



Memorandum
Department of Planning

To: Members, Westchester County Planning Board

From: Michael Lipkin, Associate Planner on behalf of
Blanca P. López, Commissioner

Date: February 28, 2024

Subject: Mailing for Westchester County Planning Board Meeting

The next meeting of the Planning Board will be held on **Tuesday, March 5, 2024 at 9:00 a.m.** in the Cassella Conference Room, MOB 1, 148 Martine Avenue, White Plains.

All of the materials listed below are being sent via e-mail and US mail and are also available online at meetings.westchestergov.com:

- Tentative Agenda
- Draft Minutes
 - February 6, 2024 meeting of the County Planning Board
- Referrals Report January 16, 2024 through February 15, 2024
- Conveyance of formerly NYS DOT Property to Development located at 345 McLean Avenue in Yonkers, Report, Letter & Resolution
- HUD Westchester Urban County Consortium FY 2024 Action Plan – Expected Funding and Resolution
- BPL26 Flood Mitigation - Capital Budget Amendments to the 2024 Capital Projects
 - USACE Mamaroneck-Sheldrake Project, Village of Mamaroneck
 - Watershed Flood Mitigation Plans Countywide
 - Law Memorial Park, Village of Briarcliff Manor
 - West Sunnyside Lane, Village of Irvington
- Board of Legislators Request for Conveyance of a 13.4 acre County parcel, and acceptance of similar sized and valued parcel with the Westchester Joint Water Works
- No-Action Memo: SY009 Yonkers Joint Treatment Plant Odor Control and HVAC Upgrades, Capital Budget Amendment

AGENDA
WESTCHESTER COUNTY PLANNING BOARD

Tuesday, March 5, 2024 9:00 a.m.

**Cassella Conference Room, Rm 420
148 Martine Avenue, Michaelian Office Building
White Plains, NY 10601**

I. Call to Order

II. Meeting Dates

1. Tuesday, April 2, 2024, 9 a.m.
2. Tuesday, May 7, 2024, 9 a.m.
3. Tuesday, June 4, 2024, 9 a.m.

III. Adoption of Minutes

1. Meeting of February 6, 2024

IV. Chairman's Remarks

V. Commissioner's Remarks

VI. Referrals

1. Ratification of actions taken by staff in response to planning and zoning actions referred to the County Planning Board January 16, 2024 through February 15, 2024
2. MMT-24-002 Town of Mamaroneck Draft Comprehensive Plan Referral, presented by Supervisor Jaine Elkind-Eney, Tiffany Zezula & Kevin Dwarka - Pace University Land Use Law Center

VII. Matters for Board Action

1. Conveyance of formerly NYS DOT Property to Development located at 345 McLean Avenue in Yonkers
2. Adoption of Amendment of HUD Westchester Urban County Consortium FY 2024 Action Plan
3. BPL26 – Flood Mitigation - Amendment of the Planning Board Report on four 2024 Capital Project Requests
 - a) Watershed Based Flood Mitigation Plans
 - b) West Sunnyside Lane, Irvington
 - c) Law Memorial Park, Briarcliff Manor
 - d) Mamaroneck and Sheldrake River Design & Implementation, Village of Mamaroneck

4. An Act of the Board of Legislators to allow the conveyance of 13.4 acre Westchester County parcel to the Westchester Joint Water Works (WJWW), and the acceptance of a 13.4 acre parcel from the WJWW to the County.

- VIII. **Matters for Board Information**
- IX. **Other Business & Comments by Guests**
- X. **Adjournment**

DRAFT MINUTES OF THE MEETING
WESTCHESTER COUNTY PLANNING BOARD
Cassella Conference Room
Michaelian Office Building, White Plains, NY
Tuesday, February 6, 2024

PLANNING BOARD MEMBERS PRESENT

Richard Hyman, Chair (Village)
Bernard Thombs, Vice Chair (Town)
Daniel Finger (Town)
James Arndt (City)
Deborah Post (City)
Renee Toback (City)
Ximena Francella (City)
Robert Baron (Village)
Gayle Katzman, First Deputy Commissioner, Department of Public Works/Transportation
Joe Brown, Capital Project Coordinator for Vincent Kopicki, Environmental Facilities

PLANNING BOARD MEMBERS EXCUSED

Holly Hasbrouck (Town)
Kathleen O'Connor, Commissioner, Department of Parks, Recreation and Conservation

PLANNING STAFF PRESENT:

Blanca P. López, Commissioner
David Kvinge, Assistant Commissioner
Susan Darling, Chief Planner
Leonard Gruenfeld, Program Director
Steven Courage, Transportation – Virtual
Edward Leimbach, Associate Planner
Michael Lipkin, Associate Planner
Michael Vernon, Associate Planner, Land Use
Douglas Wessells, Planner

OTHER STAFF/VISITORS PRESENT:

Lisa Hochman, Legislative Council, County Board of Legislators - Virtual
Gregory Casciato, Director of Fiscal Affairs, County Board of Legislators - Virtual
Brian Murphy, Chief Financial Officer, SUNY Westchester Community College - Virtual
Robert Cirillo, Director of Physical Plant, SUNY Westchester Community College - Virtual
Garrett McAlister, Deputy Chief Information Officer SUNY WCC - Virtual
Susan Spear, Deputy Commissioner, Department of Emergency Services
Neil Caputo, Director of Fire Services, Department of Emergency Services - Virtual
Jason Ward, Chief of Fire Training, Department of Emergency Services - Virtual
Chris Johnson, Department of Emergency Services - Virtual
Michael Swee, Director of Surface Transportation, Department of Transportation - Virtual
Christopher Gomez, Commissioner of Planning, City of White Plains
Judith Mezey, Deputy Commissioner, City of White Plains
Eileen McClain, Senior Planner, City of White Plains

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Kristi Knecht, City Planner, City of White Plains
James R. Wendling, Chief Operating Officer – WBP Development LLC
Dawn McKenzie, R.L.A, Insite Engineering, Surveying and Landscape Architecture, P.C - Virtual
Matthew Judge, Marathon Development LTD.
Yvonne Gumowitz, Coalition for Addition Without Subtraction, Public Comment
Benjamin Brown, Coalition for Addition Without Subtraction, Public Comment

I. Call to Order

Richard Hyman, Chair, called the meeting of the Planning Board to order at 9:02 a.m.

II. Meeting Dates

Mr. Hyman noted that the upcoming meetings of the County Planning Board are scheduled for Tuesday, March 5, 2024; Tuesday, April 2, 2024; and Tuesday, May 7, 2024 – at 9:00 a.m. The Commissioner of Planning will also set a date for a future working session.

III. Adoption of Minutes

A motion to approve the minutes of the January 3, 2023 meeting of the Planning Board was made by Ms. Francella, seconded by Mr. Thombs and unanimously approved by the Board.

IV. Chairman's Remarks

Mr. Hyman welcomed the Board, noting the length of the agenda.

V. Commissioner's Remarks

Ms. López made note of the upcoming remote WebEx Planning Board working session on Tuesday, February 20 at 9:00 A.M. She also stated that Board members were notified of a new shared drive for accessing meeting materials. She then welcomed the meeting guests and reviewed the agenda.

Mr. Hyman reminded the Board that an email regarding ethics training was sent to each member.

VI. Referrals

A. Ratification of actions taken by staff in response to planning and zoning actions referred to the County Planning Board December 16, 2023 through January 15, 2024

No comments were heard regarding actions referred to the Planning Board. A motion to ratify the actions taken by staff in response to planning and zoning actions referred to the County Planning Board December 16, 2023 through January 15, 2024 was made by Mr. Arndt, seconded by Mr. Finger, and approved unanimously by the Board.

VII. Matters for Board Action

A. Adoption of the Planning Board Report on the 2024/2025 Westchester Community College Capital Budget

Representatives from Westchester Community College, Mr. McAllister and Mr. Murphy, provided a presentation of the 2024/2025 Westchester Community College Capital Budget and associated projects.

Mr. Hyman inquired about the source of non-County funding for these projects, to which Mr. Lipkin responded that the College receives external funding from the State University of New York system.

Mr. Hyman asked whether the Hartford Hall project will be referred to the Historic Preservation Advisory Committee (HPAC), to which Mr. Murphy replied a meeting has been scheduled to review the project. Mr. Cirillo added that the current request is for both design and construction, so a referral to HPAC will be submitted.

Ms. Post asked if any consideration had been given to converting Hartford Hall to electric heating and cooling, to which Mr. Cirillo replied that it was not being considered due to difficulties associated with the age of the building.

A motion to adopt the Planning Board Report on the 2024/2025 Westchester Community College Capital Program was made by Mr. Finger, seconded by Mr. Arndt, and approved unanimously by the Board.

B. BES27 Replacement of Fire Training Tower, Capital Budget Amendment

Ms. Spear, Mr. Caputo, and Mr. Ward provided a presentation regarding capital project BES27 for the replacement of the fire training tower at the Grasslands Campus. A capital budget amendment is being requested by the Department of Emergency Services to expedite the design and construction of the project, as the existing tower has failed inspection and is unable to be used as intended.

Mr. Finger asked whether the tower is currently being used, to which Ms. Spear replied that it is in service, but is not being used for live fire or rappel training. Mr. Finger then asked if alternative sites were available, to which Ms. Spear replied that the West Harrison facility has a less capable facility available.

Mr. Arndt requested additional detail regarding the project timeline. Ms. Spear replied that design should be complete in 2024 and construction should be complete in 2025. She also noted another capital project for a different training facility at the Valhalla training center that should finish design and construction by the end of the year.

Mr. Hyman commented on the high price of the project, to which Ms. Spear replied that the structure is designed to replicate an apartment building and has to incorporate specific safety features and rappelling facilities.

Mr. Thombs inquired as to whether the building was electrified and if it contained an elevator. Ms. Spear replied that the building is electrified and does not contain an elevator, though one is included in the plans for the replacement building.

A motion to approve the capital budget amendment was made by Ms. Post, seconded by Mr. Arndt and approved unanimously by the Board.

C. Mayfair Phase II, 1 Fairway Circle, Greenburgh – Tree Removal Permit Application

Mr. Hyman introduced the agenda item, noted that he met with Department staff and the developer in the field to review the site, and that the additional engineering needed for the site has been completed.

Mr. Gruenfeld introduced the project and Ms. McKenzie, representing Insite Engineering, to the Board. Ms. McKenzie made note of the meeting with Mr. Hyman and Department staff and that the location and type of stormwater management practice to be employed has been decided upon. The tree removal permit application has been revised to increase the number of trees affected from 12 to 14 as a result of the stormwater management practice.

In response to a request from Mr. Hyman, Ms. McKenzie confirmed that the count of 14 trees is only to make way for stormwater management, and that the total number of tree removals for the entire site is 74. She added that alternate layouts for the site were considered, but none were feasible.

Ms. Post inquired as to how many trees were being replaced as part of the project. Ms. McKenzie responded by reviewing the site plans for the project and confirmed that 47 new trees will be added, along with 87 shrubs and various perennials.

