

APPENDIX X

Comprehensive Plan
Amendment

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April 27, 2009

Mr. Alan Simon
Director of Building Planning & Zoning
Ramapo Town Hall
237 Route 59
Suffern, NY 10901

Re: Comp Plan Amendments pertaining to Patrick Farm

Dear Mr. Simon,

The Applicant, Scenic Development LLC, is proposing the construction of 497 residential units including 87 single family homes and 410 multifamily units composed of 314 market rate townhouse units for sale, 72 workforce condominium flats for sale and 24 rental units to meet the needs of community service workers. The 208.5 acre project site, known locally as Patrick Farm, is located southeast of US Route 202 and west of NYS Route 306 in the unincorporated Town of Ramapo, Rockland County, NY. The entire portion of the site to be developed is currently zoned R-40. The project sponsor is requesting a zone change on 61.3 acres in the center portion of the site to provide multifamily housing, consistent with the need for a diversity of housing unit types and price points to meet the needs of the general population including workforce and community service workers. The project concept includes an envelope of single family homes along the perimeter of the site designed to serve as a transition between the surrounding single family neighborhoods with the proposed multifamily housing units proposed in the center of the project site.

Purpose of the Project Sponsor

It is the purpose and objective of the project sponsor to construct a high-quality mixed density development that would provide varied opportunities of both housing type and price point, in the Town of Ramapo, Rockland County, through the construction of multifamily attached and single family detached dwellings. The site is well suited for residential development due to its proximity to major transportation corridors, and the availability of public water, sewer, and other infrastructure.

The project has been designed to be environmentally sensitive and will increase the groundwater recharge capability of the site post development. Alternative sustainable energy sources, i.e. solar domestic hot water and geothermal heating, will be utilized to augment energy resources utilized on site. The Project would incorporate a number of green building practices that would conserve energy and offset potential adverse impacts associated with energy consumption related to the construction and occupancy of the proposed project including utilizing water saving fixtures, high efficiency lighting fixtures, high efficiency insulation, and ecologically sensitive construction management practices.

Public Need

Table 1 summarizes select US Census population characteristics for the Town of Ramapo. The Town of Ramapo had a population of 108,905 persons in 2000. Based upon the American Community Housing Survey published by the US Census, the 2007 population was estimated at 112,980.

Table 1 Town of Ramapo Population Statistics			
Population Characteristic	2000	2007*	Percent Change
Total Population	108,905	112,980	+ 3.7 %
Total Households	31,561	31,676	+ 0.4%
Average Household Size	3.37	3.49	+ 3.6 %
Average Family Size	3.82	4.04	+ 5.8 %
Total School-Age Children	29,323	29,700	+ 1.4 %
Total Housing Units	32,422	33,434	+ 3.1 %
Percent Single Family Units	62.5%	61.2%	- 2.1 %
Median Value - Single Family Owner Occupied Housing unit	\$229,619	\$469,300	+ 104 %
Median Household Income	\$60,352	\$68,388	+ 13.3 %
Median Family Income	\$67,004	\$80,745	+ 20.5 %
Source - US Census Bureau; *American Community Survey 3-Year estimate			

As can be seen from a review of Table 1 the population of the Town has grown by approximately 3.7% since the 2000 census which would equate to approximately one half of one percent annually. The average family size has grown by almost six percent indicating that family size has experienced an increase in this area. The single unit housing type comprises more than 60 percent of the current housing stock in the Town of Ramapo. The most notable change since the 2000 Census, is the increase in median value of a single family home which has doubled since 2000. Comparatively, median income has grown by less than 21 percent.

As defined in the Comprehensive Plan, the Town of Ramapo has a need for a variety of housing. The Comprehensive Plan states " While the diversity of housing stock has increased slightly over the last decade, there is still a growing need to significantly increase the variety of housing within the unincorporated area of the Town, ...Many families cannot afford to purchase or rent a home within the unincorporated area of Ramapo, partly due to the relatively little diversity in the housing stock."

The Patrick Farm project is intended to meet some of the Town of Ramapo's need for additional housing, including an increased diversity of housing unit types and price points to meet the needs of the general population. The diversity of housing and the range of purchase prices proposed at Patrick Farm will provide housing for a wider range of income levels than currently exists.

A Housing Needs Assessment Study, March 17, 2009 was prepared relative to the proposed project. The Study states, "Population growth, which has been experienced in this area, is expected to grow to a projected Town of Ramapo population of 117,801 in 2013, representing an 8.2 percent increase over 2000. Between 2000 and 2008, the number of

Ramapo households increased from 31,561 to 32,965, an increase of 4.5 percent. By 2013, the number of households is expected to increase by over 7 percent to 33,827.”

