

**DRAFT SUPPLEMENTAL GENERIC  
ENVIRONMENTAL IMPACT STATEMENT**

TOWN OF YORKTOWN  
2009 COMPREHENSIVE PLAN

**DRAFT**

**April 2009**

## **Draft Supplemental Generic Environmental Impact Statement for 2009 Comprehensive Plan for the Town of Yorktown**

Project location: Town of Yorktown, Westchester County, New York

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## ES Executive Summary

The executive summary of the DSGEIS is based on relevant portions of the document:

### Description of the Proposed Action

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This Draft Supplemental Generic Environmental Impact Statement (DSGEIS) has been prepared by the Town Board of the Town of Yorktown (Town Board) in connection with the proposed adoption of a Comprehensive Plan and associated enactment of Zoning amendments (collectively, the Proposed Action, and sometimes referred to herein, unless otherwise indicated, as the 2009 Comprehensive Plan). The 2009 Comprehensive Plan would guide the Town's growth and development for approximately the next twenty years. The Town Board designated itself pursuant to the State Environmental Quality Review Act (SEQRA) to serve as "lead agency" for the Generic Environmental Impact Statement (GEIS) prepared in 2004-2005 for an earlier version of the Comprehensive Plan (collectively, the 2005 Comprehensive Plan), and the Town Board continues to serve as lead agency for the environmental review of the Proposed Action and the SGEIS.

This DSGEIS identifies (i) changes in circumstances (e.g., new or proposed projects) that have taken place since completion of the GEIS, and (ii) changes from the prior 2005 Comprehensive Plan and Zoning amendments discussed in the GEIS, which prior Comprehensive Plan and amendments were invalidated by litigation brought against the Town in 2006. Thus, this SGEIS cures certain SEQRA procedural deficiencies identified during the 2006 litigation, and assesses whether the Proposed Action would cause any significant adverse environmental impacts not previously identified and/or assessed during the GEIS process.

Most of the underlying information contained in the GEIS remains the same and thus requires no new analysis in this DSGEIS. Specifically, the existing environmental setting of Yorktown has remained intact since 2005, with the exception of some limited development activity, which is discussed in the Land Use section of this DSGEIS. Therefore, this DSGEIS does not re-examine in total all of the aspects covered in the GEIS, but focuses on addressing any potential new impacts that were not studied in previous documents that may arise as a result of the Proposed Action.

Future baseline conditions will represent reasonably anticipated conditions *without* the Proposed Action (e.g., under the 1983 zoning currently in effect). Likely impacts of the Proposed Action will represent reasonably anticipated conditions *with* the Proposed Action.

The following is a list of the major elements of the Proposed Action, which is entitled "Town of Yorktown Comprehensive Plan, 2009, Draft for Public Review," and was issued by the Town in April 2009. This document is on file with the Town Clerk, and can be found in the John C. Hart Memorial Library and the Yorktown Planning Department.

### Land use

- Upzone vacant land areas throughout town with contiguous open space and/or larger lots to reduce residential density.
- Update the Town's zoning districts, particularly the commercial districts, to help implement proposals in various other parts of the Comprehensive Plan.

### Transportation

- Advocate for the State's long overdue completion of the Bear Mountain Parkway.
- Considering both costs and benefits, and pending the completion of traffic studies, pursue new roadway connections.
- Promote pedestrian connections and amenities in business areas and a bus transfer facility in Yorktown Heights.
- Promote traffic calming in business areas and residential areas to improve safety and reduce noise. Utilize a public education process to discuss and implement traffic calming solutions in neighborhoods.
- Encourage increased transit services, including both commuter and local service, and promote the use of existing park-and-ride lots.
- Evaluate the intersection improvements outlined in the Comprehensive Plan, to ensure that traffic improvements are maximized.

### Economic Development

- In business areas, improve circulation and parking, include streetscape and gateway design plans, identify resource areas for protection and provide action items for park expansion.
- Develop new roadway connections, roadway and intersection improvements, improved access and parking and improved walkability in all business areas.
- Establish a walkable "Main Street" in Yorktown Heights along Commerce Street.
- Develop a plan for the Bear Mountain Triangle with offices and/or a hotel, a village center and residential development integrated together.
- Make improvements to the Route 202 corridor in Crompond to improve traffic flow by adding a center turning lane and enhancing visual appearance through open space dedication and landscaping.
- Construct a Route 6 bypass in Mohegan Lake and preserve and enhance the traditional village center on the current Route 6.
- Develop a historic streetscape plan and support civic uses in Shrub Oak.
- In Jefferson Valley, create a pedestrian-friendly Main Street environment on Hill Boulevard north of Route 6, and add pedestrian friendly areas along Lake Osceola. Support expansion of the existing mall provided that wetlands are not impacted and impervious coverage is not materially increased.
- Promote small office and light industrial uses within appropriate portions of the existing Yorktown Heights, Crompond and Jefferson Valley business areas.
- Promote office development in the Bear Mountain triangle, and ensure that the IBM campus can expand when necessary.

- Promote culture and tourism in Yorktown.

### Housing and Neighborhood Quality of Life

- Upzone contiguous larger lot areas throughout Yorktown. Substantially reduce buildout in the Sustainable Development Study Area.
- Establish a Density Reduction Program to further reduce buildout by transferring some development rights and retiring others.
- Require new residential development to provide middle-income housing units pursuant to the Westchester County income guidelines for affordable housing, and develop new standards for accessory units.
- Consider limiting the size of new homes to reduce out-of-scale development.
- Work with neighborhoods to prepare local improvement plans.

### Scenic and Historic Preservation

- Become a Certified Local Government to become eligible for grant funding, establish a central repository for historical documents, and prepare inventories of historic sites and districts.
- Establish a mechanism to review applications for demolition of historic structures.
- Consider techniques to preserve and protect stone walls.
- Establish a system for designating and protecting scenic roads.
- Expand the Farmland Preservation District to include additional farm sites.
- Expand heritage tourism through preservation, adaptive reuse, and development of the greenway network.
- Consider adopting a tree and forestry management plan.
- Expand local beautification programs and maintenance strategies.

### Natural Resource Conservation

- Continue efforts to establish an open space fund, foster partnerships with other entities for open space preservation, and seek additional funding.
- Use upzoning, conservation subdivisions, and mixed-use development to promote sustainable development.
- Adopt a steep slope ordinance.
- Promote energy conservation and green buildings.
- Improve wetland mitigation and establish criteria for wider wetland buffers. Protect vernal pools.
- Strengthen anti-clear cutting regulations and promote the use of native species for landscaping.
- Develop a green corridor plan to connect parks, open space areas, lakes and ponds, stream corridors and other natural features.
- Adopt a stormwater ordinance to implement the EPA Phase II Storm Water program. Establish stormwater management districts in newly developed areas. Provide incentives to maintain existing stormwater facilities.



- Revisit impervious surface standards, and strengthen erosion and sediment control regulations.
- Complete the GIS (Geographic Information System) mapping project of stormwater devices, and consider adding impervious surfaces.
- Explore ways to limit fertilizer, herbicide and pesticide use.
- Update the Yorktown Code for consistency with the Croton Plan, which is being developed with the New York City Department of Environmental Protection and Westchester County.

### Infrastructure

- Advocate an additional filter at the Catskill treatment plant, and study the potential for expanding Northern Westchester Joint Water Works water supply into southern Yorktown.
- Ensure there is sufficient capacity before expanding sewer districts. Strive to provide sewer service to areas with failing septic systems.
- Ensure that minimum lot sizes are adequate for septic use.
- Promote expansion of electric, natural gas, and Internet service in Yorktown.
- Continue to require undergrounding of utility wires in new subdivisions, and work with utilities to place wires underground when roads are improved.
- Prohibit wireless communication towers and antennas along scenic corridors and at historic sites while allowing development of cellular infrastructure on Town property.

### Parks and Recreation

- Create a greenway network throughout Yorktown.
- Expand the network of bicycle paths and trails.
- Establish and/or improve hiking trails in various locations.
- Seek to provide at least one major new community park with active recreation facilities.
- Consider providing new recreational amenities, such as a jogging track, indoor recreational facilities and a skateboard park.
- Develop a plan for the Holland Sporting Club which makes the best use of the property's assets while not adversely affecting the neighborhood.
- Ensure that parks allow for multi-generational use.
- Improve access to parks for pedestrians, bicycles and autos.
- Promote greater use of FDR Park by Yorktown residents.
- Promote commercial recreation facilities in certain parts of the existing business areas.

### Community Facilities and Services

- Advocate for full or partial school district unification. Consider locating any needed new schools in existing business areas.
- Establish a branch library in Yorktown Heights, and consider expansions of the Hart Library in Shrub Oak. Continue to improve library technology and outreach.

- Undertake a study to improve the use of space at the Yorktown Community and Cultural Center (YCCC). Consider establishing a YCCC campus on its current site incorporating additional buildings, such as a dedicated senior center.
- Advocate for shared services and facilities between the fire districts, and plan for increasing the number of paid staff while supporting volunteerism. Identify sites for new fire stations if needed.
- Continue expanding the police force, as needed, to adapt to changing demographics and enforcement needs. Improve the technology and efficiency of the police department.
- Consider merging the two volunteer ambulance corps, and explore the potential for a regional emergency response system. Develop a long-term plan for increasing paid personnel while promoting volunteerism.
- Consider options for relocating or expanding Town Hall. A location within Yorktown Heights is preferred if relocation is chosen. Create a virtual town hall on the Internet.
- Consider closing the highway department garage on Front Street and relocating it to another municipally owned site.

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## Environmental Setting

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The Proposed Action encompasses the entire Town of Yorktown, Westchester County, New York. The Town of Yorktown is situated at the northern edge of Westchester County, approximately 40 miles north of downtown New York City and four (4) miles east of the Hudson River. To the north, Yorktown borders the towns of Putnam Valley and Carmel in Putnam County. To the south, it borders the Town of New Castle. To the west, Yorktown borders the Town of Cortlandt. To the east, it borders the towns of Somers and New Castle. Yorktown is rectangular in shape and is approximately 10 miles from north to south and 4 miles from east to west. In total, the Town measures approximately 40 square miles in area. The Town includes no incorporated villages but has many distinct neighborhoods and business areas.

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## Existing Conditions, Future Baseline Conditions, and Impacts of the Proposed Action

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### Existing Conditions

To the extent there is additional information not already presented in the GEIS, this DSGEIS discusses existing conditions and patterns of land use, population, housing, water resources, biological resources, geology and topography, air quality, public health, noise and odor, energy, utility infrastructure, scenic, historic and cultural resources, parks and recreation, agricultural resources, transportation, economic resources, community facilities and services, and community character.

- **Land use:** The existing conditions of the inventory of land available for development remain virtually the same as reported in the 2004 DGEIS. That study indicated that:

...approximately 6,046 acres of vacant and underutilized land—equating to approximately 24% of the Town’s total land area—are available for development in Yorktown. Of this total, approximately 4,221.4 acres are vacant,<sup>1</sup> while the remaining 1,824.6 acres are underutilized.<sup>2</sup> These lands are shown on Figure 5-5 in the [2005] Comprehensive Plan. The vacant and underutilized properties are dispersed throughout Yorktown. Many large vacant and underutilized properties are located in southern Yorktown, particularly in the Croton Heights, Hunterbrook and French Hill areas, as well as the area between the IBM complex and the New Croton Reservoir, the area surrounding the Teatown Lake Reservation, and the southeast corner of Yorktown. In central and northern Yorktown, there are a number of large vacant and underutilized properties in the Stony Street area between Shrub Oak and Crompond. In the Jefferson Valley and Mohegan Lake areas, there are still a few large vacant and underutilized parcels, mainly in areas with steeper topography. Most vacant and underutilized parcels in the area between Jefferson Valley and Yorktown Heights are relatively small, consisting of either leftover remnant pieces between subdivisions or properties within subdivisions that have remained vacant.<sup>3</sup>

- **Population and socioeconomic characteristics:** The U.S. Census Bureau estimated Yorktown’s population in 2007 at 37,753, an increase of 1,435 people or 3.95 percent total (0.6 percent per year for seven years) over the 2000 census figure of 36,318.<sup>4</sup> This estimate represents a declining rate of increase since the 2002 estimate, which noted an annual increase of 1.0 % per year from between 2000 and 2002 (this was noted in the GEIS). Also, as the GEIS noted, “the 2000 figure represented an increase of 2,851 over the 1990 figure of 33,467.<sup>5</sup> In percentage terms, the 1990-2000 increase was 8.5 percent over 10 years or 0.85 percent per year.” Thus, the updated Census figures suggest that the Yorktown population, while still increasing slightly, is increasing more slowly than previously thought. The population change was not evenly distributed throughout the Town. The population growth was greatest in the Mohegan Lake and Shrub Oak areas, as well as in the areas of Crompond, Hunterbrook and south of the reservoir. Growth was least in the southern Yorktown Heights and Croton Heights areas.
- **Housing:** As new Census data is not yet available, there are no changes to the existing conditions of housing tenure and characteristics as described in the GEIS. In terms of housing costs, new data has been made available in the New York State Consolidated Plan for Federal Fiscal Years 2006-2010, which was published in December 2005. According to this new data, the median sales price of homes in Westchester County in 2002 was \$525,000. By 2004, this had increased 2.0 percent to \$640,000. The Westchester County Data Book issued in 2008 reports the 2007 median sales price for

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<sup>1</sup> Vacant parcels generally include land without structures and agricultural lands that are not protected from development. Parks and other preserved open space are not included.

