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MEMORANDUM

To: Donald Henderson, Planning Board Chair
Village of Bronxville

Date: September 9, 2005

Subject: **The Kensington – Substantive Review of Completed DEIS**

We reviewed a completed Draft Environmental Impact Statement (DEIS) prepared by Saccardi and Schiff, Inc. for the Kensington, a proposed residential development on Kensington Road north of Pondfield Road. The DEIS includes *Volume 1*, which presents the report and related documentation and *Volume 2 - Appendices*, both dated July 2005.

The proposed action involves construction of two multi-story apartment buildings, parking facilities, open space, lighting, landscaping and related site development on eight building lots currently owned by the Village of Bronxville. The 1.63 acre site is comprised of Lots identified as 1, 6, 7, 13, 14, 15, 16 and 16A, Block 5, Section 11 on the Village of Bronxville Tax Map.

The Planning Board, acting as Lead Agency pursuant to the New York State Environmental Quality Review Act (SEQRA) adopted a Notice of Completion for the Kensington, Bronxville DEIS on July 13, 2005 and selected September 14, 2005 as the date to open a public hearing on the matter. At the hearing substantive comments regarding the proposed action will be provided to the Board by the public, Village staff, government and other agencies, consultants and any additional interested parties. Responses to these comments will become the Final Environmental Impact Statement (FEIS).

The purpose of the FEIS is to record all substantive comments regarding the proposed action and the DEIS and provide the Lead Agency's responses to these comments. As is often the case with private development proposals, the FEIS will be prepared by the Applicant. However, the Lead Agency is responsible for the adequacy and accuracy of the FEIS because it is the Lead Agency's document. The FEIS will be the basis by which the Lead Agency determines their findings regarding the project's environmental impacts.

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The usual timeframe for preparation and filing of an FEIS is within 45 calendar days after the close of the public hearing or within 60 days after filing the DEIS, whichever occurs later. The time period for preparation and filing may be extended if the Lead Agency determines that additional time is necessary to prepare the document adequately or issues regarding the proposed action identified during the comment period require it to be reconsidered or modified.

REVIEW COMMENTS

This memo reports our substantive review of planning, zoning, land use, site design, traffic and environmental topics relevant to the proposed action or included in the DEIS. Although we may comment on engineering related items, including soils and geology, surface and ground water resources, hazardous materials, construction impacts, utilities, erosion and sediment control, storm water management and other technical or construction related topics, a thorough review of such items should be conducted by the Village Engineer and/or an engineering consultant.

We offer the following comments regarding the proposed action and the completed DEIS:

I. INTRODUCTION/EXECUTIVE SUMMARY

1. **Page I-3, 2.Demographics.** The DEIS states that the project will generate approximately 126 residents, representing an increase in the Village population of 2 percent. However, Page I-8 Paragraph 2 refers to an increase of 1.9 percent in the Village population. Although the two numbers are very close, measurement of potential impacts, such as the increase in population, should be consistent throughout the document. The Applicant should clarify the potential percent of increase.

2. **Page I-3, 4.Historic, Cultural and Archeological Resources, first paragraph.** The referenced paragraph states that a total of three sites in Bronxville are listed in the National Register of Historic Places. Actually, at least four sites in Bronxville are listed in the National Register - the Bronx River Parkway Reservation (#90002143), the Lawrence Park Historic District (#80002788), the Masterson-Dusenberry House, 90 White Plains Road (#80002789) and the United States Post Office-Bronxville, Pondfield Road (#88002459). The Bronx River Parkway and the Lawrence Park Historic District are in visual or physical proximity to the

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proposed action and therefore may be affected by it. Potential impacts to both sites should be discussed and mitigation measures should be proposed, if necessary.

In addition, six sites in Bronxville, including three of the four listed in the National Register are listed in the Westchester County Inventory of Historic Places. The properties listed in the County Inventory are the Lawrence Park Historic District, Masterson-Dusenberry House, the Bronxville Post Office, Abijah Morgan House - 339 Pondfield Road, the Bronxville Womens Club - 135 Midland Avenue, the Reformed Church of Bronxville – Pondfield Road and Midland Avenue.

