



## FREDERICK P. CLARK ASSOCIATES, INC.

PLANNING, TRANSPORTATION, ENVIRONMENT AND DEVELOPMENT  
RYE, NEW YORK FAIRFIELD, CONNECTICUT

DAVID H. STOLMAN  
AICP, PP  
PRESIDENT

MICHAEL A. GALANTE  
EXECUTIVE  
VICE PRESIDENT

350 THEO. FREMD AVE.  
RYE, NEW YORK 10580  
914 967-6540  
FAX: 914 967-6615

CONNECTICUT  
203 255-3100

HUDSON VALLEY  
845 297-6056

LONG ISLAND  
516 364-4544

[www.fpclark.com](http://www.fpclark.com)

[email@fpclark.com](mailto:email@fpclark.com)

### MEMORANDUM

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To: Paul S. Rosenberg, Mayor, and the  
Board of Trustees of the Village of Rye Brook

Date: December 8, 2016

Subject: **259 North Ridge Street –  
Subdivision, Zoning Petition and Site Plan Application**

As requested, we reviewed substantially revised site plans and additional information submitted in support of a three-lot subdivision, and a site plan and petition to re-zone Lot 1 of the subdivision into the FAH District, submitted by Pawling Holdings, LLC and Louis Larizza, contract vendee, on behalf of the property owner, Daniel Greto. The original site plan application for Lot 1 sought to construct eight Fair and Affordable Housing (AFFH) units. The revised development plan reduces the number of housing units to five AFFH units. The subdivision remains unchanged, and, in addition to Lot 1, still includes two lots (Lot 2 and Lot 3) for two single-family market-rate homes. The property is situated at the intersection of West Ridge Drive and North Ridge Street within the R-15 District and the North Ridge Street Scenic Road Overlay District, Section 135.35, Block 1, Lot 11 on the Town of Rye Tax Assessor's Map.

#### Property Description

The 3.96-acre (172,620 square-foot) property is partially developed with a one-story single-family home, driveway and curb cut, and a terrace at the back of the home in the rear yard. Behind the home, the lot slopes very steeply to the northeast from the elevation of North Ridge Street down to approximately the elevation of the rear yards of homes along Eagles Bluff and Rock Ridge Drive. The site drains down-slope to wetlands located in the woodlands below the existing home and from there into a pipe within a drainage easement across one of the properties on Eagles Bluff. Outside the landscaped area around the existing home, the lot is naturally wooded, with watercourses and wetlands mostly located in areas of lower elevation on the lot.

#### Project Description

The Applicant's revised proposal is for a three-lot subdivision to create two single-

family building lots (Lot 2 and Lot 3) that would remain in the R-15 District, and a third building lot (Lot 1), which would be re-zoned into the Fair and Affordable (FAH) District for development of five AFFH, attached, single-family homes located in a single building, and surface parking for 13 vehicles. The application also includes a zoning petition for the affordable housing lot (Lot 1), and at this time, a revised site plan application for Lot 1. The revised Lot 1 site plan requires approval of wetlands and steep slopes permits by the Planning Board.

## Review

We reviewed the revised application, the zoning petition, the preliminary subdivision plat, revised site plans, new correspondence, analyses and supporting materials submitted by the Applicant that include the following items:

1. Full Environmental Assessment Form dated January 7, 2016, revised November 23, 2016
2. Full Environmental Assessment Form dated January 7, 2016
3. Revised Full Environmental Assessment Form dated December , 2016
4. Application for Subdivision Approval
5. Petition to the Board of Trustees to Re-Zone New Lot 1 into the FAH District from Pawling Holdings, LLC, prepared by Clark Neuringer, R.A., Mamaroneck, N.Y., dated May 15, 2015
6. Application for Site Plan Approval for Lot 1, revised November 23, 2016
7. Application for Site Plan Approval for Lot 1
8. Site Plan Submittal Review Checklist for Lot 1
9. Wetland Delineation and Functional Assessment prepared by Tim Miller Associates, Inc., Cold Spring, N.Y., dated October 26, 2015
10. Storm Water Report, prepared by Ralph G. Mastromonaco, P.E., P.C., Croton-on-Hudson, N.Y., dated November 2, 2016
11. Preliminary Storm Water Report, prepared by Ralph G. Mastromonaco, P.E., P.C., Croton-on-Hudson, N.Y., dated October 19, 2015
12. Report Memorandum regarding the estimated number of school children generated by development on Lot 1 prepared by RH Consulting, White Plains, N.Y., dated March 16, 2016
13. Traffic Generation Estimates Report and Accident Data, prepared by Ralph G. Mastromonaco, P.E., P.C., Croton-on-Hudson, N.Y., dated March 4, 2016
14. Tree Inventory and Mapping for Entire Property prepared by Paul D. Muscariello, Certified Arborist, dated February 2, 2016
15. Tree Inventory and Removal Plan, prepared by Anthony Zaino, RLA, Westchester County Planning Department, dated April 20, 2016