<sup>2</sup> An “underutilized” parcel is a currently used residentially zoned parcel that is more than twice the size of the minimum required lot size in the zone. A few commercially zoned parcels were also classified as underutilized based on their current land use.

<sup>3</sup> Town of Yorktown Comprehensive Plan Draft GEIS, November 2004. p. 2-1.

<sup>4</sup> In general, 2000 figures are used for consistency throughout the GEIS because the most recent available data for most topics are from 2000. However, the 2007 population estimate will be used as a base for determining future town-wide population.

<sup>5</sup> The amount of increase may be overstated because the census had a lower undercount in 2000 than in 1990.

Westchester County as \$670,098. This represents a decrease in the median sales prices projected from the data available at the time of the GEIS, but nonetheless represents very high homeownership costs.

- **Water resources:** There is no significant additional information not already presented in the GEIS with respect to the Proposed Action's impact on the water resources of Yorktown, however, since the GEIS the County has finalized the Comprehensive Croton Watershed Protection Plan, which Yorktown supports; these developments are accounted for in this DSGEIS. The Proposed Action would not cause any previously-identified significant adverse environmental impacts to water resources. This section also addresses concerns raised in the 2006 litigation about the environmental impact of low-density zoning.
- **Biological and ecological resources:** The underlying data on the existing conditions of Yorktown's biological and ecological resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the existing conditions.
- **Geology and topography:** There have been no changes or modifications to the Town's existing geology and topography as presented in the GEIS. All of the relevant existing conditions are described in that document.
- **Air quality:** The underlying data on the existing conditions of Yorktown's air quality presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the existing conditions.
- **Public health:** The underlying data on the existing conditions of Yorktown's public health conditions and resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the existing conditions.
- **Noise and odor:** The underlying data on the existing conditions of Yorktown's noise and odor presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the existing conditions.
- **Energy:** The underlying data on the existing conditions of Yorktown's energy use and resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the existing conditions.
- **Utility service:** The underlying data on the existing conditions of Yorktown's utility infrastructure presented in the GEIS has not changed in regards to the Town's Water Supply and Service and Sewer Service from the Westchester County Sewer District. However, the Town has upgraded the Hallock's Mill Sewer Treatment Plant.
- **Scenic, historic and cultural resources:** The underlying data on the existing conditions of Yorktown's scenic, historic, and cultural resources presented in the GEIS has not

changed in any significant manner. No supplemental information is available or necessary to describe the existing conditions.

- **Parks, open space and recreational resources:** Very little of the underlying data on the existing conditions of Yorktown's parks and recreation resources presented in the GEIS has changed in any significant manner. However, with regard to County and State Parks, one significant (and beneficial) change is to the 1,912 acres of such parks noted in the GEIS. In addition to that acreage, in 2006 some 211 acres were added to Donald J. Trump State Park (58 acres of land from the R1-160 residential district north of Route 202, east of the Taconic Parkway were donated to the Park, and 153 acres south of Route 202, east of the Taconic, and south of FDR Park, were donated to the French Hill section). In addition, one ball field at Strang Park is currently being renovated and two new fields (one for baseball and one for soccer) are being constructed using funding from the Westchester County Legacy Program.
- **Agricultural resources:** The underlying data on the existing conditions of Yorktown's agricultural and farm resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the existing conditions.
- **Economic resources:** The SGEIS notes however that the GEIS gave figures from the 1997 Economic Census. Since then, the 2002 Economic Census has become available. According to the 2002 data, Yorktown's retail businesses reported total sales of approximately \$920 million (compared to \$630 million in 1997) at a total of 228 retail establishments. Of this amount, \$208 million was spent at auto dealers (compared to \$67 million in 1997), and the remainder was spent at other businesses. Still, based on 1999 income levels reported in the 2000 U.S. Census, it is estimated that Yorktown residents have approximately \$420 million in spending power; therefore, the level of retail sales in Yorktown reflects a net inflow, contributing to the Town's economic vitality. Thus while total sales figures have increased, likely due to both inflation and to the strong economy of the early 2000s, the basic conditions noted in the GEIS still hold true. As of this writing, the economic recession, which began at some point in 2007 with the decline in the housing credit markets and accelerated with the credit crisis in 2008, can be expected to decrease consumer purchasing power and lead to lower overall sales figures.

The demand for office, light industrial, and warehouse space in Yorktown has not changed significantly since the GEIS. The Northern Westchester office market, including Yorktown, competes with a large amount of supply and demand in the southern portion of the County, and there is no reason to suspect that significant amounts of new office space will be demanded in Northern Westchester. This SGEIS recognizes that the current economic downturn has significantly affected all sectors of the market, however, and demand and supply in certain sectors is likely to fluctuate and change in unforeseen ways.

- **Transportation:** The underlying data on the existing conditions of Yorktown's traffic conditions presented in the GEIS has not changed in any significant manner.

- **Community facilities:** With the exception of updated school enrollment figures for the current school years, as well as updated fire response data, both of which are accounted for in this DSGEIS, there is no additional information not already presented in the GEIS with respect to the Proposed Action's impact on community facilities and services. The existing conditions for the library, senior and youth services have not changed in any significant manner.
- **Community character:** The existing conditions of Yorktown's community character as presented in the GEIS have not changed in any significant manner since that time. No supplemental information is available or necessary to describe the existing conditions.

### Future Baseline Conditions

The Future Baseline Conditions represent a logical extension of current trends 20 years into the future from the date of this SGEIS. In the Future Baseline Conditions, the following conditions are expected to obtain in each topic area. In each case, the conditions described are expected to be reached over a 20-year period, two decades from the date of this SGEIS.

- **Land use:** Under current zoning, it is expected that approximately 3,678 residential units will be constructed throughout Town over the approximately two-decade implementation period. The total demand for commercial space generated by the additional population would be 616,000 square feet, which is greater than the available amount of vacant and underutilized commercially zoned land. Therefore, it is expected that these sites will be fully developed. The total amount of commercial space that could be constructed on vacant and underutilized sites is approximately 559,000 square feet, including a 200,000 square foot expansion of the Jefferson Valley Mall. It is expected that small amounts of office and industrial space will be constructed, though the potential exists for the construction of 631,000 square feet of industrial space and 494,000 square feet of office space.
- **Population and socioeconomic characteristics:** The housing that would be constructed in Yorktown over the 20-year horizon period would accommodate approximately 10,149 additional people compared with current conditions. The elderly population is expected to increase, while the younger population is projected to decline or hold steady. Income levels should continue to rise.
- **Housing:** Most of the new housing units constructed under current zoning will be single-family homes. Most units will be relatively expensive. Middle- and lower-income housing will be increasingly scarce.
- **Water resources:** Water quality will continue to deteriorate in the New Croton and Peekskill Hollowbrook watersheds. Groundwater quality will also continue to deteriorate.
- **Biological and ecological resources:** Yorktown's biodiversity will diminish as critical habitats are developed inappropriately.

- **Geology and topography:** Erosion will occur as steep slopes are developed inappropriately.
- **Air quality:** Regional air quality should continue to improve over the next 20 years provided that New York's State Implementation Plan under the Clean Air Act is successful. However, air quality may deteriorate or improve depending on such factors as growth, technology and technological changes to out-of-state power plants.
- **Public health:** Yorktown's primary public health concerns will continue to be chronic illness and accidents. Diminished water quality and/or air quality may harm public health.
- **Noise and odor:** Background noise will continue to increase. There should be no new sources of odor.
- **Energy:** Energy consumption will rise with the growth in population and income, unless energy becomes more expensive, in which case per capita energy use may be reduced.
- **Utility service:** Peak water demand projections for the next 20 years will be able to be handled by the existing Hallock's Mill plant, which was recently expanded.
- **Scenic, historic and cultural resources:** Scenic and historic resources that are currently unprotected will be diminished or lost to new development.
- **Parks, open space and recreational resources:** Parks will become more overcrowded as population and needs increase. Access to parks will continue to pose difficulties. Privately owned open space will be lost to development.
- **Agricultural resources:** State, County and Town programs will continue to assist in the preservation of farmland. However, some or all of Yorktown's unprotected farms will be lost to development.
- **Economic resources:** Yorktown is expected to see additional development of retail space. The outlook for office and industrial space is less certain; other economic sectors such as tourism are not expected to grow. Those without cars will continue to have difficulty participating in the economy. Yorktown may also become economically stratified as housing costs increase and new economic opportunities do not present themselves.
- **Transportation:** There could be as many as 4,200 additional vehicle trips in the AM peak hour and 6,800 additional trips in the PM peak hour.
- **Community facilities:** School enrollment in both major school districts will continue to expand gradually, although the aging of the population could mitigate this trend. Schools will need to be expanded incrementally to keep up with rising enrollment. Fire and

rescue services will likely suffer to varying degrees from a shortage of volunteers and increased demands. Other Town services will likely begin to experience space shortages as they expand.

- **Community character:** Some of the unique aspects of Yorktown's character will gradually be lost as cookie-cutter development occurs in accordance with current zoning. It is unlikely that improvements will be made to areas in which strong community character is currently lacking.

### Impacts of the Proposed Action

This section summarizes impacts of the Proposed Action, with specific emphasis on potentially significant impacts that warrant mitigation. Overall, as discussed in the GEIS, the Proposed Action will not have significant adverse impacts that cannot be avoided or mitigated.

- **Land use:** There will be no significant adverse land use impacts as a result of the Proposed Action. Under the Proposed Action, 832 fewer housing units will be constructed within the 20-year horizon period than under the Future Baseline Conditions. The amount of commercial space that could potentially be constructed on vacant and underutilized sites *outside* PDDs and Commercial Hamlet Center (CHC) districts would be approximately 82,000 square feet less than under the Future Baseline Conditions during the 20-year horizon period, while the projected reduction in demand (caused by the reduction in housing units) for commercial space would be 95,000 square feet compared with the Future Baseline Conditions. In addition, the potential would be created for new development projects in traditional "main street" or "village center" style developments *within* proposed PDDs and CHC districts within the currently developed business areas over the 20-year horizon period. An additional 358,000 square feet of commercial space could be constructed in the proposed Commercial Hamlet Center districts, while the development potential within areas earmarked for PDDs would actually be reduced by 25,000 square feet (thus, there is the possibility of a net increase of 251,000 square feet of commercial development *townwide* [ $358,000 \text{ square feet} \text{ minus } 82,000 \text{ square feet} \text{ minus } 25,000 \text{ square feet}$ ]). All new commercial developments in the Commercial Hamlet Centers would be constructed in the style of a traditional small-town downtown, oriented toward pedestrians, with public open space integrated into the projects. Such developments would consist largely of small retail sales and service operations, mixed with offices and residences, and would not be in the form of big-box development or strip shopping centers. The Proposed Action will require that the upgrades be well designed at a human scale, with adequate infrastructure, in order to ensure the continued viability of the business areas and improve the experience of visiting these areas. Thus, the new commercial development allowed by the Proposed Action, while adding commercial square feet, is designed to generate economic activity while at the same time creating compact commercial centers that, among other things, enhance the Town by fostering residents to walk or use mass transit rather than drive, and by providing new public spaces. In addition, the Proposed Action allows for the construction of approximately 782,718 additional square feet of office space, while reducing potential industrial buildout by 266,000 square feet. The office space would include small second-story professional offices in CHC districts.