Mr. Thombs asked if Mr. Hyman had any comments from his site visit. Mr. Hyman reported that the group had confirmed in the field that no alternative courses of action were viable, but agreed to save more trees near the front driveway.

Mr. Hyman introduced a resolution to approve the tree permit application for the Mayfair Phase II, 1 Fairway Circle project. A motion to approve the resolution was made by Mr. Thombs, seconded by Ms. Francella, and approved unanimously by the Board.

D. BPL30 New Homes Land Acquisition (NHLA), 455 Main Street, New Rochelle

Ms. Post recused herself from the discussion and action on the project.

Mr. Gruenfeld introduced the action, which is phase II of a previous project at 455 Main Street. The project was originally a twin building to the phase I project, but has since been revised down to a 17-story mixed use building. The building will contain 3,500 square feet of ground-level retail space, a 3-level parking facility, and 126 affordable home ownership units above.

Mr. Hyman commented that this is the first affordable home ownership building of this scale which has been presented to the Board. Mr. Gruenfeld added that most affordable home ownership proposals are smaller in scale, between 4 and 6 units. He also added that parking spaces will not be

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included in the purchase of the housing units, and that residents will need to pay for parking on-site or elsewhere.

Mr. Thombs asked if any of the units were reserved for senior citizens, to which Mr. Gruenfeld replied that there will be no age restrictions on the units.

Mr. Gruenfeld continued, adding that the project is participating in the New York State Brownfield Cleanup Program and will meet universal design and sustainable building certification requirements. The project will be funded through the Affordable Homeownership Opportunity Program (AHOP), and will provide units to first time homebuyers earning up to 100% of the Area Median Income (AMI). The sale price of the units will be set at 80% of AMI. A revision to the NHLA program will be requested from the Board of Legislators to allow funding to go to 100% AMI projects that are receiving AHOP funding

Mr. Hyman inquired about the distance between the phase I and proposed phase II buildings. Mr. Wendling, representing WBP Development LLC, replied that the distance is either 56 or 58 feet.

Ms. Toback inquired as to how the units would be allocated, as the monthly payment is approximately equal to rent. Mr. Gruenfeld replied that payment is somewhat high due to the AMI of Westchester County, but that residents of this development will benefit from home ownership.

Ms. Francella stated that New Rochelle has a high demand for home ownership units due to the preponderance of rentals, and asked how much each condominium would cost. Mr. Gruenfeld replied that the average cost to build each unit will be approximately \$350,000, and that costs will range from \$290,000 to \$410,000.

Ms. Toback asked how the units will be allocated, and why the units were priced at 80% AMI. Mr. Gruenfeld replied that the units will be allocated through the typical marketing and lottery process. Mr. Wendling added that cost estimates were calculated using a 7% mortgage rate.

Mr. Baron asked if applicants will need to get their own mortgage or if Westchester Residential Opportunities (WRO) will provide assistance, to which Mr. Wendling affirmed that WRO will provide assistance in acquiring financing. Mr. Wendling added that the project has support from New York State, that New Rochelle allowed for a payment in lieu of taxes (PILOT) to assist in the development, and that the project will provide units to a segment of the population that does not qualify for traditional affordable housing but cannot afford to purchase a market rate unit. Mr. Gruenfeld added that the units will be priced as proposed due to the provisions of the AHOP program.

Mr. Thombs asked if any units were reserved for residents of New Rochelle, to which Mr. Gruenfeld responded that such no such preferences are allowed under the requirements for County funding.

Mr. Hyman stated that the 100% AMI income limits for Westchester County are very high in comparison to the rest of the U.S.A, but that an insufficient number of units are available for this portion of the market in the County.

Mr. Arndt inquired about the resale of these units, to which Mr. Wendling replied that the resale price of the units will still be set using HUD income limits.

Ms. Toback asked if the 80% AMI price is mandated by the AHOP program, to which Mr. Wendling replied that units will be priced up to 80%, with units available below that price. Mr. Hyman added that previous County-assisted projects have gone below 30% AMI for rentals.

Mr. Finger inquired about the equity accumulation of the units, to which Mr. Gruenfeld and Mr. Wendling replied that the units must remain affordable for 30 years under the AHOP program and for 50 years under the NHLA program.

A motion to approve NHLA funding for the project was made by Ms. Francella, seconded by Mr. Arndt and approved unanimously by the Board.

Mr. Thombs asked if any similar developments were planned, to which Ms. López stated that one is being planned in White Plains.

Mr. Finger asked if New Rochelle allowed for affordable housing buyouts and whether this development made use of such payments. Ms. López replied that New Rochelle and White Plain allow for such payments, but that this development does not utilize either those payments or the resulting funds.

E. WHP24-001 White Plains Comprehensive Plan, presented by Christopher Gomez, Commissioner of Planning

Ms. López noted that no action is required for this referral.

Mr. Gomez introduced himself and provided a video and presentation regarding the new comprehensive plan.

Ms. Post asked if implementation of the new plan will include a comprehensive review of zoning or zoning changes. Mr. Arndt followed by asking if the City would complete a Generic Environmental Impact Statement (GEIS) for the entire plan in a similar manner to New Rochelle. Mr. Gomez replied that a GEIS would not be conducted. He added that the plan includes generic recommendations for rezoning, but does not include any site-specific proposals. He also stated that one of the focuses of the plan was the reimagining of existing, challenged office parks.

Mr. Hyman inquired about provisions for affordable housing in the plan. Mr. Gomez replied that affordable housing is covered in the “Live White Plains” section of the plan and commended the current affordable housing regulations of White Plains. The current zoning code includes an inclusionary housing requirement, but a law was passed in 2019 allowing for affordable housing buyouts for rentals. The funds from those buyouts are directed to other affordable housing developments and programs in the City.

Mr. Hyman restated the Board’s opposition to payments in lieu of affordable housing, citing the demolition of the White Plains YMCA and its affordable single room occupancy units. Mr. Gomez stated that funds from affordable housing buyouts directly support the development of affordable housing which would otherwise require tax funding or not be built at all. He also stated that neighboring communities are not undertaking any action to further affordable housing.

Mr. Hyman commented that the rationale behind affordable housing set asides is that the market rate units should subsidize the loss of revenue from affordable units. Mr. Gomez replied such developments require a different PILOT structure and pose an additional tax burden. He also stated that affordable housing buyouts provide additional flexibility, and that nearly half of past developments in the City did not use the buyout at all.

Mr. Baron made note of the suggestion in the comprehensive plan to convert existing one way streets into two way streets, commented that the County Transportation Board was considering replacing the TransCenter with additional in-network transfer points, and asked if the comprehensive plan investigated such opportunities. Mr. Gomez replied that a priority of City leadership has been converting streets to bidirectional traffic and that the City is currently investigating opportunities to reimagine the transit district surrounding the TransCenter.

Mr. Gomez noted that the public hearing for the comprehensive plan is ongoing until at least March 4th, 2024, and that there will be opportunities for public input until April 2024.

VIII. Other Business & Comments by Guests

Mr. Hyman welcomed the two guests and invited them to speak.

Mr. Brown introduced himself and Ms. Gumowitz, representing the Coalition for Addition Without Subtraction, to the Board. He stated that the board of his organization is composed of residents of White Plains, was formed in response to the proposed redevelopment of the Galleria Mall site, and has been providing input to the White Plains comprehensive planning process. He made note of the section of the plan detailing the redevelopment of the Galleria Mall, and stated that there are additional opportunities to incorporate affordable housing into the plan and redevelopment, as well as additional open space. He then notified the Board of procedural issues with the Galleria redevelopment; the sale of the White Plains parking garage without a public auction and the price of affordable housing buyouts compared to the actual value of affordable unit inclusion. He also disagreed with the Negative Declaration intended for the White Plains comprehensive plan.

Ms. Gumowitz commented on the lack of transparency regarding the use of funds from affordable housing buyouts in White Plains.

Mr. Thombs inquired as to conversations between White Plains and the community regarding affordable housing. Mr. Gomez outlined the current funding allocation of the buyout program and stated that the City has always had a buyout provision for ownership units, but that it was extended to rental units in 2019. He also noted that buyout proceeds do not go to the general fund and must be committed by the Common Council prior to use.

Ms. Mezey, City of White Plains Deputy Commissioner of Planning, outlined the outreach efforts that have been conducted in White Plains as part of the comprehensive planning process. Mr. Thombs asked if White Plains could have additional conversations and opportunities for public input. Mr. Gomez reaffirmed the amount of public outreach being conducted by the City, as well as the amount of affordable housing being constructed.

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Ms. Mezey noted that the White Plains Consolidated Plan process will begin in Spring and will focus on the neediest portion of the White Plains population.

X. Adjournment

A motion to adjourn the meeting was made by Mr. Finger, seconded by Mr. Arndt and approved unanimously by the Board. The meeting was adjourned at 10:32 a.m.

DRAFT

WESTCHESTER

COUNTY

PLANNING

BOARD

Meeting Date:

March 5, 2024



County Planning Board Referrals:

Letters dated January 16, 2024 through February 15, 2024

Croton-on-Hudson

CRO 24-001B Battery Energy Storage Systems - Zoning Text Amendment

☐ Site Plan ☐ Special Permit ☐ Subdivision ☒ Zoning Text Amend ☐ Zoning Map Amend ☐ Area Variance ☐ Use Variance ☐ Moratorium ☐ Comp Plan

Edit to the previous Local Law proposal. Two tiers of BESS systems would be established. Tier One would include installations of 600 kWh and lower, and would not require site plan approval. Tier Two would include larger installations and would require Special Use and Site Plan review, and would only be permitted within the RA-40, RA-60, C-2 and LI zones. The updated proposal also includes revisions to the solar energy system portion of the Code, including canopy-mounted systems over parking lots as a Tier 1 solar system, regulating Tier 3 systems to under one acre, and creating a new Tier 4 for systems larger than one acre.

We thank the Village for providing this clarification of the proposed law, and continue to commend the Village for considering the adoption of regulations permitting and guiding the development of BESS installations and solar energy systems.

Letter date: Wednesday, February 7, 2024 **Response type:** Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Eastchester

ECH 24-001 ArchCare

265 White Plains Road

☒ Site Plan ☐ Special Permit ☐ Subdivision ☐ Zoning Text Amend ☐ Zoning Map Amend ☐ Area Variance ☐ Use Variance ☐ Moratorium ☐ Comp Plan

Site plan amendment to renovate an existing three-story convent building into residential units for individuals with autism. The building is located within a 1.98 acre portion of the 11.65 acre Immaculate Conception Church property located in the R10 – One Family Residence zone.

The applicant received site plan approval on March 25, 2021 and construction is ongoing. Due to issues discovered during construction, the applicant has prepared the amended site plan to account for bedrock and slope conflicts, as well as the addition of recreation space for residents.

We reviewed the previous site plan and provided comments in a letter dated November 6, 2020.

