



Environmental, Planning, and Engineering Consultants

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Memorandum

To: Village of Buchanan Board of Trustees
From: AKRF, Inc. (Peter Feroe, AICP, Jason Mencher)
Date: July 21, 2023
Re: AMS Buchanan (Craft Lane & Albany Post Road, Village of Buchanan, New York)
cc: David Smith

The purpose of this memorandum is to:

1. Provide the Village Board of Trustees with information to supplement the technical studies in the previously submitted Expanded Environmental Assessment Form (EEAF).
2. Address the prominent issues raised during the public hearing regarding the proposed zoning text and map change.

Buchanan Dev AMS LLC (“Applicant”) is the contract vendee of the approximately 5.96-acre, unimproved property located at the corner of Craft Lane and Albany Post Road in the Village of Buchanan, New York (the “Project Site”). The Applicant proposes to develop the Project Site with a five-story, 148-unit multi-family residential building comprised of one- and two-bedroom dwellings, as well as residential amenities and parking (the “Proposed Project”).

On March 7, 2023, the Village of Buchanan Board of Trustees (“Village Board”), pursuant to the NY State Environmental Quality Review Act (“SEQRA”), declared themselves Lead Agency for the environmental review of the Proposed Project. On May 2, 2023, the Applicant submitted an Expanded Environmental Assessment Form (“EEAF”) to the Lead Agency, prepared pursuant to SEQRA. The purpose of the EEAF was to provide the Lead Agency, as well the public and other agencies, with information about the Proposed Project, and to analyze the potential environmental impacts and the potential benefits of the Proposed Project.

At its June 6, 2023 Regular Meeting, the Village Board (acting as Lead Agency) opened a public hearing on the Proposed Project, during which time members of the public commented on the Proposed Project. The Village Board adjourned the hearing to the following month’s meeting. At its July 5, 2023 Regular Meeting, the Village Board re-opened the public hearing, received comments, and closed the public hearing, leaving open a 10-day written comment period.

A. SUPPLEMENTARY INFORMATION

POLICE DEPARTMENT

In the EAAF, the Applicant noted that it was working to obtain information regarding emergency service responses to other area multifamily buildings that may be comparable to the Proposed Project. Subsequent to the EAAF's submission, AKRF received a response to a Freedom of Information Law request from the Village of Ossining, which requested the number of annual police responses to Harbor Square, a six-story, multi-family residential building located at 1 Harbor Square, Ossining, New York, 10562. Harbor Square is comprised of 188 units, including a mix of 1- and 2-bedroom rental units. As shown in **Table 1**, below, there were a total of 81 police calls to Harbor Square between 2018 to 2022, or an average of 1.4 calls per month and 16.2 calls per year.

Table 1
Police Calls to Harbor Square (2018-2022)

Year	Calls
2018	12
2019	5
2020	13
2021	26
2022	25
Total	81
Source: Village of Ossining, Yearly Police Call Statistics. Provided by Village of Ossining on April 24, 2023. (See Attachment 1)	

As shown in Table 9 of the EAAF, the Village of Buchanan Police Department responded to 1,686 calls in 2022. If the Proposed Project generated a similar rate of police calls to Harbor Square (i.e., 0.14 calls per unit per year), the Proposed Project could be anticipated to result in approximately 21 calls per year, which would be an increase in calls to the Village's Police Department of approximately one percent. In the Applicant's opinion, this real-life, empirical data supports the Applicant's conclusion that the Proposed Project would not generate in a significant increase in the demand for police services within the Village and that the minimal increase could be accommodated by current staffing.

IMPACT OF PROPOSED ZONING ON OTHER PARCELS

At the request of the Village's Planning Consultant, the Applicant has estimated a conceptual "build out" of the only Site other than the Project site to which the Proposed Zoning would apply: 3095 Albany Post Road (S/B/L 43.20-2-6), an undeveloped 4.499-acre parcel owned by Carbone Brothers 3095 LLC ("3095 Site").¹ This is the only parcel greater than four acres in the Overlay District. Under the Proposed Zoning, the parcel could theoretically be developed with a five-story multifamily building with up to 137 units. Assuming the same unit mix as the Proposed Project, the building could contain 52 1-bedroom and 85 2-bedroom units (12 of which would include dens). Based on the methodologies described in the EAAF, under maximum build out, the 3095 Site could be estimated to have between eight and 13 public school age children living on site.

It is important to note that this is a theoretical development scenario. The Applicant is not proposing this development and does not own or control that parcel. Further, any proposal to develop the 3095 Site would be subject to Special Permit and SEQRA reviews, which would be based on the actual project proposed for that site.

¹ https://eis2.woodardcurran.com/GCX_Sites/Site/Cortlandt/Docs/PropCards/New/0430200002006000.pdf

NATURAL RESOURCES

As noted in the EEAF, a natural resources reconnaissance investigation was conducted on the Project Site during the growing season on May 30, 2023 by ecologists from AKRF. This investigation confirmed and provided greater specificity as to the types and relative locations of the ecological communities and vegetation on the Site. Based on this reconnaissance, **Appendix C** of the EEAF has been updated (see Attachment 2).