- **Population and socioeconomic characteristics:** There will be no significant adverse population or socioeconomic impacts as a result of the Proposed Action. The housing that would be constructed over the 20-year horizon period would accommodate approximately 2,320 fewer people than the Future Baseline Conditions. There would be a slightly more diverse range of ages and incomes in Town compared with the Future Baseline Conditions.
- **Housing:** There will be no significant adverse housing impacts as a result of the Proposed Action. New set-aside requirements recommended by the Proposed Action would ensure that at least 10 percent of total units in new single-family subdivisions and in new multifamily developments be reserved as affordable units. As the Future Baseline Conditions call for construction of 3,678 units in approximately 20 years, and the Proposed Action would reduce such construction to 2,836 units (842 fewer than the Future Baseline Condition), it is projected that approximately 283 units (or 10%) of the new units constructed under the Proposed Action would be affordable. Thus, along with the existing 80 affordable housing units, the Proposed Action would allow the Town to satisfy approximately 96% of the affordable housing goal set forth in the Westchester County Affordable Housing Allocation Plan. Moreover, new multifamily units would be focused in hamlet areas where infrastructure already exists and where many services are within walking distance. In sum, the Proposed Action would increase the stock of both affordable and multifamily housing in the Town.
- **Water resources:** There will be no significant adverse water resource impacts as a result of the Proposed Action. The implementation of new plans and regulations will reduce development in the watersheds, reduce impervious surfaces, reduce building on steep slopes, and reduce runoff, and thus help stem the decline of water quality in the Croton and Peekskill Hollowbrook watersheds. Versus future baseline conditions, water quality may actually improve. In the same manner, groundwater will also be better protected. The proposed road connections could have localized negative impacts on water quality in some areas as compared to future baseline conditions.
- **Biological and ecological resources:** There will be no significant adverse biological or ecological resource impacts as a result of the Proposed Action. New regulations, such as Conservation Overlay Zones, and proposed purchases of important habitat area will help to maintain Yorktown's biodiversity.
- **Geology and topography:** There will be no significant adverse geologic or topographic impacts as a result of the Proposed Action. Steep slopes will be better protected from inappropriate development through new regulations.
- **Air quality:** There will be no significant adverse air quality impacts as a result of the Proposed Action.
- **Public health:** There will be no significant adverse public health impacts as a result of the Proposed Action. Some of the proposed land use and parks and recreation

proposals could help some residents live healthier lifestyles. Improvements to water quality may also benefit public health.

- **Noise and odor:** There will be no significant adverse noise or odor impacts as a result of the Proposed Action. While noise could be increased in some localized areas over the 20-year horizon period as a result of concentrated business activity due to proposed shifts in development patterns, a host of standard measures may be imposed to mitigate any impact disclosed by those future projects.
- **Energy:** There will be no significant adverse energy impacts as a result of the Proposed Action. By reducing overall build out and focusing much of the new development in hamlets and business centers, energy consumption should be reduced over the horizon period compared with the Future Baseline Conditions. Through the use of green building standards, energy conservation in building construction will be encouraged to a greater degree than under the Future Baseline Conditions.
- **Utility service:** There will be no significant adverse utilities impacts as a result of the Proposed Action. Demand for water and sewer service will be reduced under the Proposed Action. In addition, the Hallock's Mill treatment plant may allocate additional flow to the Town, which will help to facilitate the beneficial redevelopment of the Yorktown Heights area over the 20-year horizon period and remediate failed septic systems.
- **Scenic, historic and cultural resources:** There will be no significant adverse scenic, historic or cultural resource impacts as a result of the Proposed Action. Scenic and historic resources will be protected through new regulations, conservation easements and purchases. Cultural resources will be expanded to keep up with needs. However, the proposed road connections could cause localized negative impacts on some scenic resources.
- **Parks, open space and recreational resources:** There will be no significant adverse open space impacts as a result of the Proposed Action. Compared with the Future Baseline Conditions, over the 20-year horizon period, more open space will be preserved through a variety of programs. Parks and recreational programs will be expanded as needed, and access to the parks will be improved.
- **Agricultural resources:** There will be no significant adverse agricultural impacts as a result of the Proposed Action. New regulations and acquisitions will help to protect farmland that otherwise would be lost to development under the Future Baseline Conditions.
- **Transportation:** There will be no significant adverse transportation impacts as a result of the Proposed Action. Residential-generated trips would be reduced by approximately 505 trips in the AM peak hour and 648 trips in the PM peak hour. The potential exists for up to 251 additional retail-generated trips in the AM peak hour and up to 1,130 new retail-generated trips in the PM peak hour. Office-generated trips may also increase beyond the Future Baseline Conditions within the 20-year horizon period. Mitigation

measures, in addition to reductions in overall buildout compared to Future Baseline Conditions, are proposed to reduce the potential for increases in the number of office- and retail-generated trips.

- **Economic resources:** There will be no significant adverse economic impacts as a result of the Proposed Action. A variety of improvements to business areas, including new zoning regulations, will foster a more diverse business climate. More housing and business diversity will allow a broader range of individuals to participate in Yorktown's economy, while improved transportation options will allow better access to the economy for those without cars.
- **Community facilities:** There will be no significant adverse community facility impacts as a result of the Proposed Action. The Proposed Action would reduce the future growth in school enrollment, particularly in the Lakeland district. Suggested potential mergers of fire districts would help to improve efficiency. Other Town services would be expanded as needed to keep up with demands.
- **Community character:** There will be no significant adverse community character impacts as a result of the Proposed Action. New zoning regulations would be imposed throughout Town to protect and enhance the unique character of each part of Yorktown.

The Proposed Action would also undertake the following measures, which will serve to further minimize the potential for adverse environmental impacts on a town-wide and local area basis:

- Reductions in allowed densities and intensities in commercial areas throughout northern Yorktown.
- Reductions in the allowable buildout of office districts in the Jefferson Valley area.
- Deletion of the office Planned Development District (PDD) overlay in the Jefferson Valley area.
- Prohibition on the transfer of development rights into PDDs.

## Proposed Mitigation Measures

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The existing and future baseline conditions presented in this SGEIS are not substantially different than those of the GEIS, and the alternatives studied in this SGEIS do not present any significant adverse impacts that would require mitigation measures. Measures to mitigate any potential negative impacts as noted in the GEIS and this SGEIS are listed below.

With regard to potential private-sector development in response to the new zoning classifications in business areas, some mitigation may be necessary so as to avoid or minimize land use, noise and community character impacts; however, as noted above, these impacts are not projected to rise to the level of significant adverse impacts. Specific mitigation measures

should be proposed and reviewed when specific projects are put forward. Types of mitigation measures to be considered for specific projects, as applicable, include, but are not limited to:

- Upgrades to roadway and utility infrastructure to handle increased demands.
- Reductions in impervious coverage.
- Native habitat enhancement and reconstruction.
- Clustering of development away from sensitive scenic, agricultural or environmental resources.
- Imposition of conservation easements on environmentally sensitive lands.
- Public acquisition of environmentally sensitive lands.
- Undisturbed buffers adjacent to environmentally sensitive lands.
- Noise and visual buffering.
- Imposition of easements or other agreements to protect scenic, historic and agricultural resources.
- Wetlands mitigation at ratios equal to or greater than required by law.
- Construction of wildlife crossings where roadways or other infrastructure split habitat or biodiversity corridors.
- Use of natural and engineered Best Management Practices (BMPs) to protect water bodies adjacent to projects, to control flooding, and to promote groundwater recharge.
- Use of attractive wayfinding signage to direct motorists to shops, attractions and parking.
- Traffic calming measures such as speed tables (modified speed humps).
- Provision of pocket parks and pedestrian/bike trail connections.
- Enhanced design features such as decorative light poles, pavers, and signage.
- Public spaces and pedestrian amenities to reduce auto use and enhance community character.

## Unavoidable Adverse Impacts

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An “unavoidable adverse impact” is a significant adverse impact that cannot be avoided or mitigated. An “impact” is defined as a change from the Future Baseline Conditions, *not* a change from current conditions. The Future Baseline Conditions project a number of changes that are likely to occur in the future if the Proposed Action is not implemented. If the Proposed Action is implemented, a different set of changes will occur. The “impacts” being measured here are the difference between the Future Baseline Conditions and the implementation of the Proposed Action. As detailed in the DGEIS, the Proposed Action would have *no unavoidable significant adverse environmental impacts*. Almost all of the impacts of the Proposed Action are positive when compared with the Future Baseline Conditions. Moreover, all future proposals that could create adverse environmental impacts will be subject to further environmental review before they could be approved and actually implemented. Further, all future proposed action will be subject to screening in accordance with the criteria for future site-specific projects discussed in this DSGEIS.

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## **Alternatives to the Proposed Action**

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There six active alternatives to the Proposed Action:

Alternative A, also known as the no-action alternative, assumes that none of the recommendations in the Proposed Action are adopted. This alternative is identical to the Future Baseline Conditions, in which the Town's current zoning and other policies remain in effect for the next 20 years without changes.

Alternative B1 differs from the Proposed Action in that certain changes are made to the proposed zoning map in the Mohegan Lake, Jefferson Valley, Crompond, Shrub Oak and French Hill areas. These changes are described fully in Chapters 1 and 2 of the GEIS and supplemented by this document.

An alternative known as Alternative B2 was studied by the GEIS but is not included in this SGEIS as an alternative to the Proposed Action. Alternative B2 studied the impacts of not implementing the Density Reduction Program (DRP), a transfer-of-development-rights program, which was included as a recommendation of the 2005 Comprehensive Plan. However, the DRP is not part of this Proposed Action. Thus, Alternative B2 is now effectively a component of the Proposed Action, not an alternative to it.

Alternative B3 differs from the Proposed Action in that certain overlay districts known as Planned Development Districts are not implemented.

Alternative B4 differs from the Proposed Action in that it assumes that most of the proposed road connections, except for the bypasses of Routes 202 and 6, are not implemented.

Alternative B5 differs from the Proposed Action in that the minimum lot size requirement in the R1-20 district is changed from 20,000 to 40,000 square feet.

Alternative B6 differs from the Proposed Action in that most of the Hunterbrook area is rezoned into the R1-160 district rather than the zoning proposed in the Comprehensive Plan.

In all respects other than those just described, alternatives B1 through B6 are identical to the Proposed Action.

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## **Criteria for Site-Specific Proposals**

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Certain individual actions taken to implement the Proposed Action and/or the alternatives could have specific localized impacts that are beyond the scope of this generic environmental impact statement, which by definition identifies impacts on a broad basis. Thus all individual actions should be required to undergo individual project reviews as part of site plan, subdivision or other approval processes. These project reviews should include, at a minimum, scrutiny of the following environmental considerations:

1. Whether the proposed project would impact the quality and/or quantity of runoff into water supply and recreational resources including groundwater, recreational lakes, the New Croton Reservoir, the Muscoot Reservoir and the Peekskill Hollowbrook, or any tributaries feeding these water bodies. To the extent practical, projects should be designed to maximize on-site groundwater recharge, maintain pre-construction runoff rates, and utilize natural best management practices where filtering, retention and detention are required.
2. Whether the proposed project would impact areas of critical environmental concern, including critical habitats, wetlands, vernal pools and steep slopes. Projects should be sensitively designed so as to avoid impacting such areas and to preserve identified wildlife corridors and critical habitat areas.
3. Whether the proposed project can be served adequately by parks, schools and emergency services.
4. Whether the proposed project would alter the Town's housing balance. Residential projects should be developed consistent with the goals of the Comprehensive Plan.
5. Whether the amount of traffic from any site-specific proposal can be adequately handled by the Town's existing transportation infrastructure. The adoption of transportation management plans, as well as project designs that encourage pedestrian and non-motorized transportation, should be considered in the evaluation of any site-specific project.
6. Whether proposed development would lie in the path of or block views in the Town's scenic vistas or view corridors, or views of parks and open space.
7. For projects involving septic systems, whether the size and environmental conditions of the property are sufficient to assure safe and adequate treatment of the waste expected to be generated by the project.
8. For projects that will be connected to public sewer and water, whether sewer and water supply capacity is sufficient to serve the proposed project.

9. Whether the proposed project would adversely affect historic, scenic, cultural or agricultural resources, or would adversely impact the character of an existing community. To the extent possible, projects should be designed so as to protect historic, scenic, cultural and agricultural resources, as well as to protect and enhance community character.
  
10. For previously approved projects with lapsed approvals, or for developers seeking an extension of time for existing approvals, a new or supplemental environmental review should be conducted to evaluate the project's impact on the above-listed conditions with particular focus on infrastructure impacts and to ensure compliance with the Town's current regulations.

In addition, if any new development might affect infrastructure service capacity (e.g., roadway traffic volume, sewer and water service), the Proposed Action includes a policy that it should undertake appropriate mitigation measures and/or infrastructure improvements that might reasonably be required.