Letter date: Tuesday, January 16, 2024 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

-The applicant should provide a maintenance program to prevent the subsurface stormwater management system from being clogged with sediment. The applicant should also be encouraged to explore aboveground solutions that treat runoff on-site.

-As Midland Avenue (CR 69II) is a County road, approval for this work from WCDPWT is required.

-We recommend that a bicycle storage room with electrical charging facilities be provided for residents and employees, and a bicycle rack be located in front for visitors.

Greenburgh

GRB 24-001 Accessory Dwelling Unit - Zoning Text Amendment

☐ Site Plan ☐ Special Permit ☐ Subdivision ☒ Zoning Text Amend ☐ Zoning Map Amend ☐ Area Variance ☐ Use Variance ☐ Moratorium ☐ Comp Plan

Amend the text of the Greenburgh Zoning Ordinance to add provisions for permitting and regulating accessory dwelling units (ADUs). As proposed, accessory dwelling units would be permitted in single-family residential zones on lots 10,000 square feet and over as a special permit use, subject to certain standards and requirements. ADUs would be limited to two bedrooms and would require one off-street parking space per bedroom. The minimal rental term for ADUs would be one year.

Letter date: Tuesday, January 16, 2024

Response type: Comment

Consistency with Westchester 2025:

-We support the allowance of accessory dwelling units, as such units expand the range of housing types available in Westchester's communities and are consistent with Westchester 2025.

-We recommend the Town require no additional parking to be constructed for an ADU, with any existing required parking on the site maintained or replaced.

Impacts to County facilities and services:

We recommend that the special permit approval requirement for ADU construction be revised to only require Building Department review.

Additional comments:

-The proposed regulations prevent an ADU from being leased out for less than a year. We recommend the minimum lease term be six months.
-The proposed regulations require a lot to be 10,000 square feet and over. We recommend that this requirement be removed and instead maintain setback and area regulations as a means to control building coverage.

Mount Kisco

MTK 24-001 Kiscona Road Improvements

35-39 Kiscona Road

☒ Site Plan ☐ Special Permit ☐ Subdivision ☐ Zoning Text Amend ☐ Zoning Map Amend ☐ Area Variance ☐ Use Variance ☐ Moratorium ☐ Comp Plan

Alterations to a 1.2-acre site located within the SC – Service Commercial district, and has frontage on Columbus Avenue, Kiscona Road and Lincoln Place. The site contains an existing two-story warehouse building and a gravel parking lot, as well as vacant space.

The proposed alterations would pave and reorganize the parking lot to contain 33 spaces, and would add a new 8,353 square-foot outdoor storage area at the rear of the lot. Vehicular entrances to the site would be established through a two-way access from Lincoln Place and an exit onto Kiscona Road. Underground retention basins would be installed under the parking lot to manage stormwater.

Letter date: Tuesday, January 16, 2024

Response type: Comment

Consistency with Westchester 2025:

Impacts to County facilities and services:

Additional comments:

-The site is located in the Croton Watershed. A response letter from NYC DEP has been provided.

-The applicant should provide a maintenance program to prevent the subsurface stormwater management system from being clogged with sediment. The applicant should also be encouraged to explore aboveground solutions that treat runoff on-site.

Mount Vernon

MTV 24-003 Downtown Revitalization Guiding Principles

☐ Site Plan ☐ Special Permit ☐ Subdivision ☐ Zoning Text Amend ☐ Zoning Map Amend ☐ Area Variance ☐ Use Variance ☐ Moratorium ☒ Comp Plan

REQUEST FOR DEPARTMENT REVIEW - NON-JURISDICTIONAL

Letter attached at end of report.

Letter date: Monday, January 22, 2024

Response type: Comment (Non-Jurisdictional)

Consistency with Westchester 2025:

Impacts to County facilities and services:

Additional comments:

New Castle

NWC 24-001 Armonk Road Subdivision

456 & 462 Armonk Road

☒ Site Plan ☐ Special Permit ☒ Subdivision ☐ Zoning Text Amend ☐ Zoning Map Amend ☐ Area Variance ☐ Use Variance ☐ Moratorium ☐ Comp Plan

Application to subdivide a 23.954-acre site into four lots, and construct four single-family residences upon the new lots. The site contains two properties located at 456 and 462 Armonk Road (SBLs 101.7-1-1 & 15), within the R-2A – Two Acre Residence zone. The northern property contains a vacant single-family residence that is to be demolished, with the remainder of the site hosting woodland and a stream/wetland that runs through the center. The four new residences would be constructed towards the Armonk Road side of the proposed parcels, avoiding the disturbance of the wetlands and their buffer zones. Individual driveways would connect each residence to a central access driveway, which would then connect to Armonk Road at the center of the site. Pools and terraces are proposed for the residences, as well as underground retention basins to manage stormwater.

Letter date: Wednesday, February 7, 2024 **Response type:** Comment

Consistency with Westchester 2025:

-We question the layout of the driveways that would connect the four residences through one central drive, as the driveways must extend across the properties, increasing the impervious surfaces on the site. A conservation subdivision framework may allow a clustering of the buildings in order to reduce driveway lengths.

Impacts to County facilities and services:

-As Armonk Rd (NYS Route 128) is a State highway, a copy of the application should be forwarded to NYS DOT.
-The site is located in the Croton Watershed. A Stormwater Pollution Prevention Plan in compliance with NYC DEP may be required.

Additional comments:

-The applicant should provide a maintenance program to prevent the subsurface stormwater management system from being clogged with sediment. The applicant should also be encouraged to explore aboveground solutions that treat runoff on-site.

Peekskill

PKS 24-001 201 North Division Street

201 North Division Street

☒ Site Plan
 ☒ Special Permit
 ☐ Subdivision
 ☐ Zoning Text Amend
 ☐ Zoning Map Amend
 ☐ Area Variance
 ☐ Use Variance
 ☐ Moratorium
 ☐ Comp Plan

Application to construct a mixed-use building on a 1.02-acre site comprised of eight properties within the C-3 – General Commercial District. All existing buildings on the site are to be demolished, and the lots are to be combined. The site lies on the corner of North Division and Howard Streets, and is across from the northern entrance to Pugsley Park.

The proposed building would be five stories with a semi-exposed basement level fronting on Howard Street and a second full basement parking garage level. 125 residential apartments would be located on the upper floors, and two commercial units totaling 5,285 square feet would front North Division Street. The two basement levels would contain 135 resident parking spaces with access from Howard Street, and a separated lot on the first floor would contain 18 spaces for the commercial units accessed from North Division Street. The residential lobby would front Howard Street, across from the entrance to Pugsley Park. An enclosed rear courtyard would be accessed from the residential portion of the site, and a rear yard would provide further recreation areas. Indoor amenity spaces are included in the plans, as well as a rooftop patio.

Letter date: Wednesday, January 24, 2024 **Response type:** Comment

Consistency with Westchester 2025:

-The proposed development is consistent with Westchester 2025 because it would add new, higher density mixed-use development in the downtown, within walking distance of a number of commercial and institutional uses. We appreciate the steps taken to mitigate the building mass.
-We appreciate that the developer is to include 13 affordable housing units. We the City should review the County's Model Ordinance to further reconcile the City's code with County guidelines.

Impacts to County facilities and services:

-We appreciate the inclusion of a mid-block crosswalk and sidewalk extensions at the street intersection. Crosswalks should be included at the intersection.
-As the development will increase sewage flows from this site into the existing infrastructure, I&I mitigation should be performed. We also recommend implementing a program that requires inspection of sewer laterals.
-As N. Division St. (CR 63) is a County road, approval for this work from WCDPWT is required.
-The applicant should verify that sufficient space is available to accommodate the storage of recyclables.

Additional comments:

-We commend the applicant for including green roofing, and suggest the inclusion of vegetative rain gardens to further provide on-site treatment of stormwater runoff.
-We appreciate that the applicant proposes an indoor bicycle parking room within the proposed building, and outdoor bicycle racks. E-bike charging facilities should be included.
-We commend the applicant for proposing to install solar panels and a green roof, and encourage as much additional green building technology as possible be implemented.
-We encourage the applicant to consider the principles of universal design in this development.

Port Chester

PCH 24-001 Zoning Text Amendment - Parking Space Requirements

☐ Site Plan
 ☐ Special Permit
 ☐ Subdivision
 ☒ Zoning Text Amend
 ☐ Zoning Map Amend
 ☐ Area Variance
 ☐ Use Variance
 ☐ Moratorium
 ☐ Comp Plan

Proposed local law to increase the parking requirements for multifamily dwellings, as well as the residential portions of live/work, mixed-use shop houses, and flex buildings, from 1 space per dwelling unit to 1.5 spaces. In addition, the payment-in-lieu of parking for sites greater than 12,000 square feet would be standardized to \$15,000 per space.

We have reviewed this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code.

We are again disappointed to see the Village consider requiring additional parking within the dense, transit-oriented center of downtown Port Chester. The purpose of transit-oriented development is to reduce the need for an automobile by providing alternative means of mobility, including rail, bus, bicycle, and pedestrian opportunities. As we stated in our September 16, 2022 letter regarding the diminution of the original, innovative parking regulations, the County Planning Board has been consistent in our view that prospective tenants and homeowners often seek out living spaces in dense, walkable downtowns that are near public transit as a way to reduce the costs and burdens of car ownership, therefore reducing the need to provide as much parking as developments outside of downtown or transit-centered areas. By increasing parking requirements, the Village may end up losing a potential tool to decrease the cost of building construction, which in turn could help provide more affordable housing to households who are less reliant on cars.

While we understand that revisions to Port Chester's form-based zoning ordinance are inevitable, due to the recent adoption of an entirely new code and the dramatic pace of new development, we caution against further steps that would induce further reliance on single-occupancy vehicles. Instead, we encourage the Village and developers to include Transportation Demand Management (TDM) techniques that would augment the density and nearby transit opportunities within the downtown. The County has provided Transportation Demand Management Toolkits that include strategies for municipalities, employers, and developers to reduce the need for single-occupancy vehicle commutes, which could help the Village avoid the economic and environmental costs of requiring more parking within the downtown. By requiring more parking, traffic and air pollution in the Village will rise with the increase in automobiles. By establishing TDM practices in the Village, the economic and social benefits of increased density can be realized while mitigating the effects of increased transportation requirements.

Should a slight increase in the parking requirements be deemed necessary, we recommend that a scale based on bedroom count be established instead of a general increase to 1.5 spaces per residence. Requiring more than one space per studio or one-bedroom unit, for example, is an excessive increase and does not match modern parking requirements found in transit-oriented downtowns within the County.

In addition, it is not clear why the proposed fee-in-lieu is substantially less than the true cost of constructing parking. We point out that White Plains and New Rochelle have \$20,000 fees-in-lieu, which itself could be considered low due to the current costs of constructing structured parking. This raises a concern that the Village's fee-in-lieu system may not result in the effective replacement of needed parking, or the funding of TDM practices. We suggest that the Village consider adopting language that would tie the fee-in-lieu to standard construction costs.