This equates to a population increase of approximately 3,000 persons over the next five years. Based upon the current average household size of 3.4, which is expected to remain constant through 2013, an additional 880 households would need to be accommodated in the Town of Ramapo. Current homeowner vacancy rates range from two to three percent indicating for all practical purposes, full housing occupancy.¹

Average family size in Ramapo is increasing from 3.65 in 1999 to a projected 3.9 in 2013. Families are growing in Ramapo and therefore the commensurate need for housing to accommodate larger families.¹

The Patrick Farm site is particularly suited to accommodate this development since the proposed project;

- is of sufficient size and dimension to accommodate the proposed density, while still providing a transition buffer of single family homes surrounding the proposed multifamily zone change area, designed as a substantial visual buffer in order to maintain the existing appearance of the neighborhood.
- has excellent regional access, being located between US Route 202 and NYS Route 306, and in proximity to the Palisades Interstate Parkway;
- is readily connectable to existing sewer and water infrastructure; and proposes to make improvements and upgrade the existing sewer infrastructure;
- Has been designed to preserve the Scenic Road character of the US Route 202 corridor;
- has convenient access to opportunities for mass transit use (e.g., bus) and pedestrian access;
- is located within an area of the Town with a need for such housing;
- would promote affordable rental units for volunteers and below market-rate ownership of housing units;
- Has been designed to provide an increase to the groundwater capability of the site post development compared to existing conditions.
- Includes utilization of sustainable energy resources and environmentally sensitive construction practices.

The Comprehensive Plan, adopted in 2004, states that; "The primary mission of the Comprehensive Plan is to provide a balance between the need to accommodate anticipated population growth and the need to preserve the quality of life and natural resources that make Ramapo a special place to live."

¹ Housing Needs Assessment Study, TMA 2009.

The Comprehensive Plan also recognizes that while diversity of the housing stock has increased slightly over the last decade, there is still a growing need to significantly increase the variety of housing within the unincorporated area of the Town.... (B-1).

It is related in the Plan that “[m]any families simply cannot afford to purchase or rent a home within the unincorporated area of Ramapo, partly due to the relatively little diversity in the housing stock.” (B-1).

The Comprehensive Plan notes that consistent with New York case law, “[t]here must be a balancing of the local desire to maintain the *status quo* within the community and the greater public interest that regional and local [housing] needs be met.” (B-1).

The following is the Goal and the four Objectives listed in the Housing Section of the Plan. The Patrick Farm project has been designed to meet these goals and objectives in an environmentally sensitive manner.

Goal: Address the Town's Housing needs and provide for a diversity of housing opportunities for the Town's growing and changing population

Objective: Provide a diversified housing supply that consists of residential development at appropriate densities and in appropriate locations in consideration of proximity to community shopping, community facilities and services, and public transportation, and in consideration of the adequacy of existing infrastructure.

Objective: Allow higher density housing in appropriate areas if such housing meets local needs and is balanced with the objective of maintaining the integrity and appearance of Ramapo's residential neighborhoods.

Objective: Promote a range of rental and home ownership opportunities in varied densities, housing types and prices for Town residents, especially senior citizens, singles and families.

Objective: Encourage inclusion of housing to meet identified housing needs in the development of large parcels of land.

Although the subject property is not among the four properties identified as being “particularly suitable” for rezoning for multi-family development, the Comprehensive Plan confirms that “it is likely there may be other sites that meet the placement criteria that have not been specifically identified....” (B-7).

Moreover, the Comprehensive Plan relates that “[a]s the Town continues to grow in the future, the Town may find it necessary to rezone other properties in the Town to a multi-family district in order to meet housing needs.” (B-8). It should be noted that the Comprehensive Plan acknowledges that:

Preparation of the [Comprehensive] Plan should be viewed as an ongoing planning process. Amendment of the Plan is likely to be necessary given shifts in demographics, market conditions, regional planning considerations and time. The maximum interval at which the [Comprehensive] Plan shall be reviewed is five years. (Intro-5).

The Comprehensive Plan was adopted in January, 2004. As a result, although Petitioner suggests that the development proposal fits squarely within the rationale of the

Comprehensive Plan, nevertheless, consideration of the proposal is particularly appropriate given the passage of five years.

