

### **3.6 Zoning and Surrounding Land Uses**

This chapter of the Union Place DEIS describes existing conditions and potential impacts of the project on land use, zoning and local and regional planning strategies. The land use and zoning study covers the project site and areas within a one-half-mile radius of the boundaries of the project site. With respect to planning strategies, this section reviews the consistency of the proposed project with relevant policies of the Town of Carmel Comprehensive Plan, Putnam County and regional (Westchester County, Croton Plan, etc.) planning policies.

#### **3.6.1 Introduction**

The proposed project is located in the Hamlet of Mahopac, Town of Carmel, Putnam County, New York (see Figure 2-1, Regional and Local Settings). A schematic layout of the project is presented in Figure 2-2, Union Place Overall Site Plan, and in the large scale drawings at the rear of this DEIS (Drawing SP-1).

The Applicant proposes to construct an innovative, mixed use community on approximately 287± acres of predominantly undeveloped land that will provide future residents and visitors with a unique sense of place. The proposed Smart Growth Village development has been designed to meet the growing demand for retail, office and diversified housing in Putnam County while preserving open space, promoting transportation efficiency and pedestrian access and enriching recreational and entertainment opportunities for existing residents as well as newcomers.

Union Place is proposed to include both national (large scale) and local (small scale) retail space, professional and corporate office space, a hotel, restaurants, plus rental and for-sale housing. With a project layout and architectural features designed to welcome visitors, streamline traffic, and simplify the existing intersection's orientation, the Applicant proposes to transform the nondescript US Route 6 and Baldwin Place intersection in Mahopac into a vibrant gateway to the Town of Carmel and Putnam County.

This multifaceted development has been designed to respond to regional and local planning goals and to function the way vital main streets and village centers have done in the past. It incorporates the contemporary land planning concept known as "Smart Growth" combining diverse uses and attractions in a compact and physically appealing environment. More specifically, Smart Growth is a style of land development that: focuses growth in existing community centers and is transit and pedestrian oriented; includes a mix of housing, commercial and retail uses; incorporates compact building design; and attempts to preserve open space and other environmental amenities. This type of development "...provides people with additional, housing, and employment choices by focusing future growth away from rural areas and closer to existing and planned job centers and public facilities." <sup>1</sup>

Like a traditional main street, the Union Place "Main Street" would be a walkable community that would include first floor retail shops and offices, indoor and outdoor dining and gathering spaces as well as upper floors with rental apartments and offices. A separate residential enclave within Union Place, known as Union Heights, would be located within a ten minute walk from Main Street. Between these two portions of the development a broad swath of green space would be preserved as open space with recreational areas incorporated within.

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<sup>1</sup> Local Initiatives Support Corporation website: [http://www.lisc.org/san\\_diego/assets/asset\\_upload\\_file873\\_6802.pdf](http://www.lisc.org/san_diego/assets/asset_upload_file873_6802.pdf).

The proposed retail, office, hotel and rental units would be built in the southwestern and western portions of the project site paralleling Baldwin Place Road (CR 37). Union Heights, the “for-sale” residential portion of the project, would be located in the central and northeastern portion. Nearly one half of the site (123.2 acres) would be retained as undisturbed open space. An additional 82.2 acres (including lawn and landscape, meadow and dirt road areas) are proposed to be revegetated. Total open space would cover nearly 72 percent (205.4 acres) of the site.

The development is proposed to include some or all of the following amenities:

- Village green with band shell or other recreational amenity
- Plaza with fountain and seating at the end of Main Street
- Walking trails
- Pond and fishing platform
- Children’s playground
- Gazebo
- Passive park
- Bike/Jogging trail
- Village trail
- Dog park
- Community space along the Main Street Village
- Recreation center and great lawn for Union Heights

The inclusion of these amenities along with the proposed wide sidewalks along Main Street that will promote outdoor seating, dining, window-shopping, and most importantly human interactions, set the stage for a walkable community that businesses and residents can be proud to call home and the broader community can be excited to visit. This unique-to-the-area Smart Growth Village development plan is designed to be a “lifelong community” where residents can easily age in place without the worries of having to travel far to shop, recreate, gather with friends and family and enjoy life.

In order to bring about the physical development of the project, a number of land development approvals will be required as set forth more fully in Section 2.6 Required Permits and Approval, Involved and Interested Agencies. The Primary approvals required from the Town are:

- Subdivision approval for the project site as required for future ownership and legal purposes and
- Site Plan approval for the proposed uses, structures, parking, stormwater, recreation areas, landscaping and other improvements.

Additionally, the Proposed Action will require text amendments to the Town of Carmel Zoning Ordinance and a conditional use permit.

### Smart Growth Village Zoning

The progressive Smart Growth Village approach to the design of Union Place would require an amendment to the Town of Carmel Zoning Code to provide a review process for the project. To this end, the Proposed Action includes the adoption of the Smart Growth Village text amendment to set forth the requirements which would need to be met to receive the Smart Growth Village Conditional Use Permit. Upon adoption, the proposed Union Place development would require this Conditional Use Permit from the Town.

The proposed zoning is described in more detail in Section 3.6.2 of this chapter.

The addition of the Smart Growth Village conditional use to the C (Commercial) and C/BP (Commercial/Business Park) zoning districts places the potential for community-oriented compact mixed use development in areas of the Town already identified for intensive commercial and service uses. The existing C and C/BP zoning districts flank key major roads in a central area of the town. As described in Section 3.6.3 of this chapter, the variety of existing highway commercial uses along US Route 6 in the project site area includes small scale and large scale businesses and services. The site and nearby commercial uses are surrounded by residential uses ranging from higher-density neighborhoods to lower-density single-family development. The unified Union Place development that would result from the proposed zoning would enhance Baldwin Place and beyond with a mixed use community as a focal point for the Town of Carmel, Putnam County and vicinity located in the center of the existing disconnected uses in the project area.

#### Union Place Mixed Use Development and Main Street

The Main Street aspect of the site development would support a total of 1,043,600 square feet of nonresidential floor space located in seventeen buildings. As proposed, the floor space would include the following:

- 133,000 sf for anchor retail;
- 80,000 sf for junior anchor retail;
- 50,000 sf for a specialty grocer;
- 28,000 sf for a book store;
- 22,000 sf for restaurants;
- 14,000 sf for a pharmacy;
- 166,000 sf for other retail;
- 350,000 sf for corporate office;
- 125,000 sf for professional office;
- 65,600 sf for the hotel; and
- 10,000 square feet for community space.

The area of the residential rental units (180) located on the upper floors of these buildings along with all related unoccupied space would total 315,000 square feet.

The project's structures, layout, uses and other details of the mixed use aspect are more fully described in section 2.4.2 of the DEIS.

Outdoor recreational facilities proposed would include a swimming pool, tennis court, bocce court and shuffleboard courts located immediately south of the Union Heights Community Building. In addition, a village green, gazebo, and walking trails are proposed as part of the overall development plan.

#### Union Heights Residential Units

The proposed Smart Growth Village zoning amendment would also allow the creation of a residential neighborhood within walking distance of the proposed mixed use Main Street village. In addition to the 180 rental units along Main Street, the Proposed Action would include 300 for-sale units in the nearby Union Heights portion of the site. These would be offered in three different layouts: 64 flats, 110 townhouses and 126 cottages. The total square footage for the

for-sale units breaks down as follows - 102,400 square feet in flats, 203,500 square feet in townhouses and 277,200 square feet in cottages. Details on the various unit sizes are provided in Section 2.4.2 herein.

The for-sale housing component will also include private amenities for project residents such as recreation facilities and a community center. The one story Community Building, would include meeting rooms, administrative offices, a library, a computer room and a variety of indoor recreational activities such as a gym. The community building would occupy 10,500 square feet.

As described below, it is the opinion of the Applicant that the Proposed Action is generally consistent with land use, zoning and public policy of the Town of Carmel, development along US Route 6, and the study area evaluated. Final determinations will be made by the Town of Carmel Planning Board and set forth in the SEQRA findings.

### **3.6.2 Zoning and Regulations**

#### Existing Conditions

The current Carmel zoning map was adopted in 2002 following the 2000 Comprehensive Plan. The Schedule of District Regulations, which lists principal permitted and conditional uses for the Town's zoning districts, has been amended since adoption of the Plan. Therefore, the zoning ordinance, its use table and zoning map are current and would be consistent with the Comprehensive Plan.

The project site is located in the Commerce/Business Park (C/BP) and Commercial (C) zoning districts. Specifically, the Commercial district occupies much of the northeastern lobe of the site to an approximate depth of 2,000 linear feet from US Route 6. The Commercial district extends into the southeast corner of the site at the corner of US Route 6 and Baldwin Place Road at a depth of about 250 linear feet from US Route 6. The remaining approximately two-thirds of the site is located in the Commerce/Business Park zoning district. Existing zoning of the project site and vicinity are shown on Figure 3.6-3.

The areas to the immediate northeast and east of the site, along the US Route 6 corridor are zoned Commercial (C), except for an area flanking the eastern side of the site's center, which is in the Residential (R) zone. Across US Route 6 from the site, and beyond the C district, there are additional R zoned areas primarily within established residential neighborhoods. To the southeast of the site across US Route 6 is another sizable area of both C and C/BP districts encompassing existing commercial development. A Recreational/Trailway district follows the abandoned Conrail railroad right-of-way paralleling US Route 6 through the shopping areas. Immediately south of the site is a small C/BP district along Baldwin Place and Kennard Roads.

The site's western side is bordered primarily by an "R" zone with a swath of New York City Watershed adjacent to Stillwater Road. Areas to the northwest and north are also zoned "R".

The C zoning district follows US Route 6 at varying distances from the area north of the Mahopac Golf Club in the center of the town south to the Westchester County line. The C district permits many types of business uses as of right including retail, service, office and eating and entertaining , whereas lodging and shopping uses are allowed as conditional uses. Retail and restaurant development of the type proposed on the site along the southern frontage on US Route 6 are permitted as of right under the existing zoning code. Multi-family dwellings,

which are proposed on the northeastern corner of the site, are not permitted as the C district allows multi-family on waterfront areas only unless specifically developed for elderly residents.

The following uses are permitted in the Commercial (C) district:

1. Retail sales and service;
2. Offices, banks and financial uses;
3. Enclosed eating, drinking and commercial entertaining establishments, including theaters;
4. Wholesale storage and distribution, including lumber;
5. Automobile sales and machinery and equipment sales and repair;
6. Funeral homes; and
7. Day-care centers.

Conditional Uses in the C district include the following:

1. Elevator office buildings;
2. Motels, hotels and bed-and-breakfast establishments;
3. Fast food restaurants;
4. Designed shopping centers;
5. Public transportation and utilities;
6. Multi-family dwellings for the elderly; and
7. Recreation centers.

The C/BP zoning district, which is associated with US Route 6, occupies larger parcels at the southern end of that roadway toward the Westchester County line. Light manufacturing, wholesaling, research and more technical business uses in addition to retail, service, office and eating and drinking uses are permitted as of right in this district, whereas industrial, laundry and lodging uses are allowed conditionally. Retail, office and restaurant development of the type proposed in the southwestern third of the site, would be permitted as of right. Hotel development would be permitted as a conditional use in accordance with the supplemental requirements in the Zoning Ordinance Section 156-35. However, multi-family dwellings over commercial and office space are not permitted as the C/BP district allows only multi-family housing developed specifically for elderly residents as a conditional use.