Letter date: Monday, February 5, 2024

Response type: Comment

Consistency with Westchester 2025:

Impacts to County facilities and services:

Additional comments:

Yonkers

YON 24-003 Westchester Metal Works**1100 Saw Mill River Road**

☒ Site Plan ☐ Special Permit ☒ Subdivision ☐ Zoning Text Amend ☐ Zoning Map Amend ☐ Area Variance ☐ Use Variance ☐ Moratorium ☐ Comp Plan

Application to construct a warehouse and office building. The 2.125 acre lot is located within the CM – Commercial, Storage, and Light Manufacturing district. The site is currently vacant and has undergone land regrading.

The applicant is proposing to construct a two-story, 16,400 square foot building near the street side of the property. A 50-space parking lot would be located at the rear of the building and extend along the northern edge of the property. A driveway would wrap around the building, with two-way access provided at a northern curb cut and an exit-only access provided at a southern curb cut. Operations vehicle parking would also be provided at the rear of the building, and a concrete pad is proposed at the rear of the site beyond the parking lot. Landscaping would be provided between the building and the street, as well as along the rear of the property to buffer neighboring residences. The existing street sidewalk would remain. An underground detention system is proposed to manage stormwater runoff.

Letter date: Wednesday, February 7, 2024 **Response type:** Comment

Consistency with Westchester 2025:

-The applicant should provide a maintenance program to prevent the subsurface stormwater management system from being clogged with sediment. The applicant should also be encouraged to explore aboveground solutions that treat runoff on-site. As the proposed 50 parking spaces may prove to be excessive for a warehouse use, utilizing permeable pavement could be a constructive way to analyze parking demands of the site while mitigating the impact of impervious surfaces.

Impacts to County facilities and services:

-As Saw Mill River Rd (NYS Route 9A) is a State highway, a copy of the application should be forwarded to NYS DOT.
-As the South County Trailway runs alongside the Saw Mill River Road industrial and commercial corridor, the City should consider increasing bicycle access from the Trailway to this employment center.

Additional comments:

-We encourage the applicant to incorporate as much green building technology as possible into the proposed development, including rooftop utilization and electric vehicle charging.

George Latimer
County Executive

January 22, 2024

Tanesia Walters, City Clerk
City of Mount Vernon
One Roosevelt Square
Mount Vernon, NY 10550

**City of Mount Vernon – Downtown Revitalization Guiding Principles
Preliminary Comprehensive Plan Review**

Dear Ms. Walters:

The Westchester County Planning Department has received a draft copy of the *Downtown Revitalization Guiding Principles*, a first phase of the City's Comprehensive Plan update that was commissioned in 2022. These principles are proposed to be utilized as a stimulus for urgent revitalization needs within the Downtown while the process of updating the City's full Plan advances. The proposed principles include:

- Define building density and uses in and around the Downtown to attract a consumer base and investment to support businesses.
- Reinforce the identity of Gramatan and South 4th Avenues as the Downtown Corridor.
- Make transit use efficient and a convenient choice for residents and visitors.
- Repurpose underused lots and buildings with interim community uses and integrate them into the urban fabric as they await new development and/or ownership.
- Create a recognizable network of open spaces and pedestrian connections for a walkable downtown district.
- Evaluate existing barriers to economic development and advance a cohesive strategy to assist local business owners and attract new investment.

Recommendations regarding each stated principle are discussed throughout the document, which also includes an Economic Development Strategy. Combined, these principles and the development strategy will serve to influence the final Comprehensive Plan, while allowing the City to move forward with solutions to urgent issues the City faces today.

We appreciate the City for providing us the opportunity to review the proposed Principles. We note that this phased approach to completing a Comprehensive Plan is unique, but understand that the current situation and needs of the City are also unique. We appreciate that this policy experimentation may provide solutions to issues that suspended previous attempts to update the Plan, and offer the following comments:

1. Affirmatively Furthering Fair Housing (AFFH).

We support the recommendations to increase the range of affordable housing opportunities in the City, and commend the recommendation to establish an inclusionary zoning policy and a 20% affordable set-

aside for new developments. Alongside these initiatives, we recommend that the City include aspects of the County's [Model Ordinance Provisions](#) as a means to ensure any proposed affordable housing is also considered AFFH. The County developed these Provisions to standardize the affordable housing programs across Westchester to make it easier for municipalities, residents, and developers to understand qualifications and requirements, and to provide fair housing throughout all municipalities. We note that specific practices, such as local preference measures, payment-in-lieu of affordable housing, and the “banking” of affordable housing units in offsite structures, run counter to County policy.

2. Land use and density.

We appreciate that the City is considering a full update of the zoning code, as we have consistently recommended in various use variance appeals that we have reviewed under the Referral process. We agree that the introduction of residential uses to the Downtown will greatly impact the vitality and desirability of the City by promoting density within an area serviced by multiple transit hubs, that has the infrastructure to support growth, and that has already seen economic interest by developers. By establishing a set of principles for the Downtown, the City can guide that growth in a way that will benefit both existing and future residents.

We agree that establishing density regulations that promote taller buildings around the train station while restricting heights around the Gramatan/4th Avenue corridor can promote a sense of place for these sections of the downtown while taking advantage of transit access. While we hesitate to describe downtown Mount Vernon as having a “Village Feel” as called in the *Principles*, we do agree that traditional Planning practices establish 4-5 stories as a height conducive to main street settings. We also are pleased to note the inclusion of a Historic District located around City Hall, and the consideration of capping the Metro North tracks in this area for the development of a central square.

We also commend the focus of the *Principles* towards various means for utilizing vacant and abandoned lots and buildings. We agree that steps should be taken to establish temporary, or temporary-to-permanent, uses on these sites in order to reintegrate them into the urban fabric and the tax base, and appreciate the creative means included in the document to entice artists, small vendors, and food trucks to these lots. We note that the Economic Development Strategy also includes a suggestion for a Vacant Property Registration Ordinance to charge fees to owners of long-vacant properties, in order to entice them to find an occupant for their land.

As the Comprehensive Plan moves forward and the Zoning Code is renewed, we suggest that the City considers Form Based practices, as these techniques align with many of the principles listed in the document. Such practices focus zoning policy towards the size and design of the building, rather than the use as in traditional zoning, and provide a means to manage the character of a neighborhood while permitting density and a greater range of businesses. We also recommend that a Design Guidelines document be considered for the Gramatan/4th Avenue corridor.

3. Climate change and environmental remediation.

While we understand that the *Principles*' focus is mainly towards downtown revitalization and economic development, we encourage the City to include a section regarding the effects of climate change, either in this first phase or in the final comprehensive plan. Various actions are mentioned within the document regarding street trees, open space, solar panels, electric vehicle charging points, and green infrastructure, but a dedicated plan for the City should be established for this important issue. We note that the recently adopted Mamaroneck Comprehensive Plan includes a robust Sustainability Action Plan. The City should consider a similar initiative as it seeks to revise their Plan.

4. Transportation systems.

We commend the City for including recommendations within the *Principles* to begin studies for providing enhanced pedestrian and bicycle infrastructure around the downtown. The Plan calls for the preparation of specific studies regarding Complete Streets, bicycle and pedestrian facilities and pathways, walkability and pedestrian safety, wayfinding, and the analysis of specific intersections and transit access routes. We suggest that the City utilize the New York State Association of Metropolitan Planning Organizations toolkit for Complete Streets: <https://www.nysmpos.org/completestreets>.

While outside the scope of the Downtown, we also recommend that the City study the feasibility of a transit and pedestrian corridor connecting the Mount Vernon East and West train stations, as this connection would have regional benefits allowing users of the Harlem and New Haven lines to cross-access these railways without needing to travel into the City. Such a corridor would also connect the new developments around the West train station with the Downtown.

We also suggest that the City consider various County initiatives regarding transportation systems. We note that the ongoing Bee Line *Mobility & Transit Plan* may influence City initiatives to increase bus usage within the Downtown, as routes, stops, and service times are reorganized. We also recommend that reference to the County's Transportation Demand Management toolkits be included within the *Principles* and the final Comprehensive Plan. These toolkits serve to provide guidelines for municipalities to incorporate Transportation Demand Management techniques within their zoning codes, in order to reduce single-occupancy vehicle trips, lower congestion, and reduce total miles traveled in automobiles.

To further accommodate bicycle usage within Mount Vernon, we recommend the City consider adopting an ordinance that would require the provision of bicycle parking in commercial and multifamily residential developments. Multifamily buildings in particular should provide an indoor bicycle storage room for residents. New Rochelle, Port Chester, and New Paltz are local communities with bicycle parking provisions in their local ordinances that can act as reference regulations.

5. County sewer impacts.

As new development occurring within the City will increase sewage flows and add to the volume requiring treatment at a Water Resource Recovery Facility operated by Westchester County, we recommend the future comprehensive plan includes a reference to the longstanding policy of the County Department of Environmental Facilities (WCDEF) that municipal governments require development applicants to identify mitigation measures that will offset the projected increase in flow from residential development. The best means to do so is through the reduction of inflow and infiltration (I&I) at a ratio of three for one for market rate units and at a ratio of one for one for affordable AFFH units.

6. Public participation and support.

We note that civic participation by residents in disadvantaged areas is often difficult due to systemic issues such as access to transportation, time off from hourly work, trust in institutions, and other factors of hidden marginalization. We appreciate that the City indicates in the *Principles* that resident input is an important factor in the redevelopment of the Downtown, and that initiatives have been undertaken to gather ideas from all residents. We recommend that the City continues this outreach as the *Principles* are utilized and the full Comprehensive Plan is revised. Special consideration should be given to ensure that concerns about gentrification and displacement are recognized and included in policy. We note that input from children and young adults could also be solicited within schools, both as a means of recognizing their needs amidst the City's growth and for promoting early civic engagement.

7. Universal design.

We encourage the City to consider the principles of Universal Design in all future development, and to reference Universal Design standards within the *Principles* and the future Plan. Universal Design standards allow all residents and visitors to fully engage in our public and residential spaces. Universal Design is also an important means of allowing household residents to age in place as well as to provide access for persons with mobility issues.

8. Implementation Table.

As the City develops the Comprehensive Plan, we suggest that an implementation table index be compiled to list the various guidelines, policies, projects, and initiatives suggested in the Plan. Many comprehensive plans that we review include such an index in order to better organize the plan policies and provide an easy means for residents, developers, and government agencies to refer to specific items.

Please inform us of the City's decision so that we can make it a part of the record.

Thank you for calling this matter to our attention. As the City works towards completing a full Comprehensive Plan document, we look forward to conducting a full Referral review with the County

Planning Board under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code. When the Referral has been submitted, we will invite the City to present the comprehensive plan to the County Planning Board during one of their scheduled meetings.

Respectfully,

WESTCHESTER COUNTY PLANNING DEPARTMENT

A handwritten signature in black ink, reading "Blanca P. Lopez". The signature is written in a cursive style with a large, looping "L" at the end.

