

**11.0 COMMUNITY FACILITIES AND SERVICES COMMENTS AND RESPONSES**

**Comment 11-1A (Chairwoman Curtis, Public Hearing, June 11, 2008):** On the issue of park land, it is the absolute responsibility of this board to consider park land. We actually have to make a finding as to whether or not there isn't suitable park land here to go to the next step. The proximity to the school, the nature of the land, it seems to me this is an issue that the planning board must revisit and revisit right away because this is a very important issue to the community. Our recreation master plan dates back to the '90s and it identified the need for park land there. Our recreation committee is going to be updating their master plan because of the need for active park land in the town, so this is a very important issue and I want to see it revisited.

**Comment 11-1B (Mr. John White, Public Hearing, June 11, 2008):** The next area I would like to talk about very briefly is recreation. John mentioned it briefly, but I think it's a significant thing. The planning board has the right for a dedication of park land on a development of this size. I can't think of a better place in North Salem to have it. You're right next to the high school, middle school, walking distance. We just built Volunteer's Park right next door. It is the perfect place, if you could have it.

**Comment 11-1C (Mr. Mike Cindrach, Public Hearing, June 11, 2008):** The only other comment I have with respect to a lot of people have mentioned, the need for recreation here. And as a soccer and tee-ball coach, speaking not as a representative of AYSO and the North Salem baseball and softball association, but as a parent, I can speak directly to the need for more recreation, especially when I have a team full of five year olds that I'm trying to teach how to throw and I have to rush them off one of the school fields to allow the next program to come in. So I can speak firsthand as a parent to the need for more open space for recreation as well, and I think this ought to be seriously considered, especially in terms of where the greatest benefit for the town is. Thank you.

**Comment 11-1D (Mr. John White, Public Hearing, June 11, 2008):** But the second is a bigger issue, and that is, as we look at the whole town, the school is in need of fields, the school is in need of recreational area. And we keep looking at areas that are all around town which is going to exacerbate the transportation we have in town. So the goal is really to have a campus where the kids go and stay all day. If they get picked up, they get picked up at one location and not three. And I hate to say it, but this property is so close to the school that it would be an ideal parcel for a school type environment.

**Comment 11-1E (Ms. Katherine Daniels, Public Hearing, June 11, 2008):** I'm speaking on my own behalf, even though I'm a member of the school board and a member of the committee that is redoing the comprehensive plan. And I would just like to echo what John said about the importance of planning and recreational use, particularly with fields and the schools. We spend an awful lot of money busing the kids all over the place, to play on fields. There are well over 50 teens that all need fields to play on, so there's quite a bit of busing that does go on and would really be like, from a planning perspective, if the town could consolidate the active recreation sites near the schools.

***Response 11-1A-E: The Salem Hunt property was specifically rezoned as R-MF/4 Multifamily Zoning District by the Town of North Salem in 2000. The rezoning of the site, along with three other sites in the Town, was done in response to a New York State Supreme Court decision known as the Continental Decision (Continental Building***

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*Company, Inc. versus the Town of North Salem). The objective of the Continental Decision and adopted zoning was to provide the opportunity for feasible development of affordable housing and for the development of a range of housing types in the Town of North Salem including areas in the vicinity of the project such as Croton Falls, Purdys and Peach Lake. The project site is in proximity to the Peach Lake Hamlet.*

*The rezoning was subject to the SEQR review process for the amendments to the zoning code.*

*As a result of the evaluation and rezoning, the Salem Hunt property was zoned R-MF/4 Multifamily Zoning District, which permits the development of medium density single family attached and detached dwellings and multifamily dwelling units. The Salem Hunt is proposed as a medium density single family attached development, which is permitted as of right in a R-MF/4 zoning district.*

*The applicant does not believe that the matters currently being evaluated by the Town's Comprehensive Plan Committee on a town wide basis pertain to the Salem Hunt project specifically.*

*Any perceived deficiencies in recreational land within the Town of Salem Hunt has not been documented nor vetted through the process as required by Section 272-a of the New York State Town Law such that there is no formal report that the Planning Board can rely on for the purposes of this particular application. The Town does have an existing Recreational Master Plan (in the process of being updated) that is consistent with NYS Town Law section 272-a. It is the applicant's opinion that the Town must rely on the law as it exists, the most current officially adopted Town planning documents in relation to parks and recreational and the Salem Hunt DEIS itself, as it relates to recreational demands and the proposed action. As discussed in the DEIS, the existing ratio of recreational space in the Town exceeds the standard per 1000 persons. The DEIS further notes that the Proposed Action includes on-site recreational opportunities for the residents of Salem Hunt. In addition to the proposed community recreation building and pool, the applicant proposes to offer conservation easement(s) covering approximately 17.3 acres of land (approximately 43 percent of the site), providing passive recreation opportunities (see Response 11-2, below).*

**Comment 11-2 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008):** An evaluation of the feasibility of providing on-site recreational lands in accordance with the requirements set forth in §200-32 of the Land Subdivision Regulations should be detailed.