The following uses are permitted in the Commerce/Business Park (C/BP) district:

1. Light manufacturing, processing and assembly;
2. Wholesale storage and distribution, excluding retail sales;
3. Research laboratories, data processing and computer centers;
4. Offices, hospitals and medical clinics;
5. Enclosed eating and drinking establishments;
6. Retail sales and service; and
7. Day-care centers.

Conditional Uses in the C/BP district include the following:

1. Metal working and machine shops;
2. Laundry and dry-cleaning plants;
3. Hotels and bed-and-breakfast establishments;
4. Public utilities;
5. Multi-family dwellings for the elderly; and
6. Recreation centers.

It is noted that Designed Shopping Centers are permitted as a Conditional Use in the C district, but not in the C/BP district. However, the configuration, depth and geographic distribution of the C/BP districts are ideal for shopping center development.

*Subdivision Regulations*

In accordance with the Code of the Town of Carmel, Chapter 131, land subdivisions should be reviewed as part of the “orderly, efficient and desirable development of the Town” to provide lots of such quality and dimensions that will address the following objectives as per section 131-2:

- The land and development thereon will be safe from fire, flooding and other hazards;
- Lots will be properly drained and provided with water and sewer improvements;
- Streets will be designed so they can be safely used by vehicles and pedestrians;
- Consideration will be given to the natural character and beauty of the land; and
- Recreational needs shall be addressed including identification of suitable parkland.

Applications for subdivision must be reviewed in accordance with the procedures as per Article II of Chapter 131 and requirements of the subdivision regulations and the New York State enabling statutes. The plans submitted for review must address the information and details required on subdivision plats in Article III such as site boundaries, topography, manmade and natural features, nearby roads and land uses, proposed layout of lots and improvements including roads, grading, stormwater management systems and other details. The design of roads and improvements, the layout and dimensions of lots and the preservation of natural features as part of the design must address the standards in Article V. The subdivision process as implemented by the Planning Board includes an initial pre-submission conference with Town staff, sketch plan review by the Board, preliminary plat review and final plat review. The subdivision process, in this case combined with SEQRA requirements, includes several opportunities for public input, including a mandatory public hearing under the subdivision regulations.

*Wetland Ordinance*

The Code of the Town of Carmel, Chapter 89, Freshwater Wetlands regulates construction, development or disturbance of various types in wetlands and their adjacent areas (within 100’ of the wetland boundary). The intent of the law is encapsulated in the following excerpt from Section 89-2:

*“to protect, preserve, properly maintain and require prudent use of the wetlands, bodies of water and watercourses and their associated wildlife within the Town of Carmel by preventing or minimizing erosion due to flooding and stormwater runoff, maintaining the natural groundwater supplies, preserving and protecting the purity, utility, water retention capability, ecological functions, recreational usefulness and natural beauty of all wetlands, bodies of water, watercourses and other related natural features of the terrain. No net wetlands loss should occur as the preservation and maintenance of wetlands bodies of water, watercourses, and downstream drainage areas constitute important assets necessary to promote the health, safety, general welfare, and economic welfare of the present and future residents of the Town.”*

Permits are required for many activities in wetlands and adjacent areas in accordance with the wetlands regulations sections 89-4 and 89-5. Review of activities in wetlands must meet the three “tests for compatibility” with the preservation, protection, and conservation of wetlands and their benefits in order to obtain a permit under this chapter.

In the Town of Carmel, an applicant makes application to the Environmental Conservation Board (ECB) for approval of wetland permits. This Board reviews wetland applications with advice from the Town’s Wetland Inspector, issues a public notice for all applications and invites public comment, and ultimately makes a determination to approve or deny an application based on the compatibility tests as described.

### *Site Plan Approval*

Under Section 156-61 of the Zoning Code, the Planning Board is responsible for the review of Site Plan applications for consistency with zoning, subdivision, Master Plan and any other codes and regulations of the Town. The Board reviews project layout, traffic, stormwater management, utility and other issues, consistent with Section 156-61 of the Code. After a public hearing and an opportunity for public input, the Planning Board will make a decision on site plan approval based on the merits of the application.

### *NYCDEP Watershed Regulations*

Development in the Town of Carmel must address watershed protection concerns as 90 percent of the Town’s land is in the New York City watershed. The project site itself is located entirely within New York City’s East of Hudson Watershed. Therefore, the proposed land development activities for the Union Place project are subject to the Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and its Sources (Watershed Regulations). In addition to the various New York State, Putnam County and municipal approvals required for the project, NYCDEP review and approval of the Wastewater Treatment Plant (WWTP), or Subsurface Sewage Treatment System (SSTS); and the Stormwater Pollution Prevention Plan (SWPPP) will be required. The SWPPP will be prepared, and reviewed in accordance with all applicable NYSDEC and NYCDEP regulations and guidelines, including those in the NYSDEC 2008 Stormwater Management Design Manual (the Manual).

### Potential Impacts to Zoning and Other Regulations of the Proposed Project

#### *Zoning Amendment*

The Applicant's proposed zoning amendment embraces Smart Growth principles for a sustainable mixed use development incorporating permitted and conditional uses from the site's underlying Commercial (C) and Commercial/Business Park (C/BP) districts. Since the site is in these districts, it is already designated by the Town's existing zoning for intensive commercial and service uses. The proposed zoning text works from the Town’s existing zoning then adds a Conditional Permit Use “Smart Growth Village” to the Schedule of District Regulations table in the Zoning Ordinance for the C and C/BP districts. A copy of the zoning text amendment is included in Appendix G of this DEIS.

While most of the proposed uses are consistent with those already permitted in the C and C/BP zones, an amendment to add the "Smart Growth Village" use is necessary to allow the development of certain uses proposed on the project site. For example, a designed shopping

center is a conditional use in the C district which occupies the eastern side of the site closest to US Route 6. However, the proposed shopping center is to be located on the western side of the site. Similarly the mix of available uses would be expanded by adding the "Smart Growth Village" use to both districts so that non-age-restricted housing would be permitted.

Since it is based on Carmel's C and C/BP zones, the proposed zoning is consistent with the permitted uses in these districts. However, the proposed Smart Growth Village conditional use would allow more innovation and integration of several aims in the project's design than would be possible under the existing zoning ordinance. The proposed zoning text permits additional residential uses; introduces flexible design standards; and adds compact development requirements. These are consistent with a more unified, sustainable development approach (focused growth in existing centers; transit and pedestrian orientation; mixed uses; compact building design; etc.), which is based on Smart Growth principles. The objective of the proposed zoning is to create a vibrant mixed use Main Street Village, with rental housing paired with retail and office uses, as well as a for-sale housing component linked to the Main Street.

The proposed zoning amendment encourages flexibility in the combination of commercial uses (retail, office, service, restaurants, hotels, etc.) that would benefit Carmel's economic base. The establishment of a Smart Growth Village conditional use on the site would provide for a more unified approach to development by removing the constraint of the shopping center location in the C zone. Also, the conditional use modifies the formula for calculating density to account for the combination of residential and non-residential (retail, office, etc.) uses on a project site.

Another effect is that the Smart Growth Village zoning would permit a more balanced housing stock than is provided by the existing C and C/BP zoning districts, which only allows multi-family dwellings for seniors. The zoning's objectives include rental and ownership opportunities to serve the varied needs of people in the Carmel area such as younger people, single parents, senior citizens, empty nesters and those who prefer living within a well planned community where the benefits of "smart growth" can be enjoyed. The sustainability of a Smart Growth Village development depends on a critical mass of nearby residents. This necessitates a moderate residential density of six (6) dwelling units per acre for the non-age-restricted housing proposed.

Compact development standards in the proposed zoning make efficient use of developed portions of the site leaving areas of open land post-development consistent with Smart growth ideals. The combination of a twenty percent building coverage requirement with thirty percent open site area coverage sets a framework for balanced site development. The floor area ratio requirement (0.25) coupled with a higher maximum building height (five stories or 60 feet) provides for a variety of building types and sizes thereby increasing the potential to develop a unique, interesting and visually appealing project.

By virtue of the proposed requirements for site size, frontage and standards for layout, design and open space, the zoning amendment provisions provide the opportunity to create an attractive community on an appropriately sized and centrally located site. The proposed zoning for a Smart Growth Village site must be located in the C or C/BP zoning districts on at least 125 acres and have 500 feet of frontage on a major street. The Smart Growth Village site design must include interconnected pedestrian and bicycle pathways, building facades with varied appearances, pedestrian-oriented streetscapes with public spaces, recreation areas and a coordinated landscaping plan, which, when combined, result in truly "walkable community".



The proposed Smart Growth Village zoning, by permitting unified mixed use developments with compact design standards, is consistent with the Carmel Comprehensive Plan's objectives to provide balanced growth, quality neighborhoods and a sound economic base. Moreover, the zoning amendment's requirements and standards for open site area and active and passive recreation are consistent with the goals of creating a "walkable community" with preservation of natural resources and protection of water quality. The proposed zoning is also consistent with regional planning policies in that it focusses pedestrian friendly mixed use development along corridors with existing commercial development and balancing economic development with open space preservation (see DEIS section 3.6.4).

As described in DEIS Section 3.6.3, the unified Union Place development that would result from the proposed zoning would provide a mixed use community as a focal point in the center of the currently existing disconnected non-residential and residential uses in the project area. By integrating commercial and residential uses in a village center/main street setting, the Smart Growth Village zoning addresses long standing development pattern failures associated with standard zoning districts that separate uses and isolate residents from each other, from their coworkers, as well as from their place of employment and shopping opportunities.

### *Objectives of Smart Growth Village Development*

The proposed Smart Growth Village zoning is intended to provide significantly more flexibility to coordinate multiple uses and community amenities in the project's design than would be possible under the existing zoning. One of the objectives of the proposed development is to provide a mix of housing opportunities in the Town. Further, it aims to create a vibrant environment where housing is combined with various commercial uses. The pedestrian centered, mixed use objectives of the new Smart Growth Village zoning would be incorporated into the overall approach to developing the site; including factors such as safety, circulation, aesthetics and those related to the environment.

The Smart Growth Village Development objectives include the following:

1. Advance creative smart growth design principles through mixed use developments designed in a pedestrian-friendly manner.
2. Promote the creative use of land so as to establish a more desirable overall environment than would be possible through the strict application of the other sections of the Zoning Ordinance of the Town of Carmel.
3. Allow for the innovation, flexibility and variety in the type, design and layout of mixed use developments so as to facilitate greater stability and variety in occupancy and cost, while providing commercial uses that benefit the economic base of the Town of Carmel, such as retail, office, services, restaurants, hotels or similar uses.
4. Provide various types of housing units, such as multi-family housing through rental, fee simple or condominium ownership, as well as senior housing and housing in mixed use configurations.
5. Provide balanced housing stock in Carmel, including housing that generally is not available in Carmel such as housing for younger people, single parents and empty nesters. This housing includes, but is not limited to, senior housing, multifamily clustered housing, rental housing and condominium ownership. While housing integrated with retail, office and other commercial space is particularly encouraged to facilitate walkable, sustainable communities, it is recognized that housing development

adjacent to mixed uses is beneficial, as it provides a critical mass of people that helps provide stability and vibrancy to the mixed uses, public places, and village center.