Blanca P. Lopez
Commissioner

BPL/MV

cc: Richard Hyman, Chairman, Westchester County Planning Board

To: Honorable Members of the Westchester County Planning Board

From: Blanca P. Lopez, M.S. Leonard Gruenfeld
Commissioner Program Director – Community Development
Department of Planning Department of Planning

Re: Conveyance of formerly NYS DOT Property to Development located at 345 McLean Avenue in Yonkers

Date: February 26, 2024

345 McLean Avenue (the “Development”) in the City of Yonkers was presented to the Westchester County Planning Board on October 4, 2022 and April 4, 2023. The Executive Summary and Resolution 23-05 are attached for your reference which at the time recommended the approval of Housing Implementation Funding (“HIF”) for this Development.

The Development site will consist of two lots, one owned by the City of Yonkers that will revert to the County who will then convey it to the Development. This conveyance was previously approved by the Board of Legislators. The second lot, owned by the New York State Department of Transportation (“DOT”), is leftover land from when the Saw Mill River Parkway was constructed. DOT has determined that this property is surplus property and as such has agreed to convey the property to the County to assist with the development of affordable housing. At this time the County seeks to convey the DOT property to the Development. With this conveyance, the final piece of property will be controlled by the Developer and will allow the Development to move forward with its financing from the State. County Planning Board is requested to make a recommendation to the Board of Legislators in favor of the conveyance of the DOT property.

In addition to the conveyance of land, the Development is part of the County’s program to encourage the development of affordable housing that will affirmatively further fair housing (“AFFH”) in the County and has been approved for \$5,555,000 using Housing Implementation Fund II (“HIF”) from the County’s Capital Budget to assist in the construction of infrastructure improvements.

The details of the Development remain the same as when the Planning Board reviewed it

in 2022 and 2023.

The Development will consist of one building on the approximately +/- 0.93-acre site at 345 McLean Avenue in the City of Yonkers, (the "Property"). All 105 rental units will be available to eligible senior households where all members are over the age of 62 that earn at or below 30% and up to 60% of the Westchester County area median income ("AMI") and will all remain affordable for a period of not less than 50 years (the "Affordable AFFH Units"). The Affordable AFFH Units are expected to include 1 studio, 93 one-bedroom and 11 two-bedroom units. The building will also include a community room lounge, outdoor seating areas, management office and laundry facilities. Also included will be the construction of 47 on-grade parking spaces. A declaration of restrictive covenants approved by, and enforceable by, the County will run with the land and binds the Property requiring that the Affordable AFFH Units be maintained and marketed in accordance thereto for a period of not less than fifty years.

A resolution is annexed hereto for the Planning Boards consideration.

RESOLUTION 24-_____

WESTCHESTER COUNTY PLANNING BOARD

**Conveyance of Real Property
345 McLean Avenue, City of Yonkers (the “Development”)**

WHEREAS, the County wishes to assist with the development of affordable housing throughout the County and part of this assistance includes the conveyance of property controlled by the County to facilitate this goal;

WHEREAS, Verus Development LLC and the Yonkers Community Development Organization, Inc. (collectively the “Developer”), its successors or assigns, desire to develop the real property located at 345 McLean Avenue in the City of Yonkers (the “City”), identified on the City tax maps as Section 1; Block 59; Lot 75 and a portion of Section 1.6, Block 9022, Lot 1 (the “Property”) to create 105 affordable residential rental units in one building which will affirmatively further fair housing (“AFFH”, collectively the “Affordable AFFH Units”); and

WHEREAS, the New York State Department of Transportation (“DOT”) owned unutilized property (portion of Section 1.6, Block 9022, Lot 1), that is needed for the affordable housing development. DOT deemed the property as surplus property and deeded the property to the County; and

WHEREAS, the Developer desires the County to convey the surplus DOT property to the Developer to support the construction of a twelve-story building, with 105 affordable residential rental units and 47 parking spaces (the “Development”); and

WHEREAS, 104 rental units will be available to senior households, aged 62 or over, who earn at or below 30% and up to 60% of Westchester County’s Area Median Income (“AMI”). One unit will be an employee unit restricted at 60% of the AMI; and

WHEREAS, the Affordable AFFH Units will be leased to eligible senior households pursuant to an approved Affirmative Fair Housing Marketing Plan and remain affordable for a minimum of 50 years; and

WHEREAS, the Planning Board has previously recommended and the Board of Legislators has approved in a not to exceed amount of \$5,555,000 from Capital Project BPL1A Housing Implementation Fund II to fund eligible expenses that include, but will not be limited to, on-site and off-site paving, curbing, sidewalks, retaining walls, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and county administrative costs; and

WHEREAS, the Development proposes to include green technology such as energy efficient appliances, lighting and heating systems and water-conserving fixtures to maximize energy efficiency, reduce heating and cooling costs and conserve natural resources; and

WHEREAS, the Development is subject to approvals by the City of Yonkers; and

WHEREAS, the conveyance of the Property to support the development of the Affordable AFFH Units is consistent with and reinforces *Westchester 2025 – Policies to Guide County Planning*, the County Planning Board’s adopted long-range land use and development policies, by contributing to the development of “a range of housing types” “affordable to all income levels;” and

RESOLVED, that the Westchester County Planning Board supports the request to convey the DOT surplus property to support the creation of 104 Affordable AFFH Units which will be available to senior households, aged 62 or over, who earn at or below 30% and up to 60% of AMI, one employee unit restricted at 60% of AMI and 47 parking spaces, located at 345 McLean Avenue in the City of Yonkers; and

Adopted this 5th day of March, 2024.

Richard Hyman, Chair

Executive Summary
345 McLean Avenue
Yonkers, New York 10705



Development:	345 McLean Avenue Yonkers, New York 10705
Applicant:	Verus Development LLC 117 Washington Avenue Pleasantville, New York 10570 914-789-5000
Development Overview:	<p>Verus Development LLC and Yonkers Community Development Organization, Inc. (collectively, the “Developer”), its successors or assigns, propose to construct one twelve-story building with 105 rental units and 47 outdoor parking spaces on the approximately 0.93-acre site at 345 McLean Avenue in the City of Yonkers (“City”) (collectively the “Development”). The site, once owned by the East of Hudson Parkway Authority (“EHPA”), was deemed as surplus parkway property and was deeded in 1962 to the City by Westchester County (the “County”), as successor to the EHPA, to develop as publicly accessible parkland. The City never developed the site as required in the deed. Therefore, the County is exercising its rights under the reverter in the deed, and will take the property back from the City, and then will convey the Development site to the Developer for one dollar (\$1.00).</p> <p>The Development will include 1 studio, 93 one-bedroom and 11 two-bedroom units. 104 of the units will be available to eligible senior households where all members are over the age of 62 with incomes at or below 30% and up to 60% of the Westchester County Area Median Income (“AMI”) as published by the US Department of Housing and Urban Development. One unit will be an employee unit restricted at 60% of AMI. All of the units will affirmatively further fair housing (“AFFH”) (collectively the “Affordable AFFH Units”). The building will also include a community room/lounge, outdoor seating areas, management office and on-site laundry services.</p> <p>As part of the development, Community Housing Innovations (“CHI”) as the recipient of an Empire State Supportive Housing Initiative (“ESSHI”) award will provide supportive services for the residents of 31 units. These 31 units will receive rental and supportive services subsidy from CHI’s operating contract with the State of New York Office of Mental Health (“OMH”) and will be set aside for formerly homeless frail seniors and for seniors with developmental disabilities.</p> <p>The Westchester County Department of Community Mental Health and the Continuum of Care will provide ESSHI qualified referrals for these set-aside units meeting the age and AMI building requirements. CHI will provide wrap around support services to assist those living with a mental health disorder achieve housing stability and greater access to medical and mental health support. Two full time case managers will staff the site six days a week. The building will include an office for CHI staff and a large community room for workshops, activities, and other program services for the ESSHI tenants. CHI operates two</p>

Executive Summary
345 McLean Avenue
Yonkers, New York 10705



ESSHI OMH funded supportive housing programs, one in Mount Vernon since 2017 and one for individuals over 62 years of age in Greenburgh since 2021.

To support the creation of the Affordable AFFH Units, the County will provide a total not to exceed amount of \$5.555 Million through Capital Project BPL1A Housing Implementation Fund II (“HIF”) to fund a portion of the infrastructure improvements that include, but will not be limited to, on-site and off-site paving, curbing, sidewalks, retaining walls, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and county administrative costs.

No known environmental issues have been found on the site. Once a building permit and financing are ascertained, construction will begin on the new 12-story building with a total of 108,000 square feet.

The Development will be constructed with energy efficient appliances, lighting and heating systems and water-conserving fixtures to reduce operations and maintenance costs, minimize energy consumption and conserve natural resources. A green roof will be installed to minimize runoff from rainfalls. The tenants will be expected to pay for their electric usage. The Development will receive Enterprise Green Communities Certification and will meet Energy Star Multifamily New Construction standards.

The Municipal Housing Authority for The City of Yonkers (“MHACY”) has awarded 8 Project Based Housing Choice Vouchers to the Affordable AFFH units.

The County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units constructed in the Development be marketed and leased pursuant to an approved affirmative fair housing marketing plan to senior households where all members are at least age 62 and earning at or below 30% and up to 60% of AMI and will remain affordable for a minimum of 50 years. The average affordability of the units is 35%.

The Development is finalizing its financing with New York State Homes and Community Renewal (“HCR”), and it will likely be funded with an issuance of tax-exempt bonds, federal low income housing tax credits, state low income housing tax credits, HCR and Yonkers HOME subsidy loans. The estimated total Development cost is approximately \$64.18 Million.

The Developer has more than 25 years of experience in constructing, rehabilitating and managing fair and affordable housing including: the adaptive re-use and expansion of the Drum Hill School in the City of Peekskill to create 120 senior rental housing units, 185 affordable family rental units in the City of Mount Vernon, 17 ownership units in the City of White Plains and 51 affordable senior rental units at 1847 Crompond Road in the City of Peekskill.