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16. Energy and Zoning Memorandum for Lot 1, prepared by Clark Neuringer, R.A., Mamaroneck, N.Y., dated April 8, 2016
17. Lighting Plan for Lot 1, prepared by RAB Lighting, Northvale, N.J., dated March 4, 2016
18. Response Letter to James Natarelli, P.E., DRE from Ralph G. Mastromonaco, P.E., P.C., Croton-on-Hudson, N.Y., dated May 16, 2016
19. Letter to the Board of Trustees from Ralph G. Mastromonaco, P.E., P.C., Croton-on-Hudson, N.Y., dated September 16, 2015
20. Review Memorandum to the Village Administrator from Dolph Rotfeld Engineering, P.C., White Plains, N.Y., dated December 6, 2016
21. Review Memorandum to the Planning Board from Dolph Rotfeld Engineering, P.C., White Plains, N.Y., dated May 4, 2016
22. Review Memorandum to the Planning Board from Dolph Rotfeld Engineering, P.C., White Plains, N.Y., dated May 23, 2016
23. Memorandum to Frederick P. Clark Associates (Marilyn Timpone-Mohamed) from Clark Neuringer, R.A., Mamaroneck, N.Y., dated December 2, 2016
24. Memorandum to the Board of Trustees from Clark Neuringer, R.A., Mamaroneck, N.Y., dated October 25, 2016
25. Front and Rear Perspective Renderings of the 5-unit Lot 1 Building received 12/2/16
26. "Topographical Survey of Property," prepared by Link Land Surveyors, P.C., Mahopac, N.Y., dated January 15, 2016
27. "Preliminary Plat," prepared by Ralph G. Mastromonaco, P.E., P.C., Croton-on-Hudson, N.Y., dated July 27, 2015
28. "Fire Truck – Enter Site," prepared by Ralph G. Mastromonaco, P.E., P.C., Croton-on-Hudson, N.Y., no date
29. Landscape Plan, prepared by Anthony Zaino, RLA, Westchester County Planning Department, dated November 7, 2016
30. Landscape Plan, prepared by Anthony Zaino, RLA, Westchester County Planning Department, dated April 21, 2016
31. Tree Inventory and Removal Plan, prepared by Anthony Zaino, RLA, Westchester County Planning Department, dated November 16, 2016
32. Engineer’s Plans (Original Lot 1 Site Plan), prepared by Ralph G. Mastromonaco, P.E., P.C., Croton-on-Hudson, N.Y.:

<u>Sheet Number</u>	<u>Sheet Title</u>	<u>Dated</u>
1 of 1	<i>Site Plan Fair Affordable Housing</i>	10/27/2015
1 of 1	<i>Sight Lines</i>	4/7/2016
1 of 1	<i>Fire Truck Back Out South</i>	4/7/2016
1 of 1	<i>Fire Truck Back Out North</i>	4/7/2016
1 of 1	<i>Fire Truck in from North</i>	4/7/2016
1 of 1	<i>Fire Truck in from South</i>	4/7/2016

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33. Engineer's Plans (Revised Lot 1 Site Plan), prepared by Ralph G. Mastromonaco, P.E., P.C., Croton-on-Hudson, N.Y.:

<u>Sheet Number</u>	<u>Sheet Title</u>	<u>Dated</u>
1 of 8	<i>Alternate Grading Plan North Ridge Street Development</i>	11/4/16