6. Consideration of planning and environmental factors. Planning factors shall include land use compatibility, aesthetics, the provision of security and emergency services, properly sited access and internal circulation. Environmental factors shall include water-bodies, wetlands, steep slopes, significant geological features, areas of ecological values, stormwater management and the prevention of soil erosion and the minimization of flood hazard.
7. Encourage the incorporation of neighborhood amenities and public gathering areas in place-making and the creation of a “walkable”, “lifelong” community.

These objectives are generally consistent with the concept known as New Urbanism which promotes walkable communities, compact, traditional neighborhood development with a discernible center and transit stop, interconnected streets and pedestrian routes, buildings close to the street and a variety of housing. The proposed zoning and the project design aims to create a place where future residents can live, work, shop and enjoy life.

The Proposed Action meets these objectives, in part, through the incorporation of a multitude of project amenities. The Village Green and bandstand will be used for small concerts and other public events. The plazas, passive, dog and children’s parks as well as the walking/jogging/bike trails and pond with fishing platform afford the population a wide variety of recreational opportunities. All amenities are intended to add to the proposed Smart Growth project affording it the potential to unify the Mahopac Hamlet by providing a Main Street core with public spaces, business and community activities and adding a new village neighborhood in the midst of an existing area with an uncoordinated mix of uses.

#### *Conditional Use Permit Criteria*

In addition to dimensional, setback, parking, and other basic requirements, the Conditional Use Permit for the Smart Growth Village would have requirements related to creating the kind of multifaceted, easily accessible, pedestrian environment envisioned. These would include provisions for pedestrian, bicycle and public transit access and amenities; opportunities for active and passive recreation; attractive well maintained landscape design that visually integrates the lighting, landscaping and amenities within the overall development; and design standards for buildings and streetscapes specifically aimed at creating an appealing pedestrian environment. The criteria for use, bulk, area, parking requirements and development and design standards are summarized below, the complete text of the proposed Zone Amendment can be found in Appendix G of this DEIS.

Pursuant to the proposed zoning amendment, a Smart Growth Village must meet the following criteria:

1. The site shall be zoned C or C/BP.
2. The overall site shall have a minimum gross site area of 125 contiguous acres.
3. The site shall have a minimum of 500 feet of frontage on a major street, and at least 100 feet of additional frontage on a separate state, county, or town roadway.
4. The site shall be served by municipal or community water and sewer systems and all other necessary utilities and infrastructure.
5. The maximum floor to area (FAR) ratio shall not exceed 0.25.
6. A minimum of 30 percent of the site shall be retained as open site area.

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7. The maximum building coverage on the site shall not exceed 20 percent. The maximum development coverage on the site shall not exceed 60 percent.
8. The maximum permitted residential density shall not exceed six (6) dwelling units per acre for all housing types except senior housing. The maximum permitted residential density for senior citizen housing shall not exceed eight (8) units per acre.
9. Maximum building height shall not exceed five (5) stories or 60 feet.
10. Building setbacks, road specifications, buffers and other bulk requirements may be established by the Planning Board on a project by project basis. There shall be a minimum perimeter setback of at least 25 feet on all sides of the site, with the exception of property boundaries that lie along a State Highway where the minimum setback would be 20 feet.
11. The site layout shall incorporate an interconnected network of roads, paths and sidewalks for vehicular access, pedestrians and bicycles. Access shall be designed to maximize connections with off-site vehicular and pedestrian networks and facilities.
12. The project shall contain well designed pedestrian oriented streetscapes.
13. The site shall include pedestrian amenities which shall be incorporated into public spaces on the site.
14. Building façades shall present a varied appearance at street level and be designed to give individual identity to each building.
15. A coordinated landscape plan shall be prepared, and landscaping shall be maintained in a healthy growing condition.
16. A mix of active and passive recreational opportunities and facilities should be provided.
17. The required number of parking spaces shall be determined for each individual use in accordance with Section 156-42 of the Town of Carmel Zoning Code. However the Town will consider reducing these standards to account for the use of shared parking given the proposed mixture of residential and commercial uses in the proposed Smart Growth Village, and the use of on street parking within the site.
18. All loading and refuse collection areas shall be appropriately screened from primary driveways and pedestrian walkways, squares, or plazas to the extent practicable, and shall not be located along the front façade of any building.
19. Prior to or no later than 50 percent occupancy of the project, the developer shall provide private security for the purpose of patrolling the Smart Growth Village.
20. The construction of a Smart Growth Village may be phased.

The proposed project would be permitted as a conditional use in the underlying C and C/BP zones after meeting the criteria established for a Smart Growth Village conditional use permit. Existing bulk and area requirements of the Commercial (C) and Commerce/Business Park (C/BP) zoning districts are indicated in Table 3.6-1 below. The requirements of the proposed Smart Growth Village Conditional Use permit are shown for comparison.

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**Table 3.6-1  
Commercial (C) and Commerce/Business Park (C/BP) Districts  
Bulk and Area Requirements\***

	<b>Commercial (C)</b>	<b>Commerce/Business Park (C/BP)</b>	<b>Smart Growth Village Conditional Use</b>	<b>Proposed Union Place Project **</b>
<b>Features</b>	<b>Minimum Required</b>	<b>Minimum Required</b>		
Lot Area	40,000 square feet	3 acres	125 acre minimum	287 acres
Lot Width	200 feet	200 feet	500 feet minimum, must include a minimum of 100 feet along a state or County roadway	500 feet minimum, includes a minimum of 100 feet along a NYS roadway
Lot Depth	200 feet	200 feet	Per Planning Board requirements	200 feet minimum
Front Yard	40 feet	50 feet	25 feet minimum (20 feet minimum along a NYS roadway)	25 feet minimum (20 feet minimum along a NYS roadway)
Side Yard	25 feet	40 feet*	25 feet minimum (20 feet minimum along a NYS roadway)	25 feet minimum (20 feet minimum along a NYS roadway)
Rear Yard	30 feet	40 feet*	25 feet minimum (20 feet minimum along a NYS roadway)	25 feet minimum (20 feet minimum along a NYS roadway)
Floor Area of Buildings	5,000 square feet	5,000 square feet	Per Planning Board requirements	1,952,200 square feet
Maximum FAR	n/a	n/a	0.25	0.25 maximum
Maximum Residential Density Unrestricted Housing	n/a	n/a	6 units per acre	6 units per acre maximum
Maximum Residential Density Senior Citizen Housing	n/a	n/a	8 units per acre	8 units per acre maximum
<b>Features</b>	<b>Maximum Permitted</b>	<b>Maximum Permitted</b>		
Height	35 feet / 60 feet for office buildings	40 feet / 60 feet for office buildings, hotels, etc.	60 feet	60 feet maximum
Building Coverage	30% / 40% for office buildings	40 %	20 %	20 % maximum
Total Coverage	n/a	n/a	60 %	60 % maximum
Percent Open Space	n/a	n/a	30 %	30 % maximum
<b>Feature</b>	<b>Minimum Required</b>	<b>Minimum Required</b>		
Parking Setback	10 feet*	10 feet*	Per Planning Board requirements	In accordance with Planning Board requirements.
Perimeter Setback	n/a	n/a	25 feet; 20 feet along a State Highway	25 feet minimum; 20 feet minimum along a State Highway

Source: Town of Carmel Zoning Code

\*No parking or loading areas shall be closer than 10 feet to any dwelling, school, hospital or other institution for human care as per section 156-42, A.,(2).

\*\* Based on the entire project site in support of and compliance with Smart Growth Village development.

The zoning amendments that are part of the Proposed Action will provide the flexibility necessary for innovative design of a vibrant, livable, walkable “Main Street” community. As shown in Table 3.6-1, the proposed Smart Growth Village zoning will require bulk and development requirements and standards, that in comparison to the underlying C or C/BP zoning, will have the following effects:

- Higher (more stringent) proposed lot area and width requirements will necessitate a large site, on which a cohesive, mixed use development will be more feasible;
- Flexible lot depth and lower front, side and rear yard setbacks will result in increased flexibility and more compact design;
- Planning Board discretion for floor area of buildings will allow for a variety of uses and occupancies and more site specific layout and provide responsiveness to rapidly changing market conditions;
- New requirements (not part of existing C or C/BP zoning) for maximum floor area ratio, total coverage and open space coverage will introduce specific development restrictions as a central control on overall site coverage;
- New specifications will be established for moderate residential density using maximum dwellings per acre;
- Building heights will be similar to those permitted in existing C or C/BP districts for offices and hotels. Other uses may have greater heights so long as floor area ratios are not exceeded; and
- More restrictive (lower) building coverage requirements will be consistent with other proposed coverage requirements that will result in lower site coverage.

As indicated by Table 3.6-1, the project site and proposed development as shown on the site plans comply with the bulk and area requirements of the Smart Growth Village conditional use.

The proposed development includes conceptual landscape schemes. The plans include street trees and shrubs along all roads and surrounding all parking areas. These plantings will provide shade and create an attractive, aesthetically pleasing setting. Additional details of the plantings (quantity and location) are shown on the Layout & Landscape Plans Drawing Nos. SP-2.1 through 2.6, appended to this DEIS. Incorporation of plantings along the Main Street, the entrance road and in the vicinity of Village Green and plazas is depicted on Figures 3.6-2 through 3.6-5 at the end of this Chapter.

The proposed site development would conform with the Smart Growth Village zoning standard for a coordinated landscape plan. The plan would also conform with the Code of the Town of Carmel Code, Chapter 156, the Zoning Ordinance (§156-61) regarding landscaping and other review criteria for site plans.

As documented under the description of land use impacts, the Union Place project would provide new office and retail development that is expected to be in harmony with the surrounding land use and is not expected to be detrimental to the adjacent properties which are developed in accordance with the existing Commercial and Commerce Business Park zoning district regulations. The retail, service, office, restaurant and lodging uses permitted in the proposed Smart Growth Village conditional use are allowed because sites meeting the requirements for this use must be located in the C or C/BP districts. Therefore the commercial uses in the Smart Growth Village are consistent with the underlying zoning districts. Although

age-restricted multi-family housing is permitted in the C and C/BP districts, non-age-restricted dwellings are not allowed. The incorporation of non-age-restricted dwellings in the Smart Growth Village conditional use and in the proposed development provides an opportunity for the diversity of housing needed for a viable compact mixed use “work/live” community. The addition of other types of dwellings ensures flexibility in the design of a walkable village where future residents can live, work, recreate and find entertainment.

The Smart Growth Village concept provides for residential use in immediate proximity to the commercial and business uses along the proposed main street. The internal site roadways are designed according to Town standards and pedestrian and vehicular circulation are proposed in a manner that promotes safety. No sidewalks currently exist along US Route 6 in the vicinity of the project site and no new sidewalks are proposed on that roadway as part of the development.

Pedestrian access to the proposed retail buildings and community/office space (Buildings A through M) will occur via the network of pedestrian sidewalks included in the project design. The parking areas have been placed on the fringes of the main street area to facilitate pedestrian use along Main Street while providing easy access to the commercial/retail/office area. The adjacent multifamily Union Heights residential community provides an opportunity for residents to walk to work. The Main Street’s proximity to the office use, in conjunction with the availability of sidewalks and a pedestrian scale development create an area conducive to pedestrian movement.