As described in more detail in **Appendix C**, the following threatened, endangered, and special concern species have the potential to occur within the Project Site: Indiana bat, Cooper's hawk, gold-winged warbler, eastern box turtle, eastern hog-nosed snake, eastern worm snake, and northern fence lizard. To avoid or mitigate potential impacts to those species the maximum extent practicable, tree clearing activities would occur between November 1 and March 31 to avoid impacts to roosting Indiana bat and nesting Cooper's hawk and gold-winged warbler. If tree clearing occurs between April 1 and October 31, it shall be conducted in accordance with NYSDEC requirements. Silt fencing would be utilized to exclude reptiles and amphibians from the Project Site during construction. With these mitigation measures in place, the Proposed Project would not have the potential to result in significant adverse impacts to threatened, endangered, candidate, or special concern species and would not adversely affect any significant natural communities.

B. PUBLIC COMMENTS

This section addresses the prominent issues raised during the public hearing and written comment period.

A comment was received regarding tax revenue from the Proposed Project, including if tax incentives were being offered to the Applicant and if the tax revenues from the Proposed Project would offset lost Indian Point revenues.

As detailed in Section F of the EEAF, the Proposed Project is anticipated to generate approximately \$828,855 in property tax revenues annually, including \$250,806 annually to the Village and \$471,803 annually to the school district. As demonstrated in the EEAF, it is the Applicant's opinion that the taxes generated by the Proposed Project will more than cover additional costs to Village or school district, resulting in an annual surplus to both. While small compared to the revenue previously generated by Indian Point, the Project is anticipated to be a net fiscal benefit to the Village. The Proposed Project would also generate economic benefits for the Village, the Town, and the County through resident spending at local businesses, supporting jobs and additional labor income directly in the community.

The Applicant has not applied for financial incentives for the Proposed Project, though it may in the future. Any incentives through the Westchester County Industrial Development Agency, would be subject a cost-benefit analysis and approval by the Village Board of Trustees.

A comment was received asking whether development of the Proposed Project would generate a significant increase in public school enrollment.

As discussed in Section F of the EEAF, between 9 to 14 public school students are anticipated to live within the Proposed Project. These estimates are based on census data from similar multifamily buildings as well as a case study of 3,257 multifamily residential units in Westchester County. Based on the District's total 2021-2022 enrollment of 2,209, public school children living at the Proposed Project would represent less than 1 percent of current enrollment. Given the 506-student enrollment decline (18.6 percent) from the 2007/2008 school year, it is not anticipated that the Project's additional students would result in a capacity issue at any District school. In addition, as demonstrated in the EEAF, new property tax revenues to the District would more than offset the cost of additional students.

A comment was received regarding the impacts of the Project on Village services and infrastructure.

For the reasons set forth above, the Applicant submits that the Proposed Project would generate a minimal increase in demand for police services, which would be accommodated by current staffing. Additionally, the Applicant will review the need for additional site security measures with the Village, including cameras, during Site Plan approval.

With respect to infrastructure, the Village's engineer confirmed that "[w]ith regard to water system capacity, being able to provide the average flow of 32,760 gallons per day [estimated for the Project] is not an issue." The engineer also noted that "there is capacity at the Sewer Treatment Plan for the proposed average flow of 32,760 gallons." As the site design progresses, and during the special permit review, the Applicant's engineer would analyze the water and sewer lines serving the Project Site to determine if any upgrades are needed.

A comment was received regarding the potential for increased traffic congestion on Albany Post Road.

The Applicant prepared a Traffic Impact Study (TIS) to assess the potential traffic and transportation impacts of the Proposed Project, as discussed in Section H of the EEAF. The Proposed Project is not anticipated to result in a significant adverse impact to traffic on the adjacent roadway network. Specifically, the Level of Service (LOS) at each study area intersection would remain the same in the future with the Proposed Project. The TIS study intersections were (1) Albany Post Road (APR) & Tate Avenue, (2) APR & Craft Lane, (3) APR & Lindsey Avenue/Gallagher Street. The Proposed Project is anticipated to generate 53 vehicle trips during weekday AM peak hour and 63 vehicle trips during weekday PM peak hour.

As a public benefit, the Proposed Project will improve the pedestrian environment surrounding the Project Site by providing sidewalks along the Site's Route 9A frontage and the frontage of the Hardware Store as well as adding a crosswalk across Albany Post Road at Lindsey/Gallagher.

A comment was received regarding the environmental impacts of removing trees from the site (e.g., loss of wildlife habitat, and potential loss of sound barrier between Route 9 and Albany Post Road).