**Response 11-2:** *As discussed in the DEIS, the proposed project would provide its own on-site recreational facilities. Salem Hunt, as designed, would include a community recreation building and swimming pool (0.075 acres) as well as a 0.12 acre passive play area located south of the entrance road, and a walking trail and bridle trail system (through an easement offered to the North Salem Bridle Trails Association these trails will be open to any North Salem resident who joins the North Salem Bridle Trails Association). These recreational elements are shown on drawing SP-2.2 Layout & Landscape Plan East). In addition, the applicant proposes a wetland and open space conservation easement (approximately 17.3 acres) that would afford passive recreation.*

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*These facilities are expected to minimize the demand on off site recreation facilities that may be created by the future residents of Salem Hunt.*

*The Town Land and Subdivision Regulations (§200-32 Parks), describes the requirements for residential subdivisions. According to the Code:*

Each plat intended for residential purposes shall show, in proper cases and when required by the Planning Board, a park or parks suitably located for playground or other recreational purposes. The following standards are applicable to the provision of a park or parks:

A.

Suitability. The park or parks shall consist of a parcel or parcels of land within the plat having a size, location, shape, topography and general character as to be suitable to satisfy the needs determined by the Planning Board. Proper vehicular and pedestrian access shall be provided to each park for both use and maintenance purposes. Parks shall be provided in accordance with any Town Comprehensive Plan adopted by the Town Board.

B.

Area. The park or parks shall equal not less than 10% of the area of the plat unless a lesser area is approved by the Planning Board as suitable for the park purpose intended. In general, five acres is the minimum area for a park intended for active playground use, but a lesser area as well as parks of unusual shape and topography may be approved if supporting preservation of the natural features of the tract and providing a park for passive recreation purposes.

*In addition to the proposed community recreation building and pool, the applicant proposes to offer the Town of North Salem or a non-profit conservation organization (Section 501(c)), conservation easement(s) covering approximately 17.3 acres of land (approximately 43 percent of the site). This conservation area would include easements for a system of bridle/walking trails, to be offered to the North Salem Bridle Trail Association (NSBTA). If the applicant and the NSBTA enter into such an easement agreement, the use of the trails would be open to residents of Salem Hunt as well as for equestrians utilizing the Town's existing trail systems. Therefore, approximately 17.3 acres of land would be set aside as passive recreation area for use by Salem Hunt residents and Town equestrians.*

*Since the proposed plan would provide adequate open space and recreation areas for the residents of Salem Hunt, the requirement for parkland has been satisfied. In offering easements for the NSBTA, the applicant is providing passive recreation opportunities for Town residents on the Salem Hunt site. No significant demand is anticipated to be placed on Town of North Salem recreation facilities as a result of the proposed Salem Hunt development, therefore no mitigation measures are proposed.*

**Comment 11-3 (Mr. John White, Public Hearing, June 11, 2008):** There is a ton of statistical information in the EIS about recreation plan. I'll try to paraphrase it very quickly because I think it indicates to me something's wrong. They cite, I think it's the national open space and recreation association, says that per 1,000 residents, you should have somewhere between five and eight acres. According to the EIS, North Salem has 1,733 acres of recreational land. It comes out to 338 acres per 1,000 people. It implies that we don't need anymore. I think that's ridiculous. We're constantly trying to get more. If you interpolate that number, we have enough

recreation, according to the EIS, to support a population of 351,000 people. Something's wrong. Somebody's got their numbers not quite right.