Executive Summary
345 McLean Avenue
Yonkers, New York 10705



County Funds Requested:	Program	Amount	Per Unit Cost
	BPL1A HIF – Infrastructure	\$5,555,000	\$52,905
	TOTAL:	\$5,555,000	\$52,905
Proposed Total Funding:	Sources	Total Project	Per Affordable Unit
	HFA First Mortgage	\$7,845,000	\$74,714
	HCR Subsidy: SHOP	\$7,700,000	\$73,333
	HCR Accrued Interest	\$584,430	\$5,566
	Federal Low Income Housing Tax Credits	\$27,023,474	\$257,366
	State Low Income Housing Tax Credits	\$12,348,765	\$117,607
	City of Yonkers HOME	\$800,000	\$7,619
	Westchester County Housing Implementation Fund	\$5,555,000	\$52,905
	Deferred Developer Fee	\$2,322,937	\$22,123
	Total Sources	\$64,179,606	\$611,234
	Uses	Total Project	Per Affordable Unit
	Acquisition Cost	\$80,000	\$762
	Hard Construction Costs	\$42,095,000	\$400,905
	Soft Costs	\$13,572,686	\$129,263
	Reserves and Escrows	\$449,558	\$4,282
	Developer Fee	\$7,982,362	\$76,022
	Total Uses	\$64,179,606	\$611,234
Universal Design:	The Affordable AFFH Units will comply with the Universal Design Requirements as identified in Board of Legislators Act #2011-93.		
Proposed Rents:	Affordable Units - Income Levels	Number of Units	Expected Monthly Rent/Unit
	1-Bedrooms @ 30% AMI (ESSHI)	31	\$780
	1-Bedrooms @ 30% AMI (PB Section 8)	6	\$780
	2-Bedrooms @ 30% AMI (PB Section 8)	2	\$936
	0-Bedrooms @ 50% AMI	1	\$1,213
	1-Bedrooms @ 50% AMI	28	\$1,300
	2-Bedrooms @ 50% AMI	4	\$1,560
	1-Bedrooms @ 60% AMI	28	\$1,560

Executive Summary
345 McLean Avenue
Yonkers, New York 10705



	2-Bedrooms @ 60% AMI	4	\$1,872
	2-Bedrooms @ 60% AMI (Employee Unit)	1	\$0
	Total Units 30%-60%:	105	
Access to Recreation, Shopping, Transportation and Public Schools	<p>The Development site is located within a short walk of commercial areas along McLean Avenue and other areas within the City affording residents access to retail, government offices, educational and healthcare facilities. The Development is located near major roadways including the New York State Thruway (Interstate 87), U.S. Route 9 and the Saw Mill River Parkway. The Ludlow Train Station, located approximately 1.7 miles from the Development, provides service via the MTA Metro-North Railroad Hudson Line Trains. Local transit throughout the City is provided by the Westchester County Bee-Line Bus System. Bee Line Bus Route 4 stops within 300 feet of the Development. Bee Line Bus Route BxM4 providing express service to midtown Manhattan provides service less than one mile from the Development. The following Bee Line bus routes have stops within one mile of the Development: 1, 1C, 1T, 1W, 1X, 2, 3, 4, 5, 6, 20 and 21. Many of these buses offer direct connections to the MTA New York City Subways or to downtown Yonkers.</p> <p>The City's Department of Parks and Recreation maintains several nearby parks and open spaces and offers a variety of programs for seniors, adults and children. Tibbits Brook Park, a county park, is located less than one mile from the Development.</p> <p>The Development is located in the Yonkers City School District. The district has thirty elementary schools, and eight middle/high schools.</p>		
Tax Map ID:	345 McLean Avenue: Section 1: Block 59; Lot: 75		
Zoning:	The Development sits in the A Apartment Houses, High-Density District.		
Variance/Zoning Change:	The City of Yonkers Zoning Board of Appeals granted seven area variances on February 15, 2022 and February 21, 2023.		
Site Plan Approval:	The City of Yonkers Planning Board granted site plan approval on March 9, 2022 and amended site plan approval on March 8, 2023.		
SEQRA:	The City of Yonkers Planning Board declared itself as Lead Agency, classified the Proposed Development as an Unlisted Action under SEQRA and issued a Negative Declaration for the Development on March 8, 2023.		
Flood Plain:	This Development is not located in a designated flood zone, per FEMA FIRM Map #36119C0317F, effective September 28, 2007.		

Executive Summary
345 McLean Avenue
Yonkers, New York 10705



Site Control:	The Development site is owned by the City of Yonkers. The site, once owned by the East of Hudson Parkway Authority (“EHPA”), was deeded in 1962 to the City by Westchester County (as successor to the EHPA) (deemed as surplus parkway property) to develop as publicly accessible parkland. The site was never developed as publicly accessible parkland by the City. Therefore, the County is exercising its rights under the reverter in the deed, will take the property back from the City, and then will convey the Development site to the Developer for one dollar (\$1.00).	
Appraised Value:	N/A (\$80,000 acquisition cost is for an easement from New York State Department of Transportation for access to adjacent property - funded from other sources).	
Purchase Price:	N/A	
Development Site Owner:	City of Yonkers	
Development Team:	Developer:	Attorney/Architect/Engineer:
	Trinity Associates LLC 117 Washington Avenue Pleasantville, New York 10570 914-789-5000	Warshauer Mellusi Warshauer Architects, P.C. 100 Clearbrook Road Elmsford, New York 10523 914-592-4466
	Attorney:	Marketing Consultant:
	Cannon, Heyman and Weiss 54 State Street Albany, New York 12207 518-465-1500	Westchester Residential Opportunities 470 Mamaroneck Avenue #410 White Plains, New York 10605 914-428-4507

Executive Summary
345 McLean Avenue
Yonkers, New York 10705



Location Map



Executive Summary
345 McLean Avenue
Yonkers, New York 10705



Neighborhood Map





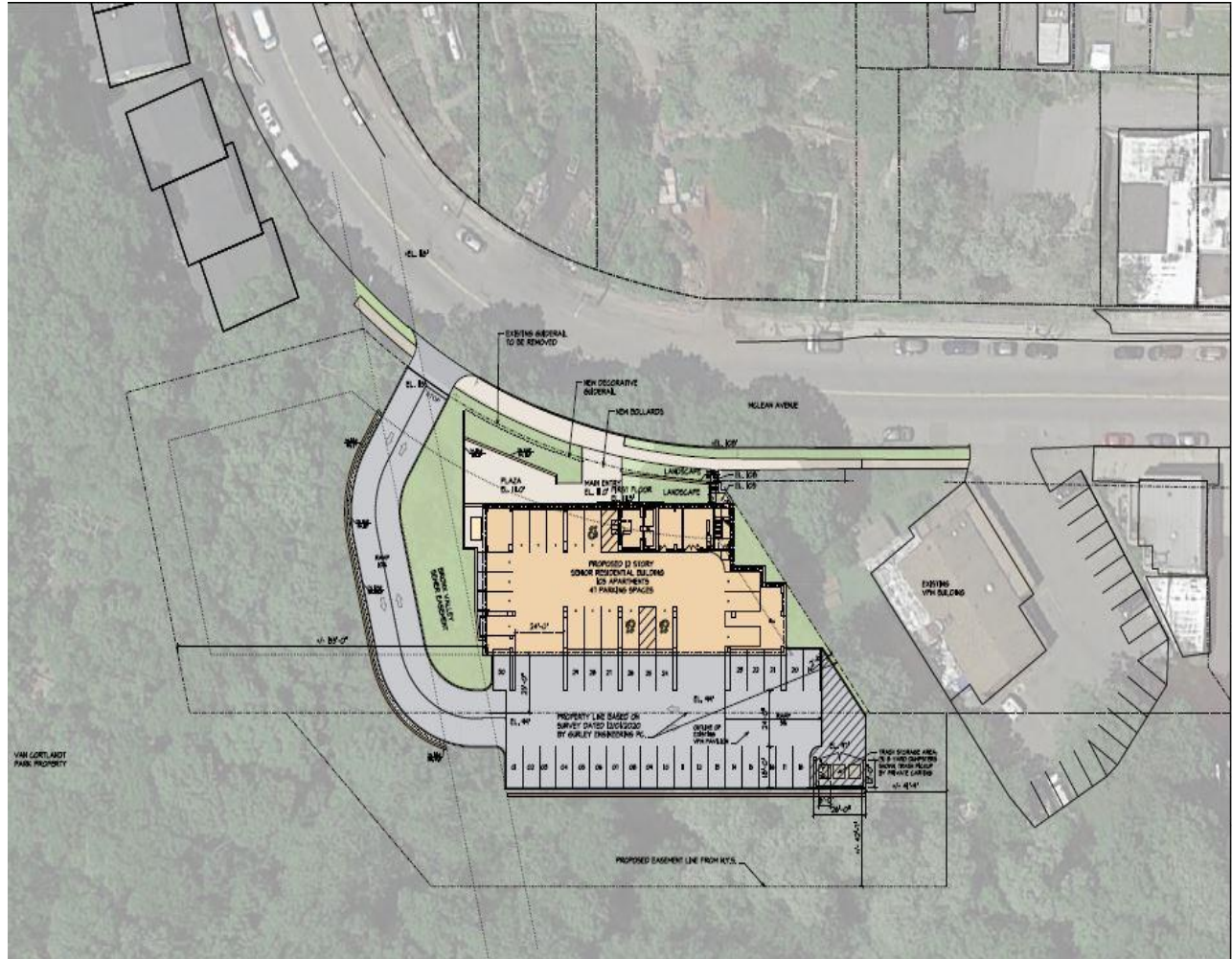
Site/Area Photographs



Executive Summary
345 McLean Avenue
Yonkers, New York 10705



Site Plan



Executive Summary
345 McLean Avenue
Yonkers, New York 10705



Rendering



RESOLUTION 23- 5

WESTCHESTER COUNTY PLANNING BOARD

**Housing Implementation Fund II
Capital Project Funding Request
345 McLean Avenue, City of Yonkers**

WHEREAS, the County has established Capital Project BPL1A Housing Implementation Fund II (“HIF”) to assist municipalities with the cost of construction of public infrastructure improvements associated with the development of fair and affordable housing; and

WHEREAS, Verus Development LLC and the Yonkers Community Development Organization, Inc. (collectively the “Developer”), its successors or assigns, desire to develop the real property located at 345 McLean Avenue in the City of Yonkers (the “City”), identified on the City tax maps as Section 1; Block 59; Lot 75 (the “Property”) to create 105 affordable residential rental units in one building which will affirmatively further fair housing (“AFFH”, collectively the “Affordable AFFH Units”);

WHEREAS, the Developer desires the County to fund infrastructure improvements to support the construction of a twelve-story building, with 105 affordable residential rental units and 47 parking spaces (the “Development”); and

WHEREAS, 104 rental units will be available to senior households, aged 62 or over, who earn at or below 30% and up to 60% of Westchester County’s Area Median Income (“AMI”). One unit will be an employee unit restricted at 60% of the AMI; and

WHEREAS, the Affordable AFFH Units will be leased to eligible senior households pursuant to an approved Affirmative Fair Housing Marketing Plan and remain affordable for a minimum of 50 years; and

WHEREAS, a not to exceed amount of \$5,555,000 is requested from Capital Project BPL1A Housing Implementation Fund II to fund eligible expenses that include, but will not be limited to, on-site and off-site paving, curbing, sidewalks, retaining walls, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and county administrative costs; and

WHEREAS, the Development proposes to include green technology such as energy efficient appliances, lighting and heating systems and water-conserving fixtures to maximize energy efficiency, reduce heating and cooling costs and conserve natural resources; and

WHEREAS, the Development is subject to approvals by the City of Yonkers; and

WHEREAS, the funding to support the development of the Affordable AFFH Units is consistent with and reinforces *Westchester 2025 – Policies to Guide County Planning*, the County Planning Board’s adopted long-range land use and development policies, by contributing to the

development of “a range of housing types” “affordable to all income levels;” and

WHEREAS, the County Planning Board had previously recommended \$4,200,000 from Capital Project BPL1A for the public infrastructure improvements;

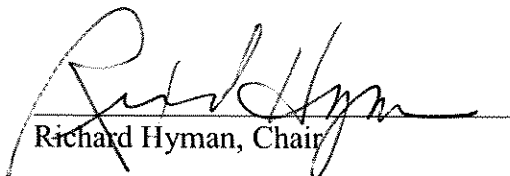
WHEREAS, a change in the parking lot and retaining wall design, the increase in interest rates and construction costs necessitated the developer to seek additional funding for this development;

WHEREAS, the staff of the County Department of Planning have reviewed the proposal and recommend the requested funding associated with the construction of the infrastructure improvements; and

RESOLVED, that the Westchester County Planning Board after completing a review of the physical planning aspects of the Development, supports the request to provide a not to exceed amount of \$5,555,000 for infrastructure improvements for the Development under the terms of the HIF Program, which will support the creation of 104 Affordable AFFH Units which will be available to senior households, aged 62 or over, who earn at or below 30% and up to 60% of AMI, one employee unit restricted at 60% of AMI and 47 parking spaces, located at 345 McLean Avenue in the City of Yonkers; and

RESOLVED, that the Westchester County Planning Board amends its report on the 2023 Capital Project Requests to include 345 McLean Avenue in the City of Yonkers, as a new component project in Capital Project BPL1A under the heading of Buildings, Land and Miscellaneous.