3. **Exhibit I-1.** The plan shows a gated train platform entrance. The Applicant should explain why a public entrance to the train platform would be gated.
4. **Exhibit I-2.** The rendering depicts a gated entrance to the parking area below the building. The Applicant should explain why a gate would be necessary and appropriate for a parking garage that also provides 200 parking spaces for commuters. If a gate is necessary how would a gated entrance for public parking operate?
5. **Page I-6, first paragraph.** The DEIS refers to a construction management plan that would be developed to protect the stained-glass windows and pipe organ located in Christ Church. Details of such a plan should be provided.
6. **Page I-8, c. Recreation.** The DEIS states that the proposed action would provide three pocket parks totaling approximately 1,000 square feet and a 7,000 square-foot landscaped courtyard between the buildings that could be used as recreation space equivalent to a park. However, the plan view provided in Exhibit I-1 shows the courtyard to be paved and designed primarily for vehicular access rather than as a landscaped area for recreational use. It is our opinion that the court yard, even if landscaped, would not qualify as recreational or open space and should not be characterized as such.

Description of this area as open space is also found on Page I-10, where this area is presumably included in the 500 square feet of open space per unit stated in the fourth paragraph. It is not clear that the proposed project provides significant public or private open space, making mitigation a possibility, contrary to the statement at the end of the paragraph that “No mitigation is required.”

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7. **Page I-8, d., Public Works/Solid Waste.** The Applicant should clarify whether a private carting service or municipal waste pick-up would be utilized to provide solid waste removal for the Kensington. The third sentence states that workers will bring solid waste and recycling to the street for municipal pick-up, which is inconsistent with the following sentence, which states that the proposed project will use a carting service. It is unclear if a carting service will also handle recyclable materials, or if these will be picked up through the municipal system.
8. **Page I-9, C., No Build Alternative.** We note that the third sentence should read “With the No Build Alternative, the Village would not receive revenue from the sale of land or the future taxes.”
9. **Page I-10, Alternative 2.** What would the dwelling unit size, in square feet per unit, be for a 71-unit residential development?

The second paragraph of the section refers to an increase in the Village’s population of approximately 145 residents. For comparison with the 2 percent population increase mentioned elsewhere in the document that would result from proposed age-targeted development, what would the percent of increase in population be for Alternative 2?

We note that the fourth paragraph should refer to the “Village” not “Town.”

10. **Page I-11, Alternative 3.** We note that the second paragraph states that “At 90 units (25 more than the Proposed Action), Alternative 3 would have...” Since the Proposed Action has 61 units, Alternative 3 would have 29 more units than the Proposed Action, not 25 as stated in the subject paragraph.

The number of parking spaces that would be required for Alternative 3 should be provided, along with the method used to calculate this number (e.g., the number of parking spaces per unit).

Regarding traffic impacts, the second paragraph states that “The increased unit count for Alternative 3 would result in 29 (13 in the AM Peak Hour and 16 in the PM Peak Hour) additional site generated trips. Since Alternative 3 actually has 29 more units, would the number of additional site generated trips be 29, or would the number of trips increase as well?”

11. *Page I-11, Alternative 5.* Would Alternative 5 be age-targeted? What type of parking facilities are proposed for Alternative 5 and how many parking spaces would be provided?

II. DESCRIPTION OF PROPOSED ACTION

12. *Page II-4, fifth paragraph.* What are the heights (in terms of number of stories) of the multi-family buildings to the east and north of the project.

13. *Exhibit II-5, Plan View.* The site plan (Exhibit II-5) and section/elevations (Exhibit II-6) show that windows of apartments in the south building would be very close to the railroad tracks. A review of the aerial photos used in Photograph Keys (Exhibit III.C-1 and Exhibit III.-8) suggest that the south building of the Kensington would be closer to the railroad tracks than most other residential development in Bronxville. Unlike existing residential buildings that for the most part have deep landscape buffers along the railroad, very little room would be available for installation of a landscape buffer between the south building and the railroad. This proximity may increase vibration and noise in these apartments. We recommend that the west façade of the south building be set further back from the railroad right-of-way to move the windows further away from the railroad.

14. *Page II-12, first paragraph.* The paragraph states that “At least one elevator with card key access via permit would be provided from the Village/commuter parking level to the ground floor of the Kensington for handicapped accessibility.” If any public parking spaces are planned to be metered parking, then elevator or some other ADA-compliant access for handicapped non-permit holding public users of the facility must be provided.