Construction of the Proposed Project would not occur within mapped wetland boundaries. In areas where trees are removed from Village-regulated Steep Slopes, mitigation measures would include the installation of retaining walls, and the planting of native trees, shrubs, and ground cover. The forested upland community found within the Project Site is similar to the surrounding forested landscape, and the clearing of the Project Site would not result in the loss of rare or critical ecological communities. Given the intervening topography and distance between Route 9 and Albany Post Road, it is not anticipated that the Proposed Project would result in a material increase in sound levels from Route 9.

A comment was received regarding the ability of the Buchanan Fire Department to service the Site.

Prior to, and since the submission of the EEAF, the Applicant has met with the Buchanan Fire Department to review the design of the Proposed Project and to coordinate on-Site access by the Fire Department. The Applicant anticipates that this coordination will continue through the Site Plan process to ensure that the needs of emergency responders are met.

The design and construction of the Proposed Project would meet the most modern building and fire codes, including the use of automatic sprinklers and fire-separated staircases. The design of the Proposed Project will allow for sufficient fire truck maneuverability around the proposed multifamily building in accordance with not only the building code, but the specific needs of the Buchanan Fire Department.

While the Buchanan Fire Department does not have a ladder truck, several proximate departments do have ladder trucks. In the case of an emergency, the Fire Chief would determine whether mutual aid was required from other fire departments as well as what other resources would be required for a particular emergency.

Comments were received concerning site planning matters.

Several commenters raised questions regarding matters that are properly addressed during the Site Plan review, which if the Board of Trustees adopts the Proposed Zoning, would occur after the Proposed Zoning was adopted. These issues include those related to construction staging and phasing, renewable energy and green infrastructure siting, and specific site drainage issues.

Attachment 1
Ossining Police Department FOIL



VILLAGE OF OSSINING

Municipal Building - Clerk's Office

16 Croton Avenue

Ossining, NY 10562

Phone (914) 762-8428

village.foil@villageofossining.org

FREEDOM OF INFORMATION- Acknowledgment Letter FOIL Request #0271-2023

04/20/2023

Dear Peter Feroe:

Your FOIL request dated 04/17/2023 was received by the Village of Ossining on 04/20/2023.

A copy of your request is attached below this letter for your records.

The request is being reviewed and I anticipate you will be contacted regarding your request on or before 05/18/2023, 20 business days from the date of this acknowledgment.

Please note that FOIL requests cannot be rushed for any reason.

Access to the records, in whole or part, will be determined in accordance with Article 89 section 5 of the Freedom of Information Law.

Once the research has been completed, you will be notified of the results of the records search and, if necessary, set a time and date for pick up of copies if available. you

Pursuant to FOIL, a fee of \$.25 per page for photocopies not exceeding 9'x14' will be charged. All other fees will be based on the material requested. You may make an appointment to view the records prior to copying to avoid cumbersome fees.

If your FOIL is denied, you may appeal the denial to:

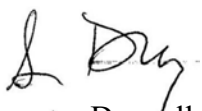
Corporation Counsel Stuart Kahan

16 Croton Ave

Ossining, NY 10562

Thank you in advance for your cooperation. If you have any questions, or require further information, please do not hesitate to contact me.

Sincerely,



Susanne Donnelly
Records Access Officer
Village of Ossining

Copy of FOIL Request # 0271-2023

Requester's Information:

Name: Feroe, Peter

Phone: (914) 922-2370

Email: pferoe@akrf.com

Address: 34 South Broadway, Suite 300, White Plains, NY 10601

FOIL Request

Request Subject: Police Services Response

Request Record Date:

Request Address:

Request Description: Number and type of police calls to 1 Harbor Square over past years

Additional Info: My firm, AKRF Inc., is working for an Client that is proposing a 148-unit multifamily residential building in the Village of Buchanan. The Village of Buchanan, as part of their review of the proposed project, has requested information about the number and nature of police calls to "similar" multifamily buildings in the region. 1 Harbor Square was identified as a potentially similar multifamily building. Therefore, we'd appreciate it if we could report to the Village of Buchanan on the number and type of police calls/responses to the Harbor Square apartment building over the past five years. This information will be useful to the Village of Buchanan in their review of a multifamily residential project. If you have any questions or concerns about this request, please feel free to give me a call or email. Thank you.

Peter Feroe

From: Village.Foil <Village.Foil@villageofossining.org>
Sent: Monday, April 24, 2023 8:54 AM
To: Peter Feroe
Subject: Record Request 0271-2023 : Completion Letter

Importance: High

[You don't often get email from village.foil@villageofossining.org. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Good morning,

As a response for FOIL 0271-2023 please note there were a total of 81 calls from 2018 to 2022. 2018 had 12 calls, 2019 had 5 calls, 2020 had 13 calls, 2021 had 26calls and 2022 had 25 calls.

Call types consisted of alarms, fire alarms, civil disputes, domestic disputes, animal complaints, medical aids, welfare checks, hazardous conditions, utility, disturbances, youths and parking complaints.

Best,
Jeaneth V. Guinansaca.