**Response 11-3:** *As stated in the DEIS, planning standards set forth by the National Parks and Recreation Association (NPRA) suggest that 5 to 8 acres per 1,000 residents is a reasonable goal to meet recreation needs. Based on the Westchester County Planning Department's projected population of 5,246 for the Town of North Salem in 2005, the Town should have between 26 to 42 acres available for recreation. The recreational facilities owned by the Town total 33 acres. Therefore, the Town owned land, alone would satisfy the Town of North Salem's recreational needs. The additional Town-leased (i.e. Purdys Field) and County-owned land (i.e. Mountain Lakes Park and NYCDEP) bring the total open-space acreage within the Town to 1,756 acres.*

*Therefore, the Town's recreational resources currently have approximately 334.7 acres per 1,000 population, based on NPRA standards<sup>1</sup>. As noted in the DEIS, there are additional active recreation facilities available for use at the North Salem Central School District schools and an additional 20,000 acres of State parks and facilities located in the area.*

**Comment 11-4 (Mr. John White, Public Hearing, June 11, 2008):** One of the costs is that North Salem schools are one of the highest in its transportation because we bus a hundred percent of our kids, and we bus them to multiple locations. We bus them to Purdys, we bus them here and there, so we don't have a campus for the school. So the first, easy one, is that this property is in close proximity to the school. It would be nice not to have to dedicate some more buses to make more bus stops. The real issue is a way to facilitate paths or bike paths, walking paths from here to the school.

**Response 11-4:** *The site plan for the Salem Hunt project was revised in direct response to the concerns expressed by the Town of North Salem Planning Board, involved and interested parties, and local residents). The Revised FEIS Plan would include a pedestrian connection between the proposed development, adjoining Town owned land southeast of the site, and the North Salem Middle School/High School.*

*The pedestrian path would extend from the access road, towards the southeast across the proposed wastewater disposal fields, to the southeast corner of the site. A foot bridge would provide access over the stream in that area. Pedestrians, including school children would be able to cross Pioneer Park, and access the North Salem Middleschool/Highschool property. Refer to Plan SP-2.1, Layout and Landscape Plan East, for an illustration of the proposed pedestrian path. Final design of the pedestrian path will occur during the site plan approval process.*

**Comment 11-5A (Letter #20 Edward & Ervin Raboy, E&Y Operating Corp., July 31, 2008):**

The claim made in the plan that these 65 units will generate only 9 school age children just flies in the face of common sense. In all likelihood, the number one motivation for buyers of these units will be their location within the highly desirable North Salem School District. For better or for worse, the actual number of school age children living in these units is much more likely to be 30 - 50.

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<sup>1</sup> As noted approximately 1,756 acres of open space acreage located within the Town of North Salem, not including the School District facilities or nearby State Parks. Formula:  $(1,756 \text{ acres} / (5,246 \text{ persons} / 1000)) = 334.7 \text{ acres per person}$  using estimated 2005 population.

**Comment 11-5B (Mr. John White, Public Hearing, June 11, 2008):** The last subject, and I'll go very quickly because I don't think it's very significant, is school population. They cite a board, and I can't remember the name, that uses a multiplier. And the multiplier is for two-bedroom condominiums in the northeast. It says according to it, that unit or those units will produce probably nine school children or nine children of school age, I should say. It doesn't seem right. If you take all of the condominiums in the northeast, you've got how many elderly condominiums, ski lodge condominiums that have no kids. I think the number is just ridiculous, but if you use their figure from the EIS of the percentage of households in North Salem that have school age children, you take that percentage, you multiply it by 65 units, you come out with about 27 children. I don't think the difference is that significant, but it should be corrected, because it should be right.

**Comment 11-5C (Ms. Katherine Daniels, Public Hearing, June 11, 2008):** I also would like to pick up on what Peter said about the importance of accuracy and planning on the number of students. That's going to be very important in my future. I'd like to get that number as accurate as we can.

**Comment 11-5D (Chairwoman Curtis, Public Hearing, June 11, 2008):** The demographics, the number of school children greatly concerns me too because for two reasons; the proximity to the school. I mean, no matter how you market this, it seems to me that people who have school children are going to be attracted to come to this, so you can't just use one standard out there in calculating the number of school children. So I think someone has to take a harder look at that. Also, because they are two-bedroom units, I think that and because there are so few two-bedroom units in the town of North Salem, I think, there's going to be what I call starter homes. So maybe you'll have a lot of young families looking to these units, to see whether or not they can buy in. And young family starter homes tend to be ones with young children and maybe they'll be that might tend to be an impact on the elementary school, and also single parents with a child. So I think the whole issue of demographics, proximity to the school, I'm having a tough time accepting the number that was presented and I would like a harder look taken at that.

**Comment 11-5E (Mr. James Button, Public Hearing, June 11, 2008):** May I ask, has there been, and I may have missed what was said here earlier, the question of how many children there are in, for example, the Cross River unit, the development just below the Cross River intersection at 121 and 35 and how many children would be that there were in the various units, and I don't know if that question was asked or not.

