

## **1.0 INTRODUCTION**

This expanded Environmental Assessment Form (EAF) document has been prepared on behalf of the Applicant, Ginsburg Development Companies, LLC (GDC), to accompany its applications to modify the previously approved Concept Plan (the Approved Concept Plan), and the Site Plan and Steep Slopes Approval for the Saw Mill Lofts project. The development will be sited on an approximately 7.45 acre parcel of land ("site" or "subject property"), located on the west side of NYS Route 9A, locally know as Saw Mill River Road, in the Village of Hasting-on-Hudson, Westchester County, New York. The property is designated on the Village Tax Roll as Section 4.6, Block 46, Lots 1 and 4A.

The Village Planning Board and the Village Board of Trustees previously and comprehensively reviewed and subsequently approved the Saw Mill Lofts project, including a full review pursuant to the State Environmental Quality Review Act ("SEQRA"). The previously approved plan consisted of sixty (60) units in two (2) Buildings, including six (6) affordable units. Due to the collapse of the real estate market and the resultant unavailability of financing, among other factors, the project was delayed.

GDC has modified the approved Saw Mill Lofts Concept Plan and Site Plan as presented on the plan referred to herein as the Modified Concept Plan. The Modified Concept Plan reflects the requirements of the Village's newly adopted Affordable and Workforce Housing Set-Aside requirements as well as the current market demands of the Village and its surrounding area. Overall, the Modified Concept Plan would include the same number of market rate units (54) as the previously approved plan, and would increase the number of affordable units from 6 units to 12 units, utilizing the provisions of the recently amended Village zoning code. GDC intends to develop and manage the property as a rental complex in order to obtain financing and proceed with its construction in the near term. More importantly, GDC and its owner entity, Saw Mill Lofts, LLC, are working together with the Village's Affordable Housing Committee and the Hastings-on-Hudson Affordable Housing Development Fund Company, (HOHAHDFC) to advance the affordable housing component through their recent joint application for NYS Tax Credit and Housing Trust Funds assistance. As a rental development, the affordable component will be a long term Village asset that will create the opportunity for the meaningful and on-going involvement of the Village's Affordable Housing Committee in its design, operation and management, and possibly ultimate ownership if that is determined to be in the Village's best interest. The market rate rental units have been designed for the possibility of future conversion to condominiums should the ownership real estate market and availability of financing significantly improve, however, GDC may also operate the entire property as a rental for the long term.

The potential environmental impacts associated with the Modified Concept Plan are expected to be equal to or less than the impacts associated with the previously Approved Concept Plan. As such, the modifications themselves do not have the potential for any significant adverse environmental impacts that were not already considered in the SEQRA review for the Approved Plan. The expanded and modified affordable component creates a far greater community benefit than was included in the previously approved plan.

A topic by topic discussion follows below and includes a comparison of the potential impacts of the previously Approved Concept Plan and Site Plan, and the Modified

Concept Plan. Part 1 and Part 2 of a Long Form Environmental Assessment Form (EAF) have been prepared for the Modified Concept Plan proposal by Tim Miller Associates (TMA), the environmental planner for the Applicant, for submission to the Village of Hastings-on-Hudson Planning Board, and are provided herewith.

This Part 3 EAF, also prepared by TMA, is being provided to assist the Planning Board in making its SEQRA determination on the Modified Concept Plans.

Due to the comparability of and/or the reduced potential impacts between the Approved Concept Plan and Site Plan, and the Modified Concept Plan, the applicant is seeking a determination that the modifications to the previously approved plans do not pose any potential significant adverse impacts that were not already studied and mitigated in the SEQRA review for the approved plan, such that the SEQRA process for the Modified Concept Plan can be concluded, and the Village Board and Planning Board can issue their respective approvals for the modified plan.

Again, the Saw Mill Lofts project was the subject of a Coordinated Environmental Review through the Village of Hastings-on-Hudson Planning Board, which was the SEQRA Lead Agency. The Planning Board conducted a lengthy and exhaustive environmental review of the Project, which was predicated on documentation including the Environmental Impact Statement (“EIS”) prepared in connection with the previous proposal to develop a ShopRite supermarket on the Site, as well as a project specific Supplemental EIS (“SEIS”) which examined the 157 unit Riverwalk Village proposal, the approved Saw Mill Lofts proposal, as well as a range of alternative developments on the site. The Planning Board’s environmental and Concept Plan review culminated on April 20, 2006, with the issuance of positive Findings for the Project pursuant to the State Environmental Quality Review Act (SEQRA), as well as a recommendation that the Village Board adopt the Concept Plan for the MUPDD Saw Mill Lofts, as it was then referred to, pursuant to Village Code Section 272-72.3(G) (2). A complete description of the previously approved Saw Mill Lofts project’s SEQRA review is provided in the Villages Findings Statement included as Appendix A.

Following the conclusion of the Planning Board’s SEQRA review, on June 26, 2006, the Village Board also issued positive SEQRA Findings for the project, and approved the Saw Mill Lofts Concept Plan. (See Village Code § 272-72.3(G) (3).)

The Planning Board then engaged in a thorough Site Plan and Steep Slopes review for the project, which resulted in the issuance of Site Plan and Steep Slopes approval for Saw Mill Lofts, by Resolution dated September 20, 2007. (See Village Code §§ 249-7 & 272-72.3(G) (3).) This Resolution established that “[t]he Planning Board shall have continuing jurisdiction over the Site Plan for the MUPDD Saw Mill Lofts.” (Planning Board Resolution of Site Plan Approval and Steep Slope Approval: MUPDD Saw Mill Lofts, at 8.)

The currently proposed action is a slightly modified residential project similar to the approved Saw Mill Lofts project, with similar or reduced environmental impacts, and notably includes the provision of an additional 6 units of Affordable Housing, for a total of 12 such units, to be developed in cooperation with the Village’s Affordable Housing Committee and its affordable housing development fund company. This expanded EAF document compares the currently proposed Saw Mill Lofts project to the former approved project.

Since the currently proposed units are reduced in square footage compared to the previously approved project units, the total building footprint is measurably smaller (approximately 11% of the site currently as compared to 13% in the previously approved plan). The proposed plan allows a 6 percent (6%) reduction in total site disturbance from 4.7 acres to 4.4 acres. Total development coverage is slightly increased from 2.1 acres to 2.2 acres, largely as a result of the introduction of an extensive sidewalk network that links the various buildings and amenities on the site, as well as providing a convenient connection to the bus transit opportunity immediately to the north of the site. The proposed modifications to the Approved Concept Plan include three (3) smaller buildings instead of two (2) larger structures, to allow for reduced building length and increased view corridors from Saw Mill River Road (NYS Route 9A) to the wooded South County Trailway and the Saw Mill River to the west. The proposed project increases the proposed dedicated park area from 1.75 acres to 2.9 acres, including 1.6 acres of public open space on the south end of the project site and 1.3 acres of land as a greenway along the Saw Mill River adjacent to the Westchester County South County Trailway. Overall the project preserves 5.3 acres of open space and landscaped areas, or 71 percent of the project site. The Modified Concept Plan has similar traffic generation as the Approved Concept Plan, but reduces the number of curb cuts on NYS Route 9A from three to two. The Project is expected to remain fiscally positive to the Village of Hastings-on-Hudson, and Ardsley School District, generating more revenue than the projected costs. The project will be built to Energy Star standards and will include other Green Building features. In addition, this project will advance the Village and County goals for affordable housing by 12 rental units.

### **1.1 Project Location**

The 7.45 acre Site is situated in the northeastern portion of the Village of Hastings-on-Hudson, between Saw Mill River Road (State Route 9A) and the Saw Mill River Parkway. It includes two existing paved parking lots which comprise 2.3 acres of impervious area, and 5.15 acres of vacant land. The Site is bounded on the east by the right-of-way of Saw Mill River Road and on the west by the Westchester County South County Trailway. On the south, the Site is bordered by open space owned by the Westchester County Park Commission. To the north, the Site is bounded by the Town of Greenburgh/Village of Hastings-on-Hudson municipal boundary and a parcel of land that contains a commercial/warehouse building approximately 48,000 square feet in size.

The subject property is presently undeveloped and largely consists of brush areas with a perimeter of forest along the Saw Mill River areas. The site contains two areas of abandoned parking pavement previously used by Ciba Geigy. A portion of the Site is in the Federal Emergency Management Agency ("FEMA") 100 year floodplain. As with the Approved Concept Plan, no buildings or associated parking will be constructed within the 100 year flood plain. Disturbance will be limited to the installation of a low retaining wall and limited fill behind the central building to provide access for fire protection. The Site is bounded by the east bank of the Saw Mill River which is regulated by the Army Corp of Engineers. This area will also remain undisturbed, with the exception of construction of a proposed pedestrian bridge to the South County Trailway, for which a wetland permits may be required depending upon the final location of the bridge supports. The Saw Mill Lofts Project location is shown in Figure 1 Site Location and Figure 2 Site Location on Aerial.