As, identified in the zone change petition, the applicant does not believe that an amendment of the Comprehensive Plan is legally necessary. Nevertheless, because the subject property is not identified as one of the four parcels pre-identified as being "particularly suitable" for rezoning for multi-family development, The applicant requests that the Comprehensive Plan be amended to recognize the appropriateness of the foregoing development proposal at the location proposed.

Having reviewed the Town of Ramapo Comprehensive Plan, January 2004, as it relates to the proposed Patrick Farm project. The following is a list of text amendments which should be considered in order to provide consistency between the proposed project and the Comprehensive Plan, herein referred to as the "Plan".

SPECIAL RESOURCE OVERLAY ZONING

The proposed Patrick Farm project includes an extensive groundwater recharge program which has been designed to insure that the groundwater recharge capability of the site post development is equal to or greater than the pre development groundwater recharge capability.

The Patrick Farm DEIS reads;

The proposed Patrick Farm project includes an extensive groundwater recharge program which has been designed to insure that the groundwater recharge capability of the site post development is equal to or greater than the pre development groundwater recharge capability. Based upon extensive study and soil permeability testing, the pre development ground water recharge capability is estimated to be 14.7 million gallons per year. Based upon the proposed recharge system proposed at Patrick Farm, the projected groundwater recharge is estimated to be 18.7 million gallons per year, an increase of 4 million gallons per year. This does not take into account the water that could be drawn down from the three existing wells on site, nor does it account for the stormwater that will fall on the pervious site areas after construction. Based upon these two factors the estimated increase of 4 million gallons per year will in actuality be even higher.

The Applicant has designed a Stormwater Management System that exceeds typical mitigation for the treatment of stormwater runoff quantity and quality. The project design has incorporated a cutting-edge proposal for an overall groundwater recharge system over the Patrick Farm site. Groundwater Recharge is a sustainable practice that is receiving increasing attention and is recognized by the EPA as a Low Impact Development (LID) practice. LID is a stormwater management approach and set of practices that can be used to reduce runoff and pollutant loadings by managing runoff as close to its sources as possible. LID is typically used to achieve or pursue the goal of maintaining or closely replicating the pre-development hydrology of the site. Groundwater Recharge is not required by code, however it is likely that the groundwater recharge design approach utilized at the Patrick Farm site will become a model and a local standard for all site development in the future.

The Patrick Farm Groundwater Recharge system was designed to provide zero loss in groundwater recharge that occurs under existing conditions today. It is a form of Rainwater harvesting (RWH) in that it serves to replenish the Ramapo Aquifer, similar to pre development conditions. Groundwater hydrogeologists performed on-site permeability tests to define the rate at which the soils could transmit runoff back into the ground. The recharge

system is designed capture rooftop runoff via rooftop water runoff leaders in order to infiltrate that runoff into the ground in a manner and quantity that mimics the natural water cycle. Groundwater recharge and is considered a critical component of sustainability by the applicant, based upon the site's relation to the Ramapo Aquifer.

The identified language (shown in Blue Italics below) should be added to the master plan to insure that future projects to be developed within the Town meet this standard.

- Page A-6, Special Resources Overlay Zoning text reads;

"...In a special resource overlay district, the underlying zoning district generally remains in effect, but greater restrictions on the development of properties containing certain environmental resources are imposed in order to minimize impacts to the resources intended to be protected.

One particularly appropriate use of overlay zoning in the Town may be the creation of an aquifer protection overlay zone that would be applied to the portions of the Town underlain by the Ramapo-Mahwah Aquifer. Specific restrictions, such as maximum impervious surface requirements and specific design criteria related to steep slope disturbance, erosion control and stormwater management, could be imposed to minimize impacts to the aquifer. In addition, an overlay district can also contain special clustering or setback provisions to protect environmentally constrained areas such as wetlands and watercourses." *Projects proposed within the Aquifer Overlay Protection Zone shall be designed to provide post-development groundwater recharge equal to, or greater than pre-development levels.*

- Page A-7, The Route 202 Corridor along the southeastern border of Harriman State Park, has been identified as an area which should receive special consideration with regard to protecting the Ramapo-Mahwah Aquifer. The recharge plan, proposed at Patrick Farm, meets this criteria by insuring the recharge capabilities of the site post development meet or exceed pre-development conditions, thus no further modification to the Plan needs to be considered.
- Page C-17, discusses an Aquifer protection overlay zone that would be applied to portions of the Town underlain by the Ramapo Mahwah Aquifer. The Patrick Farm property will have full municipal water and sewer which are the most effective means of providing protection to the groundwater. Discussion of a recharge system similar to the one proposed at Patrick Farm should be included in measures designed to protect the aquifer recharge.