**Response 11-5A-E:** *In order to address the concern over projected school age children from the Salem Hunt development, Tim Miller Associates, consultant to the Applicant, conducted a survey of the school age children residing in existing surrounding development.*

*In an effort to get the most reliable data, a survey of the transportation supervisors for several school districts in Westchester County was conducted. Tim Miller Associate's has found that transportation offices are the most reliable and objective source of this information.*

*In advance of each school year the school district's transportation office is responsible for assigning the routing of school buses and making sure a seat is available for each student eligible for transportation who is registered in the school district. As a note, the*

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*district offices must supply a seat for all registered students, even though some students may be driven, or may drive to school.*

*Table 11-1, below, lists the following: existing development, number of units, bedrooms per unit, school district, total number of students that reside within the development, and the demographic multiplier applied to the specific development (students per unit). Table 11-1 shows that the multipliers for students per household range from 0.10 to 0.74 for the developments surveyed.*

<b>Table 11.1 Representative School Age Children Multipliers Surveyed Projects in Westchester</b>					
<b>Existing Development</b>	<b>Number of Units</b>	<b>Bedrooms per Unit</b>	<b>School District</b>	<b>Total Number of Students</b>	<b>Demographic Multiplier (students per unit)</b>
Lakeside at Bedford	54	2-3	Bedford C.S.D.	40	0.74
Bedford Mews	129	1-3	Bedford C.S.D.	60	0.47
Bedford Terrace	76	1-2	Bedford C.S.D.	15	0.20
Guard Hill Manor	212	2	Bedford C.S.D.	45	0.21
Brookside Village	116	2-3	Bedford C.S.D	85	0.73
Fox Wood	130	1-2	Bedford C.S.D	40	0.31
Copley Court	66	1-3	Briarcliff Manor S.D.	9	0.14
Old Willoway	24	2-3	Briarcliff Manor.S.D.	14	0.58
Wyndcrest (Deer Tree Lane)	64	2-3	Briarcliff Manor.S.D.	37	0.58
Briarcliff Commons	40	1-2	Briarcliff Manor S.D.	4	0.10
The Meadows	274	1-2	Katonah-Lewisboro S.D	55	0.20
Oak Ridge	278	1-2	Katonah-Lewisboro S.D	65	0.23
The Cotswold	38*	2-3	North Salem C.S.D.	6	0.14
Maple Brook	68	2-4	Yorktown C.S.D.	46	0.68
Average**					0.33

Source: Tim Miller Associates, Inc., 2008  
 \*The Cotswold contains 38 multifamily units and 2 single family detached homes  
 \*\* Total number of students/total number of units.

*The total population and number of public school-aged children that would be expected from the proposed development was estimated by using the most commonly used multipliers prepared by noted practitioners of fiscal impact analysis in the United States, Robert W. Burchell, David Listokin, and William R. Dolphin of Rutgers University' Center for Urban Policy Research (CUPR). These multipliers were published in the Urban Land Institute's Development Assessment Handbook (1994).*

*The multiplier data includes estimates of household size based on unit type, bedroom number and the region within the housing is located. The population multiplier for two bedroom townhouse units within the northeast, is 2.0685 persons per unit and the school-aged children multiplier is 0.1393 children per unit. Based on these multipliers, the proposed Salem Hunt development would add 135 persons including 9 school age children to the Town of North Salem.<sup>2</sup> According to the Development Assessment*

<sup>2</sup> School aged child: the household members of elementary and secondary school age, defined as children 5 to 17 years of age. Source: Burchell, Robert W., David Listokin and William Dolphin, et al. Residential Demographic Multipliers - Estimates of the Occupants of New Housing. 2006.

*Handbook* the most significant single factor in determining student population is the number of bedrooms.

The CUPR published updated multipliers for New York State based upon the 2000 US Census in their report *Estimates of the Occupants of New Housing*, dated June 2006. The multiplier data also included estimates of household size based on unit type, bedroom number and estimated selling price. The updated multiplier for two-bedroom attached units at a selling price more than \$194,500 is 2.09 persons per unit and the school-aged children multiplier is 0.14 children per unit. These updated multipliers are consistent with the multipliers used in the DEIS.

The proposed Salem Hunt project involves the construction of 65 2-bedroom units. A review of the local school district survey data in Table 11-1 indicates that the student multipliers for units limited to 2 bedrooms would range from 0.10 to 0.31 students per household, thus the number of students that can be expected to reside at Salem Hunt would range between 7 to 21 students.