## **1.2 Overview of the History of the Proposed Action**

A thorough recounting of the history of prior applications for development of the Site and the environmental reviews associated with those plans is provided in the Planning Board's 2006 Findings Statement, which is annexed as Appendix A to this document.

To summarize the history of Site Plan and other submissions for the Site, applications to develop the Site with a 50,000+ square foot ShopRite supermarket, which was an allowable use for the site then zoned as Limited Industry ("LI"), were submitted to the Village by a prior owner of the parcel. The Planning Board was Lead Agency for the environmental review of that proposal, which included preparation and review of an EIS and concluded in the issuance of negative SEQRA Findings and denial of the applications.

In its SEQRA findings, the Planning Board found that the proposed supermarket would have "significant, unmitigated adverse environmental effects that, even when considering social, economic and other relevant factors, are not acceptable." Specifically, the Planning Board determined that the proposed supermarket and associated parking were "too large for the Site, causing significant adverse impacts to visual quality ... would generate significant adverse traffic impacts, exacerbating existing congestion on the intersections along Route 9A and elsewhere ... [and] would have significant adverse socioeconomic impacts on downtown Hastings, Dobbs Ferry and Ardsley, which would change the character of those downtown areas." The Planning Board concluded that any benefits associated with having the Site developed with a large, modern supermarket would be outweighed by its significant adverse environmental impacts.

The applicant challenged the Findings and denial of the applications in an Article 78 proceeding. In its May 2000 decision, the Westchester County Supreme Court ruled in the Planning Board's favor and affirmed the denial. A subsequent appeal by that applicant was withdrawn after GDC contracted to purchase the Site in August 2000.

In September 2000, GDC submitted a Site Plan application for a project identified as Riverwalk Village, a rental apartment plan that necessitated a zoning change for the site to allow residential use. The Planning Board was designated as Lead Agency for the SEQRA process, and determined that the application required preparation of a supplemental EIS. A Supplemental Draft EIS and Supplemental Final EIS (SFEIS) for Riverwalk Village were completed and were the subject of public review in 2002 and 2003, at which time the requested rezoning and other aspects of the proposed development were being considered.

In 2003 the Village Board of Trustees adopted a moratorium to review the Site's zoning. In its report to the Trustees, the Village's planning consultant noted that "the preferred use of the Site would be for multiple residential purposes at a density and scale that will be consistent with the Village Objectives." To achieve this goal, certain types of low-impact uses, including residential and mixed use developments, were recommended. Specifically, the report stated "the use that best achieves the objectives is a small,

moderate to high-end residential development with primarily small units.” The Planning Board subsequently recommended creation of a new zone, entitled Mixed Use Planned Development District (“MUPDD”), which would allow either low-density residential or mixed use residential.

In 2005 and 2006, the Applicant submitted revised iterations of its SFEIS to the Planning Board, which included alternative site plans for the Project Site under the various zoning and development scenarios, while in October 2005 the new MUPDD zoning became effective. Ultimately on April 20, 2006, the Planning Board adopted its SEQRA Findings in favor of the Approved Concept Plan and made a recommendation in support of the 60 unit MUPDD Saw Mill Lofts Concept Plan to the Board of Trustees, pursuant to the MUPDD regulations. The Board of Trustees approved SEQRA Findings consistent with the Planning Board’s Findings in support of the Concept Plan for MUPDD Saw Mill Lofts, and approved the Saw Mill Lofts Concept Plan, on June 23, 2006.

On September 20, 2007, the Village Planning Board granted Site Plan Approval for MUPDD Saw Mill Lofts Project and more recently the Board extended the Site Plan Approval for one year. That approval arguably has lapsed.

The MUPDD regulations applicable to the Site state that they are intended to encourage projects that “minimize traffic impacts”, protect “environmentally significant resources” and “provide access to village and county trailways.”

## **2.0 SUMMARY DESCRIPTION OF PROPOSED ACTION**

The Proposed Action consists of modifications to the Approved Concept Plan. For comparative purposes, the Approved Concept Plan is described below, following by a discussion of the changes included in the Modified Concept Plan.

### *Approved Concept Plan*

The Approved Concept Plan involved sixty (60) for-sale condominium residential units, of which fifty-four (54) would be live/work units and six (6) would be condominium apartments that would satisfy the Village's Affordable Housing Policy for affordable units at the time. The live/work unit breakdown included six (6) one-bedroom units, forty-two (42) two-bedroom units, and six (6) three-bedroom units. The six (6) affordable units were proposed as two-bedroom units and would not include a separate work suite.

The Approved Concept Plan consisted of two buildings on the site, with 30 units per building (**see Figure 8**). Each building would consist of three floors, plus a below grade parking level. Each floor would have ten units accessible from a central corridor and would be served by an elevator that accessed the parking level.

In addition to the open space maintained on the east and west sides of the proposed buildings, the Approved Concept Plan included the donation of a 1.75 acre open space area on the south side of the property to the Village. The total open space associated with the Approved Concept Plan was to be 5.4 acres including privately- owned and dedicated public land.

The MUPDD Saw Mill Lofts 2007 development plan received Concept Plan approval from the Village Board of Trustees in 2006, and Site Plan and Steep Slopes approval from the Planning Board in June of 2007. The Site Plan and specifics of the development described below were subject to the Village Board of Trustees' approval of the Concept Plan and review, including the design and size of the proposed affordable units.

### *Modified Concept Plan*

The Modified Concept Plan is illustrated as the Schematic Site Plan in **Figure 3** and would include fifty-four (54) units of market rate residential apartments and twelve (12) affordable residential rental units, which is in excess of the affordable units required by the Village's Affordable and Workforce Housing Set-Aside requirements. A more detailed Overall Site Plan for the development, prepared by the Applicant's engineer, also has been provided as **Figure 4**. The Modified Concept Plan would include three smaller buildings. Each of the two market rate Buildings A and B on the plan, would house 27 rental units and associated below grade parking with elevator access provided to each of the three residential stories, resulting in a total of 54 market rate units. The third Building C would be two stories and would house 12 affordable units also with elevator access, and surface parking. The bedroom mix for the 54 market rate units is 6 one bedroom units, 42 two bedroom units, and 6 three bedroom units (an average of 2 bedrooms per unit, and identical to the mix in the Approved Concept Plan). Each market rate unit also includes a study for personal use. The proposed mix for the affordable units includes a studio unit, 4 one bedroom units, 5 two bedroom units and 2 three bedroom units, an average of 1.95 bedrooms per unit, as compared to 6 two bedroom affordable units in the Approved Concept Plan. The proposed affordable bedroom mix more closely relates to the mix of the proposed market rate units than did the Approved Concept Plan.

A total of 146 parking spaces are provided on the Modified Concept Plan, as compared to 174 parking spaces required on the Approved Concept Plan, which is indicative of the less intensive usage of the site that is proposed by the Modified Concept Plan. Based on the parking requirements in the Village zoning code for the proposed multifamily residential use, and the proposed bedroom mix of the 66 units, a total of 115 parking spaces are required for the development (95 spaces for Buildings A and B, and 20 spaces for Building C). An additional 11 spaces are proposed for the public parking on the Open Space parcel and, while not required, 20 additional spaces are distributed throughout the site as visitor parking or additional resident parking. This additional parking is not required by zoning and could be reduced in number to achieve an improved site design and/or a further reduction in impervious area. Of the 146 parking spaces proposed, 70 spaces are located in the combined garages of Buildings A and B with the balance provided in surface parking areas. The impervious area impacts have been analyzed based on the proposed number of parking spaces and would only be reduced if a fewer number of spaces is ultimately provided.

The Modified Concept Plan includes the proposed dedication of a total of 2.9 acres of parkland, including of 1.6 acres of open space to the Village at the south end of the site and 1.3 acres of land as the Saw Mill River Greenway along the Saw Mill River. The project would provide an additional 2.8 acres in onsite open space for a total of 5.3 acres or 71 percent of the overall site area.

The project proposes to utilize two (2) bioretention systems with infiltration as the project Best Management Practices (BMP) to treat stormwater runoff from the majority of the development area prior to discharge into the Saw Mill River. Bioretention facility #1 is located at the southwestern end of the proposed development. Bioretention facility #2 is located at the northwestern end of the development.

As with the Approved Concept Plan, the Modified Concept Plan would include the construction of a pedestrian bridge to connect to the South County Trailway, and includes the creation of a new trailhead on the project site with 11 public parking spaces proposed on the open space parcel. In addition, if needed, GDC would assist the Village in creating a connection between the Ravensdale Bridge and the South County Trailway.

