

MEMORANDUM

TO: Town of North Salem Planning Board

FROM: William Agresta, AICP, Director of Planning
Joseph T. Bridges, PhD, Senior Biologist

DATE: March 5, 2012

RE: BRIDLESIDE (former Salem Hunt)
SITE PLAN, WETLAND PERMIT, STORMWATER PERMIT
June Road - Sheet 5, Block 1735, Lot 19
Our File NS05005

REVIEW SUMMARY

- As previously commented, the applicant should provide in writing, a letter of withdrawal of the previous application for Subdivision.**

- The needed Easement Map should be provided prior to commencement of the Public Hearing, as well as responses to the comments below.**

MATERIALS RECEIVED

- ▶ Application for Site Plan Approval;
- ▶ Application for Wetland Permit;
- ▶ Copies of Involved Agency Permit Approvals;

NEW / REVISED INFORMATION

- ▶ Buffer Enhancement and Monitoring Plan, Tim Miller Associates, February 15, 2012;
- ▶ Integrated Pest Management Plan, Tim Miller Associates, February 15, 2012;
- ▶ Herptile Protection Plan, Tim Miller Associates, February 15, 2012;
- ▶ Invasive Species Monitoring and Control Program, Tim Miller Associates, February 15, 2012;
- ▶ Well Monitoring and Mitigation Plan, Tim Miller Associates, February 15, 2012;
- ▶ Non-Salt Winter Traction Materials Monitoring & Maintenance Program by Insite Engineering, February 15, 2012;
- ▶ Stormwater Pollution Prevention Plan (Bridleside), Insite Engineering, February 15, 2012;
- ▶ EAF Parts 1, 2 and 3, Tim Miller Associates, February 15, 2012;
- ▶ Site Plans, Sheets 1 through 17, Insite Engineering, January 11, 2012, revised February 15, 2012; and
- ▶ Architectural Documents, A-0 through A-17, L&M Design LLC, January 10, 2012, revised February 10, 2012;
- ▶ Architectural Plan and Sections, Wastewater Treatment Plant, A-1 through A-2, Milnes Engineering Inc., February 14, 2012.

CONSTRUCTION MONITORING and POST CONSTRUCTION OPERATIONS PROGRAMS

1. Revise the proposed Buffer Enhancement and Monitoring Plan as follows:
 - a. Renumber the page numbering to begin with page number 1 instead of number 2 (thereby not including the cover so not to appear as if page 1 is missing).
 - b. Under "Project Description," second paragraph, first line, delete the words: "of the FEIS Plan."
 - c. Revise the plan sheet number references (i.e., SP-2.1 and SP-2.1) under "Mitigation Proposal" and "Planting Details" to correspond with the current sheet numbering.
2. Revise the proposed **Herptile Protection Plan** as follows:
 - a. Renumber the page numbering to begin with page number 1 instead of number 2 (thereby not including the cover so not to appear as if page 1 is missing).
 - b. Figure 1 is not attached as referenced under "Barriers and Fencing to Keep Turtles and Other Reptiles from Development Areas" and under "Culvert Under the Roads."
3. Revise the proposed **Invasive Species Monitoring and Control Program** to renumber the page numbering to begin with page number 1 instead of number 2 (thereby not including the cover so not to appear as if page 1 is missing).
4. Revise the proposed **Well Monitoring and Mitigation Plan** as follows:
 - a. Renumber the page numbering to begin with page number 1 instead of number 2 (thereby not including the cover so not to appear as if page 1 is missing).
 - b. Should revise the timing aspect related to the letter of credit timing (3 years from the date of issuance of 40th certificate of occupancy) given the revised apartment format as opposed to fee-simple dwellings; also the specified timing is in potential conflict with the timing of monitoring program (2 years after completion and full occupancy).
 - c. Under "Data Reporting," third line, add a date certain corresponding to the "end of the recording season."
 - d. Under "Water Supply Impairment Claims" and "North Salem High School - Middle School Well Testing" change all references of "Applicant" to **Project Owner**.
5. Revise the proposed **Integrated Pest Management Plan** as follows:
 - a. Table 1 is not attached as referenced under *Section 4.2 Tolerance Thresholds*.
 - b. Add a sixth record keeping item for the IPM Coordinator in *Section 7 Record Keeping* to record **what was undertaken to rid identified pests**.