# 1 Introduction

This Draft Supplemental Generic Environmental Impact Statement (DSGEIS) has been prepared by the Town Board of the Town of Yorktown (Town Board) in connection with the proposed adoption of a Comprehensive Plan and associated enactment of Zoning amendments (collectively, the Proposed Action, and sometimes referred to herein, unless otherwise indicated, as the 2009 Comprehensive Plan). The 2009 Comprehensive Plan would guide the Town's growth and development for approximately the next two decades. The Town Board designated itself pursuant to the State Environmental Quality Review Act (SEQRA) to serve as "lead agency" for the Generic Environmental Impact Statement (GEIS) prepared in 2004-2005 for an earlier version of the Comprehensive Plan (collectively, the 2005 Comprehensive Plan), and the Town Board continues to serve as lead agency for the environmental review of the Proposed Action and the SGEIS.

This SGEIS identifies (i) changes in circumstances (e.g., new proposed projects) that have taken place since completion of the GEIS, and (ii) changes from the prior 2005 Comprehensive Plan and Zoning amendments discussed in the GEIS, which prior Comprehensive Plan and amendments were invalidated by litigation brought against the Town in 2006. Thus, this SGEIS cures certain SEQRA procedural deficiencies identified during the 2006 litigation, and assesses whether the Proposed Action would cause any significant adverse environmental impacts not previously identified and/or assessed during the GEIS process.

Following the completion of this DSGEIS, the Town Board will provide notice of a public hearing on the document and accept oral and written comments. The Town Board then will prepare and issue a Final SGEIS, which will respond to all substantive comments. The Town Board will then adopt a SEQRA Findings Statement and make a determination with respect to the Proposed Action.

## 1.1 LOCATION, BACKGROUND AND DESCRIPTION OF THE PROPOSED ACTION

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### 1.1.1 Locational Setting

The Proposed Action encompasses the entire Town of Yorktown, Westchester County, New York. The Town of Yorktown is situated at the northern edge of Westchester County, approximately 40 miles north of downtown New York City and four (4) miles east of the Hudson River. To the north, Yorktown borders the towns of Putnam Valley and Carmel in Putnam County. To the south, it borders the Town of New Castle. To the west, Yorktown borders the Town of Cortland. To the east, it borders the towns of Somers and New Castle. Yorktown is rectangular in shape and is approximately 10 miles from north to south and 4 miles from east to west. In total, the Town measures approximately 40 square miles in area. The Town includes no incorporated villages but has many distinct neighborhoods and business areas.



## **1.1.2 The Invalidated 2005 Comprehensive Plan**

In early 2002, the Town Board began the preparing a new Comprehensive Plan. The process for developing that Plan was designed to incorporate public input in each and every step starting with the formation of a Task Force to recommend initial concepts. In June 2003, the draft of the Plan was released by the Town Board for additional public comment.

The 2005 Comprehensive Plan and Zoning amendments, like the current 2009 Comprehensive Plan and Zoning amendments that comprise the Proposed Action, were required to undergo the State environmental review process per SEQRA. This process was followed and generally is described below.

### **1.1.3 SEQRA: The Environmental Review Process**

The Yorktown Town Board had designed itself "Lead Agency" pursuant to SEQRA for purpose of reviewing the proposed 2005 Comprehensive Plan and related Zoning amendments. Thus, in 2002, the Town Board commenced an environmental review of the then-proposed version of the Comprehensive Plan (what is referred to herein as the 2005 Comprehensive Plan).

#### *The Scoping Process*

Although not required by State law, the Board conducted a "scoping" process for the GEIS beginning in July 2003, when it issued a Draft Scoping Document. That document described the proposed contents of the yet-to-be-prepared GEIS, listing all the topic areas that were expected to be covered in the GEIS and describing the methodology that would be used to assess the impacts of the proposed Comprehensive Plan and Zoning amendments in each of those topic areas. It also listed the alternatives that would be considered. In August 2003, a public hearing was held on the Scoping Document, which was well attended and at which oral comments were received; other comments were received by mail, e-mail and fax up until the close of the public comment period in September 2003. In January 2004, the Town Board issued a Final Scoping Document, which incorporated many recommendations received from the public and also responded to individual comments. This Final Scoping Document also included six additional alternatives that were based on public comments received during the scoping process.

#### *The Draft Generic Environmental Impact Statement*

The Draft GEIS (DGEIS) was then prepared, which included an evaluation of the environmental impacts of the Comprehensive Plan as well as the alternatives to the Plan that had been identified during the scoping process. It also incorporated a DGEIS that had been prepared to evaluate various zoning scenarios in the Hunterbrook section of Yorktown (the Hunterbrook Rezoning Area DGEIS, which was accepted by the Town Board on November 16, 2004). The DGEIS was completed in November 2004, and a 40-day public comment period began. Public hearings were held in January 2005, and numerous public comments on the DGEIS were received.

### *The Final Generic Environmental Impact Statement*

The Town Board then prepared a Final GEIS (FGEIS), which was completed in July 2005. The FGEIS included the original DGEIS, responses to comments received on the DGEIS, two appendices with additional information, a copy of the Final Scoping Document, and a redlined version of the 2005 Comprehensive Plan that showed the changes made to the Plan in response to comments on the DGEIS. The Board subsequently accepted comments on the FGEIS for a 47-day period ending September 6, 2005, and held two public hearings.

### *The Findings Statement*

On October 18, 2005, the Town Board passed resolutions adopting the SEQRA Findings Statement, the 2005 Comprehensive Plan and, among other laws, Local Law Nos. 11, 12, and 13 of 2005, implementing the Plan. The adoption of the Findings Statement, which completed the environmental review process, considered and weighed the impacts identified in the Final GEIS and the public comments received thereon and presented a rationale for the Town's decision on the 2005 Comprehensive Plan. Local Law 11 amended Chapter 300 of the Code of Yorktown with respect to affordable housing. Local Law 12 amended Chapter 300 with respect to zoning district classifications and schedule of uses. Local Law 13 amended Chapter 300 with respect to changing the zoning map designations of land parcels throughout the Town.

#### **1.1.4 Litigation and the Annulment of the Adopted 2005 Comprehensive Plan**

Legal action was brought against the Town in three consolidated proceedings challenging the 2005 Comprehensive Plan and the adopted Local Laws 11, 12, and 13. By decision dated April 19, 2007, Justice Zambelli of the New York Supreme Court ruled in petitioners' favor and found that the Town had not complied with all aspects of SEQRA procedure, primarily because certain changes to the 2005 Comprehensive Plan had not been explicitly analyzed in the GEIS. The Court annulled the Town resolutions adopting the SEQRA Findings Statement, the 2005 Comprehensive Plan, and Local Laws 11, 12, and 13, and remitted the matter to the Town Board for further proceedings consistent with the Court's determination. The decision did not address the "wisdom and merit" of the 2005 Comprehensive Plan itself.<sup>6</sup>

Recognizing the importance of the 2005 Comprehensive Plan for future planning and development, the Town Board elected not to pursue an appeal of Justice Zambelli's decision, and instead opted to prepare this SGEIS in order to address the SEQRA procedural issues cited by the Court. In so doing, this SGEIS incorporates directly the 2005 Comprehensive Plan, the GEIS (which, in turn, incorporates the Hunterbrook Rezoning Area DGEIS, and the contents of the SEQRA Findings Statement. This SGEIS describes only those existing conditions and future baseline conditions which have circumstances changed, or other changes in circumstances

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<sup>6</sup> Subsequently, because the Court's decision did not annul Local Law 17, the Town Board, in 2008, annulled the law, returning the zoning of the parcel in question back to the original C-2 designation. This Proposed Action makes no changes to that C-2 zone, and thus does not change the status quo there.

relevant to the environmental review of the Proposed Action, since the GEIS was completed, and restates applicable portions of the GEIS only where further illustration is warranted.

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## 2 The Proposed Action

### 2.1 BACKGROUND

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As noted above, this DSGEIS identifies any new relevant information or changes in circumstances that have taken place since the GEIS was adopted in October 2005, as well as any other changes proposed by the Town Board since that time, and to cure deficiencies identified by the above-mentioned litigation brought against the Town in 2006. This SGEIS assesses whether the Proposed Action would cause any significant adverse environmental impacts not previously addressed or adequately addressed in the GEIS.

The Proposed Action for purposes of this DSGEIS, as noted above, is the Proposed 2009 Comprehensive Plan and Zoning amendments. Table 2.1 outlines the major land use and zoning actions of the Proposed Action. The Proposed Action is substantively identical to the Comprehensive Plan and Zoning amendments passed by the Town Board in October 2005. Consequently, all aspects of the Proposed Action have already been the subject of an environmental review process. Either they were studied by the original 2004-2005 GEIS process, or they were studied by a previous GEIS process (e.g., the Hunterbrook Rezoning DGEIS). This DSGEIS highlights those aspects of the 2005 Comprehensive Plan that were identified in the 2006 litigation as needing a further “hard look” at the potential impacts. Most of the underlying information contained in the GEIS remains the same and thus requires no new analysis in this DSGEIS. Specifically, the existing environmental setting of Yorktown has remained intact since 2005, with the exception of some limited development activity, which is reviewed in the Land Use section of this DSGEIS.

Therefore, this DSGEIS does not re-examine in total all of the aspects covered in the GEIS, but focuses on addressing any potential new impacts that were not studied in previous documents that may arise as a result of the Proposed Action.

Future baseline conditions will represent reasonably anticipated conditions *without* the Proposed Action (e.g., under the 1983 zoning currently in effect). Likely impacts of the Proposed Action will represent reasonably anticipated conditions *with* the Proposed Action.

### 2.2 PURPOSE OF THE PROPOSED ACTION

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As described in the GEIS, at the broadest level, the purpose of the Proposed Action is to protect the public health, safety and general welfare of the Town’s citizens. This is the purpose that is enshrined in the New York State Town Law at §272-a1 et seq. The same statute encourages Towns to adopt comprehensive plans, indicating that the adoption of such a plan is in the best interest of the people of each Town. It also provides that a comprehensive plan is a means not only to protect the health, safety and welfare of the Town itself, but also to give consideration to

the needs of the people of the broader region. In addition, the plan should foster cooperation among municipalities and governmental agencies planning and implementing capital projects.

More specifically to Yorktown, the intent of the Proposed Action is to lay out a vision for Yorktown's development in the future, particularly over approximately the next two decades. The Proposed Action thus implicates issues involving, among other things, land use, housing, transportation, parks, community facilities and resources, and the natural environment.

The goals and objectives of the Proposed Action are to set forth a new vision for Yorktown's future, encompassing land use, housing, transportation, parks, community facilities and resources, and the natural environment. The vision is intended to give equal weight to the problems and concerns of each part of the Town and to make detailed recommendations to implement the vision in every way possible. The following is a summary of the purposes of each component of the Proposed Action, taken from the Executive Summary of the Comprehensive Plan itself:

- Land Use: The Plan supports residential development and preserves open space in a manner consistent with community character, protects natural, historic and scenic resources, establishes new zoning districts and update existing zoning districts to implement the Plan's land use policies, and requires appropriate infrastructure improvements before new development occurs.
- Transportation: Yorktown's transportation and land use policies should be carefully coordinated, so that local streets in residential neighborhoods have low volumes and speeds and minimal truck traffic, that hamlet and business centers are more pedestrian friendly, that convenient automobile access and parking are nonetheless provided, and that town-wide bike routes are possible.
- Economic Development and Business Area Enhancements: Yorktown should have a vibrant economy that provides abundant job opportunities and contributes to the tax base, including a diverse range of businesses, and business centers that function as centers of community life.
- Housing and Neighborhood Quality of Life: Yorktown should remain primarily a community of lower density single-family homes, interspersed with preserved open space, yet should strive for housing diversity.
- Scenic and Historic Preservation: Yorktown's scenic and historic resources should be protected.
- Natural Resource Conservation: Yorktown preserve open space and natural resources even as new development occurs, so that the Town's ecological integrity is protected.
- Infrastructure: Appropriate infrastructure should be provided to support future growth, but natural, scenic or historic resources should be protected from potential negative impacts. Where necessary, infrastructure improvements should be required before new development occurs.
- Parks and Recreation: Yorktown's parks and recreational facilities are important resources, and should provide residents with a diverse range of recreational opportunities, should contribute to community character and quality of life, should be coordinated with efforts to protect natural resources and scenic landscapes. Neighborhoods and parks should be connected with bicycle and pedestrian paths.