Table 1 provides a comparison of the salient features of the Approved Concept Plan and the Modified Concept Plan.

<b>Table 1 Impact Comparison Table</b>		
<b>Areas and Potential Impacts</b>	<b>2007 Approved Concept Plan: (60 Live/Work and residential units)</b>	<b>Modified Concept Plan (66 residential apartment units)</b>
<b>Natural Resource Impacts</b>		
Total Construction Grading Disturbance	4.74	4.4
Steep Slope Disturbance >15%	0.17 acres	0.17 acres
<b>Developed Area (acres)</b>		
Impervious Surfaces (buildings and paved surfaces)	2.1 acres	2.2 acres
Lawn and Landscaped Area (includes stormwater bio retention)	3.65 acres	2.8 acres
Building Coverage (30% maximum)	13.0%	11.0%
Dedicated Park Area	1.75 acres	2.9 acres
Total Open Space	5.4 acres	5.3 acres
<b>Total Site Area</b>	<b>7.45 acres</b>	<b>7.45 acres</b>
Internal Road Length	850 feet	775 feet
<b>Community Resources</b>		
Population	144	157
School Age Children	16 to 18	13 to 21
Water Demand (gpd)	11,540	11,775
<b>Fiscal Resources</b>		
Revenues to Ardsley School District	\$325,197	\$306,276
Revenues to Village of Hastings	\$127,394	\$102,492
Total Revenues to all Taxing Jurisdictions	\$531,284	\$486,209
<b>Traffic</b>		
Traffic Generation	Total AM Peak Hour Trips/ 38 Total PM Peak Hour Trips/ 44	Total AM Peak Hour Trips/ 41 Total PM Peak Hour Trips/ 46
Source: Tim Miller Associates, Inc. and SESI Consulting Engineers, P.C., 2013		

### **3.0 EVALUATION OF POTENTIAL IMPACTS**

The potential impacts of the Saw Mill Lofts project were analyzed and evaluated during the lengthy SEQRA review that was undertaken by the Village prior to approving the project in 2007. Those impact analyses are not repeated herein, but may be found in the Supplemental Draft and Supplemental Final EIS documents prepared for Saw Mill Lofts project. These analyses are also summarized in the 2006 Findings adopted by the Village Planning Board and the Village Board of Trustees prior to approving the project.

In essentially all respects, the Modified Plan for Saw Mill Lofts reflects the same or reduced impacts when compared to the Approved Plan. This narrative presents various assessments undertaken to evaluate the potential impacts relevant to both plans, identifies the changes in impacts or circumstances from the prior plan to the current plan, and where a change is identified, describes the measures that are incorporated into the current plan that will balance, offset or reduce those potential impacts, to the greatest extent practicable.

Based upon the passage of time and the substantial change in economic conditions between 2007 and 2013, A 2013 Fiscal Analysis has been prepared for the Modified Concept Plan to serve as the basis for this SEQRA analysis. The potential revenue vs. costs to the Village including the associated benefits of providing affordable housing in Hastings is discussed in Section 3.7, Socioeconomic Impacts.

The following narrative provides a comparison between the approved Concept Plan and the Modified Concept Plan for each topic as listed in the Village's adopted SEQRA Findings on the approved Saw Mill Lofts project.

### **3.1 Land Use and Zoning**

As recognized by the Planning Board's SEQRA Findings, the previously Approved Concept Plan was designed in conformance with the MUPDD zoning regulations, which evolved out of the Village's lengthy considerations of appropriate land use at this site, and would not significantly adversely affect the Village's land use planning and policy. (See PB SEQRA Findings at 9.) The Village's adoption of the MUPDD included a moratorium and the Village's own planning study which ultimately recommended high end moderate density residential use and/or mixed use development on the site. The MUPDD zoning district created to accommodate such uses, was approved for the Site in 2004, and became effective in 2005.

Like the approved plan, the modified plan is also designed in conformance with the MUPDD zoning regulations applicable to this property and includes features designed to make the Project a better "fit" in the Gateway to Hastings, while also incorporating sustainable design approaches, all in keeping with the goals described in the Village's comprehensive plan. As such, it should also benefit from the presumption of compatibility with the Village's land use planning and policy. (See PB SEQRA Findings at 9.)

#### *Comprehensive Plan*

The Village Comprehensive Plan identifies the Site as a "Large Tract" that is situated in the northeastern Gateway to Hastings. In its discussion of Large Tracts of presently vacant land in the Village, the Comprehensive Plan discusses goals for preservation of open spaces with several objectives and strategies for advancing this goal. The Plan emphasizes that the Village should encourage fiscally neutral or positive development, with mention made of possible consideration of office, laboratory or retail use.

The Approved Concept Plan was specifically designed to provide live/work spaces, which was one of the permitted uses in the MUPDD zone. The Applicant diligently pursued the development including holding marketing focus groups for the live/work concept. The concept wasn't, however, understood or well received by prospective purchasers in this suburban location. That reaction, together with the subsequent collapse of the real estate market and tightening of available financing, has shown that such a unique use at this location is not expected to be financeable or otherwise viable. In fact there has been little growth of any commercial activities in the general area since 2008, and inadequate demand for the new construction of office or laboratory uses. The SFEIS for Saw Mill Lofts examined several commercial alternatives including a ShopRite (the predecessor proposal on this site), office, laboratories and warehouse uses and the SEQRA findings discussed each, citing that they would have significantly higher traffic generation, which would be contrary to the MUPDD zoning objectives and contrary to the expressed interests of area residents.

It is also noted that a recent approval has been granted for a project called Rivertowns Square, a mixed use project including 200+ residential units in the Village of Dobbs Ferry at Lawrence Street and the Saw Mill River Parkway, just one-half mile from the Saw Mill Lofts site. This project's approval helps to establish the area as one supportive of residential uses and it will provide support services for the residents at Saw Mill Lofts.

It is also noteworthy that the Rivertowns Square development does not include any proposed office or laboratory space. To the contrary, the site is currently occupied by approximately 200,000 sf of existing office and laboratory space that its owner will demolish to accommodate the proposed residential, retail and theater uses.

With an interest in creating a viable development project for the Site and in response to recent input from the Village, the Applicant has modified its Approved Concept Plan in a manner that it believes responds positively to the environmental issues that were evaluated at length in the past and affords the opportunity to create a tax-positive and sustainable land use for the Village in the short term. Multifamily rental development is the most viable option, and by partnering with the Village Affordable Housing Committee and its non-profit development company to create a significant affordable housing component, the proposed development will have social as well as fiscal benefits.

### *Enhancing the Gateway*

In coordination with its Comprehensive Plan, the Village has published a Buffer Zone Report [March 2012, accessed online /February 2013] which identifies the Route 9A corridor in this area as a Gateway to Hastings that the Village wishes to enhance. This Gateway defines the experience of entering Hastings-on-Hudson from Dobbs Ferry via Saw Mill River Road. The Report recommends establishing a scenic corridor overlay zone that essentially highlights the Gateway as a special resource of the community. Although such an overlay has not been added to the zoning regulations, the current Modified Concept Plan is consistent with the intent and would advance this goal.

The Village's Buffer Zone Report identifies buffer zones bordering Route 9A and the Saw Mill Parkway, measured from the property line along the street frontages. From Route 9A a 100-foot buffer is recommended; from the Parkway a 125-foot buffer is recommended which is generally coincident with the Saw Mill River channel. Such buffers relate to the visual experience of scenic qualities such as views of the River, lush vegetation and recreational Trailway from the Parkway, according to the Report. The Report promotes use of urban design elements that elicit a desired scenic quality and help to define the Route 9A corridor as 'urban space'. The desired streetscape (shown in the Report by several photographs of the corridor) would reflect existing conditions along the corridor (such as preserving trees along the right-of-way, adjoining open meadows and tree lines beyond) as well as add elements of urban design (such as buildings that create a sense of enclosure). As examples of desirable enclosure, the Report shows the immediate vicinity of the project site where existing buildings are set back 75, 85 and 110 feet from the right-of-way.

