

George Latimer  
County Executive

County Planning Board

January 8, 2018

Marilyn Timpone-Mohamed, Consulting Planner  
Rye Brook Village Hall  
938 King Street  
Rye Brook, NY 10573-1226

**Subject: Referral File No. RYB 18-001 — 900 King Street Redevelopment  
Petition for Zoning Text Amendment  
PUD Concept Plan & Site Plan Approvals  
Draft Scoping Document**

Dear Ms. Timpone-Mohamed:

The Westchester County Planning Board has received a draft scoping document for the preparation of an environmental impact statement (EIS) for the above referenced application to redevelop a 17.77-acre site located at 900 King Street that currently contains an existing office building and surface parking lot. The application proposes to demolish the existing structures on the site and construct an age-restricted residential community as a planned unit development (PUD) consisting of the following components:

- 160 one-, two-, and three-bedroom units within a three- and four-story independent living facility to be located in the center of the site;
- 85 units of assisted living and memory care in a four-story structure in the northeast of the site; and
- 24 two- and three-bedroom residential townhouses in the western portion of the site

All of the units would be age-restricted to residents 55 years of age or older with 19 units (10 percent) set aside as affordable to affirmatively further fair housing (AFFH) in accordance with the Village Zoning Ordinance. Vehicular access to the site would continue to be from Arbor Drive.

To accommodate the proposal, the Applicant has petitioned the Village Board of Trustees to amend the text of the Zoning Ordinance to add a new site-specific section that would modify the existing density requirements of the PUD regulations with respect to senior living facilities. The amendments would also allow a building height of 45 feet, establish 55 years of age as the minimum age for the proposed senior living facilities, and establish site-specific bulk and area requirements.

Once the zoning amendments are approved, the applicant intends to apply for PUD Concept Plan Approval and Site Plan approval from the Board of Trustees.

There is no plan to subdivide the development which is anticipated to be owned by a single entity. All unit types, including the assisted living units, are anticipated to be rental units.

We have reviewed the draft scoping document under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and we offer the following comments:

1. **Affirmatively furthering fair housing (AFFH).** We recommend that *Section 3.2 Zoning and Land Use* contain an additional section under *Potential Impacts* that would analyze the conformance of the proposed development with the requirements of the Village's affordable housing regulations to describe in greater detail how the development will include affordable AFFH units.

2. **County sewer impacts.** We recommend that *Section 11.3 – Sanitary Sewer* be revised to include a discussion of the County Department of Environmental Facilities' policy requiring the applicant to identify mitigation measures that will offset the projected increase in flow through the reduction of inflow and infiltration (I&I) at a ratio of three for one for market rate units and a ratio of one for one for affordable AFFH units. In particular, the environmental impact statement for this project should provide specific details on how implementation of these improvements is to be accomplished. For example, will the applicant be required to place funds into a dedicated account for I&I work based on a per gallon cost of removal of flow through I&I? How will I&I projects be identified? Who will conduct the work and in what timeframe?

The County Planning Board further recommends that the Village implement a program that requires inspection of sewer laterals from private structures for leaks and illegal connections to the sewer system, such as from sump pumps. These private connections to the system have been found to be a significant source of avoidable flows. At a minimum, we encourage the Village to enact a requirement that a sewer lateral inspection be conducted at the time property ownership is transferred and any necessary corrective action be enforceable by the municipal building inspector.

3. **Solid waste and recycling.** We recommend that *Section 10.5 – Solid Waste and Recycling* include a discussion of the potential for the composting of food waste generated by the assisted living/memory care facility. Food composting would not only reduce the burden of food waste in the waste stream, but it would also provide a resource for the maintenance of any on-site landscaping.

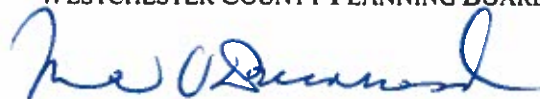
In addition, we note that Westchester County has reporting requirements for waste management for businesses with more than 100 employees. This should be noted in the EIS if the proposed buildings on the site are projected to have more than 100 employees.

4. **Green building technology and bicycle parking.** We recommend the scope be expanded to include a discussion of the potential for the use of green building technology in the proposed development. We also recommend the inclusion of a discussion of bicycle parking, particularly for employees, since the site is not located along a bus line, but is within biking distance of a train station.

Thank you for the opportunity to comment on this matter.

Respectfully,  
WESTCHESTER COUNTY PLANNING BOARD

By:



Norma V. Drummond  
Acting Commissioner