15. *Page II-12, 3. Open Space and the Project’s Relationship to the Street and Surrounding Neighborhood.* The narrative in this section describes open space and “pocket parks” that would be built on a plaza deck above the parking garage. Because of the topography of Kensington Road most of the parks and open space would be located well above street level, severely limiting the potential to make these open spaces visually and physically part of the public space of the street. Likewise, the close proximity of these parks to the buildings would tend to discourage community residents who do not live in the Kensington to use these areas as if they were public parks.

We recommend design changes to make the “parks” and open space visually and physically part of the public space of Kensington Road. The use of stairs to access

areas above street level should be minimized and all public space should be ADA-compliant. The use of ramps, rather than stairs, might create intermediate levels visible from the street, between street level and the top-of-garage plaza, that would visually link parks on the plaza level to the street.

While the plan calls for landscaping at street level along pedestrian walkways on Kensington Road, the front façade of the parking garage, set at or close to the property line, appears to leave no room for landscaping and a sidewalk of adequate width, especially in those areas where on-street parking spaces would be located. The Applicant should provide large-scale dimensioned sections through several points along Kensington Road to more clearly illustrate the heights of walls, widths of planting beds, landscape plants, sidewalks, street furniture and parking spaces.

III. EXISTING ENVIRONMENTAL CONDITIONS, ANTICIPATED IMPACTS AND MITIGATION

A. Land Use and Zoning

16. Page III.A-6 (2), Analysis of Project Consistency with Existing Study Area Land Uses. The paragraph compares age-targeted development with age-restricted development. How do the requirements of the Six-Story Multiple Residence D regulations compare to the proposed age-targeted development? A comparison similar to the discussion of building coverage in Page III.A-7(3) should be provided.

The last sentence of the paragraph discusses number of parking spaces per unit stating that the proposed age-targeted development would provide more parking spaces per unit compared to age-restricted development, increasing the number of required parking spaces from 1.0 per dwelling unit to 1.5. Although 1.5 spaces per dwelling unit would be the minimum required by the zoning code, it is our opinion that 1.5 spaces may not yield sufficient off-street parking spaces to limit an increase in the demand for on-street parking.

From our experience in other communities in Westchester and elsewhere, we believe that most families who purchase market-rate housing, including empty-nester couples, own at least two cars. Since the Kensington would be located in an area of Bronxville that already experiences high demand for a limited number of parking spaces, we recommend providing parking for residents at 2.0 spaces per unit plus ten percent for visitors.

17. Page III.A-7 (4). The DEIS states that during the construction of the Kensington, 179 existing municipal parking spaces will be relocated until construction of the below grade parking structure is complete. The feasibility and potential impact of relocation of these parking spaces are not discussed in the DEIS. Information regarding potential impacts and mitigation for loss of parking spaces should be provided and it should include a plan and location for temporary parking in addition to allowing street parking mentioned in the DEIS.

18. Page III.A-7 (5). A blasting plan that fulfills MTA and Village requirements, including a timetable, should be provided.

19. Page III.A-8 c (1) Project Consistency with Local and Regional Planning Studies. How much of a variation from the number of dwelling units per acre and population per acre recommended in *Patterns for Westchester* does the proposed action represent? The Applicant should include specific densities stated in *Patterns* and compare them to those of the proposed action.

20. Page III.A-8 c (4) Temporary Displacement of Municipal Parking. This paragraph states that the Village professional staff is currently reviewing several locations for temporary relocation of existing parking spaces that would be affected by construction of the Kensington. Given the significant impact of loss of 179 parking spaces, the Applicant should provide a detailed plan regarding temporary parking to mitigate the loss of so many spaces for an extended period of time.

While it would make construction phasing and site security somewhat more complicated to plan, we suggest that the Applicant consider building all or part of the parking garage before beginning construction of the residential buildings so that all or part of the garage could be used while the buildings are being built.

D. Historic, Cultural and Archeological Resources

21. Page III.D-13(2), Modifications to Landscape and Screening. The first paragraph states that in addition to the 25-foot wide landscaped open space located at the southern end of the project site, and the 7,000 square-foot central courtyard, the proposed project also includes three landscaped “pocket parks” located along the eastern façades of the two buildings. Was this 25-foot wide landscaped open space included in the calculation of open space proposed?

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Most of the landscaping proposed will be planted in movable containers located on the roof of the garage or in fixed containers engineered into the structure of the garage. The ability of these containers to afford a suitable environment for plant growth and the selection of plants appropriate to such an environment are crucial to the success of the landscape plans for open spaces and parks designed for the proposed action.