Adopted this 4th day of April, 2023.


Richard Hyman, Chair

Westchester Urban County Consortium
Budget Estimates for FY 2024 Grants
Program Year May 1, 2024 – April 30, 2025

Community Development Block Grant Program
FY 2024 Estimated Grant Award is \$4,200,000

Municipal & Non-Profit Projects	\$ 2,675,000
Property Improvement Program	\$ 775,000
CDBG Administration (Max. 20%)	<u>\$ 750,000</u>
TOTAL FY 2024 CDBG BUDGET:	\$4,200,000

HOME Investment Partnership Program
FY 2024 Estimated Grant Award is \$1,200,000

Housing Development Projects	\$ 800,000
Program Delivery (50% LPGA= \$97,500)	\$ 100,000
CHDO – 15%	\$ 180,000
Administrative Costs (Max. 10%)	<u>\$ 120,000</u>
TOTAL FY 2024 HOME GRANT BUDGET:	\$1,200,000

ESG Program
FY 2024 Estimated Grant Award is \$360,000

Non-Profit Service Projects	\$ 330,000
Administrative Costs (Max. 7.5%)	<u>\$ 27,000</u>
TOTAL FY 2024 ESG BUDGET:	\$ 360,000

RESOLUTION 24-_____

WESTCHESTER COUNTY PLANNING BOARD

Westchester Urban County Consortium FY 2024 Action Plan

WHEREAS, the County of Westchester administers an Urban County to assist municipalities and non-profits with grants to implement housing and community development activities; and

WHEREAS, the County of Westchester will maximize its ability to apply for federal funding and submit to the U.S. Department of Housing and Urban Development (HUD) the Fiscal Year 2024 Action Plan that includes projects to be undertaken for housing and community development activities and programs; and

WHEREAS, the County of Westchester wishes to accept approximately \$5,760,000 in funding from HUD for housing and community development programs including approximately \$4,200,000 under the Community Development Block Grant (CDBG) program, \$1,200,000 under the HOME Investment Partnership Program and \$360,000 under the Emergency Solutions Grant (ESG) program for Fiscal Year 2024; and

WHEREAS, these recommendations for funding are consistent with, and reinforce the principles of *Westchester 2025 - Context for County and Municipal Planning in Westchester County and Policies to Guide County Planning* in that they strengthen existing centers, promote fair and affordable housing and enhance facilities for the efficient delivery of needed social services; now therefore, be it

RESOLVED, that the Westchester County Planning Board supports the funding recommendations in the Fiscal Year 2024 Action Plan and requests authorization from the Westchester County Executive and Board of Legislators to submit the Fiscal Year 2024 Action Plan to HUD.

Adopted the 5th day of March 2024.

Richard Hyman, Chair

BPL26 Flood Mitigation – 4 Projects

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Estimated							
	Ultimate	Appro-						Under
	Total Cost	priated	2024	2025	2026	2027	2028	Review
Gross	116,500	49,250	27,250	5,000	5,000	5,000	5,000	20,000
Less non-County Shares								
Net	116,500	49,250	27,250	5,000	5,000	5,000	5,000	20,000

PROJECT DESCRIPTION

This project is intended to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County. This is a general fund, specific projects are subject to a Capital Budget Amendment.

The program enables Westchester County to partner with municipalities and other government agencies to provide funding for flood control or flood damage reduction projects. Through partnerships with municipalities and other government entities such as the U.S. Army Corps of Engineers and the New York State Department of Environmental Conservation, the County will work to reduce flooding problems and impacts on people and property throughout the county.

Flood mitigation studies and projects will be conducted addressing flood problems in the following areas.

- 1) \$1,100,000 – Law Memorial Park Drainage Basin, Village of Briarcliff Manor will include improvements to two portions of the basin. These include the installation of drainage infrastructure within Pine Road to prevent overland runoff from damaging private properties and the installation of an additional outfall from the Pond to alleviate flooding within the park.
- 2) \$5,000,000 US Army Corps of Engineers Mamaroneck-Sheldrake River Project - elements may include, but not be limited to, the removal or replacement of the Ward Avenue bridge and restoration of adjoining floodplain, engineering analysis and upgrade of the storm sewer system in the Washingtonville area. removal of pedestrian bridges in Columbus Park, removal of the Center Avenue bridge, and/or removal of a portion of the parking area and restoration of the floodplain at the confluence of the Mamaroneck and Sheldrake rivers
- 3) \$2,000,000 - Watershed-Based Flood Mitigations plans will include watershed analysis, municipal input and a list of recommended projects for areas not covered by the NYS DEC Watershed Flood Studies
- 4) \$2,000,000 – West Sunnyside Lane, Irvington - will include the replacement of a significantly undersized culvert that originates on County of Westchester property, crosses through the Village of Tarrytown, and into the Village of Irvington. Additional culvert and stormwater management work downstream on the Historic Hudson Sunnyside property

APPROPRIATION HISTORY

- 2009: \$5,400,000 for the County contribution to flood mitigation projects in the Town of Mamaroneck (Gardens Lake), City of Rye/Village of Rye Brook (Blind Brook at Bowman Ave.), Village of Scarsdale (George Field Park, Cooper Green, Brewster Road and Butler Field) and the Village of Tarrytown (Loh Park neighborhood) and for the County contribution to the U.S Army Corps of Engineers' General Reevaluation Report (GRR) for the "Mamaroneck and Sheldrake Rivers Basin Flood Damage Reduction Study."
- 2018: \$70,000 for design of a flood mitigation plan for the Avon Circle area in the Village of Rye Brook.
- 2019: \$300,000 for a flood mitigation study along the Hutchinson River in Scarsdale, Eastchester and New Rochelle.
- \$1,000,000 for the replacement of the Hillside Avenue Bridge in the Village of Mamaroneck.

- 2021: 4,195,000 for five flood mitigation projects: 1) Grassy Sprain Reservoir Dam Outfall Improvements, City of Yonkers; 2) Decommissioning of the Upper Minkel Dam in the Town of New Castle; 3) replacement of Waverly Avenue Bridge, Town of Mamaroneck; 4) Paxton Avenue Flood Study, Village of Bronxville; 5) Peekskill-Hollow Brook Dam Rehabilitation, City of Peekskill
- 2022: \$11m for continuation of project for flood mitigation in Mamaroneck Village along the Mamaroneck and Sheldrake Rivers;
\$130k Pietro Place & Virginia Avenue, Dobbs Ferry
\$220k Pocantico River Study, Briarcliff Manor (withdrawn)
\$2.2m Waverly Avenue Bridge, Mamaroneck Town
- 2023: \$17.5m, \$17m for Village of Mamaroneck from the Sheldrake and Mamaroneck Rivers. BOL add of \$300,000 for Town of Mamaroneck Drainage Study, \$200,000 for Yonkers Scotti Field flood projects.
- 2024: \$27,250,000
1) \$16,000,000 for Pelham Flood Mitigation
2) \$6,000,000 Pelham Manor Flood Mitigation
3) \$200,000 Bronxville Stormwater Conveyance
4) \$250,000 City of Rye Stormwater System Improvements for Flood Mitigation
5) \$4,000,000 - County Share of ACE Project in Village of Mamaroneck
6) \$150,000 Flood Mitigation Study - Village of Mamaroneck Jefferson Avenue Parking Lot
7) \$150,000 Village of Mamaroneck Detention Retention Enhancement Study
8) \$500,000 Ardsley Road and Edgemont Road Drainage Study in Edgemont, Greenburgh

JUSTIFICATION:

Westchester communities have been subject to flooding for decades. As development occurred, floodplains were filled and opportunities for flood storage were lost. Additional stormwater runoff was being generated from the newly created impervious surfaces. There has been an increase in the intensity of storms, resulting in greater volumes of water in a shorter period of time. With more water and fewer places for it to go, we experience flooding. Westchester County is committed to working with municipalities to address this serious problem.

CONSISTENCY WITH PROGRAMS OR PLANS:

The project is consistent with the policies of ***Westchester 2025***, the County's long-range land use policies, in that it will help "preserve and protect the county's natural resources and environment, both physical and biotic" and will help "safeguard Westchester from natural and manmade disasters."

PLANNING BOARD ANALYSIS

PL2: The Planning Board supports the County's participation in the above local flood mitigation projects for the following reasons:

- **Municipal flood mitigation projects are expected to lessen the severity of flooding and/or reduce flood-related impacts on public and private properties.**
- **Municipal flood mitigation projects are expected to better protect the public's safety during flooding events.**
- **Several municipal flood mitigation projects are expected to provide secondary benefits, such as controlling polluted stormwater runoff and, therefore, improving water quality in the Long Island Sound and Hudson River watersheds.**

RESOLUTION 24-__

WESTCHESTER COUNTY PLANNING BOARD

Amendment of Planning Board Report on 2024 Capital Project Requests

**BPL26 Flood Mitigation
USACE Mamaroneck-Sheldrake Projects, Village of Mamaroneck**

WHEREAS, the County of Westchester has established **Capital Project BPL26 Flood Mitigation**, a general fund, to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County; and

WHEREAS, the project will provide \$5,000,000 in funding for the implementation of components of the US Army Corps of Engineers (USACE) Mamaroneck-Sheldrake Rivers project, which is currently being re-evaluated for cost estimates and additional congressional funding appropriations; and

WHEREAS, the local municipalities, County and New York State Department of Environmental Conservation intend to move project elements and supporting studies forward to address in the most immediate manner possible the extensive and repetitive flood damage incurred throughout much of the Village of Mamaroneck; and

WHEREAS, USACE project elements may include, but not be limited to, the removal or replacement of the Ward Avenue bridge and restoration of adjoining floodplain, engineering analysis and upgrade of the storm sewer system in the Washingtonville area. removal of pedestrian bridges in Columbus Park, removal of the Center Avenue bridge, and/or removal of a portion of the parking area and restoration of the floodplain at the confluence of the Mamaroneck and Sheldrake rivers; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend the Capital Project BPL26, Flood Mitigation, to add the project to Capital Project BPL26 and authorize bonding to fund up to 50% of eligible costs; and

WHEREAS, the project is consistent with the County Planning Board's long-range planning policies set forth in *Westchester 2025 - Policies to Guide County Planning*, in that it will help preserve and protect the County's natural resources and environment, both physical and biotic and will help mitigate the impacts of flooding; now therefore, be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its Report on the 2024 Capital Project Requests to include the Capital Project BPL26 Flood Mitigation USACE Mamaroneck-Sheldrake Projects, Mamaroneck Village.