The design of the Modified Concept Plan places an emphasis on the Site as a "gateway" through the positioning of the proposed buildings and the extensive landscape treatment of the project along the entire property frontage on Route 9A. Several landscaped berms with low decorative stone walls will be incorporated into the design along Route 9A, with the buildings laid out with varied setbacks of approximately 100 feet, 70 feet, and 94, from north to south, with the greatest setback provided at the "entrance to the gateway". The previously approved plan had two buildings that were each 300 feet in length with setbacks from Route 9A of 85 feet and 69 feet, from north to south, respectively. Two of the three buildings in the modified plan are 202 feet in length and the third is 92 feet in length, such that buildings will occupy approximately 100 feet less of the site's frontage and offer greater opportunities for landscaping alongside and between buildings to

enhance the streetscape. The number of driveways onto the site from Route 9A has been reduced from three to two, providing a greater opportunity for a continuous landscaped feature along the street frontage. In keeping with the Village Naturalist's prior recommendations, the two Norway Spruces featured in the Buffer Zone analysis will be preserved and will be prominent in the view toward the central building as it is approached from the north. The Project would include extensive new tree planting along the entire developed frontage. The on-site roadway paralleling Route 9A has been designed as a tree-lined neighborhood street rather than a parking area, which will further enhance the view along the corridor and provide additional landscaping between Route 9A and the proposed buildings. The overall Site layout is conceived to enhance the setting of the road corridor in keeping with the gateway concept.

Sustainability is central to the objectives and recommendations laid out in the Comprehensive Plan. The Comprehensive Plan encourages awareness of and implementation of best practices for environmental sustainability. As a modern development, the proposed project will incorporate the latest technologies for energy efficiency and conservation, reduced water use, and green building methods and materials. The project will be built to Energy Star standards.

Further, as recognized and discussed in the Village Comprehensive Plan, the current proposed Project will be obliged to incorporate sustainable infrastructure in the site plan, such as implementing a site-specific stormwater management plan, incorporating low impact design measures, and minimizing impervious surfaces. The Modified Concept Plan will reduce the amount of impervious area on the site from the existing 2.3 acres to 2.2 acres and utilize a stormwater management system that incorporates bio-retention areas to promote the infiltration of stormwater runoff, improve water quality, and contribute toward the reduction in the peak rates and volumes of runoff from the site, as discussed in greater detail the Water Resources section of this Narrative.

In keeping with sustainable design practices, and as in the Approved Concept Plan, the Modified Concept Plan proposes that no buildings or paved areas be introduced into the adjacent 100 year floodplain. A low retaining wall and limited fill will be placed in the flood plain behind the central building, as was permitted in the previously approved plan after previously demonstrating that doing so had no adverse impacts. The Modified Concept Plan goes a step further than the previously approved plan by proposing a Saw Mill River Greenway along much of the river's length adjacent to the site (with the remaining length of river being within the proposed Open Space parcel at the south end of the site). The Applicant proposes that the Greenway be dedicated to the Village, the County or a non-profit land conservation entity to ensure the preservation of the Saw Mill River corridor through the site in perpetuity. The Applicant will also implement the landscaping enhancements along the riverbanks that were included as part of the previously approved Concept Plan. This design approach furthers the strategy in the Village's comprehensive plan to establish and maintain buffer areas along the Saw Mill River, and guarantee the preservation of substantial portion of the floodplain on the site, as well.

Overall, the proposed use of the Site is consistent with the Village's Comprehensive Plan and applicable Zoning regulations and, thus, the prior environmental reviews relative to land use and zoning as outlined in the lead agency's Findings, which indicate there is no significant adverse impact, remain applicable to the Modified Concept Plan.

### **3.2 Geology, Soils, Topography**

The Modified Plan will not pose any significant adverse impacts relating to geology, soils, or topography that were not already addressed in the review of the Approved Plan. In general, the impact to land will be associated with the grading and development of the access drives, internal roadways, parking areas, stormwater basins, landscaping and buildings.

**Approved Concept Plan/Site Plan:** Grading and excavation would be required for the construction of buildings, parking lots and site utilities. The plan presented in the SFEIS involved the disturbance to approximately 4.3 acres of the site. Refinements to the site design during the Site Plan review process resulted in an approved plan that would have resulted in approximately 4.7 acres. The site design with this minor amount of additional disturbance was carefully scrutinized by the Planning Board and subsequently received Site Plan Approval.

Due to constraints of the fill soils located onsite, it was understood that as a condition of Site Plan approval, the Village Engineer would be included in the inspection of all compacted soil in the field prior to the construction of any structure on site. Wetland soils with identified limitations, such as wetness (Udorthents, Uc and Fluvaquents, Ff), are located on the banks of the Saw Mill River or the river bottom and would be avoided by the project.

Disturbance to slopes of 15 percent or more was limited to approximately 0.17 acres in the approved Site Plan.

**Modified Concept Plan:** Similar to the previously approved plan, grading and excavation would be required for the construction of the Modified Concept Plan for buildings, drives, parking areas, bio-retention facilities and site utilities. Site disturbance would involve approximately 4.4 acres, which is 0.3 acres less than that for the approved Site Plan.

It is anticipated that as part of Site Plan approval requirements, the Village Engineer would be included in the inspection of all compacted soil in the field prior to the construction of any structure on site as was the case with the previously approved Concept Plan.

Similar to the Approved concept Plan, the Modified Concept Plan would disturb approximately 0.17 acres with slopes of 15 percent or more.

The applicant has submitted engineered site plans with this request for approval of the Modified Concept Plan that have sufficient detail for the Village to initiate a review comparable to site plan review. The Applicant will provide any additional information that is necessary to enable the Planning Board to be in a position to act on a request for Site Plan Approval either concurrently with Concept Plan approval or shortly thereafter.

## **Wetlands**

**Approved Concept Plan:** As confirmed by the Planning Board's SEQRA Findings, the Approved Plan would not cause any significant adverse aquatic impacts on the hydrology of the existing wetlands. (See PB SEQRA Findings at 22-24.) The buildings and associated improvements for the Approved Concept Plan would not adversely affect wetlands. However, there may be some minor incidental disturbance associated with the construction of the pedestrian bridge, depending on the exact location of the footings with respect to the wetlands. Installation of the pedestrian bridge will require authorization by the Army Corps of Engineers and NYSDEC. However, it is expected that such authorization would be permitted under existing Nationwide Permits, and would not pose any significant adverse environmental impacts.

**Modified Concept Plan:** Similarly, the buildings and associated improvements for the Modified Concept Plan would not adversely affect onsite wetlands. As noted above, the Modified Concept Plan also would include the construction of a pedestrian bridge to connect to the South County Trailway. As described above, the installation of the bridge requires approval from both the Army Corps of Engineers and NYSDEC, and is not expected to cause any significant adverse environmental impacts.

The potential impacts to wetlands from the Modified Concept Plan would be similar to the potential impacts anticipated from the Approved Concept Plan – i.e., there would not be any significant adverse aquatic impacts or impacts to the existing wetlands.

The Modified Plan will result in the grading and disturbance of 4.4 acres of the project site. This estimated area of disturbance is slightly less than the 2007 approved Site Plan, and would not pose any significant adverse environmental impacts.

The proposed Site layout and Plan configuration have been designed to minimize impacts on steep slopes by concentrating the development in the most level areas of the site. Steep slopes bordering the eastern edge of the Saw Mill River above the wetlands that border the river channel will remain substantially undisturbed. Minor impacts to in this area are necessary to construct the pedestrian bridge, but will not result in any significant adverse environmental impacts. There are no areas of the site which would warrant or involve blasting or other extensive physical rock removal methods.

## **Minimization or Avoidance of Impacts**

A preliminary Erosion and Sediment Control Plan has been prepared for the Saw Mill Lofts project as required for the general State Pollutant Discharge Elimination System permit (SPDES Permit GP-0-10-001). The Erosion and Sediment Control Plan is part of the attached preliminary Stormwater Pollution Prevention Plan (SWPPP) that is included as Appendix B. The updated SWPPP prepared for the Saw Mill Lofts Project will require review and approval by the NYS DEC. The Village Engineer will also review and approve the modified SWPPP as part of the Site Plan review.

In compliance with current regulations, the Erosion Control Plan provides both short and long-term maintenance of facilities including construction sequencing, storage of materials and temporary and permanent structures. Erosion control methods to be

employed are based upon the guidelines within the New York State Standards and Specifications for Erosion and Sediment Controls for New Developments.

### **3.3 Water Resources/Stormwater Management**

**Approved Concept Plan:** The prior Findings concluded that the Approved Concept Plan would not have an adverse impact on the storm water quality, quantity or on the Saw Mill River and its flood plain. With 2.1 acres of site disturbance proposed under the Approved Concept Plan, the development was subject to the requirements of General SPDES permit. As such, the preparation of a SWPPP was required to specify the manner by which erosion control and storm water management would be implemented. The proposed use of bio-retention basins and other devices to mitigate any impacts on water quality also resulted in reductions in peak rates and volumes of runoff from the site. Water quantity reduction was not required at the Saw Mill Lofts site by NYSDEC Stormwater Management Design Manual given the site's location in and the nature of the Saw Mill River watershed. Nevertheless, the proposed reduction in impervious area from 2.3 acres existing to 2.1 acres proposed, coupled with the benefits of the bio-retention basin, resulted in reductions in the peak rates and volumes of runoff from the site post-development.