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- Community Facilities and Services: These services should protect public safety and enhance the Town's quality of life, meet growing needs in a cost-effective manner, and help build a rich civic life.

### **2.3 SUMMARY OF THE CHANGES MADE TO THE PROPOSED ACTION AFTER COMPLETION OF THE FGEIS**

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As noted above, the Proposed Action for purposes of this DSGEIS is the Proposed 2009 Comprehensive Plan and associated zoning amendments. The Proposed Action is substantively identical to the 2005 Comprehensive Plan and associated zoning amendments that were invalidated in 2007.

The following table identifies the major land use and zoning elements of the Proposed Action that were discussed in the October 2005 Findings Statement. The table also references (in the fourth column) the location each such element was studied in the GEIS, and where in the Findings Statement it was discussed (see the fifth column). For the convenience of the readers, elements that were included in the initial proposed 2005 Comprehensive Plan and assessed in the GEIS, but not included in the Proposed Action, are also included.

**Table 2.1: Major Land Use and Zoning Elements of the Proposed Action**

*FS = Findings Statement, October 2005*

*GEIS = 2004/2005 Generic Environmental Impact Statement*

AREA / PROPOSED ACTION	SUMMARY OF IMPACTS OF PROPOSED ACTION	BUILD-OUT IMPACTS	WHERE IMPACTS ARE DISCUSSED	FINDINGS STATEMENT REFERENCE
<b>TOWN-WIDE</b>				
Density-reduction program not instituted	No adverse impacts. Reduces overall build-out by 538 housing units	538 less units than under full build out (FBC)	GEIS (Alternative B2)	FS, p.10
C-2 zone split into C-2 and C-2R zones	No adverse impacts. C-2R zone allows accessory apartments above stores and office in Yorktown Heights. C-2 zone uses remain the same as existing.	Additional accessory apartments		FS, p.11
Undeveloped parcels greater than one acre which are currently zoned R1-20 will be zoned R1-40.	No adverse impacts. Reduces overall build-out by up to 1,978 units.	1,978 less units than under FBC	GEIS (Alternative B5)	FS, p.11
<b>CROMPOND</b>				

Bear Mountain Triangle, various changes to underlying zoning designations	No adverse impacts. Precludes large-scale office allowed under existing OB designation. Reduces or maintains current intensity. Allows for additional housing diversity.			FS, pp.11-12
Maintains current Interchange zoning in area south of Bear Mountain Triangle, and designates two small parcels therein C-3.	No adverse impacts. Precludes large-scale office allowed under previously-proposed OB zone.		GEIS (no-action alternative)	FS, p.12
At western end of Crompond corridor, Planned Design District (PDD)-MX designation not instituted.	No adverse impacts. Similar to future baseline conditions		GEIS (Alternative B3)	FS, p.12
Large residential properties north of Rte 202 rezoned to R1-160 from R1-40.	Reduced impacts. Consistent with Sustainable Development Study.			FS, p.12
<b>JEFFERSON VALLEY</b>				
Rezones several properties north of Route 6 between Lee and Hill Blvd to R1-40 instead of commercial and multifamily.	Reduced impacts. Lessens intensity of existing zoning. Reduces potential intensity of previously-proposed commercial zoning.		GEIS (Alternative B1)	FS, p.12
Properties on both sides of Hill Blvd north of Rte 6 zoned to Country Commercial instead of C-2.	Reduced impacts. More restrictive bulk and use requirements serve to mitigate intensity of commercial development		GEIS (Alternative B1)	FS, p.13
Extends CC zoning along East Main Street, rather than rezoning several properties for office use.	Incorporates a wider range of potential uses and is more consistent with community character, and minimizes negative impacts			FS, p.13
Retains C-3 zoning of a small property on the northeast corner of East Main and Mahopac Streets, instead of rezoning to CC.	No adverse impacts. More consistent with community character.		GEIS (no-action alternative)	FS, p.13
Retains existing industrial zoning for a property at the eastern boundary of Town, on the north side of Rte 6.	More consistent than the previously-proposed office zoning with community character.		GEIS (no-action alternative)	FS, p.13



For two properties at northwest corner of Hill and Lee Blvds., retains existing R-3 zoning of one and changes other from R1-20 to R1-40.	More consistent with community character and existing stable uses. Reduced impacts than previously proposed RSP-1 and from existing.		GEIS (no-action alternative)	FS, p.13
Does not implement previously-proposed PDD-OB northeast of the intersection of Taconic Parkway and Rte 6.	No adverse impacts. Reduces potential for large-scale office development and recognizes steep slope constraints.		GEIS, (Alternative B3)	FS, pp.13-14
Rezones residentially-zoned properties in the northeastern corner of Town to R1-80, rather than previously-proposed R1-160.	More consistent with community character and steep slope constraints. No adverse impacts.			FS, p.14
<b>MOHEGAN LAKE</b>				
Rezones commercial properties on south side of Rte 6 east of Mohegan Ave to C-3 from existing C-4.	No adverse impacts. Uses would be more restrictive than existing zoning.			FS, p.14
Rezones most commercial properties surrounding intersection of Rte 6, Mohegan Ave, and Lakeland Street to Office from existing C-2 zone.	No adverse impacts. Encourages professional offices in hamlet business area.		GEIS (Alternative B1)	FS, p.14
Extends C-3 zoning boundary all the way to the rear of several properties on north side of Rte. 6 and west of Lakeland Street, rather than changing those rear portions to RSP-1.	No adverse impacts. Consistent with existing zoning.			FS, p.14
Splits a parcel just west of those properties north of Rte. 6 and west of Lakeland into R1-20 and C-2 zones, instead of previously proposed split between CHC and RSP-1, a senior-citizen zone.	Commercial frontage more consistent with community character. Residential portion in rear will help mitigate impacts of commercial development on adjacent residential properties.		GEIS (Alternative B1)	FS, p.14
Proposes a different zoning configuration of the properties located north of Route 6 along Lexington Avenue. Some of these properties would be designated as C-2, others would be designated R1-40, and others would be designated RSP-2.	Proposed zoning is essentially similar to the existing zoning and is more consistent with the community character in the area; most of these properties had been proposed for senior citizen development.		GEIS (Alternative B1)	FS, p.15

<p>Retains existing C-2 zoning of several properties in the middle of the commercial strip along the south side of Route 6 between Lexington and Mohegan avenues, where the Proposed Action had suggested rezoning these properties to C-3.</p>	<p>No adverse impacts: not significantly different than the Future Baseline Conditions. Implements policy to ensure that infrastructure is provided in advance of development. Also, intensity of C-2 development will be less than under the originally proposed C-3 zoning.</p>		<p>GEIS (no-action alternative)</p>	<p>FS, p.15</p>
<p>Does not to implement PDDs that had been proposed for Mohegan Lake.</p>	<p>Benefits of PDD will be realized through of site-specific mitigation measures outlined in the GEIS and the policy requiring adequate infrastructure improvements prior to development.</p>		<p>GEIS (Alternative B3)</p>	<p>FS, p.15</p>
<p>Maintains existing split between R-3 and commercial frontage for the property on the southern side of Route 6 and bordering on Mohegan Lake instead of rezoning to all commercial as previously proposed.</p>	<p>No adverse impact. Existing zoning is consistent with existing uses, and consistent with goal of increasing diversity of housing stock.</p>		<p>GEIS (no-action alternative)</p>	<p>FS, p.15</p>
<p><b>SHRUB OAK AREA</b></p>				
<p>Retains existing C-4 zoning of a large property across from the intersection of Main Street and Stony Street, rather than previously proposed rezoning the property to CHC (C-2).</p>	<p>No adverse impacts.</p>		<p>GEIS (no-action alternative)</p>	<p>FS, p.15</p>

<p>Generally retains existing zoning designations for numerous commercially zoned properties in the vicinity of Main Street, Buckhorn Street, Route 6, the Taconic State Parkway, and Route 132, except that two properties along the east side of Route 132 and one property at the southwest corner of Barger Street and Route 6 would be rezoned C-4 from the current C-2, and a property on Main Street currently zoned R1-10 would be rezoned C-2 consistent with the uses of this property.</p>	<p>No adverse impacts: the commercially zoned properties will essentially retain their existing designations.</p>		<p>GEIS (no-action alternative)</p>	<p>FS, p.15</p>
<p>Rezoned large parcels immediately adjacent to the Taconic Parkway to Office, from existing Industrial, rather than Commercial Recreation, as previously proposed. The property split between residential and commercial will be rezoned all residential.</p>	<p>Fewer visual impacts than previously proposed zone that would allow office buildings, and likely to result in less truck traffic than under Future Baseline Conditions.</p>			<p>FS, p.16</p>
<p>Does not implement the PDD that had been proposed for Shrub Oak.</p>	<p>Benefits of a PDD will now be achieved by policy requiring that adequate infrastructure be put into place before development occurs.</p>		<p>GEIS (Alternative B3)</p>	<p>FS, p.16</p>
<p><b>YORKTOWN HEIGHTS</b></p>				
<p>Designates as C-2R most of the properties that had been designated as CHC (C-2) in the draft Plan.</p>	<p>Will provide for housing diversity and help to create a more village-like downtown atmosphere. C-2R is essentially the same as the previously proposed CHC district</p>		<p>GEIS (GEIS)</p>	<p>FS, p.16</p>

<p>Designates as Office several parcels between Route 118 and the North County Trailway to the south of the center of Yorktown Heights, from current Industrial zone.</p>	<p>No adverse impacts. Development would be limited by environmental constraints. Existing Industrial zoning already contemplates office development. Office will likely have fewer impacts on these parcels than Industrial. Implements goal of the addition of professional office space in the hamlet business areas.</p>			<p>FS, p.16</p>
<p>Retains the existing designation of the Yorktown Engine Company property as C-4 rather than rezoning to CHC (C-2).</p>	<p>No adverse impacts. Property is intended to remain as a Firehouse.</p>		<p>GEIS (no-action alternative)</p>	<p>FS, p.16</p>
<p>Retain as Commercial several properties along Veterans Road, Maple Avenue and Greenwood Street, instead of rezoning to Office.</p>	<p>No adverse impacts. More consistent with the community character.</p>		<p>GEIS (no-action alternative)</p>	<p>FS, p.17</p>
<p>Proposes a different configuration of the zoning in the residential area beginning at Front Street and extending east: some existing small lots remain R1-20 rather than rezoned to R1-10. Other, larger lots will be rezoned from R1-20 to R1-40. A few lots will be rezoned from R1-20 to R-2 reflecting conditions in the immediately surrounding area.</p>	<p>No adverse impacts. Some of these changes were map corrections; others are designed to improve the consistency of the zoning map with existing land uses. Protects neighborhood quality of life.</p>			<p>FS, p.17</p>
<p>Rezones properties near French Hill north of Underhill Avenue to R1-160 rather than R1-200 as had been proposed in the draft Plan.</p>	<p>No adverse impacts. New zoning would still be less intense than the existing R1-40 zoning or the R1-80 proposed in Alternative B1 in the GEIS.</p>			<p>FS, p.17</p>

<b>HUNTERBROOK</b>				
<p>The boundaries of the various residential zoning classifications have been shifted slightly to better account for existing conditions.</p> <p>Institutes R1-160 as the lowest density zoning classification in the area rather than R1-200 as proposed in the draft Plan.</p>	<p>Various zoning alternatives for this area have already been studied extensively in the GEIS. The Hunterbrook area will be extensively upzoned under the Proposed Action, thereby reducing adverse impacts compared with the Future Baseline Conditions.</p>		Hunterbrook GEIS	FS, p.17
<p>For a parcel along the south side of Jacob Road, maintains the R1-40 frontage for a depth of 900 feet. The balance will be rezoned to R1-160.</p> <p>For a parcel along the south side of White Hill Road, maintains existing R1-40 zone for an area up to a depth of about 1100 feet. The rear of the parcel will be rezoned to R1-160.</p>	<p>These change in zoning strike a balance between existing conditions while resulting in greater zoning consistency throughout the Hunterbrook area, are reflective with the community character of Hunterbrook, recognize and reinforce the historic boundary of Jacob Road and White Hill Road as the southern edge of intense development, and will help to avoid or mitigate environmental impacts of future development in an area which is now largely undeveloped and has important stream corridors.</p>		Hunterbrook GEIS  GEIS (R1-40 impacts studied in the no-action alternative; R1-160 impacts studied in Alternative B6)	FS, p.17
<p>Rezones The Church of the Nazarene property from R1-80 to R1-40.</p>	<p>Allows for needed housing diversity (for up to four new single-family affordable houses with accessory apartments).</p>			FS, p.17
<b>SOUTH OF THE NEW CROTON RESERVOIR</b>				
<p>Retains existing residential zoning of a small improved residential property adjacent to the IBM campus rather than be rezoned to Office</p>	<p>Better reflects existing conditions and will have no impact on the Town's economic development efforts to retain and attract high quality office and research tenants in this area.</p>			FS, p.18

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## **2.4 ALTERNATIVES TO THE PROPOSED ACTION**

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The Proposed Action seeks to implement a Comprehensive Plan and Zoning amendments that would control and shape development in Yorktown for the foreseeable future. Several alternatives to the Proposed Action were deliberated and set forth in the Scoping Document of October 2007. These Alternatives are the same as those studied by the 2004 DGEIS, and thus need very little additional exploration in this DSGEIS. As discussed below, Alternative B2 is no longer analyzed as an Alternative, since it effectively has been incorporated into the Proposed Action.