34. Architect's Plans (Original Lot 1 Buildings and Site Plan, prepared by Clark Neuringer Architect, Mamaroneck, N.Y.:

<u>Sheet Number</u>	<u>Sheet Title</u>	<u>Dated</u>
1	<i>Front Elevation Buildings 1 and 2</i>	11/11/15 rev. 2/25/16
2	<i>Rear Elevation Buildings 1 and 2</i>	2/3/16 rev. 2/18/16
3	<i>Left Elevation Buildings 1 and 2</i>	2/3/16 rev. 2/18/16
4	<i>Right Elevation Buildings 1 and 2</i>	2/3/16 rev. 2/18/16
5	<i>Foundation – Buildings 1 and 2</i>	2/3/16 rev. 2/18/16
6	<i>First Floor – Buildings 1 and 2</i>	2/3/16 rev. 2/18/16
7	<i>Second Floor – Buildings 1 and 2</i>	2/3/16 rev. 2/18/16
S1	<i>Cross Section through Site</i>	3/11/16
S1	<i>Cross Section through Site (with Landscape)</i>	3/11/16
S2	<i>Elevations Buildings 1 and 2</i>	3/24/16

35. Architect's Plans (Revised Lot 1 Building and Site Plan), prepared by Clark Neuringer Architect, Mamaroneck, N.Y.:

<u>Sheet Number</u>	<u>Sheet Title</u>	<u>Dated</u>
1	<i>Elevations</i>	11/1/16
2	<i>Elevations</i>	11/1/16
3	<i>Elevation Calculations, Fire Ladder Diagrams, Site Section</i>	11/3/16
4	<i>Foundation Plan</i>	11/1/16
5	<i>First Floor Building Plan</i>	11/1/16
7	<i>Second Floor Building Plan</i>	11/1/16
S1	<i>Cross Section through Site</i>	3/11/16
S1	<i>Cross Section through Site</i>	

Please note that our review is limited to planning, zoning and environmental issues. We have the following comments regarding the applications:

1. **Additional Information Needed.** A tree preservation and protection plan that complies with the requirements of Chapter 235 of the Village Code should be provided for the revised site plan for Lot 1.
2. **SEQRA Review.** An environmental review pursuant to SEQRA is required for the revised Lot 1 site plan as part of the combined action of the site plan, subdivision, and map amendment to re-zone proposed Lot 1 into the FAH District. All the information and analyses provided for the original site plan should be updated as necessary for the revised site plan.
3. **Alteration of Land and Topography.** The revised site plan for Lot 1 would be located on the steep slopes, and will be required to comply with the Village Code regulations regarding steep slopes for approval of a Steep Slopes Work Permit. We continue to recommend that the design of the revised site plan for Lot 1 should ensure that the plan causes the least disturbance practicable to regulated slopes and the vegetation on these slopes, the creation of the least amount of new steep slopes, and utilization of large retaining walls.
4. **Revised Site Plan.** The revised Lot 1 site plan reduces disturbance of steep slopes compared to the original site plan. However, we continue to recommend revising the building plans to reduce visual impacts and site disturbance even further by include garages in the basements of the units. It may mean adding 1 to 2 feet of width to each of the units; though it seems to us that may not be necessary if the entry and stair hall on the basement level are redesigned or eliminated. As has been pointed out by the Planning Board, and at least one of the Trustees, this would allow a reduction in the amount of surface parking proposed. At the proposed 40-foot unit length, with an open basement plan, it would be possible to park two cars in tandem in the basement, if a resident desired. This would potentially eliminate the need for 10 surface parking spaces.

After including garages to house 10 of the required parking spaces, we recommend reconsidering the location of any remaining surface parking by perhaps breaking it up into two smaller parking areas, perhaps located on either side of the building, which could be moved further north on the site. The parking spaces could be located directly adjacent to and perpendicular to an extended driveway servicing the garages at the rear of the building(s). That type of parking area of two, three or four cars is visually more like parking in a parking court on a single-family lot than the proposed 13-car lot, and would locate the parking areas further away from the Scenic Road. From a quick sketch and grading analysis, we believe it could be done without creating additional topography and visual impacts down-slope to the east.

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5. **Soils.** Based on the information provided in the EAF, soils on the property should not present issues related to construction. However, the EAF indicates that the average depth to bedrock on the site is 0 to 6 feet, and the survey indicates the presence of rock outcrops on the proposed Lot 1. The Applicant should clarify if blasting or other methods of rock removal will be necessary during construction. If rock removal will be required, the construction management plan should include discussion regarding the potential impacts of rock removal and the mitigation measures for the impacts related to noise, air quality and vibration and compliance with the Rye Brook Village Code and best management practices regarding blasting and/or rock removal.
  