More information regarding the size and construction of the containers and the plant species selected for installation will be required to review the feasibility of such an extensive roof-top landscape plan. Therefore, a complete set of plans detailing the size and construction of all containers that would be used as planting beds should be provided. The plans should include container dimensions, construction materials, composition of growing medium, provisions for watering and drainage, insulation materials, etc. A landscape plan with a complete plant schedule at a scale of one inch equals ten feet should accompany the engineering plans.

An appropriate maintenance and replacement plan will be necessary to ensure that plantings installed reach the design expectations of the landscape plan. To aid in the review of the landscape plan, a maintenance and plant replacement plan should be provided.

22. Page III.D-13(3), Provision of Additional Lighting Controls. A photometric lighting plan and details showing site and street lighting should be provided along with examples and specifications for potential lighting fixtures.

23. Page III.D-13.b, Historic and Archeological Resources. The first sentence of this section states that “The Kensington will be erected close to buildings that are already listed in the National Register of Historic Places (Christ Church and Gramatan Arcade) or are eligible for such listing (Gramatan Court). Research into sites in Bronxville on the National Register does not confirm that either Christ Church or the Gramatan Arcade is listed in the Register.

The DEIS refers to construction management policies for mitigation of any accidental damage to nearby buildings. A complete description of these construction management policies should be submitted.

E. Traffic and Parking

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The Traffic Impact Study assessed the traffic impacts created by a proposed development of 65 age-targeted condominium type units on the local roadways. Our preliminary findings indicate that the Applicant's Traffic Study followed standard traffic engineering principles and procedures and the proposed development would not create a significant impact on local roadways. However, we require responses to the following comments and recommendations to finish our review:

- 24.** The Applicant should identify the day and date of the manual turning movement counts, submit copies of the field survey data and provide calculations of the peak hour factors.
- 25.** The Applicant should identify the dates in June when the Parking Utilization Study was conducted.
- 26.** As identified in the Applicant's Traffic Impact Study and based on trip-generation rates published by the Institute of Transportation Engineers, the proposed development is projected to create 37 vehicle trips during the weekday morning peak hour and 43 vehicle trips during the weekday afternoon peak hour. It should be noted that the Applicant applied the trip-generation rates for a typical residential condominium/townhouse development and not the lesser rate available for age-restricted housing. The Applicant also did not reduce the volume of site-generated traffic due to the site's proximity to local shops and the Metro-North train station. Therefore, the Applicant's traffic projections are conservative and appropriate for this analysis.
- 27.** The Traffic Impact Study indicates that during the morning peak hour a total of 40 vehicles entered the three existing parking lots and 45 vehicles exited the parking lots during the afternoon peak hour. Since 179 parking spaces are available, the traffic count data could imply that 22 percent of the spaces are occupied during the weekday morning peak hour and 25 percent of the parking spaces are vacated during the weekday afternoon peak hour. The Applicant should identify if the Traffic Study was conducted based on an analysis of the peak hour of traffic activity at the parking lots or the peak hour of activity along Pondfield Road.
- 28.** The Applicant should include an update in the DEIS regarding the status of the temporary displacement of municipal parking experienced during the construction process.

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29. The Applicant should include an update in the DEIS regarding their investigation into off-site parking for construction workers and managers that can be brought to the site via bus or train.
30. The Applicant has identified that construction vehicles would arrive and leave the site from Palmer Avenue. The Applicant should identify the types of construction vehicles to be used and verify that the necessary turning radii and vertical clearances are available.
31. In addition to the projected truck traffic, the Applicant should identify the number of construction workers and construction-related vehicles anticipated during each construction stage.
32. The Applicant should provide additional details to clarify the impact created by truck traffic during the construction process. As indicated in the DEIS, the highest level of construction traffic will be generated in Phase 1 during the removal of materials when up to six trucks per hour may be utilized. The Applicant has identified that it will be necessary to remove 10,000 to 15,000 yards of soil materials. Assuming the use of a tractor-trailer with a capacity of 40-yards, the removal of 10,000 to 15,000 yards of soil may require 250 to 375 truck trips. If the busiest peak hour will generate six trucks per hour, the duration of the total peak hour period may last 42 to 63 hours. The Applicant should identify how this level of peak hour activity will be distributed (duration and frequency) over the seven month construction stage.