The Approved Concept Plan and the approved Site Plan both proposed that no buildings or parking areas be located in the 100 year floodplain. The Approved Concept Plan incorporated a retaining wall and a limited amount of fill behind one building that was to be located within the 100 year floodplain in order to create a level area for access. The approved Site Plan utilized fill exclusively for this purpose. In addition, the proposed pedestrian bridge would also introduce a limited amount of fill for its construction, however the bridge span would be designed to be above the 100 year storm elevation. No adverse impacts were identified from these limited intrusions into the floodplain.

While the proposed buildings were not located within the floodplain, the Planning Board required that they comply with the Village's then soon-to-be enacted Flood Damage Prevention Ordinance which would require that the lowest floor of the building be set at 2 feet above the 100 year flood elevation, which is el. 122 at this section of the Saw Mill River. Accordingly, the approved Site Plan had buildings with their lowest floor at el. 124.

**Modified Concept Plan:** As noted above, a preliminary SWPPP has been prepared for the Modified Concept Plan which utilizes similar stormwater management methods, including bio-retention basins and other devices. The Modified Concept Plan also results in a reduction in impervious area from 2.3 acres existing to 2.2 acres proposed. The slight increase in impervious area above the 2.1 acres in the Approved Concept Plan, largely results from the introduction of a sidewalk system on the site to link on-site uses and connect to public bus transportation service on Saw Mill River Road. While storm water detention for quantity is not required for this site, the NYSDEC's emphasis on infiltration as a water quality method can result in greater reductions in peak rates and volumes of runoff from the site.

A hydrologic analysis has been prepared to determine the difference in peak flows and volumes from existing to post-construction conditions

The stormwater management design for the Modified Concept Plan will result in decreased runoff rates and volumes from the property for the 1, 10 and 100 year storm events. The following table indicates both existing conditions and post-construction runoff volumes for the above storm events.

<b>Runoff Flow rates and Volumes at Global Point of Study X</b>				
<b>Storm Event</b>	<b>Existing Condition Rates</b>	<b>Post-Construction Rates</b>	<b>Existing Condition Volumes</b>	<b>Post-Construction Volumes</b>
1-Year	4.96 cfs.	1.59 cfs.	19,494 cubic-feet	6,907 cubic-feet
10-Year	13.55 cfs.	11.24 cfs.	54,514 cubic-feet	36,480 cubic-feet
100-Year	25.14 cfs.	23.26 cfs.	102,132 cubic-feet	80,505 cubic-feet

The post-development rates are comparable to or less than those of the Approved Concept Plan, and the post-development volumes are significantly less than those of the previously approved plan.

Similar and limited encroachments into the 100 year floodplain will result from the proposed retaining wall and fill behind Building B, and the construction of the pedestrian bridge. Consequently, no adverse impacts are expected to result.

Although as on the Approved Concept Plan, no buildings are proposed within the 100 year floodplain on the Modified Concept Plan, the lowest floors of the proposed Buildings A and B, with garages below the residential floors, are set at el. 124, or two feet above the 100 year flood elevation. The lowest floor of Building C, the affordable housing building, is at el. 134.5 or 12.5 feet above the 100 year flood elevation. The recently released FEMA Advisory Based Flood Elevation Maps do not apply to this area of the Saw Mill River. They apply to coastal areas in New Jersey and New York including portions of the Hudson River, where storm surge and wave action can occur. They propose no changes to the 100 year flood elevations on the Saw Mill River, except in its lower reaches at its discharge into the Hudson River in Yonkers, in the vicinity of Larkin Plaza. To offer perspective, the lowest elevations of the Saw Mill Lofts site are in excess of 100 feet higher than the elevations at that location.

In response to an inquiry with regard to any similarities between the conditions at the Saw Mill Loft site and those at the Babbitt Court neighborhood in the Town of Greenburgh (Elmsford post office address) a review of available information was undertaken. The only similarity between the two properties is that they are both situated between Saw Mill River Road and the Saw Mill River, however, their relationships to the floodplain and flood elevations differ significantly. The Babbitt Court neighborhood is a single family subdivision with approximately 22 lots located just south of the Elmsford Village boundary. According to Town of Greenburgh Assessment Department records, the residences at Babbitt Court were constructed in the mid to late 1950's, some 20 years before FEMA requirements were adopted by municipalities to regulate development in floodplains. According to the FEMA Flood Insurance Base Maps, most of the neighborhood is located within the 100 year floodplain. The 100 year flood elevation at Babbitt Court is el. 173 and topographic information available from Westchester County GIS mapping indicates that ground elevations in the subdivision range from el. 168 on its western boundary closet to the river, to a high of el. 176 at Saw

Mill River Road on the east. As a result many of the existing residences are constructed at elevations below the 100 year flood elevation and are vulnerable to flooding. The majority of the Saw Mill Lofts site is at elevations well above el. 122, the 100 year flood elevation at that location, rather than below the flood elevation as at Babbitt Court, and extends as high as el. 139. No buildings or parking areas at Saw Mill Lofts are proposed to be constructed within the floodplain and all buildings will have their lowest floor (the below grade garage level) 2 feet above the 100 year elevation with the lowest residential floors at least 12 ft. above at the flood elevation. Proposed ground elevations adjacent to buildings are at least 7.5 feet above the flood elevation. Babbitt Court has an unfortunate history of flooding over decades due to its location in the floodplain and the configuration of the buildings constructed at elevations below the flood elevation, which is not at all comparable to Saw Mill Lofts.

Based on the foregoing, no adverse impacts with respect to stormwater management or the site's relationship to the Saw Mill River are anticipated.

### **3.4 Terrestrial and Aquatic Ecology**

As noted in the Planning Board's SEQRA Findings, the Site provides few aquatic or terrestrial ecological functions or benefits inasmuch as the asphalt already covers a large portion of the Site. (See PB Findings at 23 & 27-28.) Like the Approved Plan, the Modified Plan would not result in any significant adverse environmental impacts because the proposed area of disturbance is largely existing paved parking area and low quality grass area. As with the Approved Concept Plan, the Modified Concept Plan, will incorporate native plantings and enhancements along the Saw Mill River bank to improve the value of the terrestrial ecology and by proposing the Saw Mill River Greenway, preservation of those areas will be assured in perpetuity. The Modified Concept Plan would also provide significantly more landscaping along Saw Mill River Road than the Approved Concept Plan.

**Approved Concept Plan:** The total impervious area and the total grading disturbance for the previously approved plan would be 2.1 and 4.7 acres, respectively.

The Approved Concept Plan required the removal of eight trees. Removal of trees that are a minimum of 12 inch diameter breast height (dbh) would require a Tree Removal Permit.

No threatened or endangered species have been identified on the site, and based on the habitat analyses previously done during the SEQR process, threatened or endangered species are not likely to use the site.

Again, as set forth in the Planning Board's Findings, the Approved Concept Plan would not result in significant adverse impacts to wildlife habitat since the area of disturbance is largely low quality unmaintained grass area and existing parking area. Additionally, the Approved Plan does not propose impacts in the vicinity of the Saw Mill River.

**Modified Concept Plan:** The total impervious area for Amended Concept Plan would be 2.2 acres and the total grading disturbance is approximately 4.4 acres.

Due to the revised layout of the Modified Concept Plan, a number of trees that were proposed to be removed as part of the Approved Concept Plan will no longer require

removed. In total, it is anticipated that the Modified Concept Plan will require the removal of 6 trees. As with the Approved Plan, all tree removals would require a Tree Removal Permit to be issued by the Village Building Inspector.

No threatened or endangered species have been identified on the Site, and based on the habitat analyses previously done, nor are they likely to use the Site.

Similar to the Approved Concept Plan, the Modified Concept Plan would not result in significant adverse impacts to wildlife or wildlife habitat, nor does the Modified Concept Plan propose impacts in the vicinity of the Saw Mill River.

Given the revised site layout, the Modified 2013 Concept Plan would provide significantly more landscaping along Saw Mill River Road than the Approved Concept Plan. Saw Mill River Road is an important entrance corridor to the Village of Hastings-on Hudson and serves as the Gateway to this river community. This additional landscaping would not only provide aesthetic value, but would also provide food and shelter for birds and small mammals.

### **Minimization or Avoidance of Impacts**

Clearing limit lines will be physically marked on the site with appropriate fencing prior to commencing any construction activity to insure that impacts occur within the approved development areas. No trees in healthy condition beyond the marked limits of disturbance will be disturbed.

A proposed Landscaping Plan will be prepared which includes plantings consisting of a mix of species in clustered, naturalistic settings. Native species for site landscaping purposes and for revegetating the proposed water quality and stormwater detention basins will also be utilized.

Native plantings will be incorporated into the landscape design, and traditional lawn areas will be reduced, thereby reducing need for pest control and potential runoff to wetland related resources.