Some of the pedestrian amenities called for in the proposed zoning add to the place-making objectives of the Smart Growth Village concept such as outdoor seating/dining, fountains, gazebos, entertainment areas and plazas. As noted previously, a bandstand for outdoor concerts and public events is proposed in the Village Green and the plaza at the end of Main Street are seen as magnets that will draw pedestrians through the Smart Growth Village.

These features will be incorporated into the project design along with public transit and bicycle amenities required by the zoning. As many as three bus stops could be integrated into the project design so that future residents and employees will have access to the Putnam Area Rapid Transit (PART) bus system. PART routes include stops at the Brewster train station and area shopping and work places.

The location, nature and intensity of the proposed development are not expected to hinder or discourage the development or use of adjacent lands and buildings. As described in Chapter 3.9 of this DEIS, with the substantial tax revenues for the Town that are anticipated, the proposed use of the site would not create a fiscal burden on the Town of Carmel with respect to public facilities or services.

The Proposed Action conforms to applicable bulk and area requirements of the proposed conditional use permit to allow a Smart Growth Village. The Proposed Action is not expected to result in constraints or conflicts on surrounding lands and potential uses. The project would advance the objectives of the Smart Growth Village district in providing a mixed use, pedestrian friendly, transit oriented, low impact development.

### **3.6.3 Land Use**

#### Existing Conditions

This section describes existing land use conditions of the project site and areas in the vicinity of the site. The study area for the land use survey includes the project site and areas within a one-half-mile radius of the project site (see Figure 3.6-1, Land Use Study Area).

#### *Project Site*

The southern one-third of the project site is now partially occupied by agricultural and other uses. Three single family residences, several barns and other farm related structures, a gas station/convenient store, animal pens and a model airplane landing strip with an open roofed structure occupy this portion of the site. The parcel was used agriculturally for many years and portions are actively farmed to this day. Two of the three houses are leased to tenants and a third is occupied by the owner. The barns are currently used by the owner and tenants, including the owner of a carpeting business, for storage and other uses. A landscaping and masonry business uses the newer barn/garage located near the old silo for equipment storage. Outdoor areas near the barn are used to store landscaping and masonry materials. Finally, the field atop the hill north of the barn is licensed for use by and maintained by a group for the purpose of flying model airplanes.

Northeast of the intersection of US Route 6 and Baldwin Place Road is an open field used for the storage and/or sale of used cars, boats and RVs. Building materials, tractor trailers and a ramshackle shed containing used goods, including garden tools, bicycles and house wares, which are offered for sale, are also found here. A vender who operates a popcorn stand pays rent for space in this parking lot.

The majority of the site is currently vacant land consisting of second growth woods and open fields. Details on the existing ecological communities found in the undeveloped portion of the project site are located in Chapter 3.3, Terrestrial and Aquatic Ecology.

The site rises to a knoll (approximately 875 feet above sea level) from the eastern boundary (US Route 6) and then generally slopes toward the west side of the site to approximately 600 feet above sea level along Baldwin Place Road. Stone walls and hedgerows associated with past and current agricultural use of the site delineate former pasture limits, active field crop areas and property lines.

#### *Study Area*

Land use patterns within the one-half mile study radius are mixed, and include intensive commercial development of varying scales, office and service uses, industrial, institutional, educational, residential, agricultural, open space, utility and governmental land uses. Figure 3.6-1 shows the land use study area. According to the Town of Carmel Comprehensive Plan, the categories of land use that cover the largest land areas in the Town of Carmel are "forest" and "residential land". These land cover types occupy approximately one half and just over one quarter, respectively, of the land area in the Town.

A land use map, shown in Figure 3.6-2, was developed for the Union Place land-use study area. The land-use map includes data and information from both the Town of Carmel Zoning Map and Westchester County GIS, since the County line lies directly south of the project site.

Utilizing the land use maps, GIS lot information and field surveys, percentages of different land uses in the study area were determined.

<b>Table 3.6-2 Project Study Area Land Uses</b>		
<b>Land Use Categories</b>	<b>Areas (acres)</b>	<b>Percentage of Total Study Area</b>
Residential	1,362.6	48.5 %
Vacant, undeveloped	667.5	23.7 %
Conservation land (including NYC Watershed lands)	388.9	13.8 %
Commercial	261.4	9.3 %
Institutional	84.1	3.0 %
Recreational / Trailway	36.4	1.3 %
Mixed Use	11.7	0.4 %
<b>Total</b>	<b>2812.6</b>	<b>100%</b>
Source: Town of Carmel Zoning Map, Westchester County GIS map and field surveys by TMA, 2008 to 2010.		

In summary, land uses surrounding the Union Place site consist of a mix of residential, commercial, vacant and conservation land. Commercial and business uses are primarily concentrated along both sides of the US Route 6 corridor to the east of the site, consistent with the local zoning, while residential, institutional (schools) and undeveloped land including the Muscoot River and associated New York City Watershed lands occupy much of the periphery of the study area. The study area is also interspersed with significant residential development, as shown in the aerial photograph, Figure 3.6-1. Lake Mahopac is about three-quarters of a mile from the northern boundary of the site and the center of the Hamlet of Mahopac is about a mile from the site to the north.

As indicated in the Table, the large majority of land uses in the study area are comprised of both residential (48.5 percent), vacant and undeveloped land (23.7 percent) and conservation land including NYC watershed land (13.8 percent). While commercial development comprises less than 10 percent of the entire study area, it is a dominant feature along Route 6. The following is a summary of land uses within and near the land-use study area, which includes land within one-half mile from the site.

Hamlet of Mahopac

The Hamlet of Mahopac is a vibrant business district located north and south of the intersection of US Route 6 and NYS Route 6N. Although it is not in the land-use study area, it is the closest municipal center to the project site, since it contains the Mahopac Public Library, Carmel Town Hall, and the Mahopac Volunteer Fire Department station. A few blocks of buildings, stand alone businesses and a few plazas include such uses as restaurant, marine sales and service, a fitness and other fitness studios, a variety of retail businesses and boutiques, a hotel, a pharmacy, a bank, laundries, salons and other personal service establishments. The



commercial and service development uses generally continue along US Route 6 and on portions of side streets to the southern town boundary.

Route 6 Business Corridor -East of Site

Starting from the northern part of the study area and progressing south along US Route 6, there is a small area of residential development followed by a variety of non-residential uses starting from Battista Drive and continuing to Union Valley Road at the north end of the project site. The uses along this stretch of US Route 6 include a banquet facility, large-scale retail and sales (Freight Liquidators, a nursery, automobiles, etc.), a funeral home, lawnmower sales and service, storage facilities, automobile services and parts, fence and tile sales/services, medical and professional services, gas stations with convenience stores and several small commercial plazas or single buildings containing a mixture of uses such as restaurants, delis and catering services, small retail stores and services (hair salon, tanning, real estate).

The mix of business uses of varying scales continues along US Route 6 south of Union Valley Road to Miller Road. This area along the eastern site boundary includes a motel, a single-family residential development, a multi-family neighborhood known as "Society Hill", and a senior center.

South of Miller Road the commercial development on the east side of US Route 6 includes the relatively large shopping centers, Mahopac Village Center and Somers Commons, which include an A&P supermarket and a Stop & Shop supermarket as anchors, respectively. Retail stores including the Putnam Home Design Center (formerly Dill's Best) are located between Mahopac Village Center and Somers Commons.

The Mahopac Village Center shopping center is located approximately 1000 feet north of the intersection of Route 6, Baldwin Place Road and Route 118. As indicated above, the shopping plaza is anchored by an A&P supermarket and includes McDonalds, a bank, pharmacy, post office, as well as approximately nine other retail stores, restaurants and service businesses.

Local commercial, service and industrial uses and mini-plazas are located on Union Valley Road, NYS Route 118, and Buck's Hollow Road in close proximity to their intersection with US Route 6. Further east from US Route 6 on these and other intersecting roads are typical residential subdivisions as well as lower-density residential development. A bike path follows an abandoned railroad bed parallel to Route 6, from Westchester County, where it is known as the North County Trialway, north to Carmel, where the trail is known as the Putnam Trialway. The bike trail is shown as a green strip in Figure 3.6-2 Land Use Map. A relatively large undeveloped parcel is located east of Miller Road and the Putnam Trialway. Additional information regarding commercial businesses in the local community is provided in Section 3.9.4 Market Study.

South of Site

South of the site on Route 6 are a series of smaller mixed commercial uses including a golf range, restaurants, a farm stand, a tool store and real estate and medical offices. The Somers Commons shopping center is located directly southeast of the site, across from Route 6. The Somers Commons center contains a Stop & Shop supermarket, Chili's restaurant, a bank, a sports club and approximately 23 other retail stores, restaurants and service businesses, in approximately 6 buildings. South and west of Somers Commons is a large undeveloped parcel, that borders Route 6. Portions of this parcel appear to have been cleared of trees and now contain trails used by off-road vehicles.

West of Site

To the south and southwest of the site along Baldwin Place Road are primarily low to high-density residential developments (Kennard Drive and Maple Drive) interspersed with vacant, wooded lands. Stillwater Road, which is directly west of the site, includes residential uses and a business park in a steel warehouse building. Uses include a construction contractor, boat storage and repair and auto repair. The Williamsburg Ridge development, a condominium neighborhood, is also located on Stillwater Road.

North of Site

A moderately dense residential development is located directly opposite the site's northwestern boundary, opposite Baldwin Place Road. The Mahopac Falls elementary, middle and high schools are located between Myrtle Avenue and Baldwin Place Road, approximately 1,200 feet north of the site. Also north of the site on Baldwin Place Road is a hillside neighborhood originating from Muscoot North Road and Gleneida Boulevard.

Potential Impacts to Land Use from the Proposed Action

*Project Site - Smart Growth Design*

The Proposed Action connects a walkable, compact mixed use "Main Street Village" with preserved open spaces and a diversified housing component. The proposed Smart Growth Village will provide opportunities for economic development and the introduction of diversified housing options including rental apartments and a variety of for-sale units. The project will enhance the Mahopac Hamlet, the Town of Carmel as well as Putnam County and beyond with a mixed use community that is designed to enhance surrounding commercial and residential uses, as further described below.

The project as proposed will replace the site's existing farm fields and structures with commercial and residential uses. The on-site wetlands and associated upland adjacent and buffer areas will be substantially preserved and will provide a central buffer between the mixed use Union Place and residential Union Heights components of the project. Additionally, existing wooded areas will be retained, to the extent practicable, around the perimeter of the site with the exception of the points of proposed access.

The proposed mixed use "Main Street Village" (commercial space, professional offices, hotel and rental housing units) would be built to the east of and parallel to Baldwin Place Road in the southwestern and western portions of the project site replacing much of the past and existing agricultural uses. The Union Heights residential portion of the project would be located in the central and northeastern portions of the project site replacing forested areas that were once pasture. Details of the proposed uses are presented in Chapter 2.0, Project Description, herein. The project would modify existing land uses from largely vacant land to a more intensive mixed-use including commercial, office, hotel and residential.

The proposed density and multiple uses (commercial, office and residential) of the Main Street Village portion of the development is a relatively intensive land use that, from a planning perspective, may not be considered compatible with the residential uses proposed for the Union Heights residential portion of the project. However, the overall design concept of the project, and the physical layout of the mixed use and residential portions of the project promote the cohesion of the two land uses.