For analysis purposes, the expected range of school age children for the Salem Hunt project would be nine to 21 students.<sup>3</sup> As noted in the DEIS, the cost per student would be approximately \$21,816. Updated tax revenue projections based upon 65 fee simple housing units indicate the total school tax revenue to be generated would be approximately \$695,805. Nine to twenty-one school age children from the proposed development would be offset by the tax revenues generated to the School District by the project. The total taxes generated by the project at full build out would be \$984,118. This is a net annual increase in revenues of \$499,461 and \$237,669, respectively over projected costs.

The \$695,805 of projected tax revenue to the school district would substantially exceed the costs of the likely number of school children and even if that number were to triple to .41 school aged children per household, the revenue to the school district would still exceed the costs by more than \$100,000 per year.

**Comment 11-6 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008):** The anticipated demographics of the proposed new community's residents should be detailed to assist the Planning Board in evaluating the recreational (and other needs/demands) generated by the proposed development.

**Response 11-6:** The anticipated demographics of the proposed development were calculated and described in Section 11.0 of the DEIS. As discussed in the DEIS, the Salem Hunt development would be 65 two-bedroom townhome units. The target market for these units is empty nesters and couples with one or no children. Therefore, the age of the Salem Hunt residents would vary and range from young couples to retirees. Specific age distribution information cannot be projected.

For analysis purposes, the proposed Salem Hunt development is anticipated to add 135 persons, including nine to twenty-one school age children to the Town of North Salem

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<sup>3</sup> Multiplier Source: Low end (nine school age children) - Multiplier of 0.1393 for two bedroom townhouse units within the northeast from Urban Land Institute's Development Assessment Handbook (1994); High end (21 school age children) - Multiplier of 0.31 for units limited to two bedrooms from School Age Children Multiplier Study conducted by TMA (2008).

by 2009.<sup>4</sup> This increase in population would represent approximately 2.5 percent of the entire projected 2010 population, estimated to be 5,300.<sup>5</sup>

**Comment 11-7 (Mr. John White, Public Hearing, June 11, 2008):** While we're on that subject, on page 11.2, Paragraph 5, there is a misstatement of factual information on families in North Salem. They say there's 1,239 in 1999 and still 1,239 in the year 2000, given the number of households went up significantly. And that should be looked up and changed. It doesn't have any bearing on it, but it should be corrected.

**Response 11-7:** Comment noted. The correct statistics for the Town of North Salem are as follows: 1,239 families in year 1990 and 1,374 families in year 2000<sup>6</sup>.

**Comment 11-8 (Letter #5 Ms. Theresa Havell, Resident, July 21, 2008):** In stating that I am the only homeowner directly and catastrophically affected by this proposal, I recognize that all of our residents and our community at large will suffer the environmental, safety and financial effects of such an ill conceived solution for providing just 13 low income residences in satisfaction of a judgment that stipulates that the town provide approximately 100 such dwellings, Has anyone with financial acumen done a cost/benefit analysis of this project and compared that to the simple solution of building just 13 residences with a unit market value of \$228,000? Has anyone considered the impact of bringing into North Salem somewhere between 195 -240\* residents compared with 18-24\*?

**Response 11-8:** Salem Hunt is proposed as a medium density single family attached development, which is permitted as of right in a R-MF/4 zoning district. The maximum density for such units, as per the Table of Uses and Density for the R-MF/4 in the Town Code, is four units per acre with a breakdown of 3.2 market-rate units per acre and 0.8 affordable units per acre, or 20 percent of the total.

The potential allowable maximum density for the Salem Hunt Property based on the Town's Zoning Code would be 160 multifamily units including 32 affordable units. The density of the Salem Hunt development, however, is significantly less than the maximum allowable density allowed on the project site.

The average market value of the 52 market-rate townhouse units would be \$850,000 per unit, while the 13 affordable units would have a market value of \$225,000 per unit. The sales price for the market rate units were based on comparables within the Town and surrounding area. The value of the affordable units of the proposed project were calculated in accordance with moderate-income housing (MIH) regulations of the Town of North Salem found in the Zoning Ordinance, Article XXII. The applicant anticipates applying for grants to support the construction of the MIH units. If this is the case, the units will comply with both the MIH requirements as well as the Westchester County requirements (see Response 3-3A-B).

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<sup>4</sup> The total population and number of public school-aged children that would be expected from the proposed development has been estimated by using the most commonly used multipliers prepared by noted practitioners of fiscal impact analysis in the United States. Source: Robert W. Burchell, David Listokin, and William R. Dolphin of Rutgers University' Center for Urban Policy Research (CUPR).

<sup>5</sup> Source: Westchester County Department of Planning.