### **3.5 Traffic**

The Planning Board's SEQRA Findings for the Approved Project concluded that it would not result in any significant adverse traffic impacts at any of the studied intersections. (PB Findings at 32.) Updated traffic analysis for the Modified Concept Plan confirms the continuing validity of this analysis for the Project.

The traffic analysis conducted for the Approved Project utilized a unit count of 60 residential units, compared to the currently proposed 66 rental units, which estimated a generation of 38 trips during the AM peak hour and 44 trips during the PM peak hour. According to the latest (9th edition) Trip Generation rates, the modified Saw Mill Loft project is projected to generate 41 weekday a.m. peak hour vehicle trips, 46 weekday p.m. peak hour vehicle trips (February 6, 2006 Maser Letter Appendix B Table 1). The proposed 66 unit Saw Mill Lofts development is expected to result in slightly higher traffic generation (3 a.m. peak hour trips and 2 p.m. peak hour trips) than analyzed under the 2007 traffic study estimates.

According to the original traffic analysis, Levels of Service (LOS) “did not change significantly from those previously presented”... “and virtually no change in the level of service between the No Build and the MUPDD Saw Mill Lofts and Riverwalk Village Alternative Build Scenarios”. The new traffic study was conducted with 2013 counts serving as the base volumes and future year defined as 2018. Capacity analyses were performed using the last methodology (HCM 2010 Highway Capacity Manual, Transportation Research Board of the National Academies, Washington, DC, 2010). For the two nearest intersections analyzed there continued to be virtually no change in level of service. The site access points will operate at level of service “C” or better. All movements at the two Saw Mill River Road intersections would operate at levels of service “D” or better, except the Saw Mill River Road intersection with Jackson Avenue and Ravensdale Road approaches capacity during the p.m. northbound peak hour movement in both the No Build and Build conditions.

The Modified Saw Mill Lofts Project will be accessed via a two full driveways off of Saw Mill River Road. The configuration has changed from the 2007 plan which proposed one full access and two partial accesses (one entering and one exiting). This reduction in the number of curb cuts is a safety improvement measure.

The SFEIS for the Approved Plan noted the egresses met the safe stopping sight distances for the posted speed limit (40 mile per hour). Under the Modified Plan, Table SD-1 compares the intersection sight distance requirements for the 45 and 50 mile per hour operating speeds, and indicates the effect of clearing vegetation to improve sight lines. The southern access exceeds the intersection sight distance for 45 mile per hour operating speeds and is five feet less than the intersection sight distance for 50 miles per hour. The northern access exceeds the 50 mile per hour intersection sight distance. The longer proposed sight distances in the Modified Plan result in improved safety over the Approved Plan configuration.

## **Minimization or Avoidance of Impacts**

The Planning Board SEQRA Findings indicated that, notwithstanding the fact that the Project posed no significant adverse traffic impacts, the Applicant offered to upgrade the traffic signal controller and modify traffic signal phasing operations at the Route 9A, Jackson Avenue, and Ravensdale Road intersection. (PB SEQRA Findings at 32.) Since the issuance of those Findings, this intersection has benefitted from updated signalization and the addition of turn lanes constructed in association with the Ridge Hill development project. No further improvements are required for the Modified Concept Plan.

The Applicant had also offered to make certain improvements at the Lawrence Street/Route 9A intersection including sight distance improvements, performing a signal warrant analysis for the intersection six (6) months after the project's completion, and contributing its fair share to the cost of the signal installation should the NYSDOT determine that a signal is warranted. Since the issuance of the prior Concept Plan Approval, the NYSDOT installed a signal at this intersection such that the improvements previously offered here by the client are no longer required. Minor signal timing adjustments are required of the nearby Rivertowns Square development to accommodate its traffic. If Rivertowns Square was not built, those timing adjustments would not be necessary.

In association with the Rivertowns Square project, the intersection of Lawrence Street and Saw Mill River Parkway is to be reconstructed. If the Rivertowns Square project is not completed first, the intersection would need minor signal timing revision to accommodate the modified Saw Mill Lofts Project, as was the case with the approved plan.

It should be noted that the expected project generated traffic volumes at the other area intersections will be accommodated without any significant change in operations compared to No-Build Conditions.

### **3.6 Air Quality**

**Approved and Modified Concept Plans:** Air related impacts were not anticipated from the Approved Concept Plan as indicated in the MUPDD Saw Mill Lofts SFEIS. (See PB SEQRA Findings at 34.) Similarly, the Modified Concept Plan is also not expected to adversely impact air resources.

### **3.7 Noise**

#### *Traffic*

The SDEIS for the Riverwalk Village development Alternative analyzed the potential for significant adverse noise impacts associated with traffic and construction. For traffic to result in a perceptible noise increase it must double. The traffic generated by the Approved MUPDD Saw Mill Lofts Concept Plan would not double, and thus there would not be a perceptible increase in noise levels. (See PB SEQRA Findings at 35.) Similarly, the traffic generated by the proposed Modified Saw Mill Lofts Concept Plan does not double existing traffic levels, and thus no significant adverse traffic related noise impacts are anticipated.

### *Construction Activity*

Construction activity for the proposed Modified Concept plan is virtually the same as construction activity for the Approved Concept Plan. Construction activities are anticipated to result in temporary elevated noise levels during occasional periods throughout the construction of the proposed project. Noise levels are projected to range between 65 dBA and 90 dBA depending upon the proximity of construction equipment at any given time. Construction traffic is expected to be heaviest at the beginning of the construction process. Once construction equipment is on site, it is expected to remain there for the duration of the earth moving phase of the project.

### **Minimization or Avoidance of Impacts**

To minimize construction related noise impacts, construction activity would be limited to the hours between 7:00 a.m. and 8:00 p.m. on weekdays (exclusive of holidays), in conformance with Village regulations. In addition all construction vehicles and equipment would be well maintained and operated in an efficient manner. The Project's conformance with the Village's regulations will ensure that there would be no significant adverse construction related impacts.

### **3.8 Socio Economic**

As discussed, the proposed project is a mix of market rate and affordable residential rental units proposed off NYS Route 9A in the Village of Hastings-on-Hudson. The project will include private roads and appurtenances. The residences would be served by public sewer and water.

The subject site is presently zoned MUPDD, Mixed Use Planned Development District. The purpose of this district is to allow design flexibility to encourage transitional uses given the site's location as the "gateway" to Hastings-on-Hudson. The site is predominantly vacant with the exception of two vacant parking areas previously used by Ciba Geigy.

The Project Sponsor proposes to construct 54 units of market rate rental housing and 12 units of affordable rental housing. The concept plan shown in Figure 3 shows Buildings A and B which will each contain 27 market rate units on three floors with elevator access and underground parking. Figure 3 also shows the location of Building C, which is to house 12 units of affordable housing on two floors with elevator access and surface parking. In total, the market rate units will include, six one bedroom units, forty-two two bedroom units and six three bedroom units. There will be a similar mix of bedrooms in the affordable units. The market rate units are projected to rent for approximately \$2,400 to \$3,600 depending upon size. The affordable units will be rented in Compliance with the Village's Affordable Housing regulations which state that a rental unit must be leased to a household whose income does not exceed 60 percent of the area median income adjusted for household size, and where the housing costs do not exceed thirty percent of sixty percent of the area median income.

Demographic multipliers published by the Rutgers University Center for Urban Policy Research (CUPR) were used to project the future population of the Saw Mill Lofts

project. These multipliers are specific to bedroom count, geographic area, rental value and form of ownership. Based upon these factors a population multiplier of 1.67 persons was used for studio and one bedroom units, multipliers of 2.31 and 3.81 were used for two and three bedroom units respectively.

A projection of All School age children was conducted by utilizing multipliers of .08 students per one bedroom unit, 0.23 students per two bedroom unit, and 1.0 students per three bedroom units. It is estimated that 21 school age children will live at Saw Mill Lofts Based upon information provided by the Westchester-Putnam School Boards Association up to three percent of students in the Ardsley School Districts service area may attend private or parochial schools. A projection of Public School age children was also conducted by utilizing multipliers of .07 students per one bedroom unit, 0.16 students per two bedroom unit, and 0.63 students per three bedroom units resulting in a total projection of 13 students attending Ardsley Schools. There is also approximately one third acre of the project site located in the Hastings School District, no improvements are planned for this area of the site, and no students are expected to attend Hastings Schools.

Based upon these residential multipliers, approximately 157 persons including between 13 and 21 school age children are projected to reside in the proposed housing.