### Main Street Village

The Main Street Village portion of the development is located in the southwestern portion of the project site, generally parallel to Baldwin Place Road. As described Chapter 2.0 Project description, the focal point of the development is a "Main Street" with retail shops at the street level and apartments above. The Main Street Village portion of the project is separated from the Union Heights portion of the project by a wooded wetland corridor which will be preserved. The two "communities" are connected by a single roadway and wetlands crossing, Union Heights West. The closest residence in the Union Heights community to the Main Street Village development will be separated by approximately 500 feet of existing trees and vegetation. The majority of Union Heights residential units will be greater than 1000 feet and up to a mile distant from the Main Street Village.

The Main Street Village is designed as a walkable community which allows for parking to be shared between and amongst uses, reduces the development's impervious surface area (fewer parking spaces are required when compared with typical suburban developments offering the same uses), lessens traffic (fewer car trips are required between uses), limits the overall area of disturbance, and decreases sprawl through the condensation and centralization of complimentary uses. The proposed "smart growth" design reduces the potential negative land use impacts often associated with commercial development such as excessive parking areas and associated stormwater impacts, multiple car trips and poor pedestrian access.

Smart Growth design is compact and pedestrian oriented. Easy access to parking enhances the pedestrian experience in such mixed use development. Proposed parking lots, decks and garages are interspersed amongst the buildings in the Main Street Village portion of the development with the bulk of parking located on the west side of the commercial development along Baldwin Place Road. Most of the parking areas associated with the central stretch of Main Street are behind the buildings rather than in front as seen in typical auto-dependent, highway commercial uses. Sidewalks, landscaping, seating areas and other pedestrian-friendly amenities will line storefronts along with some on-street parking thus linking walkers and drivers with businesses and public spaces. These features will create an attractive destination development and new community spaces within the Town for future residents as well as visitors from the greater community.

### Union Heights Residential Community

The Union Heights residential community is located in the northeast portion of the site, designed along north-south trending hillsides. While the Union Heights development is physically separated from the Main Street Village development by wetlands and woods, its close proximity (700 feet to approximately 1 mile) to the Main Street Village, will allow future Union Heights residents to walk, bicycle or drive to the shopping and restaurants in the Main Street Village.

Sidewalks and walking trails link the Union Heights residential portion of the project with the mixed use Main Street component. Union Heights parking is adjacent to the proposed residential buildings. This nearby compact neighborhood will add residents to the project and the Baldwin Place area in general. The new population will sustain the proposed community and businesses in the surrounding area, which is another of the positive effects of Smart Growth. A future resident employed off-site could easily drive to their on-site home, leave their car and walk to Main Street to shop or dine. A resident employed on Main Street would have the opportunity to pick up items or take out food on the way home from work. These are examples

of how the proposed pedestrian-oriented project limits car trips consistent with Smart Growth principles.

The Smart Growth Village zone allows more innovation and integration of multiple aims in a project's design than would be possible under typical zoning. This proposed zoning and the resultant residential development differs from the largely conventional single-family residential development that surrounds the property. This type of development aims to provide a more sustainable balance of residential opportunities in the Town by providing a mix of housing within a project. The varied types and sizes of the proposed rental and for-sale dwellings include housing that is not generally available in Carmel for younger people, single parents, empty nesters and seniors. The different kinds of households that will find homes at Union Place will result in a more diverse community.

### *Study Area*

As described above, the project site is located in an area that consists of a broad array of existing uses including commercial development of varying scales, office and service uses, institutional, educational, residential, open space, utility and governmental land uses. While two shopping centers anchored by supermarkets (Mahopac Village Center and Somers Commons) provide opportunities for visiting several stores, services and/or restaurants in a single trip, the majority of commercial development on Route 6 are single destination businesses resulting in a greater number of vehicle trips. The residential development near the project site is primarily detached single-family homes on approximately one-half acre to one-acre lots.

The project's proposed blend of "Main Street" businesses, services and lodging is designed to enhance surrounding mixed land use patterns including business uses along US Route 6 and along intersecting roads (see discussion below of the project's integration with nearby commercial development). It is appropriately located in two commercial districts (C and C/BP) adjacent to US Route 6.

The Proposed Action incorporates access roads from both US Route 6 (three) and Baldwin Place Road (two) thus connecting the developed site with existing commercial and residential neighborhood areas. Its central location within the Hamlet amongst other commercial development in the Town and multiple road connections maximizes the new community's accessibility for pedestrians and drivers residing on-site and entering from off site for work and shopping. These interconnections between the site and the greater community will sustain the new community and the surrounding businesses in the long run. This is one of the beneficial effects of the Smart Growth principle of focusing growth in existing community centers.

The Proposed Action is expected to be compatible with and have positive economic effects on the Town of Carmel and the surrounding area as it will add new residents to the Mahopac Hamlet that will frequent existing businesses as well as those proposed as part of the project. The addition of more retail, office and hotel uses to the area provides a steadier flow of patrons throughout the day, evening and weekend, including typical work-week hours for office employees and evening and weekend hours related to the hotel. The addition of more business uses and a wider variety of commercial uses also increases the likelihood that existing and future residents will make multiple trips within the area of the Mahopac Hamlet.

The project proposes a mix of residential opportunities including rental units (180) in the Village Main Street development and for sale flats, townhouses and cottages (300 units) in the Union Heights portion of the site. The proposed zoning amendment for the Smart Growth Village

provides for a maximum permitted residential density not to exceed six (6) dwelling units per acre for all housing types except senior housing. Maximum permitted residential density for senior citizen housing shall not exceed eight (8) units per acre. While this density is greater than existing nearby residential development, the project provides a range of housing opportunities. The varied types and sizes of the proposed housing is not generally available in Carmel for younger people, single parents, empty nesters and seniors. The proposed residential uses are intended to complement existing nearby residential uses.

### Project's Relation to Existing Land Uses

Under the Proposed Action a village center with a mixed use core on Main Street supported by the proposed Union Heights neighborhood as well as the existing residential neighborhoods would be built. The approval of a Smart Growth Village conditional use on the subject site will provide a focal point for the Mahopac Hamlet as well as for the Town of Carmel, now occupied by an uncoordinated range of uses. In addition, approval and development of the Proposed Action will introduce a new synergy to the commercial community, provide the existing and proposed residential communities with a variety of public spaces thereby creating a strong sense of place, and result in a refined "gateway" into the Town of Carmel and Putnam County.

From a land use perspective, the Proposed Action is intended to complement and enhance , the trend of mixed use development along US Route 6 in the Town of Carmel and beyond. The existing mixed commercial uses have developed over time, with several cohesive and planned shopping areas, including Mahopac Village Center and Somers Commons. The majority of commercial businesses bordering Route 6 are a varied mix of small retail, personal services (hair and nail salons), vehicle parts and repair, home supplies and restaurants. Existing land use patterns would be supported by the proposed zoning amendment, related land development approvals and through the replacement of vacant land with mixed retail, office, hotel and residential development.

Although the project will result in a more intense use of the project site, the proposed mixed use community is designed to enhance the surrounding commercial area by reinforcing the emerging role of US Route 6 in this location as a commercial and business corridor. It will also provide a transitional use between more intense (highway commercial) and less intense (nearby residential) land uses.

Residential development of varying densities is situated nearby and adjacent to the project site in all directions. However, setbacks buffers and landscaping, as well as wooded areas that are proposed to remain at the periphery of the site will largely shield the project from adjacent uses. The proposed Union Heights residential component of the project in the northern end of the site is generally compatible with an existing medium-density neighborhood located immediately to the north of the site. While the density of the Union Heights residences would be greater than the existing bordering neighborhood (up to six units per acre compared to approximately 2 single family homes per acre), the project proposes medium density residential development near an existing residential development of lower but similar density. An existing 150 foot NYSEG easement along the northern property border provides a buffer between existing and proposed residences. Preserved wetlands in the northwestern corner of the site would separate existing residential development northwest of Baldwin Place Road from proposed residential uses.

**Project Design and Architecture**

For the commercial component of the development a neo-traditional design approach is proposed with buildings constructed at the edge of the sidewalk thereby connecting pedestrians and motorists with the Main Street shops and public spaces. This design approach contrasts with contemporary commercial design that often provides a large parking lot between the street and shopping destinations. A mix of building styles and sizes creates the variety and overall compatibility associated with the traditional "Main Street". This Smart Growth approach to commercial development will be an improvement over the typical strip of highway-oriented establishments lining US Route 6 as it will be more aesthetically pleasing, more accessible to pedestrians limiting the need to travel by car between destinations and will provide new gathering places for residents of and visitors to the site.

The proposed compact smart growth design differs from, and may be inconsistent with nearby land uses along US Route 6. As further described below, the development is designed to reduce negative land use impacts often associated with commercial development such as excessive parking, multiple vehicle trips, poor pedestrian access, inconsistent design and architecture and incoherent land uses (restaurants adjacent to auto repair facilities).

The goal of incorporating a Village Green and plazas into the Main Street corridor is to offer the community at large a real village neighborhood; one where employees, residents, patrons and visitors can meet and interact. The proposed bandstand would be used for public events, small concerts and the like providing the public at large further incentive to immerse themselves in the project's offerings. The recreational amenities including the walking/jogging/bike trails, passive, dog and children's parks, and the dock/fishing platform on the pond are intended to draw other segments of the local and regional population to the project, creating a mixed use destination and furthering the goal of gathering the community and developing a broader base of patrons to frequent Union Place and the surrounding business community. Figures 3.6-2 through 3.6-5 herein present architectural concepts for the proposed Main Street, Village Green, public plazas, and other project amenities. These renderings depict "life" along the proposed Union Place Main Street.

The proposed development would also provide area residents much needed housing options while reducing traffic and land use impacts that are associated with conventional three-acre, single-family subdivisions required by the existing Town Code and the suburban sprawl that results from this later type of development. One of the many benefits related to this approach for providing the ever growing population with places to live, work and play is realized by the vast numbers of the areas aging. As noted in The Wall Street Journal article Making Suburbia More Livable<sup>2</sup>, "...as the country ages, suburbia's widely assumed benefits - privacy, elbow room, affordability - tend to vanish. Maintaining yards and homes requires effort; driving everywhere, and for everything, becomes expensive and, eventually impossible." "[A]ll that privacy that drew people to the suburbs in the first place can become isolation..." With the vast majority (85 percent) of one survey's respondents aged 50 and older wishing to remain in their community for as long as possible, implementation of Smart Growth development principles like those embodied in the Proposed Action are a step in the effort to make that wish a reality. Incorporating the aged portion of the population into the Union Place community benefits the greater population through the building of a "strong mix of ages, interests and abilities among

<sup>2</sup> Glenn Ruffenach, "Making Suburbia More Livable", *The Wall Street Journal*, September 19, 2009.

residents.” In an area dominated by suburban single-family housing developments, Union Place will be conducive to the development of such a mixed community.

The site's aesthetic, design and architectural qualities as well as potential impacts of the Proposed Action are documented and illustrations are provided in DEIS Chapter 3.11, Visual Quality and in Figures 3.6-2 through 3.6-5. The main street aspect of the project includes structures ranging from two to five stories. Smaller buildings are shown with steeply pitched roofs and dormers and larger ones with flat, mansard, and gable roofs. Towers, turrets and chimneys, particularly on taller buildings, contribute additional variation to the rooflines, and the facades are articulated with diverse patterns of facing materials and details, window types, and awnings.