<sup>6</sup> US Census Bureau, 1990, 2000

*The analysis of 13-residences at \$228,000, essentially MIH units, was not one of the alternatives set forth by the Town in the June 7, 2006 adopted scope. Additionally, the construction of 13-residences at \$228,000 would not be a feasible alternative for the applicant.*

**Comment 11-9 (Letter #5 Ms. Theresa Havell, Resident, July 21, 2008):** Has anyone calculated the cost of adding 20-26\*\* students compared to 1.8 -14\*\* students to the North Salem School whose operating budget per student exceeds that of Horace Mann School?

**Response 11-9:** *As stated in the DEIS, the projection of school age children to reside in the proposed development would be approximately nine children. According to the school children multiplier survey conducted by Tim Miller Associates, consultant to the Applicant, in 2008, the projected school age population for the Salem Hunt development is comparable to the existing school age populations of similar development within the area surrounding the project site. Refer to Response 11-5A-E, above, for the discussion pertaining to the school children multiplier study. As a result of this study, a range of school age children (nine to 21 school age children) was projected for the Salem Hunt development.*

*As noted in the Section 2.0, Project Description, the proposed Salem Hunt project is now a fee simple project. The total projected tax revenues to the North Salem School District from the development would be \$695,805.<sup>7</sup> Nine to twenty-one school age children from the proposed development would be offset by the tax revenues generated to the School District by the project. The total taxes generated by the project at full build out would be \$984,118. This is a net annual increase in revenues of \$499,461 and \$237,669, respectively over projected costs.*

*For argument purposes, if 20 to 26 school age children were to reside in the Salem Hunt development, this increase would also be offset by the tax revenues to the School District generated by the proposed project, resulting in more revenues (\$259,485 to \$125,589) than costs. Therefore, even in a scenario as presented above the tax revenues generated by the proposed project to the School District would result in a net annual increase to the School District.*

**Comment 11-10 (Mr. John White, Public Hearing, June 11, 2008):** But just to that end, if there's 27 children, and it's like \$28,000 a child, it's not covering the school taxes, much less anything else.

**Response 11-10:** *Comment noted, however, the projected school age children population of the proposed development is expected to be between nine and twenty-one school age children.*

*However, if 27 school age children were to reside in the Salem Hunt development, the cost to the North Salem School District would be approximately \$589,032.<sup>8</sup> This would be offset by the tax revenues to the School District generated by the proposed project resulting in a net annual in revenues of \$106,773 more than costs.*

<sup>7</sup> Source: Town of North Salem, 2006 rates

<sup>8</sup> Source: According to the NYS Department of Education, the School District's budget for the 2005-2006 school year totaled \$32,738,040 with \$30,236,570 being raised by the tax levy. The School District's enrollment for the 2005-2006 school year was 1,386 students, resulting in a per student cost from the tax levy of \$21,816.

**Comment 11-11 (Mr. Button, Public Hearing, June 11, 2008):** Has somebody addressed the subject of what these units will be taxed at, what the impact will be on us?

*Response 11-11: The Salem Hunt development is now proposed as a fee simple project. Under a Fee Simple proposal, taxes are calculated using the market value of the residential units. As shown in Table 1-1, Comparison of FEIS and DEIS Site Plan of Section 1.0, Introduction, to the projected tax revenues to all jurisdictions would be \$984,118 using the fee simple method for 65 units, compared to \$504,246 using the income approach for 65 condominium units. Refer to Section 2.0, Project Description, of this FEIS for further discussion on the fiscal analysis of the proposed development.*

**Comment 11-12 (Letter #22 Chairman Michael Palma, Edward Isler, Donald Raskopf & David Wilklow, Architectural Review Board, July 30, 2008):** Property Values of surrounding will be negatively impacted. Is this a concern to the ARB?

*Response 11-12: The proposed use of the site for the site is generally compatible with surrounding residential uses and the high market value for the proposed homes would be expected to have a positive effect on the property values of the nearby residential properties.*

*It is anticipated that construction of the roads and utilities will start upon Town approval, with the completion of all 65 townhomes within the next three years. It is not anticipated that any portion of the development would remain unfinished for a long period of time.*

*The real estate market is expected to absorb the proposed Salem Hunt development. Therefore, delays in the completion of the project are not anticipated in spite of the current down turn in the real estate economy.*

*Thus, the proposed residential use of the site, a use considered compatible with surrounding residential and institutional uses, would be expected to have a positive effect on the property values of neighboring and nearby residential properties.*

**Comment 11-13 (Letter #5 Ms. Theresa Havell, Resident, July 21, 2008):** Has anyone calculated the difference in environmental impact, traffic, water and quality of life between 65 condominiums and 13 residences? One figure that is known is that the tax revenue from this project is anticipated to be a mere \$500M under the initial proposal and approximately \$1M under the fee simple ownership solution proposed by Roland Baroni. I doubt that any properly managed community would entertain such a one sided proposal.