#### *Current and Projected Assessed Value*

The Saw Mill lofts site is contained on Village tax parcel 4.6-46-1. The current assessed value of the total project site is \$150,500. According to a review of the 2012/2013 tax bills for the subject parcel, the total annual property taxes generated by the project site and paid to the Village of Hastings-on-Hudson are \$24,091. The municipal taxes paid to the Town of Greenburgh are \$2,232. The municipal taxes paid to Westchester County are \$15,720. The total municipal taxes paid are \$46,203 while the annual property taxes paid to the Ardsley school district are \$91,842 and to the Hastings School District are \$10,710.

Based upon the income value of the proposed Saw Mill Lofts project, the total value is estimated to be \$13,517,909. Using the current 2012 equalization rate of 3.17 percent, the total Assessed Values of the project used for this analysis are \$428,518 and \$454,202 in the Village and Town/County/ School Districts respectively.

#### *Current and Projected Revenues*

Table 2 compares the revenues generated presently by the property to the revenues to be generated after the Saw Mill Lofts project is complete. Revenues are based on 2012/2013 tax rates for the Village and School Districts and the 2012 rates for the Town and County

According to the Village of Hastings-on-Hudson annual budget, the Village's tax rate includes Village governmental services, Fire and Public safety, Law Enforcement, Community Services, Parks and recreation, Public Works, Employee Benefits, Debt Service, Interfund transfers, and Contingencies.

As presented in Table 2, annual revenues to the Village of Hastings-on-Hudson would be approximately \$102,492. Revenues to the Town of Greenburgh would total \$6,735. The project-generated annual revenues to Westchester County would be approximately \$47,441 annually. Revenue to the Ardsley school district is projected to be \$306,276 and revenue to the Hastings School District would remain \$10,710.

<b>Table 2 Current &amp; Projected Taxes Generated by Saw Mill Lofts</b>			
Taxing Authority	Current Taxes (\$)	Saw Mill Lofts Projected Taxes Total (\$)	Net Increase Between Current & Projected Taxes (\$)
Westchester County	\$15,720	\$47,441	<b>\$31,721</b>
Westchester County Refuse District	\$1,534	\$4,630	\$3,096
<b>Total Westchester County Tax Revenue</b>	<b>\$17,254</b>	<b>\$52,071</b>	<b>\$34,817</b>
Town of Greenburgh paid by Village Residents	\$2,232	\$24,901	\$4,504
Saw Mill Valley Sewer	\$2,626	\$7,925	\$5,299
Total Village of Hastings-on-Hudson	\$24,091	\$102,492	\$78,401
<b>Total Municipal</b>	<b>\$46,203</b>	<b>\$169,223</b>	<b>\$123,021</b>
Ardsley School District	\$91,842	\$306,276	\$214,434
Hastings School District	\$10,710	\$10,710	--
<b>TOTAL</b>	<b>\$148,755</b>	<b>\$486,209</b>	<b>\$337,454</b>
<b>Notes:</b>			
(1) Tax Rate per \$1,000 of Assessed Valuation.			
Municipal taxes are based upon Village of Hastings-on-Hudson 2012/2013 Tax Rates.			
School Tax Rates are for the 2012-2013 school year.			

Annual revenues to the Ardsley School District would be approximately \$306,276. The net *increase* between the current tax revenues generated by the site and paid to the School District and the total future project-generated revenues to the school district are projected to be approximately \$214,434. As stated, no improvements are anticipated to the land located within the Hastings School District, thus there is no increase in tax revenue projected.

Table 2 also indicates the net increase in revenues to each jurisdiction which in total is projected to be more than \$300,000 annually.

*Costs Associated with the Proposed Project*

An approximate estimate of costs to the Village of Hastings-on-Hudson associated with the proposed residential development may be determined by obtaining a reasonable composite of current costs on a per capita basis and multiplying this amount by the anticipated population of the proposed project.

As stated earlier, the Village's budget includes Village governmental services, Fire and Public safety, Law Enforcement, Community Services, Parks and Recreation, Public Works, Employee Benefits, Debt Service, Interfund transfers, and Contingencies. However only certain of these services are likely to be utilized by an increased population. Costs that are directly affected by a growth in population are referred to as

marginal costs. Inclusion of the entire budget line item in determining marginal costs provides the most conservative analysis.

Through a review of the Village's operating budget, the amount of expenditures that are service based and are thus more likely to increase as population grows can be identified, and, by dividing the population into the amount of expenditures, the per capita cost can be determined. To estimate the portion of the per capita cost which is paid for by property tax revenues (as opposed to other forms of income to the Village), the per capita cost is multiplied by the proportion that property tax revenue comprises of the overall income stream. and further multiplied by the proportion of the Village's budget spent on residential costs.

In this instance, the adopted 2012-2013 municipal budget for the Village of Hastings-on-Hudson amounts to \$13,366,244. The marginal costs, those costs that provide service to the population as opposed to more fixed costs, amounts to \$5,172,166. The portion of this which may be assigned to residential land uses is \$3,879,125 (assumes 75 percent of the total assessed valuation is residential). Of this amount, 74 percent (\$2,870,553) is raised by the tax levy versus other forms of revenue such as sales tax, government fees etc.

According to the US Census data, the 2010 estimated service area population for the Village is 7,849 persons. Dividing the marginal costs to be raised by taxes, (\$2,870,553) by the projected population results in a per capita marginal cost to be raised by taxes of \$367 per person. It is noted that commercial and other land uses in the Village also place demand on the various Village and other governmental services which are not considered in deriving the per capita cost.

As described earlier, the proposed project would add approximately 157 persons to the population of the Village. Based on a per capita cost of \$367 the additional costs to the Village of Hastings-on-Hudson are projected to be up to approximately \$57,552. As presented in Table 2, the revenues to the Village from the proposed Saw Mill Lofts Development would amount to a total of \$102,492, thus, **after** covering the cost of municipal services, the project will result in an annual net benefit to the Village of approximately \$45,000.

It should be noted that by virtue of the reduced rental values necessary to achieve Affordable Housing the income value of the unit, which serves as the basis for determining assessed value, is reduced, resulting in reduced taxes for Affordable housing units. However, other community benefits are derived from the availability of affordable housing.

#### *Incremental Cost Analysis*

Most potential fiscal impacts on the Village budget, including police and fire protection, are expected to be incremental in nature. As described in the 2006 SFEIS, no investment in either equipment or personnel would be needed as a result of the Saw Mill Lofts project.

Compared to marginal costs, a closer approximation of true costs would be to segregate out those incremental costs which are directly affected by population increase. Many

Village expenses are fixed, such as General Government Support Services (i.e., administration), etc., and would not be affected by an incremental increase in Village population associated with the proposed project. One of the few incremental cost items that would be directly affected by the proposed project would be solid waste collection service.

The 2012-2013 municipal budget allocates \$755,660 for the annual collection of approximately 9,760 tons of solid waste materials including recyclables, which represents a cost of \$77.42 per ton. The proposed 2013 Saw Mill Lofts plan is projected to generate approximately 100 tons of solid waste material annually. Based on this estimate, the cost to the Village for the 2013 Saw Mill Lofts plan is projected to be approximately \$7,800. Collection service at the site is expected to occur twice a week (once for regular collection, once for recycling). The incremental costs to police services are estimated at \$5,200 annually. Thus the total incremental Village costs are estimated at \$13,000. The Village tax revenue is projected to be \$102,492, resulting in an annual net surplus to of approximately \$89,492, exclusive of the \$420,000 in recreation escrow fees that would be provided by the project.

In sum, the proposed project is not expected to result in any significant adverse fiscal impacts to the Village; on the contrary, it is expected to result in a revenue surplus over its incremental costs.

#### *Open Space*

Under the currently proposed Modified Saw Mill Lofts Plan, more landscaped open space would be present on the Site than currently exists, which would represent a social benefit to the community. Under the Proposed Action, the Applicant would donate 2.9 acres of the Site to the Village for potential use as active or passive open space. Based on the prevailing market value of land, this donation would represent a substantial donation to the Village and would be an economic benefit to local residents. In addition, the construction of a pedestrian bridge to the South County Trailway, as well as the provision of on-site parking available to the public, would represent additional social benefits.

#### *Ardsley School District*

The budget for the 2012-2013 school year for the Ardsley School District totaled \$57,892,124, of which \$32,479,065 is spent on direct instructional and transportation costs. The enrollment is currently 2,050 students. Thus, the educational costs associated with instruction and transportation amount to approximately \$15,843 per student.

In terms of revenues, approximately 80 percent of the current budget is derived from property taxes, with the remainder coming from state aid and other revenue sources. As such, the portion of per-student instructional and transportation costs assumed to be raised through the property tax is approximately \$12,675 per student.

Approximately 21 school age children are projected to reside at Saw Mill Lofts proposed development as described earlier. A projection of Public School age children was also

conducted resulting in a total projection of 13 students attending Ardsley Schools. There is also approximately one third acre of the project site located in the Hastings School District, no improvements are planned for this area of the site, and no students are expected to attend Hastings Schools.