G. Water and Sanitary Sewer

33. *Page III.G-1. b, first paragraph.* We note that the first sentence incorrectly states “The proposed 61-unit condo development is anticipated to have a population of 126 persons and an average estimated daily water usage of 6,450 gallons per day (126 residents x 75 gpd/resident =9,450 gpd).” 6,450 gpd should read 9,450 gpd.

The last sentence of the paragraph states, “Adequate flow and pressure are available to service the project.” Written verification of adequate flow and pressure should be obtained from the United Water Company.

I. Community Facilities

34. *Page III.I-9, Paragraph b, Fire and Emergency Services.* What potential impact would the proposed action have on emergency medical services?

35. Page III.I-10, Paragraph e, Public Works/Solid Waste. This section does not discuss whether the private carting service will handle recyclables in addition to the garbage or potential impacts to other public works services, such as snow removal, road maintenance, sidewalk maintenance, and utility maintenance. The information should be provided.

IV. SIGNIFICANT ADVERSE IMPACTS THAT CANNOT BE AVOIDED

36. Page IV-6, first paragraph. Dust associated with construction activities on site poses a significant concern; every feasible method to reduce dust during construction should be utilized. Which methods among those listed would be used during construction of the proposed action?

37. Page IV-6, paragraph 11. Temporary relocation of 179 parking spaces is a significant concern, as is any secondary impacts arising from temporary location of parking spaces to other areas in the Village. While we note that the Applicant is working with the Village to resolve this matter, the Applicant should provide a plan for relocation of spaces that includes analysis of potential impacts and development and implementation of any necessary mitigation associated with potential impacts.

38. Page IV-7 (13), Description of Impacts to Christ Church. The last sentence of the paragraph states “The Applicant will coordinate with the Church to understand their events calendar and manage construction activities accordingly. A schedule of all Church events that would be affected by construction activities should be provided. Construction noise levels of 70 dBA would be expected if blasting and pavement breaking occurred at the same time, which would be intrusive while Church events occur.

V. ALTERNATIVES TO THE PROPOSED PROJECT

39. Page V-13, E. Alternative 5. As stated in the second paragraph of the section, Alternative 5 is substantially different from the proposed action. Since the proposed building is a taller single building that would be shifted to the north, a shadow analysis similar to those provided for the proposed action should be submitted to illustrate potential shadow impacts on surrounding buildings and Christ Church.

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The design of open space in Alternative 5 should establish a visual and physical relationship between it and the public space of the street. Entrances to the park from the street should be easily identified as public entrances that are distinct from the entrance to the Kensington and should be designed to invite passersby into the park from the street. All open space and parks should be ADA-compliant. As we recommended for the proposed action, the use of stairs to access areas above street level should be minimized. The use of ramps, rather than stairs, might create intermediate levels visible from the street, between street level and the top-of-garage plaza that would visually link a park on the plaza level to the street.

While the plan calls for landscaping at street level along pedestrian walkways on Kensington Road, the front façade of the parking garage, set at or close to the property line, appears to leave no room for landscaping and a sidewalk of adequate width, especially in those areas where on-street parking spaces would be located. The Applicant should provide large-scale dimensioned sections through several points along Kensington Road to more clearly illustrate the heights of walls, widths of planting beds, landscape plants, sidewalks, street furniture and parking spaces for Alternative 5.

How many parking spaces would be provided in Alternative 5? For the reasons stated in Comment 16, we recommend providing parking for residents at 2.0 spaces per unit plus ten percent for visitors.

40. Page V-15, third paragraph. The number of school-aged children, following the ‘worst case’ scenario, as well as the no-children scenario, should be included in population analysis and in the fiscal impact analysis contained in the fifth paragraph.

41. Page V-18, Table V-8. The Comparative Analysis of Project Alternatives Table should include “the minimum parking space per unit” requirement for each alternative.

In the last row under the column, “Number of Units,” the type of units (i.e. age-targeted) should be specified. An additional column should be added next to “Estimated School-Age Children,” showing the number of school-age children if only 50% of the units were occupied by empty-nesters or families with grown children and the other 50% were to be occupied by the full range of household types. An additional column should be added describing the net tax benefit (or loss) after school-related and any other costs have been deducted.

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Finally, it is unclear how Alternative 5 can achieve a building height of 63 feet with 6 stories, while Alternatives 2 and 3 rise to 72 feet.

We anticipate preparation of a Final Environmental Impact Statement (FEIS) in which the Village will respond to the substantive comments above and any other comments received during the public hearing and comment period.

We look forward to discussion with the Planning Board.

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