The vast majority of the parking design, which includes at grade, on deck and in a garage components, is proposed behind the buildings along Main Street with some curb side parking provided along store fronts. This plan reduces the surficial area required for parking allowing for less impervious surface and more open space.

The project's design and architectural features contribute to its role as an aesthetic focal point in a commercial area occupied in part by sprawling, single-story structures. For example, smaller buildings would be located near project entrances. Taller buildings would be set back within the more central part of the Main Street area. The site's topography, vegetation and landscaping would be used to minimize potential visual impacts of the proposed structures on existing uses in the study area.

Although the proposed zoning will permit building heights up to five stories (60 feet), the building coverage and floor area ratio (FAR) requirements included in the amendment limit the potential effects of this height allowance. FAR is the ratio of the floor area of all buildings divided by the total lot area. The proposed 20 percent building coverage for Smart Growth Village conditional uses is lower than that for as-of-right commercial uses in the C and C/BP districts (30 to 40 percent) and the FAR requirement is 0.25. The effect of the FAR requirement is that it ensures a multi-story structure would have a very limited footprint. A multi-story structure with a large footprint would use up too much of the site's permitted total floor area. Therefore, a relatively small number of the proposed buildings would be multi-story with the remaining designed as one- or two-story structures in order to stay within the combined proposed building coverage and FAR requirements.

The greater building height maximum will permit taller structures on the project site than are currently allowed on surrounding sites. Although there is the potential for new buildings to be more visually prominent than nearby buildings, as noted above, taller buildings will be sited along the central Main Street. Also, since the FAR is limited, taller structures would be required to have a limited footprint and therefore take up less of the site area in order to meet the building coverage requirement. Any visible portion of the taller structures would be of such high-quality architectural design that they would add aesthetic character to this area of mixed and matched building types.

Inviting aspects of the Main Street Village will provide new community spaces that will serve the site's visitors and residents and provide community and gathering space for Town residents within the Town of Carmel and beyond. Wide brick sidewalks in front of buildings are shown with space for tables and chairs, decorative plantings, and streetlights as well as comfortable pedestrian circulation (Figures 3.11-14 and 3.11-15). The roundabouts and other geometric garden spaces are shown with a colorful, relatively formal landscape treatment that would

contrast with more naturalistic plantings around the stormwater basins and the preserved vegetation in the wetland areas. These and other design features are described and illustrated in Chapter 3.11. Because of the site's proximity to and connections with surrounding roads and shopping areas, these gathering spaces would be available to patrons of nearby businesses and nearby residents as well.

The residential portion of the development would be laid out along curvilinear roadways with a clubhouse complex and great lawn at the center. While the architecture of the buildings has not been developed at this time, it is anticipated that the residential buildings will be of a traditional design generally in keeping with the older residential architecture in the Carmel area. Landscaping for the proposed development would include a variety of plantings to provide shade, screening, spatial definition and ornamentation appropriate to the overall layout.

In the Applicant's opinion, the described changes in views of the site would be integrated visually with the surrounding landscape. The overall development plan utilizes the existing topography and vegetation to minimize any potential negative visual impacts to viewers at publicly accessible locations.

While views of the proposed development from locations at higher elevations would be possible, the varied topography and the existing trees would allow only partial views of the new development from any one location. A broad central band of vegetation to be preserved and the vegetated buffers on all property boundaries would establish a character for the development that would be compatible with the combination of rural and commercial development in the vicinity.

The proposed development will create a cohesive place with businesses, services, housing and public and open spaces, within an area of existing uncoordinated development. The progressive character of the project will have a positive effect on a commercial and mixed use area lacking community identity. The proposed Smart Growth village community will serve as a focal point for the surrounding areas resulting in a positive effect to the surrounding uses. The anticipated change in land use as a result of the Proposed Action would be generally consistent with the mixed-use character of US Route 6 in this area, where there are already existing housing developments and neighborhoods that abut existing non-residential development. Given the project's uniqueness in concept and design and the introduced synergy anticipated with the existing residential and commercial community and based on the assessments conducted, no significant adverse land use impacts resulting from the Proposed Action were identified.

### Design to Minimize off-site Impacts

The proposed project has been designed to minimize impacts to both on- and off-site land uses to the maximum extent practicable in part by incorporating Low Impact Design elements (LID) such as recycling rain water captured on the roofs of buildings for use in watering plantings in the landscaped areas surrounding the buildings, and use of pervious pavers in certain parking areas to reduce stormwater runoff.

An aspect of the development that is sensitive to the internal aesthetic as well as the context of the site is a lighting pattern that will be sufficient for proper illumination yet will minimize off-site glare. The lighting plan for the Proposed Action has been developed by the project lighting consultant and engineer. Refer to Drawings L-1.1 and L-1.2 appended hereto for the proposed location of lighting fixtures. The project lighting plan has been designed in keeping with the village main street development theme to provide safe, secure adequate illumination on all primary roadways and parking areas. This plan will result in the inclusion of attractive lighting



fixtures for future residents and visitors while limiting nighttime lighting levels, glare and stray light.

The U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) standards for new construction have been considered during the development of the project plan including the site layout, neighborhood design, and building design. The project's LEED compliant components are addressed in DEIS section 2.2.1.

### **3.6.4 Town, County and Regional Plans**

#### Existing Conditions

##### *Town of Carmel Comprehensive Plan*

In October of 2000, the Town of Carmel adopted the Town of Carmel Comprehensive Plan (Plan). The Plan is an update to the Town of Carmel's 1980 Master Plan and provides a vision to guide land use "into the initial stages of the 21st Century". The Plan sets forth recommendations designed to provide for balanced development, maintain a healthy economic environment and quality residential and commercial character while protecting the integrity of the natural resources and infrastructure of the Town. The Comprehensive Plan was developed in response to issues affecting the quality of life and character of the Town since the completion of the Master Plan. These issues include the changing demographics and land use trends within the Town of Carmel.

According to the Comprehensive Plan, the Town of Carmel is classified as a largely residential community and serves as a "bedroom community to neighboring employment centers" in White Plains and Danbury. Carmel has had notable population growth in recent decades and has the largest population of any municipality in Putnam County. Commercial uses represent a small proportion of land in Carmel (2.4% in 1991), and industrial uses occupy very little land area (0.1%). The existing residential development is primarily single-family and residential growth is expected to continue.<sup>3</sup>

According to the Plan, the Town's overall goal is to provide balanced growth, quality neighborhoods and a sound economic base while preserving natural resources and protecting drinking water quality. Section 8.2 of the Plan includes the following statement about economic development: "Carmel should sensitively develop its economic sector so as to strengthen its tax base consistent with the other goals of this plan."<sup>4</sup> The Town desires to attract "certain regional uses" such as a hotel and corporate offices. However, the Town expects future development to be consistent with its rural character. The Plan further documents the need to include pedestrian and bicycle facilities in new developments within the Town.

The Comprehensive Plan (2000) has been partially implemented by the Town's current zoning ordinance (amended in 2001 with changes through 2008) and the new zoning map (adopted in 2002).

##### *Putnam County Vision 2010*

The Putnam County Executive in 1999 formed a steering committee to envision Putnam County's future in the first decade of the 21st century. The Putnam County Division of Planning

<sup>3</sup> Town of Carmel, Comprehensive Plan, October 2000

<sup>4</sup> Town of Carmel, Comprehensive Plan, Section 10, Croton Plan, June 2002

and Development prepared the “Report of the Task Force on Vision 2010: Guiding Putnam into the Next Decade”. The more general guiding principle of Vision 2010 that pertains to the Union Place development is the need to balance commercial development with open space preservation. Vision 2010 sets forth objectives for the County government and includes some objectives that would be addressed by local activities and projects.

In regard to stormwater systems, the County’s objective is to facilitate Federal and State requirements for the Phase II Stormwater Management Program, including construction of detention and retention basins as appropriate.

Regarding Transportation Systems, it is noted that a Route 6/6N Corridor Study is being completed. The need to improve pedestrian pathways is expressed. The County also intends to encourage land use controls that will “limit sprawl development”.

In the section on “Recommendations to Achieve the Economic Vision”, one of the objectives is to articulate land use plans to “focus economic development activities in realistic locations, at a scale and quality that are consistent with community values”.

### *Patterns for Westchester*

Based upon the project location in immediate proximity to the Westchester County line, *Patterns for Westchester: the Land and the People (Patterns)* was reviewed. *Patterns* is a policy framework for the future development of the County from the year 2000 prepared by the Westchester County Planning Board. In Chapter 2, “Policies for 2000 and Beyond”, the authors document that the placement of future development should be sited “... where public transportation can be provided efficiently, where redevelopment can enhance economic vitality”, where previously developed areas can be adapted to support “efficient and attractive multi-use places, by protecting the quality of scenic routes and by making road and transit improvements that will reduce congestion and ease movement on travel routes.”

The *Patterns* map identifies the area immediately south of the project site for two different Recommended Density Ranges related to the “Local Center” of Baldwin Place located in the northern area of the Town of Somers along the US Route 6 corridor:

- HDU 4-6 (High Density Urban), which is for development with an FAR (floor area ratio) range of 0.2 to 0.8 and a GRD (Gross Residential Density) of 6 to 26 units per acre; and
- MDS 2-4 (Medium Density Suburban), which is for development with an FAR range of 0.05 to 0.2 and a GRD of 2 to 7 units per acre.

### *Westchester 2025*

*Westchester 2025: Plan Together* is an updated expression of land use policies and a framework for the future development of Westchester County from the year 2025 prepared by the Westchester County Planning Board. The “Context and Policies” section sets forth general objectives addressing the protection of community character; defining appropriate development intensity; managing stormwater; responding to housing needs; and reducing travel through land use decisions and other general objectives.

In the section regarding “Policies to Guide County Planning”, the *Patterns* policies are reiterated including the objective to channel development to centers. The framework for *Westchester 2025*

encourages municipalities to define the character of areas such as “Commercial Corridors” and mixed use areas such as a “Walkable Downtown” or “Walkable Hamlet”. According to the Westchester County Planning Department webpage, an updated land use map similar to the map in *Patterns* is anticipated to be part of *Westchester 2025*.

*Croton Watershed Plan*

The Comprehensive Croton Watershed Water Quality Protection Plan (The Croton Plan for Westchester) is a document described in the NYC Watershed Regulations that evaluates potential infrastructure investments to address water quality problems within the Croton watershed. The Croton Plan “assesses watershed conditions, identifies water quality impacts and sets forth strategies to reduce those impacts and prevent water quality degradation while enhancing valued community character”. It is the result of a cooperative planning effort between several municipalities in northern Westchester County. Although the Croton Watershed includes portions of Putnam County, the Croton Plan only addresses municipalities in Westchester County. However, one of the responsibilities of the Putnam County Planning Department is to implement the watershed agreement with New York City.

The proposed development will be subject to review by the Putnam County Planning Board and the NYCDEP, which will address water quality protection and watershed concerns.

*A Region at Risk: Third Regional Plan for NY-NJ-CT Metropolitan Area*

Originally formed as the Committee on the Regional Plan for New York and its Environs, the group known as the Regional Plan Association (RPA) has produced a number of long-range plans for the New York-New Jersey-Connecticut Metropolitan Region. A Region at Risk, as per the subtitle, is the third general regional plan. The RPA has also prepared a number of other studies of specific aspects of the region such as transportation and housing. A Region at Risk examines the Metropolitan region in the context of the global economy and addresses five major campaigns including sections on the following: “Greensward”; “Centers”; “Mobility”; “Workforce”; and “Governance” with a focus on “re-energizing the region by re-greening, reconnecting, and re-centering it.” The “Centers Campaign”, Chapter 7 of A Region at Risk addresses employment and residential areas.