6. **Transportation.** Recently submitted traffic data and sight distance information was reviewed by our traffic engineers who provided comments in a separate memorandum to the Board of Trustees dated November 3, 2016. This memorandum includes comments regarding the revised Lot 1 site plan.
  
7. **Increase in Energy Use.** Development of the three new lots will increase the demand for local energy resources. The April 8, 2016 memorandum from the Applicant's architect states that the original two-building development on Lot 1 would be constructed in conformance with the requirements of the current New York State Energy Code. All appliances would be Energy Star rated, low-energy demand LED fixtures for night lighting, and the heating systems would be high efficiency gas-fired boilers. The Applicant should clarify if this would be true for development of the revised Lot-1 site plan.
  
8. **Land Use and Zoning.** The Proposed Action includes a zone change for Lot 1 from the R-15 District to the Fair and Affordable Housing (FAH) District. The FAH District regulations allow the Board of Trustees to waive the underlying dimensional requirements of the R-15 District to develop the revised site plan of five AFFH residential units, which is more units than would otherwise be allowed on Lot 1, in the interest of encouraging the development of affordable homes in the Village. Though an increased density is allowed on the lot, it should be noted that Lot 1 will be 4 times the size of a 15,000 square-foot minimum-sized lot in the R-15 district.

All three new lots will be located within the Street Scenic Road Overlay District (SROD), which includes special regulations to help protect the scenic qualities of North Ridge Street that include increased front yard setbacks and 35-foot vegetative buffers along the street frontage. Though the FAH District regulations would allow the Trustees to alter required setbacks to allow increased density, the revised site plan raises concerns regarding the location of the 13-car parking area and the trash storage location in the front yard of the lot only 25 feet from the front property line and the Scenic Road. While the new site plan reduces impacts to the topography of the site and visual impacts to neighbors adjacent to the rear of Lot 1, it increases impacts to the Scenic Road and neighbors to the west of the site. We recommend

further revision of the site plan to eliminate or reduce impacts to the scenic road and the neighbors to the west of the site.

- 9. **Community Character.** The Applicant provided an estimate of the number of schoolchildren that would be generated by development of the originally-proposed eight AFFH units and two single-family homes after subdivision of the existing lot. The Applicant should provide updated analysis of the number of school children that would be generated by the five-unit development of the revised Lot 1 site plan and the single-family homes on the two market-rate lots.

Although the number of buildings and the unit density on Lot 1 is reduced in the revised site plan, the size of the single building on Lot 1 was increased by adding the fifth unit. Comments regarding the original Lot 1 site plan indicated that the original buildings were considered to be too large and out of character with the neighborhood. We recommend considering a reduction in the number of units proposed or breaking up the units into two smaller buildings.

The Rye Brook Emergency Services Task Force will review the revised Lot 1 site plan with regard to emergency services capacity and access to the new residences.

- 10. **Visual Impacts.** Night lighting of the common parking area of the revised Lot 1 site plan may be a source of visual impacts to residences surrounding the lot. To eliminate excessive glare to residences downhill, especially in the winter when deciduous trees are leafless, we recommend use of shielded, residential-type light LED fixtures mounted no higher than 12 feet from the ground for night-lighting on the site.

- 11. **Construction.** The location and terrain of Lot 1 raise concerns regarding the impacts that may arise during construction. The applicant should expand the construction task schedule provided into a draft construction management and logistics plan. This plan should identify and estimate the impacts of construction on Lot 1 of the revised site plan, and explain how the impacts, such as increased traffic, increased demand for parking, construction traffic routing, need for materials storage and staging areas, impacts to air quality, security and safety on the construction site, increased noise, vibration, potential erosion and sedimentation, potential for rock removal or blasting, etc. will be eliminated or mitigated by the construction management plan, demonstrate compliance with Village Code requirements regarding construction, and identify by specific best practices to be implemented.

We look forward to discussion with the Board of Trustees.

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Marilyn Timpone-Mohamed, ASLA, AICP  
Senior Associate/Planning/Environment

cc:     Robert I. Goodman and the Village Planning Board  
         Christopher Bradbury, Village Administrator  
         Michal Nowak, Village Engineer/Superintendent of Public Works  
         Jennifer L. Gray, Esq., Village Attorney  
         Clark Neuringer, R.A. for the Applicant  
         Ralph G. Mastromonaco, P.E.