*Response 11-13: As discussed in Response 11-8, the analysis of 13-residences was not one of the alternatives set forth by the Town in the June 7, 2006 adopted scope.*

*The Salem Hunt development is now a fee simple proposal where the total projected tax revenues to all jurisdictions would be \$984,118, compared to \$504,246 using the income approach for 65 condominium units in the DEIS Plan. Refer to Table 1.0 in Section 1.0, Introduction, of this FEIS.*

**Comment 11-14 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008):** No mitigation measures are proposed for the negative fiscal implications of the proposed new development on the Town's general tax budget. According to the DEIS, the proposed Salem

Hunt development will cost the Town approximately \$45,378 yearly (at the 2005 budget and costs) to provide municipal services to the new residents.

**Response 11-14:** *The proposed 65 unit Salem Hunt development is projected to increase the population of North Salem by 135 persons. The estimated annual per capita property tax levy for municipal services is \$797.<sup>9</sup> Using this as a basis for projections, the additional costs payable through the property tax, which are induced by the Salem Hunt project, are projected to total \$107,595.<sup>10</sup>*

*The proposed 65 townhouse units, which is now a fee simple proposal, would generate \$144,194 in annual tax revenue to the Town, resulting in net annual revenues of \$36,599 over projected municipal costs.<sup>11</sup> These tax revenues may be used to offset costs to the Town that may be incurred as a result of the proposed Salem Hunt development.*

**Comment 11-15 (Letter #14 Ms. Fay Muir, CWCWC, July 28, 2008):** In a crisis real estate market with sub-prime foreclosures glutting the market with inexpensive housing, reduced value of all real estate, tighter credit, and a projection of its continuation for the foreseeable future, is Salem Hunt needed and will it sell?

**Response 11-15:** *The applicant has proposed a project with a density that meets the zoning code requirements and would be in conformance with the requirements of the Town and other approving agencies. The project is designed to be marketable and a desirable residential community. Because of the nature of the design (duplexes and triplexes), it is unlikely that units will be built well in advance of the pace of sales. Unsold residences are not anticipated.*

**Comment 11-16 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008):** The municipal services which are included in the per capita municipal cost of approximately \$797 should be explained.

**Response 11-16:** *The municipal services included in the per capita municipal costs would include expenditures- associated with the General and Highway Funds. For a list of the services provided under the respective funds, refer to Town of North Salem Budget - 2006, provided in Appendix C Correspondence.*

**Comment 11-17 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008):** Address details of the Fire Departments requests/concerns, specifically:

- Show the locations for the proposed underground water tanks and provide a related construction detail.

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<sup>9</sup> The 2006 municipal budget for North Salem amounts to \$6,915,073, but only \$4,181,417 was raised by the tax levy. Dividing this amount (\$4,181,417) by the 2005 estimated population of North Salem of 5,246 provides an estimate of per capita municipal costs of \$797. It should be noted that this is a conservative estimate, since the actual population for the Town of North Salem in 2006 was greater than the 2005 population.

<sup>10</sup> As a note, these projections are for Year 2006.

<sup>11</sup> As a note, these projections are for Year 2006.

## Community Facilities and Services

August 7, 2009

- Clarify if there will be any hydrants for draining the domestic water and if so, show their locations and provide a detail/notes indicating that these will be turned inward and clearly identified as not for firefighting use.
- Provide information on maintenance, including inspections, responsible party and reporting provisions.
- Provide a draft legal instrument permitting the fire department to access and utilize the on-site tanks for off-site fire-fighting.

**Response 11-17:** *The location of the two (2) proposed 25,000-gallon underground fire protection tanks are shown on Drawing SP-3.1 and a detail is provided in Drawing D-1. The domestic water system contains flushing hydrants which are proposed to be located in flush mounted boxes so as not to be confused as a source for fire fighting. A detail has been added to Drawing D-1. The Homeowners Association will be responsible for annual inspections of the fire protection tanks and copies of these inspections shall be forwarded to the local Fire Department. Typically little maintenance is required for the fire protection tanks other than maintaining access to and around the tanks as well as maintaining a minimum volume of water within the tanks. An alarm will be located in each tank with an audio visual alarm in the adjacent recreation building to alert of a low water condition.*

*These tanks will be accessible to the Croton Falls Fire District at all times. Based upon discussions with the Croton Falls Fire District, the District has requested the ability to utilize the storage tanks for both on-site and off-site emergency use, if necessary. The applicant has agreed to such usage and will formalize access and usage in an agreement with the Fire District.*

**Comment 11-18 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008):** The location of the proposed underground propane tanks seems to limit potential access locations for firefighting equipment to reach the rear of the buildings. The lack of access is compounded by the non-complying building separation distances in several locations.