Based on the \$12,675 figure calculated above, for a range of 13 to 21 students, projected costs to the school district to be derived from property taxes from the proposed Saw Mill Lofts plan would range from \$164,777 to \$266,175.

As described earlier, the proposed Saw Mill Lofts plan is projected to generate \$306,276, in property tax revenue to the Ardsley School District, Thus, according to this analysis, projected revenues to the school district exceed taxpayer costs resulting in a net benefit to the school district which would range from \$40,101 to \$141,499 for the Saw Mill Lofts project.

Table 3 presents a summary of the total anticipated revenues compared to the generalized estimate of costs of the proposed Saw Mill Lofts project.

<b>Table 3 Revenue &amp; Cost Summary: Saw Mill Lofts Project</b>			
<b>Jurisdiction</b>	<b>Projected Taxes (\$)</b>	<b>Projected Costs (\$)</b>	<b>Net Tax Revenue</b>
<i>Village of Hastings-on-Hudson</i>	\$102,492	(\$57,552)	\$44,940
<i>Ardsley Central Schools</i>	\$306,276	(\$164,777 to \$264,653)	\$40,101 to \$141,499
<b>Total</b>	<b>\$408,768</b>	<b>up to (\$322,205)</b>	<b>up to \$186,989</b>

Source: Tim Miller Associates, Inc., 2013

In sum, similar to the 2007 approved Concept Plan the 2013 Proposed Concept Plan is not expected to result in any significant adverse impacts to the Village of Hastings-on-Hudson or the Ardsley School District, but rather would result in a budget surplus. At worst, the project would be budget neutral.

*Fiscal Benefits*

The project will induce construction employment in the short term. In the long-term, the new resident population would introduce consumer demand for the retail and service establishments located within the Village of Hastings-on-Hudson, as well as the larger commercial area within the region.

*Short Term Employment Opportunities*

The construction value of the proposed project would total approximately \$10.5 million. Construction of the project would require a commitment of person hours of labor, which can be viewed as beneficial to the community, the local economy, and the construction industry with respect to the generation of jobs. Based on labor hour estimates published by the Urban Land Institute, and accounting for secondary employment resulting from the construction, this project would generate 40 full time equivalent jobs in the various construction trades associated with this project.

It is anticipated that a number of construction workers would come from Westchester County and nearby counties in the region. These workers are expected to have a positive impact on existing local businesses that provide such services as food convenience shopping, gasoline, etc.

#### *Local Economy Spending*

Future residents would utilize retail, personal service, and other commercial uses located in the project vicinity. Businesses within the project vicinity, especially those located within the Village, would benefit from new resident expenditures. Approximately 30 percent of household income is spent on retail goods and services.

A household income ranging from \$100,000 to \$150,000 annually, would be required to afford the market rate housing. Using an average household income of \$125,000, it is estimated that 54 households would spend more than \$2,000,000 annually. A substantial portion of these expenditures would be made at supermarkets, local convenience stores, apparel stores, restaurants and service businesses such as gas stations and hair salons in the area.

### **3.9 Community Services**

The Modified Concept Plans impacts on community services are, for practical purposes, the same as the impacts of the Approved Concept Plan, which were already determined not to pose significant adverse impacts.

#### **Approved Concept Plan:**

##### *Police*

As indicated in the Planning Board's SEQRA Findings, the Village of Hastings has one of the lowest crime rates in Westchester County. (See PB Findings at 39.) The area of the Project Site is currently a low crime area with few, if any traffic-related problems. The Hastings Police Department indicated that they did not have specific concerns with the Riverwalk alternative project (the 157-unit project). Similarly, the lower density Approved Concept Plan did not generate any concerns to the Police Department.

##### *EMS*

The Approved Concept Plan is expected to only minimally impact public safety services such as emergency medical services. As discussed in the SFEIS, the proposed buildings would be constructed using a fire resistant design, conforming to building code requirements, and including fire sprinkler systems. No significant impacts on medical services were anticipated.

### *Fire*

The Hastings Fire Department was contacted regarding the Riverwalk Village project, a 157-unit residential development. The Fire Department Chief did not express concerns regarding the fire and ambulance response to the project site and noted that the Department would work with the applicant in assuring that all required fire codes and recommended safety issues are addressed. The character of the Approved Concept Plan was such that fewer demands on emergency providers were anticipated.

### *Solid Waste*

The 2007 Approved Plan would generate approximately 90 tons of solid waste per year. The solid waste anticipated from the Approved Concept Plan represented one percent (1%) of the Village's annual waste generation and was not expected to have a significant impact on the provision of waste collection services.

### *Water*

The estimated water demand for the Approved Concept Plan would be 11,540 gallons per day (gpd). United Water of New Rochelle is the public water supplier to the Site. The Applicant met with United Water and was informed that there was sufficient water and water pressure to service the Project Site. Therefore, no adverse impacts to the public water supply were expected from the Approved 2007 Concept Plan.

### *Wastewater*

The anticipated wastewater load for the Approved Concept Plan was estimated to be approximately the same as the average daily demand water for flow, which would be 11,540 gpd. The wastewater anticipated from the previously proposed Riverwalk Village project, a 157 residential unit development, was approximately 28,600 gpd.

According to the Riverwalk SDEIS, the wastewater amount of 28,600 gpd would not significantly affect the receiving Westchester County treatment plant in the City of Yonkers. The volume associated with the Approved Concept Plan is less than half that of the Riverwalk Project and was, therefore, also not expected to impact the County's treatment plant in Yonkers.

### **Modified Concept Plan:**

#### *Police/EMS/Fire*

The Modified Concept Plan would also not be expected to adversely impact the community service providers that would service the project site (Fire, Police, EMS). Furthermore, the proposed buildings would be constructed using a fire resistant design, conforming to building code requirements, including fire sprinkler systems. The grading and utility plans included with this application for Modified Concept Plan approval includes access areas to the rear of the buildings and hydrant locations comparable to those previously requested by the Fire Department during the prior Site Plan review. These features can be refined during the review of the Modified Concept Plan.

### *Solid Waste/Water/Wastewater*

The anticipated demands for solid waste (100 tons per year); water (11,775 gpd) and wastewater (11,775 gpd) are similar to the demands associated with the Approved Concept Plan. While six (6) additional residential units are being added to the modified Concept Plan, previously approved live/work functions such as potential retail activities and having employees and clients on-site, are no longer proposed such that waste water and solid waste generation, and water consumption are expected to be comparable to the previously approved plan. Therefore, the impacts associated with the Modified Concept Plan will be similar to those expected from the Approved 2007 Concept Plan.

### **3.10 Visual Resources**

The Planning Board concluded in its SEQRA Findings that the Approved Project would not result in any significant adverse impacts to visual resources. (See PB Findings at 42.) Inasmuch as the proposed modifications would improve the Project's visual impacts, this conclusion remains apt.

**Approved Concept Plan:** The Approved Concept Plan contained 5.4 acres of open space. The buildings for the Approved Plan were situated along the north-south centerline of the property, thereby, maximizing the setbacks to the Saw Mill River and Route 9A. The proposed buildings were separated to provide an east-west visual corridor and to retain two of the three prominent Norway spruce trees on the Site. Considerable landscaping throughout the Site was also proposed to improve aesthetics. The buildings were to be designed to be architecturally compatible with existing office and light industrial style buildings along the Route 9A corridor. A 1.75 acre open space parcel was proposed at the southerly end of the site.

**Modified Concept Plan:** The Modified Concept Plan would contain a 1.6 acre dedicated open space in the southern portion of the site and 1.3 acres of Saw Mill River Greenway opposite the South County Trail plus an additional 2.8 acres of landscaped open space on site for a total of 5.3 acres of open space. Generally, the buildings and paved areas proposed in the Modified Concept Plan would be located with greater and more varied setbacks from Saw Mill River Road to provide an enhanced buffer from the road, which would include landscaped berms, street tree plantings, and reduced curb cuts within the streetscape of Saw Mill River Road in recognition of the location's status as a Village gateway. By eliminating the two 300 ft. long buildings in the Approved Concept Plan, and replacing them with two shorter 3-story buildings, and a third smaller 2-story building the Modified Concept Plan would increase the extent of east-west view corridors across the property and reduce the total building wall as viewed from Saw Mill River Road. An increase in the setback from Route 9A provides an area for significantly more landscaping along Saw Mill River Road. The buildings will continue to be designed with a loft style architecture that is compatible with existing office and commercial buildings along the Route 9A corridor.

The scale of the Modified Concept Plan and the variation in building location would also improve the visual aesthetic of the development.

As with the Approved Concept Plan, significant adverse impacts to visual resources are not expected from the Modified Concept Plan.