### **2.4.1 Alternative A (No Action)**

This alternative is identical to the future baseline condition, which was described in the GEIS and is summarized in each topical section of this DSGEIS. These conditions represent what will be likely to happen in the future if the Proposed Action is not implemented (i.e., if none of the policies in the Comprehensive Plan are adopted and the Town's existing policies and zoning (the 1983 Comprehensive Plan, because the 2005 Comprehensive Plan was invalidated) continue in force).

### **2.4.2 Alternatives B1 - B7 (Various Zoning and Roadway Modifications)**

#### *Alternative B1 (Various Zoning Modifications)*

This alternative assumes that all of the recommendations in the Comprehensive Plan are adopted, with several changes to the proposed zoning, as follows:

- Replace the R-3 District in the vicinity of Garden Lane and Old Crompond Road with the R1-20 District.
- Maintain a portion of the existing R1-20 district in the Bear Mountain Triangle rather than rezoning to office.
- Remove retail as a permitted use in the PDD-MX district in the Bear Mountain Triangle.
- Replace the R-3 District on both sides of East Main Street between Lee Road and Hill Boulevard with the R1-40 District.
- Change the proposed CHC (Commercial Hamlet Center) district on the east side of Hill Boulevard to CC (Country Commercial).
- Maintain the parcel north of Route 6 at the Somers border as industrial rather than office.
- Remove the PDD-MX and PDD-R districts in Mohegan Lake. Only the underlying zoning would apply.
- Change the area around the intersection of Mohegan Avenue and Route 6 from the proposed CHC district to the new O office district.

- Retain several parcels off of Lexington Avenue and Route 6 as R1-20, rather than senior housing and CHC, as they would be zoned under the Proposed Action.
- Rezone a few very small parcels off Lexington Avenue just north of Route 6 as CHC rather than senior housing.
- Remove country inns as a permitted use in the PDD-O/CI district in Shrub Oak.
- Rezone several parcels in the French Hill area to R1-80 rather than R1-200 as proposed in the Comprehensive Plan. Currently these parcels are zoned R1-40.

*Alternative B2 (No Density Reduction Program)*

This alternative assumes that the Density Reduction Program (described above under the “Housing and Neighborhood Quality of Life” heading) is not implemented. All of the other recommendations in the Comprehensive Plan would be implemented.

This Alternative was originally studied in the GEIS. However, as this alternative is now effectively included as part of the Proposed Action (because the Proposed Action does not implement the Density Reduction Program); it was erroneously included in the Scoping Document as an Alternative for study in the SGEIS.

*Alternative B3 (No Planned Development Districts)*

This alternative assumes that none of the proposed Planned Development Districts (PDDs) are implemented. Only the underlying zoning would apply in these areas. All of the other recommendations in the Comprehensive Plan would be implemented as specified in the Plan.

*Alternative B4 (Limited Road Connections)*

This alternative assumes that none of the roadway connections proposed in the Comprehensive Plan, except the Bear Mountain Parkway and Route 6 connections proposed in the Routes 202 and 6 Sustainable Development Study, are implemented. All of the other recommendations in the Comprehensive Plan would be implemented as specified in the Plan.

*Alternative B5 (R1-20 Modification)*

This alternative assumes that the R1-20 District regulations would be modified to require a minimum lot size of 40,000 square feet. All of the other recommendations in the Comprehensive Plan would be implemented as specified in the Plan.

*Alternative B6 (Hunterbrook Zoning Modification)*

This alternative assumes that the entire Hunterbrook area, including approximately 2,440 acres roughly between Jacob Road and the New Croton Reservoir west of the Taconic State Parkway, would be zoned into the R1-160 District. The zoning that the Comprehensive Plan proposes for this area would not apply. All of the other recommendations in the Comprehensive Plan would be implemented as specified in the Plan.

As noted, this SGEIS incorporates the Draft Generic Environmental Impact Statement prepared by Ferrandino & Associates, Inc., for the rezoning of the Hunterbrook area, which was accepted by the Town Board on November 16, 2004.

## **2.5 SEQRA PROCESS AND REQUIRED APPROVALS**

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The Town Board issued a Draft Scoping Document for the SGEIS, held a public scoping session on July 18, 2007, and issued a complete Final Scoping Document on the SGEIS on October 16, 2007.

This DSGEIS has been prepared in accordance with the standards and methodology set forth in state regulations and in the Final Scoping Document. After the DSGEIS is issued, the Town must file a notice of completion with state government, circulate the DSGEIS as required by SEQRA, and a public comment period lasting at least 30 days must be noticed and opened. The Board will hold a public hearing on the DSGEIS between 15 and 60 days after the notice of completion is filed and, at least 14 days before the hearing date, will provide notice of the hearing in a newspaper of general circulation. The public comment period will close at least 10 days after the close of the hearing. The public hearing on the DSGEIS may be combined with the public hearing on the Proposed Action (the proposed Comprehensive Plan and/or the proposed zoning amendments).

The Board will then issue a Final SGEIS within 45 days after the close of the hearing or within 60 days of the filing of the DSGEIS, whichever is later, unless it is determined that additional time is needed to prepare the statement adequately or problems with the Proposed Action requiring modification or reconsideration have been identified. At least 10 days after the Final SGEIS is issued, the Board will issue a "findings statement" considering and weighing the impacts identified in the Final SGEIS and presenting a rationale for the Town's decision on the Proposed Action.

Following the completion of the environmental review process, if no hearing has been held on the Proposed Action (as opposed to on the DSGEIS), the Town Board will schedule a public hearing on the Proposed Action itself. Public notice of this meeting must be provided at least 10 days in advance of the meeting. Following this public hearing, the Board may adopt the Proposed Action.

The Westchester County Department of Planning has review responsibility on the Proposed Action but no approval authority.



### 3 The SGEIS: Supplemental Generic Environmental Impact Statement

The 2009 Comprehensive Plan, the Proposed Action, would modify the future land use planning and zoning in the Town. This Draft Supplemental Generic Environmental Impact Statement (DSGEIS) addresses aspects of the Proposed Action that were not addressed in the GEIS.

The differences between the future baseline conditions and the planned future are called “impacts.” The point in the future at which the impacts are measured is called the “horizon year.” In this document, the horizon year is slightly under two decades into the future—a customary time frame for comprehensive plans of this nature. Thus, the horizon year is the late 2020s. (This document does not use an exact date because, when looking so far into the future, the vagaries of economic growth cycles and concomitant environmental changes cannot be predicted with the degree of accuracy that the specification of a particular year would imply.) Impacts are measured by evaluating the consequences of the Comprehensive Plan on a wide array of categories, spanning land use, transportation, the natural environment, community character, the economy and others. In general, qualitative measures are used to measure impacts, in keeping with the generic nature of this document.

#### 3.1 PURPOSE AND METHODOLOGY FOR THIS SGEIS

By the Proposed Action, the Town seeks to adopt the 2009 Comprehensive Plan and adopt implementing amendments to the Town Zoning Code.

For purposes of this DSGEIS, existing conditions represent conditions as of the date of the preparation of the 2009 Comprehensive Plan or the most recent survey or study available. (For example, when Census data are used, existing conditions represent conditions in 2000.) Future baseline conditions represent likely conditions when the implementation of the Proposed Action can reasonably be expected to be complete, about two decades from now, **without** the Proposed Action (e.g. under the current 1983 zoning). Likely impacts of the Proposed Action represent likely conditions in the horizon year **with** the Proposed Action.

Thus, this SGEIS analyzes—to the extent such analysis differs from that already completed in the GEIS process—impacts that would occur over and above the likely future baseline conditions, rather than impacts that would occur over and above current conditions.

##### 3.1.1 Methodology

The methodology followed for this SGEIS is straightforward. First, this SGEIS identifies those elements of the Proposed Action that were not explicitly analyzed in the GEIS (either as part of

the then-proposed action or as an alternative thereto), and analyzes alternatives to the extent they differ from those identified in the GEIS.

Second, the SGEIS evaluates the impacts of those elements of the Proposed Action that were not studied in the GEIS. To accomplish this, the future baseline conditions for relevant impact areas have been extended out to include a horizon year of approximately two decades from now. In most cases, this has been done by extending projections based on Census numbers used for the previously-completed GEIS. However, there has been review and revisiting of aspects studied by the GEIS with an eye to any new (that is, post-GEIS) information that it now is available. Each previously unstudied element of the Proposed Action is then compared against the updated future baseline condition, so that any "new" significant adverse impact can be identified. Alternatives are considered to the extent that the impacts of one or more alternatives are different from the assessment of alternatives in the GEIS.

Any public comments received on this DSGEIS will be combined with those specific public comments on the GEIS which, according to Justice Zambelli, were not adequately responded to. (It should be noted, however, that many of the comments identified by Justice Zambelli are addressed in this DSGEIS.) These combined responses to comments will be presented the Final SGEIS.

### **3.2 DATA SOURCES**

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In general, this document relies upon data collected during the 2005 Comprehensive Plan/GEIS process, and includes any relevant updates to that data that have become available since the FGEIS was issued. Major sources include U.S. Census Bureau data from 2000 and earlier years; U.S. Census Bureau population estimates from 2007; land use and economic data collected by the Comprehensive Plan consultants and the Yorktown Planning Department; fiscal data collected from the Town Comptroller's office; data on water resources collected as part of the planning process for the Croton watershed; data on groundwater, stormwater, and related infrastructure from relevant agencies, including the Northern Westchester Joint Water Works and Westchester County; transportation data from the Comprehensive Plan consultants and the Sustainable Development Study; and biological data from the region's ongoing Biodiversity Study. Specific sources of data are listed throughout the document and summarized in a Bibliography at the end of the document.

## 4 Supplement to Environmental Setting: Existing Conditions, Future Baseline Conditions and Likely Impacts of the Proposed Action

This section of the SGEIS describes the existing and future baseline conditions of the Town of Yorktown, as well as potential impacts of the Proposed Action. As mentioned previously, a generic format has been employed because implementation of the Proposed Action is expected to have a Town-wide application affecting many areas with common effects. While excerpts from previous environmental studies, including the GEIS, may be included here in excerpted form for convenience to the readers, it should be noted that this SGEIS is a continuation of the environmental review process begun in 2004, and thus the GEIS is, technically, already a component of this document.

Where existing conditions are presented, they will refer to conditions as of the date of the preparation of the updated Comprehensive Plan or the most recent survey or study available. When Census data are used, existing conditions will represent conditions in 2000. Future baseline conditions will represent likely conditions in the horizon year, in approximately two decades from now, **without** the Proposed Action (e.g. under the current 1983 zoning). Likely impacts of the Proposed Action will represent likely conditions in the horizon year **with** the Proposed Action.

Consistent with SEQRA, the SGEIS is intended to discuss impacts that would occur *over and above the likely future baseline conditions*, not impacts that would occur over and above current conditions.

**NOTE:** For the sake of clarity and guiding the reader, please note the general structure of this Section. Each aspect to be studied is identified by the subsection annotation of 4.x. Within each of these subsections, the Existing Conditions, Future Baseline Conditions, and Impacts of the Proposed Action, are identified by the annotation 4.x.x (for example, the Land Use and Zoning subsection is 4.2, and the Existing Conditions for the Land Use subsection are set forth in 4.2.1.), and so forth. The topical chapters correspond roughly to the Chapters of the 2004 GEIS.

First, however, subsection 4.1 summarizes the Future Baseline Conditions and the Likely Impacts of the Proposed Action.

### 4.1 SUMMARY

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This section considers elements of the Proposed Action and alternatives to the Proposed Action to the extent that they have not previously been studied.

