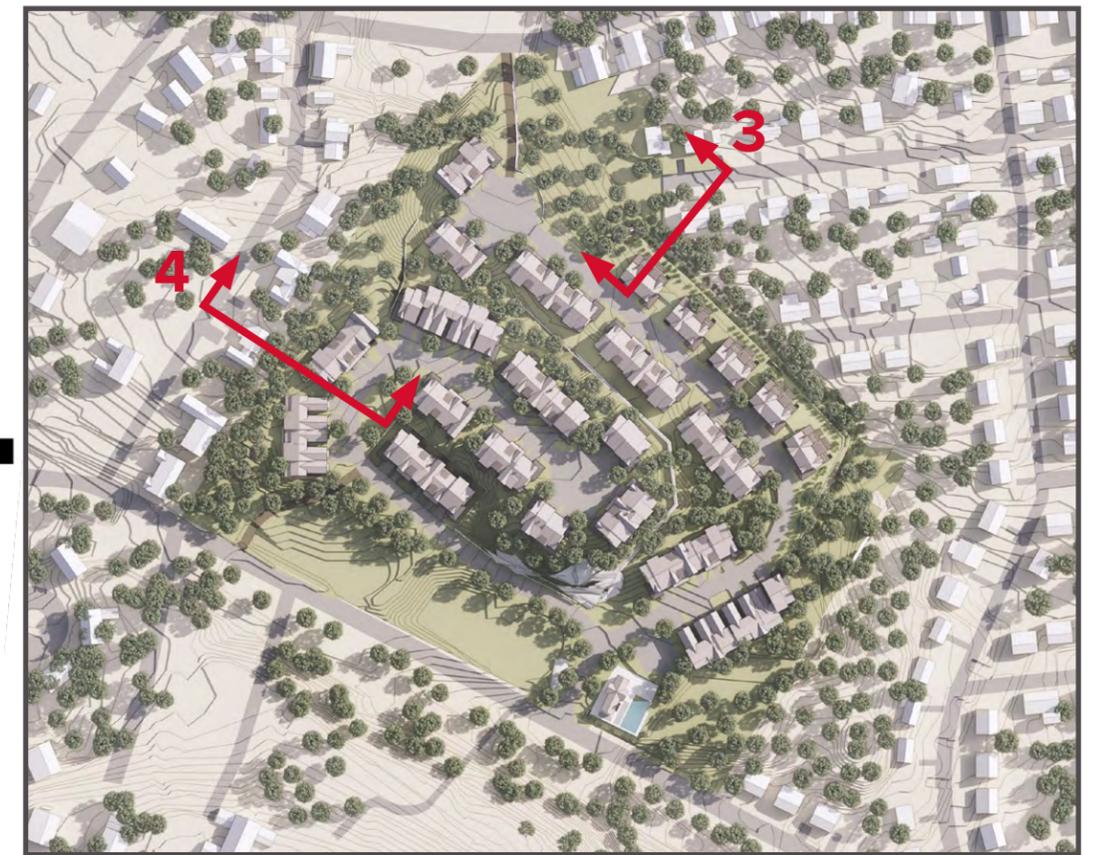




3 SITE SECTION-C
SCALE 1"=30'



4 SITE SECTION-D
Scale: 1"=30'



KEY PLAN

SECTIONS

SCALE 1"=30'





CROTON DAM RD.

VIEW 03



VIEW 04



NARRAGANSETT AVE.