Adopted this 5th day of March 2024

Richard Hyman, Chair

RESOLUTION 24-__

WESTCHESTER COUNTY PLANNING BOARD

Amendment of Planning Board Report on 2024 Capital Project Requests

**BPL26 Flood Mitigation
Watershed Based Flood Mitigation Plans, Countywide**

WHEREAS, the County of Westchester has established **Capital Project BPL26 Flood Mitigation**, a general fund, to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County; and

WHEREAS, the *Watershed Mitigation Plans, Countywide* will provide \$2,000,000 in funding for the preparation of watershed-based flood mitigation plans for Westchester watersheds not included in the New York State Department of Environmental Conservation (NYSDEC) Resilient NY stream studies; and

WHEREAS, the watershed-based flood mitigations plans will include watershed analysis, municipal input and a list of recommended projects with cost estimate ranges; and

WHEREAS, the County will prepare similar plans for the remaining portions of the county, including the Pocantico River, any portions of the Hudson River not included in the NYSDEC Saw Mill River plan, the portions of the Coastal Long Island Sound not included in the NYSDEC plans, the Peekskill and Haverstraw Bay watershed, the Croton River watershed and the Inland Long Island Sound watershed; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend the Capital Project BPL26, Flood Mitigation, to add the project to Capital Project BPL26 and authorize bonding to fund up to 50% of eligible costs; and

WHEREAS, the project is consistent with the County Planning Board's long-range planning policies set forth in *Westchester 2025 - Policies to Guide County Planning*, in that it will help preserve and protect the County's natural resources and environment, both physical and biotic and will help mitigate the impacts of flooding; now therefore, be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its Report on the 2024 Capital Project Requests to include the Capital Project BPL26 Watershed Mitigation Plans, Countywide.

Adopted this 5th day of March 2024

Richard Hyman, Chair

RESOLUTION 24-__
WESTCHESTER COUNTY PLANNING BOARD

Amendment of Planning Board Report on 2024 Capital Project Requests
BPL26 Flood Mitigation
Law Memorial Park, Village of Briarcliff Manor

WHEREAS, the County of Westchester has established **Capital Project BPL26 Flood Mitigation**, a general fund, to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County; and

WHEREAS, the *Law Memorial Park, Village of Briarcliff project* will provide \$1,100,000 in funding for to analyze and mitigate flooding in the Law Park Drainage Basin in the Village of Briarcliff Manor; and

WHEREAS, the project will include improvements to the stormwater system to alleviate flooding in Law Park and surrounding areas. Project includes installation of new stormwater piping in areas with no existing system and replacement of undersized existing stormwater piping sized to meet 25-year, 24-hour storm flows and to redirect overland storm flows to the stormwater system; and

WHEREAS, and the Village of Briarcliff Manor has received numerous complaints from residents within the watershed of runoff exceeding the capacity of the existing drainage system and flowing over curbs and down driveways causing damage to private properties. Additionally, the Village has been victim to flooding caused by the Law Park Pond overtopping and flooding the Village's pool on multiple occasions. Each incident necessitated the draining, cleaning, and refilling of the entire pool resulting in a significant unexpected maintenance cost as well as an extended periods of loss of service to residents; and

WHEREAS, the project has been reviewed and approved by the County Stormwater Advisory Board and will be subject to further detailed review by County staff; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend the Capital Project BPL26, Flood Mitigation, to add the project to Capital Project BPL26 and authorize bonding to fund up to 50% of eligible costs; and

WHEREAS, the project is consistent with the County Planning Board's long-range planning policies set forth in *Westchester 2025 - Policies to Guide County Planning*, in that it will help preserve and protect the County's natural resources and environment, both physical and biotic and will help mitigate the impacts of flooding; now therefore, be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its Report on the 2024 Capital Project Requests to include the Capital Project BPL26 Law Memorial Park, Village of Briarcliff Manor.

Adopted this 5th day of March 2024

Richard Hyman, Chair

RESOLUTION 23-__

WESTCHESTER COUNTY PLANNING BOARD

Amendment of Planning Board Report on 2024 Capital Project Requests

**BPL26 Flood Mitigation
West Sunnyside Lane, Village of Irvington**

WHEREAS, the County of Westchester has established **Capital Project BPL26 Flood Mitigation**, a general fund, to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County; and

WHEREAS, the *West Sunnyside Lane, Irvington project* will provide \$2,000,000 in funding for flood mitigation in the Villages of Irvington and Tarrytown; and

WHEREAS, the project will include the replacement of a significantly undersized culvert that originates on County of Westchester property, crosses through the Village of Tarrytown, and into the Village of Irvington. Additional culvert and stormwater management work downstream on the Historic Hudson Sunnyside property; and

WHEREAS, the project has been reviewed and approved by the County Stormwater Advisory Board and will be subject to further detailed review by County staff; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend the Capital Project BPL26, Flood Mitigation, to add the project to Capital Project BPL26 and authorize bonding to fund up to 50% of eligible costs; and

WHEREAS, the project is consistent with the County Planning Board's long-range planning policies set forth in *Westchester 2025 - Policies to Guide County Planning*, in that it will help preserve and protect the County's natural resources and environment, both physical and biotic and will help mitigate the impacts of flooding; now therefore, be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its Report on the 2024 Capital Project Requests to include the Capital Project BPL26 West Sunnyside Lane, Village of Irvington.

Adopted this 5th day of March 2024

Richard Hyman, Chair

**RESOLUTION 2024-
WESTCHESTER COUNTY PLANNING BOARD**

**Conveyance of a 13.4 acre County parcel, and acceptance of similar sized and valued parcel,
with the Westchester Joint Water Works (WJWW)**

WHEREAS, at the request of the County Board of Legislators, the County Executive will be submitting legislation to the BOL which would authorize the County of Westchester to convey a 13.4-acre property owned by Westchester County, currently part of the Westchester County Airport (“Airport”) and located near the intersection of Tower Road and Purchase Street (“County Parcel”). The Act would also authorize the County to accept from WJWW the conveyance of an approximately 13.4 acre parcel adjacent to the Airport (“WJWW Parcel”) in exchange for the County Parcel; and

WHEREAS, the WJWW is a non-profit public benefit corporation of the State of New York formed in 1927 and comprised of three member municipalities: the Town/Village of Harrison; the Village of Mamaroneck; and the Town of Mamaroneck; and

WHEREAS, in 2004, the New York State Supreme Court issued a permanent injunction requiring WJWW to build a filtration plant to bring its water distribution system into compliance with the State Sanitary Code; and

WHEREAS, in 2019, the United States Environmental Protection Agency (“EPA”) issued an Administrative Order that included an obligation for WJWW to commence design of a filtration plant to treat the surface water drawn from WJWW’s Rye Lake water source, a part of the New York City Kensico Reservoir system; and

WHEREAS, to comply with the EPA Administrative Order, and comply with all standards for clean drinking water and maintain the health and safety of its water consumers, WJWW has proposed to construct and operate a 30 million gallon-per-day water filtration facility (the “Project”) on the County Parcel; and

WHEREAS, the WJWW has proposed an exchange in fee title of equal sized and valued parcels of property that would result in no net loss of Airport property. The County Parcel (Harrison Parcel Section 971, Lot 8) would be apportioned from the Airport property and deeded to WJWW in exchange for the WJWW Parcel (Harrison Parcel Section 961, Lot 1) that will be deeded to the County and incorporated into the Airport property; and

WHEREAS, Parcel section 971, Lot 8 was never used for construction or for any other County purpose; The County parcel is not needed for any County purpose now or in the future; the proposed action for Parcel Section 971, Lot 8 by WJWW is a permitted use under the current local zoning; the proposed action for Parcel Section 971, Lot 8 by WJWW is consistent with the recommendations of the Town/Village of Harrison Comprehensive Plan; the FAA has determined that the proposed action for Parcel Section 971, Lot 8 would have no impact on the Airport Layout Plan; and the proposed use of the current county parcel is consistent with the County’s long term planning goals of Westchester 2025.

NOW, THEREFORE BE IT

RESOLVED, that the Westchester County Planning Board supports the disposition of a parcel owned by Westchester County, and the acquisition of a similar sized and valued parcel, in accordance with Section 249.111(1) of the Laws of Westchester County, and that the County Board of Legislators

authorize the conveyance of the real property and acceptance of real property in accordance with the provisions of the County Charter and Administrative Code.

Adopted this 5th day of March 2024.

Richard Hyman, Chair



Memorandum

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Susan Darling, Chief Planner

A handwritten signature in blue ink, appearing to be "SD" or similar initials, written over a faint circular stamp.

Date: February 22, 2024

RE: **NO-ACTION MEMO - Capital Budget Amendment – SY009 Yonkers Joint Treatment Plant Odor Control and HVAC Upgrades (2024 CBA)**

The County Executive is requesting an amendment to the 2024 Capital Budget to modify the funding of the above project. Capital project **SY009 Yonkers Joint Treatment Plant Odor Control and HVAC upgrades (2024 CBA)** will fund the replacement of the heating, ventilation and air conditioning equipment, as well as odor control equipment at the Yonkers Joint Treatment Plant installed in 1979.

The 2024 budget factored in a Non-County share (“NCS”) of \$6.203M representing a NYS EFC grant applicable to Phase IV work currently underway. Phase IV is supported by Bond Act 51-2022 for \$27.191M. It has recently been determined that NYS EFC financing requirements dictate Phase IV short term financing be for the gross amount. Coinciding with long term financing, the grant portion will then be added to the project, with a CBA and amending bond act decreasing the County’s Phase IV share in the capital budget and reducing the Phase IV bond act by \$6.203M.

This project was classified as a PL2, “*a project approved in concept, subject to review when more detailed studies or plans are prepared*” in the 2024 Report on the Capital Project Requests adopted July 11, 2023.

There are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, no further action by your Board is necessary.

cc: Blanca P. López, Commissioner
David S. Kvinge, Assistant Commissioner
Michael Lipkin, Associate Planner