Although part of the focus of the “Centers Campaign” is Manhattan, Brooklyn, etc., there are recommendations for the “hundreds of compact communities” near rail lines including encouragement of and consideration of zoning changes for mixed-use development and pedestrian-friendly communities. Development that properly addresses transit- and pedestrian-friendly design incorporates: ground-level amenities and activities; reduced building setbacks; clustering of buildings; interconnecting streets and continuous walkways and bikeways; bus pull-outs, stops, and shelters; and traffic calming techniques. Additionally, new housing should be focussed on existing centers.

Potential Impacts Relating to Public Policy Plans

*Town of Carmel Comprehensive Plan*

The construction of the proposed Project would advance implementation of the Town of Carmel Comprehensive Plan relevant to the project site, which indicates goals to balance protection of natural resources, maintain quality neighborhoods and insure a sound economic base. The Plan also notes the importance of sensitive economic development.

This study has not identified significant adverse impacts on the land use or zoning characteristics of the project site or the surrounding area, which consists predominantly of commercial development and the abutting US Route 6 corridor and associated roads and residential development in the Baldwin Place Road corridor.

The Proposed Action generally conforms with relevant policies contained in the Comprehensive Plan. The Plan states that its main theme is to "establish a balance among protection of the natural environment and resources, maintaining quality neighborhoods, providing necessary community services and insuring a sound economic base."

The proposed creation of a special use permit to allow Smart Growth Villages in the Town meets these goals. The primary objective of Smart Growth is to minimize resource use while meeting the needs of the community. The Proposed Action would add commercial and office uses to the Town that would help in offsetting the imbalance in the predominance of residential development via the construction of a mixed use project. The proposed Smart Growth Village would allow for an increase in employment opportunities while minimizing the growth in traffic associated with typical suburban sprawl which resulted from existing zoning districts. The multi-family and attached housing components will create a quality neighborhood while increasing the variety of housing in what is currently a predominantly single-family community.

Development of the offices, commercial space and hotel, as well as community and pedestrian amenities, as part of the Union Place project will create economic sustainability by providing an employment and community center within the town. The adjacent multifamily Union Heights residential community provides an opportunity for residents to walk to work. The main street area's proximity to the office use, in conjunction with the availability of sidewalks and a pedestrian scale of development create an area conducive to pedestrian movement.

The proposed development would provide a model for innovative planning and energy efficient design. In addition to creating a compact, walkable, and dynamic retail and residential community that would achieve multiple planning goals in the Town and County, the Applicant proposes to employ environmentally responsible design and maintenance practices. Measures promoted by the US Environmental Protection Agency referred to as Low Impact Development (LID) would be employed, including recycling rain water captured on the roofs of the some of the buildings for use in watering plantings in the landscaped areas surrounding the buildings, and for general irrigation purposes, and use of pervious pavers in certain parking areas to reduce stormwater runoff.

Additionally, the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) standards for new construction have been considered during the development of the project plan including the site layout and building design. The Applicant intends that this project would have LEED compliant components, as listed earlier.

The Smart Growth Village concept emphasizes pedestrian movement in the Village center and provides residences immediately adjacent to the commercial and office development further reducing the need for automobile usage. The project site is located near the southern boundary of the Town between US Route 6 and Baldwin Place Road, which according to the Future Land Use Plan (Comprehensive Plan Section 8.2) should be "Commerce/Business Park". This land use designation is intended for "large tracts of land in close proximity to commercial and high-capacity transportation routes". The Plan identifies US Route 6 as an Arterial and Baldwin Place Road (a Putnam County road) as a Minor Arterial or Collector.

The proposed project provides an attractive new mixed use, smart growth village development consistent with underlying zoning that would enhance the image of the Town of Carmel within an established business corridor location. The incorporation of a higher-density residential neighborhood will balance the commercial area along US Route 6 and add to the variety of housing options in an area with numerous identifiable single-family developments. Proximity of the residential area to the commercial/office employment destinations may result in a reduction of vehicle miles traveled to work. The project will also result in a significant increase in tax rates for this property which will benefit both the Town and Putnam County.

Regarding community character, the Town's goal is to promote appropriate commercial development while maintaining a community of rural character. The proposed site design complies with the area and bulk requirements of the proposed zoning, which encourages more compact development than existing zoning. The Smart Growth mixed commercial and residential areas would be enhanced with landscaped open areas and natural areas that would remain undisturbed by development. Moreover, the unified Smart Growth community will provide a focal point amidst less coordinated highway commercial and varied residential densities surrounding the site. Given the anticipated quality and aesthetics of the proposed development as illustrated in the project plans and renderings, the Proposed Action will enhance the character of the Mahopac Hamlet and surrounding environs and would therefore, be consistent with the Plan.

The proposed structures, as they are laid out in relation to landscaping and preserved natural areas, would create a changed view of the site that would be integrated visually with the surrounding landscape. The overall development plan works with existing varied topography, a broad central band of vegetation and the proposed vegetated perimeter buffer to minimize any potential negative visual impacts to viewers at publicly accessible locations. While views of the proposed development from locations at higher elevations would be possible, the character of the development would be compatible with the combination of rural and commercial development in the vicinity.

Based upon the criteria identified for implementation of the Smart Growth conditional use, the proposed blend of uses, the project's potential for balancing residential development with sustainable economic development, the high quality of design and the inclusion of preserved and landscaped open space areas. The Proposed Action is not inconsistent with the Town of Carmel Comprehensive Plan.

### *Putnam County Vision 2010*

The Union Place development is consistent with Vision 2010's guiding principle of the need to balance commercial development with open space preservation. The Proposed Action's stormwater management systems, including construction of detention and retention basins as appropriate, comply with the County's objective to facilitate Federal and State requirements for the Phase II Stormwater Management Program.

The proposed mixed use, compact development, including pedestrian and transit-oriented amenities, coincides with Vision 2010's expressed need to improve pedestrian pathways and encourage land use controls that will "limit sprawl development". The project's location addresses the County's objective "focus economic development activities in realistic locations, at a scale and quality that are consistent with community values".

*Patterns for Westchester*

Although not in Westchester County, the Proposed Action is located at the county line, and is generally consistent with *Patterns'* pertinent policy statements. Development is planned in the Mahopac Hamlet, a mixed commercial and residential use area, located on arterial and collector roads (US Route 6 and Putnam County Route 37) served by public transportation (PART). US Route 6 in Westchester County is identified by *Patterns* as a Principal Corridor and the southern end of Baldwin Place as a Local Center. The proposed mixed use development is properly sited to enhance this Principal Corridor in both Putnam and Westchester County as well as the identified Local Center.

The Smart Growth Village zoning and the project's design will result in a unique and high-quality project, that will include attractive architecture, landscaping and public and transit amenities, to a developed yet uncoordinated commercial corridor. The walkability of the proposed community will allow future residents to work and shop where they live. Similarly, visitors will be able to enjoy public gathering spaces, use mass transit stops, take walks, find entertainment, shop and work at Union Place. The project will be an "efficient and attractive multi-use" place for residents and visitors consistent with *Patterns* policies.

The proposed Smart Growth village development zoning is consistent with *Patterns* "Recommended Density Ranges" related to the "Local Center" of Baldwin Place in the Town of Somers. *Patterns'* HDU 4-6 (High Density Urban) recommends development with an FAR (floor area ratio) range of 0.2 to 0.8 and a GRD (Gross Residential Density) of 6 to 26 units per acre. The MDS 2-4 (Medium Density Suburban) recommended density is for development with an FAR range of 0.05 to 0.2 and a GRD of two to seven units per acre. The proposed Smart Growth zoning includes residential density of six to eight units per acre and an FAR of 0.25. The proposed project is designed to conform to the proposed zoning and would be consistent with Westchester County *Patterns* Recommended Density Ranges.

*Westchester 2025*

The Proposed Action is consistent with *Westchester 2025's* section regarding "Policies to Guide County Planning", as it reiterates *Patterns'* objective to channel development to centers. The framework for *Westchester 2025* encourages municipalities to define the character of areas such as "Commercial Corridors" and mixed use areas such as a "Walkable Downtown" or "Walkable Hamlet". Although the Baldwin Place center is identified in Westchester's *Patterns* it is not considered a local center in *Westchester 2025*. However, the proposed zoning and Union Place development will focus a mixed use development in a developed commercial area flanked by residential development of varying densities. In essence, Union Place will provide a Main Street core to a less coordinated settled area that has the potential to be a more focussed center.

*Croton Watershed Plan*

The Croton Plan's strategies to reduce watershed and water quality impacts and "prevent water quality degradation while enhancing valued community character" are important in the watershed. While the Croton Plan was written to address municipalities in Westchester County, the proposed development will be subject to review by the Putnam County Planning Board and the NYCDEP, which will address water quality protection and watershed concerns. The project's stormwater management plan, landscaping and preservation of open spaces balanced with a unique, compact, mixed use development will reduce the potential for water quality impacts. The

proposed pedestrian and public spaces, compatible architectural quality, landscaping and layout of built and natural, open areas will add a well-designed village core to and enhance the character of the Mahopac Hamlet.

*A Region at Risk: Third Regional Plan for NY-NJ-CT Metropolitan Area*

*A Region at Risk's* "Centers Campaign" gives recommendations for the "hundreds of compact communities" near rail lines including encouragement of and consideration of zoning changes for mixed-use development and pedestrian-friendly communities. The proposed zoning amendment involves changes to permit a mixed use, walkable community development. The project design incorporates some of the specific development features, yet these are tailored to the suburban context of the Baldwin Place area within the Town of Carmel. The proposed streetscape design, sidewalks, trails, interconnecting roads and accessways and properly-situated parking areas address transit- and pedestrian-friendly design. Union Place's Main Street village aspect incorporates: ground-level seating areas and other public and pedestrian amenities; buildings close to the Main Street; compact building layout; interconnecting streets, walkways and bikeways; and busstops.

Additionally, new housing, which will be part of the Smart Growth village, along with the Main Street aspect, will be focussed on the existing Mahopac Hamlet.

In summary, the innovative plan that is Union Place will bring a unique development to the region that incorporates principles of new urbanism, place-making and smart growth in compliance with local and regional public and planning policies.

**3.6.5 Mitigation Measures**

Based upon the requirements and standards for a Smart Growth Village conditional use development, the proposed blend of uses, the project's potential for balancing residential development with sustainable economic development, the high quality of design and the inclusion of preserved and landscaped open space areas, no significant adverse impacts to the existing land use or Town and regional public policies related to land use and development are anticipated.

The pedestrian centered, mixed use objectives of the new Smart Growth Village zoning provisions, by design, will mitigate the potential adverse impacts to land use and zoning. These design features include:

1. The project promotes the creative use of land so as to establish a more desirable overall environment than would be possible through the strict application of the other sections of the Zoning Ordinance of the Town of Carmel.
  - Higher (more stringent) lot area and width requirements necessitates a large site , on which a cohesive mixed use development is more feasible.
  - Flexible lot depth and lower yard setbacks will result in increased flexibility and more compact design.
  - Planning Board discretion for floor area of buildings will allow for a variety of uses and occupancies and provide responsiveness to rapidly changing market conditions.