SEQR - EAF

6. **EAF PART 3** - The EAF Part 3 should be expanded to address the following:
- a. The Town Attorney should confirm to the Planning Board that all of the responsibilities/ownership aspects formerly proposed to be under the previously proposed Salem Hunt Homeowners' Association and (water and sewer) Transportation Corporations have been redirected with an appropriate new instrument or other means which includes the project owner as the responsible party and owner.
 - b. Under the section titled **Fiscal Impacts**, add a date reference in each instance where the information is indicated as being "current."
 - c. In addition to being different from the income eligibility standards set forth in the Town's prevailing Moderate-Income Housing Regulations, the proposed income eligibility standards to be applied to Bridleside are also different from that included in the County Model Ordinance for Affordable Housing (in regard to the 20% of the units limited to those with an income of 50% of Westchester County Median Income), compounding the resulting negative fiscal impacts of the project on the Town and local School District. As such, how is this consistent with the Town's Regulations, its Comprehensive Plan and the suggested County Model Ordinance?
 - d. The indicated maximum incomes for the affordable units are not explained as to how they are calculated (i.e., what is included, what if anything is excluded from income, etc).
 - e. Marketing of the affordable housing units by the "developer and the Housing Action Council" (which is a regional non-profit serving areas within and outside of Westchester County) needs to be **approved** by the North Salem Housing Board (not just in "consultation" with). Also, it is not clear which Westchester County agency would be sought for approval of the marketing effort, or why any such County agency would have such authority over the Town. The County Model Ordinance only recommends that marketing of the units "shall be in accordance with the requirements, policies and protocols established in the Westchester County Fair & Affordable Housing Affirmative Marketing Plan."
 - f. It is not clear what happens in the event there is not an income eligible (and/or credit) qualified household(s) desirous of renting an available affordable unit at this location?
 - g. It is understandable that those not selected in the lottery be placed on a waiting list, but it is not clear why they necessarily should be given preference for future availabilities? New marketing and a new lottery should be conducted to truly be fair, particularly if months pass since the prior availability.
 - h. Details regarding the lease renewal process of the units should be provided, as well as the process which would be conducted when an existing unit becomes available due to a tenant leaving or no longer being qualified under the affordable housing income eligibility standards (i.e., new marketing, lottery, etc).
 - i. The sole statement regarding modification of rents ("rents would only be modified as determined by Westchester County affordable housing eligibility criteria") should be expanded to explain when, by how much, based on what, etc so not to lead to confusion or conflicting interpretations in the future by the North Salem Housing Board, which will ultimately need to ensure proper administration of such aspects of the project.

- j. It is not evident if the stated maximum number of persons per affordable unit (which are consistent with the Town’s Moderate-Income Housing Regulations), are at odds with or pose any inconsistency with regard to the applicable project public funding standards or requirements?
- k. The demographic multipliers presented are for units that are owned as opposed to the rental of proposed units, thereby understating the resulting June 2006 CUPR estimates (CUPR charts are included on the last page of this memorandum) for population and school aged children generation, which in turn underestimates the negative fiscal impacts to the Town and local school district. Based on the rental costs presented, the following estimates in population and school age children would result instead; appropriate adjustments in the fiscal impacts and mitigation assessment should be made accordingly:

BRIDLESIDE POPULATION AND SCHOOL AGE CHILDREN ESTIMATES				
ESTIMATED POPULATION				
Unit Type	Rental Cost	# of Units	Multiplier	Population
1 Bedroom	>\$1,000	20	1.67	33.4
2 Bedroom	>\$1,100	40	2.31	92.4
3 Bedroom	>\$1,250	5 (*)	3.81	19.05
Totals		65		145
ESTIMATED SCHOOL CHILDREN				
Unit Type	Rental Cost	# of Units	Multiplier	School Age
1 Bedroom	>\$1,000	20	0.08	1.6
2 Bedroom	>\$1,100	40	0.23	9.2
3 Bedroom	>\$1,250	5 (*)	1.00	5.0
Totals		65		16
(*) includes superintendent’s unit for purposes of population and school age children generation estimates.				

PROJECT PLANS

- 7. As previously commented, an **Easement Map** (for filing on the County Land Records) will be needed. A draft of this map should be provided prior to the Public Hearing.
- 8. Revise the title of all sheets to delete the reference to “Revised.”
- 9. **SHEET SP-1**
 - a. The sizes of the proposed underground fire water tanks are not noted on Sheet SP-1, while the listing on Sheet SP4 is not clear; is two (2) 25,000 gallon tanks each or a total of 25,000 gallons. Both Sheets should be revised accordingly.

10. SHEET SP-2

- a. It appears that benches may have been added in addition to the pedestrian trails within the central loop landscaping area but these are not reflecting in the legend.
- b. Overall site disturbance appears to have been slightly expanded by approximately 40 feet to the south to provide increased building separation and a larger central loop landscaping area. This expansion is an improvement but has a corresponding affect on the previously noted impact assessments. The applicant should confirm that the latest EAF comparison to the previous Salem Hunt plan and other project documents such as the Bridleside SWPPP correspond to the current enlarged disturbance area; or revise the documents accordingly.

11. SHEET LP-1

- a. It is not clear that the revised bollard fixture also does not produce visible horizontal light.
- b. The color and finish of the bollard and pole lights should be specified on the plans, preferably black or dark bronze.

12. Architectural Sheets

- a. Detail 10 on Sheet A-15 should be adjusted to address the errant graphic in the upper right corner of said detail.
- b. The plans detailing the Wastewater Treatment Plant should be revised to address:
 - (1) Provide title block information consistent with the other project plans.
 - (2) Provide signature blocks for the applicant/owner and Planning Board consistent with the other project plans.
 - (3) Add labels and/or notations detailing the building exterior finishes consistent with other proposed site buildings and project plans.