CLUSTER DEVELOPMENT

As the Comprehensive Plan states, The use of average density subdivision is not new to the Town of Ramapo. In 1964 "average density" or cluster resolution was essentially geared towards preserving lands for community services (sewer plants, schools, etc.) as the Town went through its most intensive period of suburbanization. The current Comp Plan recommends the a renewed emphasis on the use of clustering in order to preserve environmental resources, while meeting the stated goal of "... providing a balance between the need to accommodate anticipated population growth and the need to preserve the quality of life and natural resources that make Ramapo a special place to live." The Plan states;

" The use of clustering subdivision in this manner would be particularly appropriate since a number of the larger undeveloped properties in the Town (i.e. Patrick Farm) contain significant environmental features that may have hindered their development in the past which could be largely preserved if developed in the future using clustering." (A-8.)

The Plan recommends "Consideration should be given to changing the Town's "average density" requirements so as to:

Allow greater flexibility in the layout of clustering subdivision, including the form of housing that may be provided in an "average density" development. For example, the use of alternative forms of housing, such as townhouses or semi-attached dwellings, has significant potential to result in the preservation of more open space than single family detached homes spread out over larger areas.

However, the Town Board may wish to require Town Board Approval on a case by case basis for the provision of semi-attached or multifamily units in cluster development.

The proposed Patrick Farms project has located the proposed multifamily development in the center of the site, and has requested a zone change for this central area, while preserving the on-site critical environmental areas of wetlands and steep slopes. In addition, the proposed project has provided a transitional area of single family homes, such that the outer portion of the project would be consistent with the surrounding land use. When considering the site overall, this plan effectively meets the intended goals of clustering, it allows for case specific review of the proposed multifamily area through Town Board approval of the zone change petition, while preserving the critical environmental areas on site. While the site will not be designated as a cluster, the objectives of clustering have been met.

In the Comp Plan, the NYS Route 202 Corridor along the southeastern border of Harriman State Park and The Patrick Farm property are both included in the list of places specifically recommended for clustering. Specific reference to the Patrick Farm property should be deleted from the list of areas recommended for cluster. As there are a limited number of vacant parcels along the southeastern border of Harriman State Park, other than Patrick Farm, consideration should be given to deleting or amending this reference.

- Page A-9, Delete reference to the Route 202 Corridor along the Southeastern border of Harriman State Park with regard to clustering.
- Page A-9, Delete reference to The Patrick Farm Property with regard to clustering.
- Page D-5 Delete the specific reference to Patrick Farm as Low Density Residential.
- Page D-10, Delete the reference to Patrick Farm. Similar to the discussion on Page A-9, the use of clustering is not applicable to the proposed Patrick Farm project.

Land Use Plan Map, January 2004

- Revise the Land Use Plan Map, January 2004, to include the proposed multifamily housing on the Patrick Farm property.

The Patrick Farm project has been designed to meet the Goal and the four Objectives listed in the Housing Section of the Plan (B-8) in an environmentally sensitive manner. In support of these goals the Town Land Use Plan Map should be revised.

SCENIC ROAD LAW

- Page C-31, It should be noted that the discussion of the Scenic Road Protection does not include NYS Route 306 north of Grandview.

All single family parcels which have frontage along US Route 202, have been designed with double the typical setback requirements, with the exception of Lot 79, which has a long and narrow lot configuration, thus increased setback was not practical.

SUMMARY OF ACTIONS TO BE TAKEN;

- Page A-6 Special Resources Overlay Zoning; Add the following text to the end of the paragraph. *Projects proposed within the Aquifer Overlay Protection Zone shall be designed to provide post-development groundwater recharge equal to, or greater than pre-development levels.*
- Page A-9, Delete reference to the Route 202 Corridor along the Southeastern border of Harriman State Park with regard to clustering.
- Page A-9, Delete reference to The Patrick Farm Property with regard to clustering.
- Page D-5 Delete the specific reference to Patrick Farm as Low Density Residential.
- Page D-10, Delete the reference to Patrick Farm. Similar to the discussion on Page A-9, the use of clustering is not applicable to the proposed Patrick Farm project.
- Page B-7, Add the Patrick Farm property to the list of properties recommended for multifamily development.
- Revise the Land Use Plan Map, January 2004, to include the proposed multifamily housing on the Patrick Farm property.

Thank you in advance for consideration.

Sincerely,



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