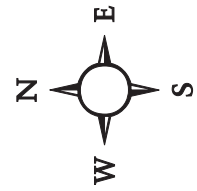
## Zoning and Surrounding Land Use

October 27, 2010

- The proposed maximum floor area ratio (FAR) of 0.25 and proposed maximum building coverage of 20 percent, promotes compact development and the preservation of open space in other portions of the site.
  - Flexible, moderate density residential development will be established through using dwellings per acre (maximum 6 units per acre, or 8 units per acre for senior residential).
2. The project will provide a mixed use development with a variety and flexibility of uses including: retail, office, services, restaurants, hotels or similar uses. These mixed uses will facilitate greater stability and variety in occupancy and cost, while providing commercial uses that benefit the economic base of the Town of Carmel.
  3. The project proposes balanced, mixed housing opportunities, including housing that generally is not available in Carmel such as housing for younger people, single parents and empty nesters. This housing includes, but is not limited to, senior housing, multifamily clustered housing, rental housing and condominium ownership.
  4. The project proposes housing integrated with retail, office and other commercial space to facilitate a walkable, sustainable community. It is recognized that housing development adjacent to mixed uses provides a critical mass of people that helps provide stability and vibrancy to the mixed uses, public places, and village center.
  5. Environmental and planning factors were used to develop the overall site plan and layout, including water-bodies, wetlands, steep slopes, and consideration of stormwater management. Planning factors included land use compatibility, aesthetics, the provision of security and emergency services, properly sited access and internal circulation.
  6. The project design incorporates neighborhood amenities and public gathering areas in place-making and the creation of a “walkable”, “lifelong” community.

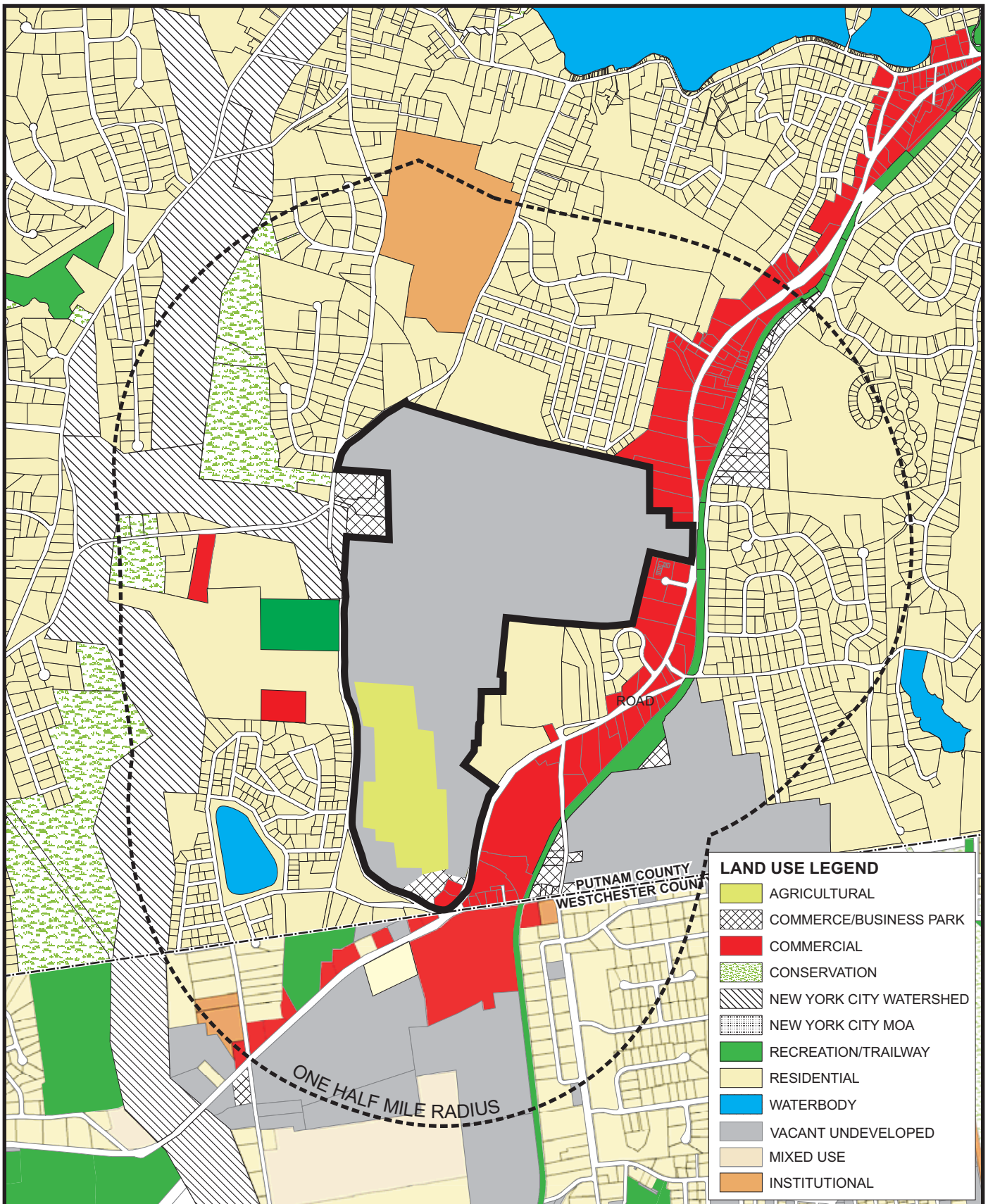
Given the project design land use and zoning mitigation measures, no additional mitigation is proposed.





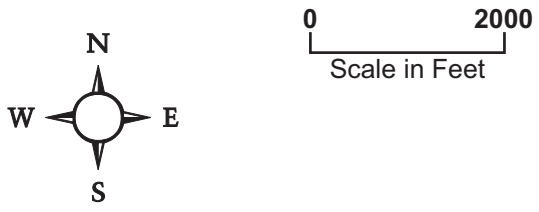
**Figure 3.6-1: Land Use Study Area**  
 Union Place  
 Town of Carmel, Putnam County, New York  
 Source: NYS GIS Clearinghouse, 2007 Aerial Photo  
 Scale: 1" = 1,125'



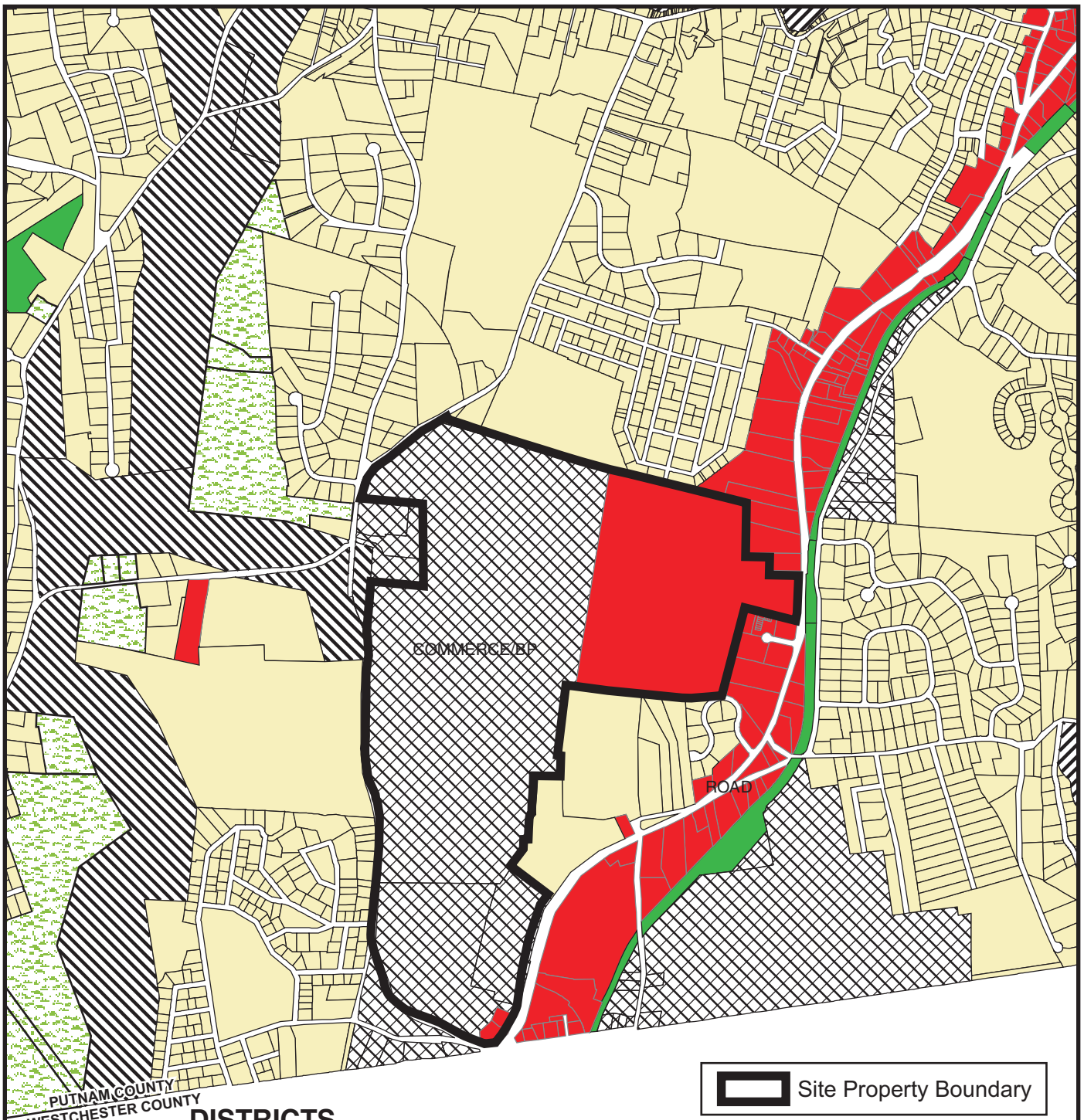


**LAND USE LEGEND**

	AGRICULTURAL
	COMMERCE/BUSINESS PARK
	COMMERCIAL
	CONSERVATION
	NEW YORK CITY WATERSHED
	NEW YORK CITY MOA
	RECREATION/TRAILWAY
	RESIDENTIAL
	WATERBODY
	VACANT UNDEVELOPED
	MIXED USE
	INSTITUTIONAL



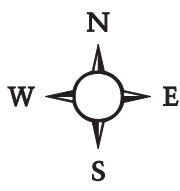
**Figure 3.6-2: Land Use Map**  
 Union Place  
 Town of Carmel, Putnam County, New York  
 Source: Official Zoning Map of the Town of Carmel, NY  
 February 20, 2002  
 Westchester County GIS, 2009



 Site Property Boundary

**DISTRICTS**

-  COMMERCE/BUSINESS PARK
-  COMMERCIAL
-  CONSERVATION
-  NEW YORK CITY WATERSHED
-  NEW YORK CITY MOA
-  RECREATION/TRAILWAY
-  RESIDENTIAL
-  WATERBODY



**Figure 3.6-3: Existing Zoning**  
 Union Place  
 Town of Carmel, Putnam County, New York  
 Source: Official Zoning Map of the Town of Carmel, NY  
 February 20, 2002  
 Scale: 1" = 1,300'