The specific impacts of implementation of the Proposed Action and all defined alternatives to the Proposed Action are discussed in each topical section of this DSGEIS. In Chapter 4.1, the likely Future Baseline Conditions are first summarized. The impacts (that is, the changes from likely Future Baseline Conditions) that are likely to occur under each alternative are then summarized. In addition to the impacts previously identified, any growth-inducing impacts that would occur under each alternative are also identified.

#### 4.1.1 Summary of Future Baseline Conditions

The Future Baseline Conditions represent a logical extension of current trends approximately 20 years into the future, without the Proposed Action. In the Future Baseline Conditions, the following conditions are expected to obtain in each topic area:

- **Land use:** Under current zoning, approximately 3,678 residential units could be constructed over the 20-year horizon period. The total demand for commercial space generated by the additional population in these residential units would be 616,000 square feet, which is greater than the available amount of vacant and underutilized commercially zoned land. Therefore, it is expected that these sites will be fully developed. The total amount of commercial space that could be constructed on vacant and underutilized sites is approximately 559,000 square feet, including a 200,000 square foot expansion of the Jefferson Valley Mall. It is expected that small amounts of office and industrial space will be constructed, though the potential exists for the construction of 631,000 square feet of industrial space and 494,000 square feet of office space.<sup>7</sup>
- **Population and socioeconomic characteristics:** New housing would be constructed in Yorktown to accommodate approximately 10,149 additional people compared with current conditions. The elderly population is expected to increase, while the younger population may decline or hold steady. Income levels should continue to rise.
- **Housing:** Most of the new housing units constructed under current zoning will be single-family homes. Most units will be relatively expensive. Middle- and lower-income housing will be increasingly scarce.
- **Water resources:** Water quality will continue to deteriorate in the New Croton and Peekskill Hollowbrook watersheds. Groundwater quality will also continue to deteriorate.
- **Biological and ecological resources:** Yorktown's biodiversity will diminish as critical habitats are developed inappropriately.
- **Geology and topography:** Erosion will occur as steep slopes are developed inappropriately.
- **Air quality:** Regional air quality should continue to improve through 2007, provided that the State Implementation Plan is successful. After that, air quality may deteriorate or improve depending on such factors as growth, technology and technological changes to out-of-state power plants.

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<sup>7</sup> For residential build-out, see Table 2-2 of the DGEIS. For commercial build-out, see Table 2-3 of the DGEIS.

- **Public health:** Yorktown's primary public health concerns will continue to be chronic illness and accidents. Decreases in water and air quality may harm public health.
- **Noise and odor:** Background noise will continue to increase. There should be no new sources of odor.
- **Energy:** Energy consumption will rise with the growth in population and income, unless energy becomes more expensive, in which case per capita energy use may be reduced.
- **Utility service:** Peak water demand will be able to be handled by the existing Hallock's Mill plant, which was recently expanded.
- **Scenic, historic and cultural resources:** Scenic and historic resources that are currently unprotected will be diminished or lost to new development.
- **Parks, open space and recreational resources:** Parks will become more overcrowded as population and needs increase. Access to parks will continue to pose difficulties. Privately owned open space will be lost to development.
- **Agricultural resources:** State, County and Town programs will continue to assist in the preservation of farmland. However, some or all of Yorktown's unprotected farms will be lost to development.
- **Economic resources:** Yorktown is expected to see additional development of retail space. The outlook for office and industrial space is less certain; other economic sectors such as tourism are not expected to grow. Those without cars will continue to have difficulty participating in the economy. Yorktown may also become economically stratified as housing costs increase and new economic opportunities do not present themselves.
- **Transportation:** There could be as many as 4,200 additional vehicle trips in the AM peak hour and 6,800 additional trips in the PM peak hour.
- **Community facilities:** School enrollment in both major school districts will continue to expand gradually, although the aging of the population could mitigate this trend. Schools will need to be expanded incrementally to keep up with rising enrollment. Fire and rescue services will likely suffer to varying degrees from a shortage of volunteers and increased demands. Other Town services will likely begin to experience space shortages as they expand.
- **Community character:** Some of the unique aspects of Yorktown's character will gradually be lost as cookie-cutter development occurs in accordance with current zoning. It is unlikely that improvements will be made to areas in which strong community character is currently lacking.<sup>8</sup>

#### 4.1.2 Summary of Impacts

This section summarizes impacts of the Proposed Action by topic area, with specific emphasis on potentially significant impacts that warrant mitigation; a more detailed description of such impacts can be found in each of the topical chapters. For each of the alternatives, impacts are

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<sup>8</sup> Town of Yorktown Comprehensive Plan Draft GEIS, November 2004.

summarized where there is a significant difference between the impacts of the alternative and the impacts of the Proposed Action; for most of the alternatives, these impacts involve only land use, population and transportation. Overall, as discussed in the GEIS, the Proposed Action will not have significant adverse impacts that cannot be avoided or mitigated.

- **Land use:** There will be no significant adverse land use impacts as a result of the Proposed Action. Under the Proposed Action, 832 fewer housing units will be constructed within the 20-year horizon period than under the Future Baseline Conditions. The amount of commercial space that could potentially be constructed on vacant and underutilized sites *outside* PDDs and Commercial Hamlet Center (CHC) districts would be approximately 82,000 square feet less than under the Future Baseline Conditions during the 20-year horizon period, while the projected reduction in demand (caused by the reduction in housing units) for commercial space would be 95,000 square feet compared with the Future Baseline Conditions. In addition, the potential would be created for new development projects in traditional “main street” or “village center” style developments *within* proposed PDDs and CHC districts in the currently developed business areas over the 20-year horizon period. An additional 358,000 square feet of commercial space could be constructed in the proposed CHC districts, while the development potential within areas earmarked for PDDs would actually be reduced by 25,000 square feet (thus, there is the possibility of a net increase of 251,000 square feet of commercial development *townwide* [ $358,000 \text{ square feet} \text{ minus } 82,000 \text{ square feet} \text{ minus } 25,000 \text{ square feet}$ ]). All new commercial developments in the CHCs would be constructed in the style of a traditional small-town downtown, oriented toward pedestrians, with public open space integrated into the projects. Such developments would consist largely of small retail sales and service operations, mixed with offices and residences, and would not be in the form of big-box development or strip shopping centers. The Proposed Action will require that the upgrades be well designed at a human scale, with adequate infrastructure, in order to ensure the continued viability of the business areas and improve the experience of visiting these areas. Thus, the new commercial development allowed by the Proposed Action, while adding commercial square feet, is designed to generate economic activity while at the same time creating compact commercial centers that, among other things, enhance the Town by fostering residents to walk or use mass transit rather than drive, and by providing new public spaces. In addition, the Proposed Action allows for the construction of approximately 782,718 additional square feet of office space, while reducing potential industrial buildout by 266,000 square feet. The office space would include small second-story professional offices in CHC districts.
- **Population and socioeconomic characteristics:** There will be no significant adverse population or socioeconomic impacts as a result of the Proposed Action. The housing that would be constructed over the 20-year horizon period would accommodate approximately 2,320 fewer people than the Future Baseline Conditions. There would be a slightly more diverse range of ages and incomes in Town compared with the Future Baseline Conditions.
- **Housing:** There will be no significant adverse housing impacts as a result of the Proposed Action. New set-aside requirements recommended by the Proposed Action

would ensure that at least 10 percent of total units in new single-family subdivisions and in new multifamily developments be reserved as affordable units. As the Future Baseline Conditions call for construction of 3,678 units in approximately 20 years, and the Proposed Action would reduce such construction to 2,836 units (842 fewer than the Future Baseline Condition), it is projected that approximately 283 units (or 10%) of the new units constructed under the Proposed Action would be affordable. Thus, along with the existing 80 affordable housing units, the Proposed Action would allow the Town to satisfy approximately 96% of the affordable housing goal set forth in the Westchester County Affordable Housing Allocation Plan. Moreover, new multifamily units would be focused in hamlet areas where infrastructure already exists and where many services are within walking distance. In sum, the Proposed Action would increase the stock of both affordable and multifamily housing in the Town.

- **Water resources:** There will be no significant adverse water resource impacts as a result of the Proposed Action. The implementation of new plans and regulations will reduce development in the watersheds, reduce impervious surfaces, reduce building on steep slopes, and reduce runoff, and thus help stem the decline of water quality in the Croton and Peekskill Hollowbrook watersheds. Versus future baseline conditions, water quality may actually improve. In the same manner, groundwater will also be better protected. The proposed road connections could have localized negative impacts on water quality in some areas as compared to future baseline conditions.
- **Biological and ecological resources:** There will be no significant adverse biological or ecological resource impacts as a result of the Proposed Action. New regulations, such as Conservation Overlay Zones, and proposed purchases of important habitat area will help to maintain Yorktown's biodiversity.
- **Geology and topography:** There will be no significant adverse geologic or topographic impacts as a result of the Proposed Action. Steep slopes will be better protected from inappropriate development through new regulations.
- **Air quality:** There will be no significant adverse air quality impacts as a result of the Proposed Action.
- **Public health:** There will be no significant adverse public health impacts as a result of the Proposed Action. Some of the proposed land use and parks and recreation proposals could help some residents live healthier lifestyles. Improvements to water quality may also benefit public health.
- **Noise and odor:** There will be no significant adverse noise or odor impacts as a result of the Proposed Action. While noise could be increased in some localized areas over the 20-year horizon period as a result of concentrated business activity due to proposed shifts in development patterns, a host of standard measures may be imposed to mitigate any impact disclosed by those future projects.
- **Energy:** There will be no significant adverse energy impacts as a result of the Proposed Action. By reducing overall build out and focusing much of the new development in

hamlets and business centers, energy consumption should be reduced over the horizon period compared with the Future Baseline Conditions. Through the use of green building standards, energy conservation in building construction will be encouraged to a greater degree than under the Future Baseline Conditions.

- **Utility service:** There will be no significant adverse utilities impacts as a result of the Proposed Action. Demand for water and sewer service will be reduced under the Proposed Action. In addition, the Hallock's Mill treatment plant may allocate additional flow to the Town, which will help to facilitate the beneficial redevelopment of the Yorktown Heights area over the 20-year horizon period and remediate failed septic systems.
- **Scenic, historic and cultural resources:** There will be no significant adverse scenic, historic or cultural resource impacts as a result of the Proposed Action. Scenic and historic resources will be protected through new regulations, conservation easements and purchases. Cultural resources will be expanded to keep up with needs. However, the proposed road connections could cause localized negative impacts on some scenic resources.
- **Parks, open space and recreational resources:** There will be no significant adverse open space impacts as a result of the Proposed Action. Compared with the Future Baseline Conditions, over the 20-year horizon period, more open space will be preserved through a variety of programs. Parks and recreational programs will be expanded as needed, and access to the parks will be improved.
- **Agricultural resources:** There will be no significant adverse agricultural impacts as a result of the Proposed Action. New regulations and acquisitions will help to protect farmland that otherwise would be lost to development under the Future Baseline Conditions.
- **Transportation:** There will be no significant adverse transportation impacts as a result of the Proposed Action. Residential-generated trips would be reduced by approximately 505 trips in the AM peak hour and 648 trips in the PM peak hour. The potential exists for up to 251 additional retail-generated trips in the AM peak hour and up to 1,130 new retail-generated trips in the PM peak hour. Office-generated trips may also increase beyond the Future Baseline Conditions within the 20-year horizon period. Mitigation measures, in addition to reductions in overall buildout compared to Future Baseline Conditions, are proposed to reduce the potential for increases in the number of office- and retail-generated trips.
- **Economic resources:** There will be no significant adverse economic impacts as a result of the Proposed Action. A variety of improvements to business areas, including new zoning regulations, will foster a more diverse business climate. More housing and business diversity will allow a broader range of individuals to participate in Yorktown's economy, while improved transportation options will allow better access to the economy for those without cars.



- **Community facilities:** There will be no significant adverse community facility impacts as a result of the Proposed Action. The Proposed Action would reduce the future growth in school enrollment, particularly in the Lakeland district. Suggested potential mergers of fire districts would help to improve efficiency. Other Town services would be expanded as needed to keep up with demands.
- **Community character:** There will be no significant adverse community character impacts as a result of the Proposed Action. New zoning regulations would be imposed throughout Town to protect and enhance the unique character of each part of Yorktown.

The Proposed Action would also undertake the following measures, which will serve to further minimize the potential for adverse environmental impacts on a town-wide and local area basis:

- Reductions in allowed densities and intensities in commercial areas throughout northern Yorktown.
- Reductions in the allowable buildout of office districts in the Jefferson Valley area.
- Deletion of the office Planned Development District (PDD) overlay in the Jefferson Valley area.
- Prohibition on the transfer of development rights into PDDs.