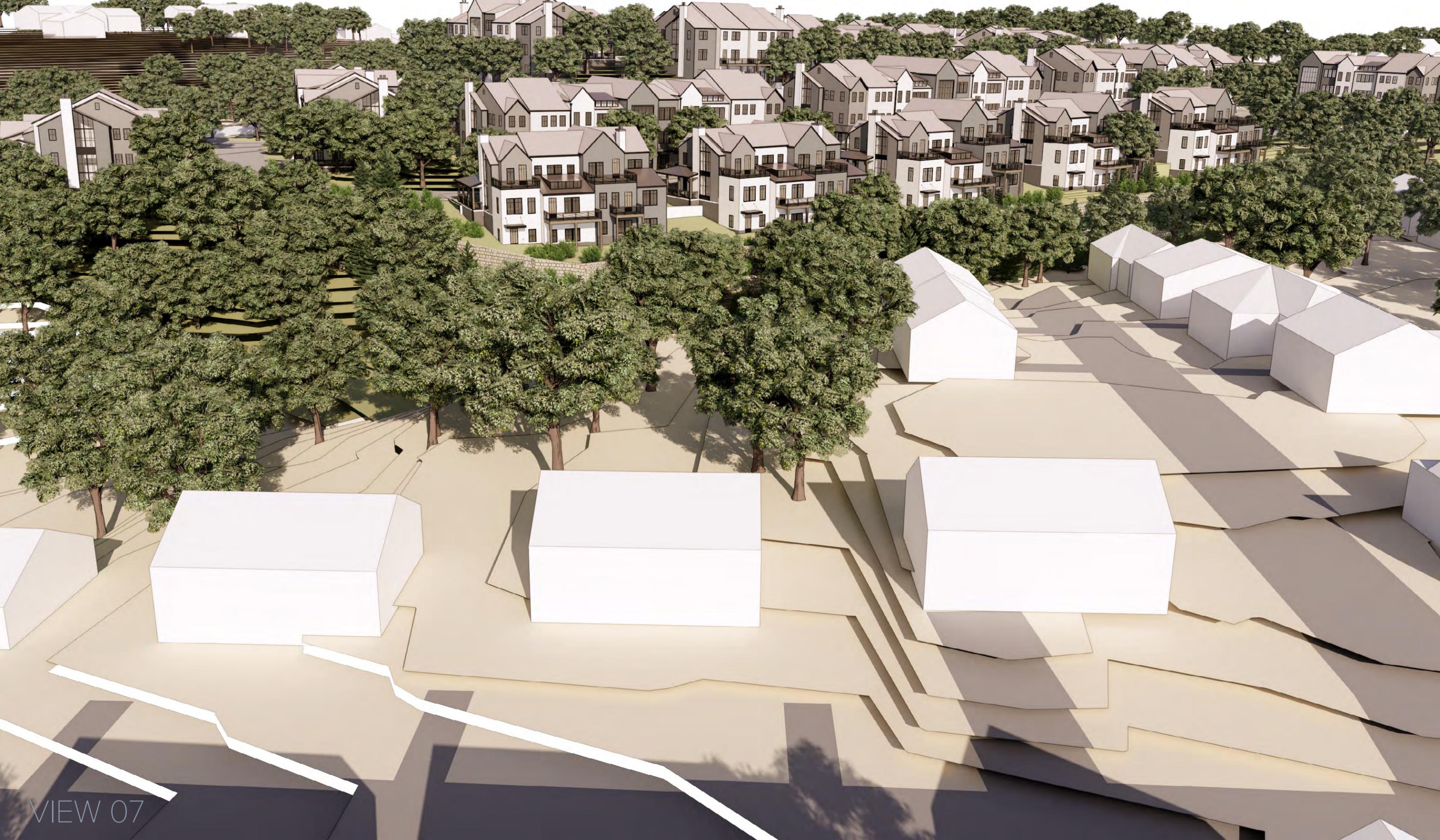
VIEW 05



SECOND AVE.

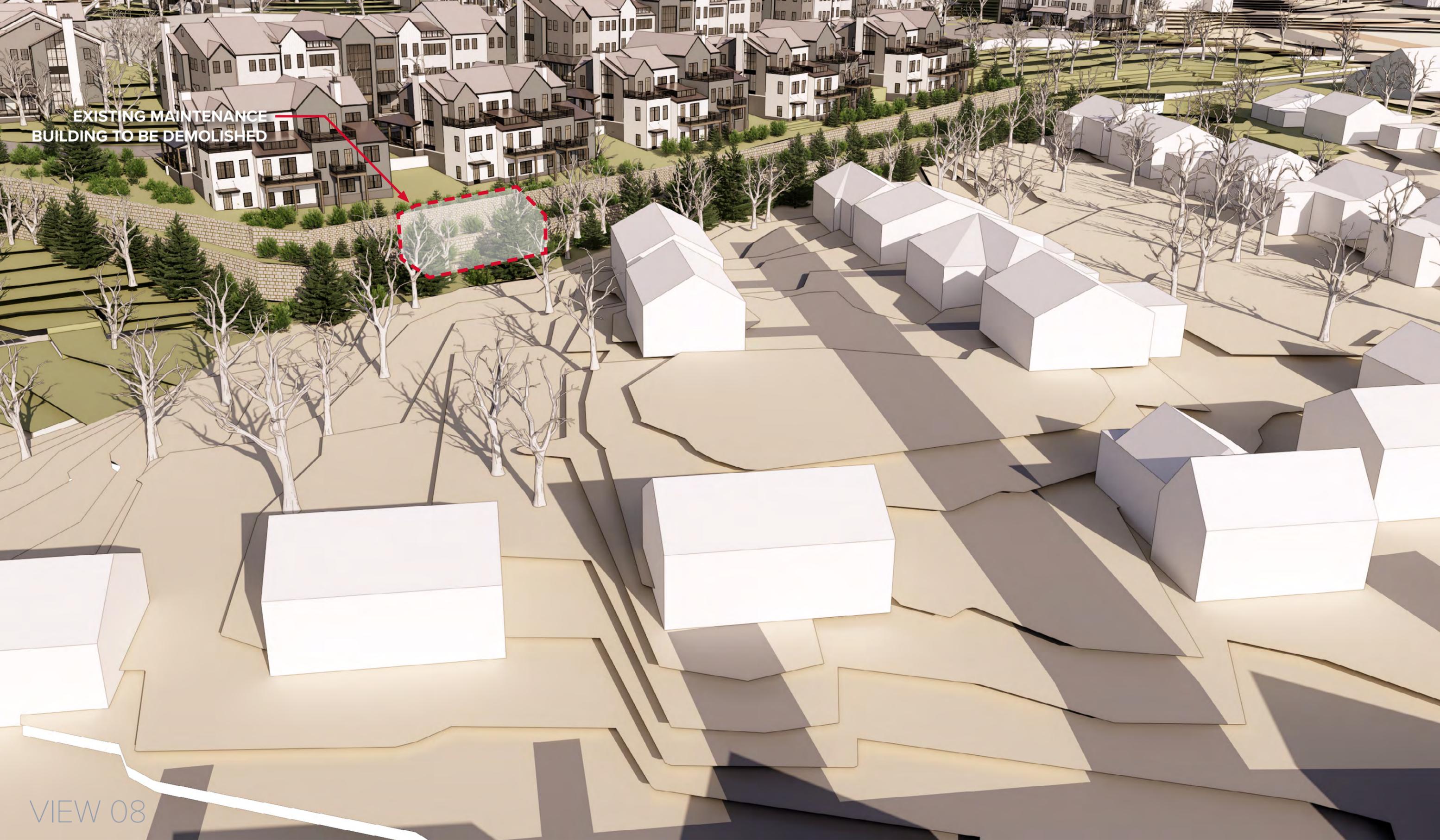
PERSHING AVE.

VIEW 06



VIEW 07

EXISTING MAINTENANCE
BUILDING TO BE DEMOLISHED



VIEW 08



THANK YOU

100 N. Charles Street, Baltimore, Maryland 21201