**Response 11-18:** *The project architect met with the Town's Building Inspector, Bruce Thompson, to discuss Mr. Thompson's interpretation of how to determine the building heights and minimum required distances between multifamily buildings. The current layout, the Revised FEIS Plan, complies with Mr. Thompson's interpretation and would not require any variances.*

*There is no intention to permit or allow fire trucks to drive between buildings. Based on discussions with the Fire Department, access for fire trucks between the buildings is not required. There is adequate area for fire protection purposes between buildings based on conformance with the required separation distances, per the Town Code.*

**Comment 11-19 (Mr. Robert Tompkins, Public Hearing, June 11, 2008):** One of the things that hasn't been mentioned that I knew there was previous discussion before was the possibility of emergency access, another access. Last night, I turned the TV on and there was tornado watch here, so I'm saying, if you have a problem where somebody gets medical or fire or, you know, whatever type of trauma could occur, they couldn't get in that first 900 feet or however far that is; is there any provision for that, and that's if you could come up with an answer for that.

**Response 11-19:** *The Revised FEIS Plan includes revisions to the road layout of the proposed project. Access into the project site would continue to be from June Road but the former proposed boulevard has been replaced by a two lane roadway with a pull off (approximately 120 feet from June Road) for parents to drop off their children for school bus pick up. Due to the slight change in roadway configuration, improvements to the revised plan also includes an emergency access road from the entrance road that would run along the northern boundary of the site and would tie into the project's internal roadway between Buildings 13 and 14.*

**Comment 11-20 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008):**

Documentation should be provided to support the number, size and location of planned refuse collection facilities. Refuse collection areas should be integrated into the site plan with cohesive architectural style/materials and should be designed so that receptacles are fully enclosed to avoid garbage escaping from underneath or above the containment structure. Appropriate access to these facilities for pick-up should be demonstrated.

**Response 11-20:** *Comment noted. However, the applicant met with a representative of Bria Carting, the trash hauler (trash and recycling) retained by the Town of North Salem. The representative confirmed that trash and recycling pick up from the Salem Hunt development would be provided by Bria Carting. Although Town service would be at the project entrance, the Homeowners Association would fund trash/ recycling pick-up at the individual units, as confirmed by the applicant. Central pick up stations would not be required.<sup>12</sup> The proposed garages are approximately 19 feet wide (12 feet for the single-space garage), and are therefore adequate in size for two cars and a typical garbage container stored in the corner of the garage.*

**Comment 11-21 (Letter #17 Hilary Smith & Joe Bridges, MDRA, July 30, 2008):** If central mail facilities are anticipated, their location and design detail should be provided.

**Response 11-21:** *No central mail facilities are proposed. The applicant met with a representative of the US Postal Service on February 25, 2009 to discuss mail delivery at Salem Hunt. One mailbox delivery post will be provided for each building, located curbside at the front of each building. Each residence will have a separate mail box, and therefore, the building mail delivery post will have two, three or four mailboxes on each post, depending upon the size of the building. Correspondence regarding mail delivery and a photo of an example mail post is provided in Appendix C - Correspondence.*

**Comment 11-22 (Letter #14 Ms. Fay Muir, CWCWC, July 28, 2008):** The developer proposes to build this density housing complex with a percentage of affordable units adjacent to first-rate North Salem Middle/High School yet he projects a scant 9 children from an estimated 135 adults to inhabit 65 units. If the higher figure of the percentage of households in North Salem that have school-age children is used and multiplied by 65 units, the amount is 27 children. Even at 27, there could be considerably more entering the school system. Based on 2008-2009 North Salem school budget of \$28,000 a year per student, 27 children would cost \$756,000. Will the cost of their education exceed the amount of taxes to be generated by Salem Hunt? If so, the developer should be asked to put in escrow the balance of school costs, please see attached June 30, 2008 CWCWC letter to Croton Watershed town and planning boards on impact fees.

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<sup>12</sup> Source: Bria Carting - General Manager, Anthony Presamo. Trash/recycling pick up would occur once a week on the same day.

**Response 11-22:** *The estimate of project school age children has been revised. Please refer to Response 11-5A-E, 11-9 and 11-10 above.*