## 4.2 LAND USE AND ZONING

### 4.2.1 Existing Conditions

To the extent there is additional information not already presented in the GEIS, this DSGEIS discusses existing conditions and patterns of land use in the Town of Yorktown, including an inventory of vacant sites and estimate of land available for development and recent land use trends (including the types of new development that are occurring in the Town and the surrounding area).

#### 4.2.1.1 Inventory of Vacant Land Available for Development

The existing conditions of the inventory of land available for development remain virtually the same as reported in the 2004 DGEIS. That study indicated that:

...approximately 6,046 acres of vacant and underutilized land—equating to approximately 24% of the Town's total land area—are available for development in Yorktown. Of this total, approximately 4,221.4 acres are vacant,<sup>9</sup> while the remaining 1,824.6 acres are underutilized.<sup>10</sup> These lands are shown on Figure 5-5 in the [2005] Comprehensive Plan.

<sup>9</sup> Vacant parcels generally include land without structures and agricultural lands that are not protected from development. Parks and other preserved open space are not included.

<sup>10</sup> An "underutilized" parcel is a currently used residentially zoned parcel that is more than twice the size of the minimum required lot size in the zone. A few commercially zoned parcels were also classified as underutilized based on their current land use.

The vacant and underutilized properties are dispersed throughout Yorktown. Many large vacant and underutilized properties are located in southern Yorktown, particularly in the Croton Heights, Hunterbrook and French Hill areas, as well as the area between the IBM complex and the New Croton Reservoir, the area surrounding the Teatown Lake Reservation, and the southeast corner of Yorktown. In central and northern Yorktown, there are a number of large vacant and underutilized properties in the Stony Street area between Shrub Oak and Crompond. In the Jefferson Valley and Mohegan Lake areas, there are still a few large vacant and underutilized parcels, mainly in areas with steeper topography. Most vacant and underutilized parcels in the area between Jefferson Valley and Yorktown Heights are relatively small, consisting of either leftover remnant pieces between subdivisions or properties within subdivisions that have remained vacant.<sup>11</sup>

The 2004 DGEIS presented these lands by zoning district, as summarized in Table 4-1 below (and as detailed in the DGEIS in Table 2-1).

**Table 4-1: Summary of Vacant and Underutilized Properties by Zone**

<b>Zone</b>	<b>Acreage (vacant)</b>	<b>Acreage (underutilized)</b>
Total Commercial Districts	55.9	19.4
Total Light Industrial Districts	76.6	0.0
Interchange District (I-1)	0.0	12.5
Office/ Business District (OB-1)	41.8	0.0
Total Residential	4,047.1	1,792.7
<b>Total for All Districts</b>	<b>4,221.4</b>	<b>1,824.6</b>

#### 4.2.1.2 Description of Recent Development Activity

As outlined in the 2004 DGEIS, the Town of Yorktown continues to experience predominately single-family residential development throughout its entire area. The DGEIS noted the following:

Between 1980 and 1989, 554 new single-family residences were constructed with 279 new residential building lots approved. Between 1990 and 2000, 778 new single-family residences were constructed with 196 new residential building lots approved. From 1990 to the present, development trends have shifted to smaller subdivision proposals because there are less large buildable vacant parcels remaining.<sup>12</sup>

More recent figures now available show that between 2000 and 2006, 282 new single-family residences have been constructed.<sup>13</sup>

Trends noted in the GEIS have not significantly changed, including the filling-in of vacant lands in already established neighborhoods. This particular trend may be attributed to a town-wide

<sup>11</sup> Town of Yorktown Comprehensive Plan Draft GEIS, November 2004. p. 2-1.

<sup>12</sup> Ibid. p.2-3.

<sup>13</sup> Town of Yorktown Planning Department, 2007. Construction totals by year: 2000 = 50; 2001 = 60; 2002 = 63; 2003 = 36; 2004 = 25; 2005 = 26; 2006 = 22 for a total of 282.

development moratorium that was in effect during the development of the Comprehensive Plan from July 12, 2002 until October 18, 2005, from which subdivisions consisting of 3 lots or less were exempted.

Also exempt from the town-wide moratorium were senior housing developments. As the population locally and regionally continues to age, senior housing is in great demand. As noted in the DGEIS, Wynwood Oaks, an 80-unit affordable housing complex in Shrub Oak, was completed and fully rented in 2004. In Crompond, the Catherine Field Home is a long-established senior rehabilitation and nursing home that continues to expand. Property west of Catherine Street, now owned by a private developer, is currently under construction for 64 senior units. In addition, a 141-unit luxury senior complex was approved in Shrub Oak at the northwest corner of the interchange of the Taconic State Parkway and Route 6. Construction of this complex is nearly complete as of late 2008.

Commercial growth has experienced a similar decrease due to the town-wide moratorium. The moratorium only allowed for 30% expansion of existing structures on lots less than 5 acres and 10% expansion of existing structures on lots greater than 5 acres. As a result, limited new commercial development occurred in the Town of Yorktown during that July 2002 to October 2005 time-frame. Overall, 64 new commercial structures have been built in the Town between 1980 and 2006.<sup>14</sup>

#### 4.2.1.3 Existing Zoning

The current use and bulk requirements set forth in the Town of Yorktown's existing zoning were described in the DGEIS in Chapter 2.1.4. The existing zoning has not been changed, so that description remains applicable.

#### 4.2.1.4 Zoning Map

The current Zoning Map was described in the DGEIS in Chapter 2.1.4 and is hereby incorporated as Appendix D, with recent updates noted in underlined text.

Of the above base districts, 26 are currently mapped within the Town of Yorktown, as noted. The bulk of the Town is located within the R1 single family residential districts. The higher density R1 zoning districts are located near the existing business areas, reflecting the conventional planning logic of situating housing in close proximity to offices and stores. Some higher density districts are located around lakes, consistent with early development patterns when parts of Yorktown were second-home communities. Lower density R1 districts are located in the areas of Town with more rugged topography as well as the area surrounding the New Croton Reservoir, in large part due to the need to protect the quality of the reservoir water. These base zoning densities partly reflect the settlement pattern that evolved in the 1800s and early 1900s, and partly reflect planning

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<sup>14</sup> Town of Yorktown Planning Department, 2007. The GEIS noted 57 buildings from 1980 and 2006. New figures since that writing add seven buildings, to increase the total to 64.

and development decisions made in the 1950s and 1960s when the Town was rapidly developing.

For the purposes of this chapter, Yorktown is divided into five areas: (1) North of Route 202 and west of the Taconic State Parkway; (2) north of Route 202 and east of the Taconic State Parkway; (3) south of Route 202, north of the New Croton Reservoir and west of the Taconic State Parkway; (4) south of Route 202, north of the New Croton Reservoir and east of the Taconic State Parkway; and (5) south of the New Croton Reservoir. The land use and zoning in each area is described below.

*Area 1: North of Route 202, West of the Taconic State Parkway*

The area north of Route 202 and west of the Taconic State Parkway encompasses a diverse variety of zoning designations and land uses, including commercial areas, relatively dense historic residential districts, medium density residential neighborhoods and large undeveloped parcels, including several large parks, along Stony Street, near Mohegan Lake, and north of Route 6.

Major developed areas within this section of Yorktown include Mohegan Lake, a traditional lakeside community; Shrub Oak, a historic village center; and the Bear Mountain Triangle section of Crompond, which currently is characterized by scattered residences but is subject to development pressure owing to its location at the junction of three highways/arterials. The section is also home to the Phoenix Academy, a residential treatment center on a large campus south of Shrub Oak.

Many of the lands in this section of Yorktown are located in the R1-20 and R1-10 districts, which permit single-family homes on lots measuring 20,000 square feet in area. This zoning largely reflects the existing development pattern in the area and is consistent with the historical settlement pattern of the 19th and early 20th centuries, as well as prior Town Plans which were adopted beginning in the 1950s. Much of this area is developed, but there are some large undeveloped parcels in the area as well as a number of small lots that have remained vacant.

There are also areas zoned for higher density residential development, including an R-3 district, which permits multi-family dwellings, in Mohegan Lake, and some areas zoned R-2, which permits two-family dwellings, in Shrub Oak. These districts, which are essentially built out, reflect existing conditions. There is also a district zoned RSP-2, allowing senior housing development, at the northwest corner of the interchange of the Taconic State Parkway and Route 6.

Most of the area between Shrub Oak and Crompond, including Phoenix Academy, is zoned R1-40. This zoning classification permits single-family homes on lots with a minimum size of approximately one acre. Farther south, the Bear Mountain Triangle in Crompond includes areas zoned R1-20 as well as some commercially zoned land.

Commercial districts are concentrated in the three business areas located in this section of Yorktown: Mohegan Lake, Shrub Oak and Crompond. These districts include C-2 districts along both sides of Route 6 in Mohegan and at the east and west ends of the traditional village area of Shrub Oak, along Main Street. There are also small C-1 and C-4 districts in Shrub Oak. Part of the Bear Mountain Triangle in Crompond is zoned C-3. In addition, there is a large M-1A light industrial district in Crompond along Route 202 near the Cortlandt border, and a smaller M-1A district just east of Shrub Oak at the southwest corner of the interchange of Route 6 and the Taconic State Parkway.

*Area 2: North of Route 202, East of the Taconic State Parkway*

The area east of the Taconic State Parkway north of Route 202 includes Yorktown's largest shopping mall, many suburban residential neighborhoods, and areas of preserved open space. At the northern end of this section, the Jefferson Valley business area incorporates both a traditional village center and large-scale, modern shopping facilities, as well as a large senior housing complex. The traditional center of Yorktown, located at Old Yorktown Road and Crompond Road, dates back more than two centuries and has retained some of its historic character. The area also includes Sparkle Lake, a residential community at the eastern end of the Town near the Somers border.

Most of the area is zoned R1-20, permitting single family homes on lots measuring 20,000 square feet in area. This zoning, established in the middle part of the 20th century, reflects the traditional character of the area. Near Yorktown Heights and Sparkle Lake, north of Route 202, there are areas zoned R1-10, R1-40 and R1-80. The varying densities permitted in these neighborhoods reflect the existing pattern of development.

The area along the Route 6 corridor has a greater diversity of zoning districts. These include the R1-160 residential district north of East Main Street, which requires minimum 160,000 square foot lots; two nearby R-3 districts, which allow multifamily development; several R1-10 districts, which require a minimum lot size of 20,000 square feet; and a number of nonresidential districts. 58 acres of the R1-160 residential district is now known as the north portion of Donald J. Trump State Park, after this land was donated to the State of New York in February of 2006. The Jefferson Valley Mall is located in the CRS district, which allows regional shopping centers, and there are also small C-1, C-2 and C-3 districts scattered along major roads throughout Jefferson Valley. There are two districts zoned for light industry, one located across Route 6 from the mall, and the other on the north side of Route 6 at the Somers border. Finally, the northeast corner of the interchange of the Taconic State Parkway and Route 6 is zoned for office/business. All of these nonresidential districts reflect existing conditions, though many of them include some vacant and underutilized land. The senior housing development near the mall is located in the RSP-1 district, which is designed to allow age-restricted housing and support facilities.

*Area 3: South of Route 202, North of the Reservoir, West of the Taconic State Parkway*

This area has considerable undeveloped land in addition to some of Yorktown's last remaining farmland, but it also has several built-up areas, including the Crompond business area and a smaller commercial crossroads in Hunterbrook.

Crompond includes a commercial strip along Route 202 with a mix of C-1 and C-3 commercial zoning. Large-scale businesses such as big-box retail stores and auto dealers are located here. To the south of this is located a residential area, with the denser portions zoned R1-20 and the less developed portions zoned R1-40. A portion of the area south of Crompond is also zoned RSP-3, which allows geriatric residence facilities. It is currently being developed as a senior residence/health care facility.

The land between the developed area south of the Route 202 corridor and the Croton Reservoir is known as the Hunterbrook area. This area is mostly zoned R1-80. Considerable large-lot development has taken place in this area, though there are also several remaining farms. The extensive Mohansic Golf Course property is also located in this area, separating Hunterbrook from FDR Park on the east side of the Taconic

Parkway. There is also a small commercially zoned business area in southern Hunterbrook.

*Area 4: South of Route 202, North of the Reservoir, East of the Taconic State Parkway*

Yorktown Heights is the major activity center in this part of Yorktown, which also includes large areas of open space and residential subdivisions. Yorktown Heights has a central core of commercial districts, including C-1, C-2 and C-4 districts, surrounded by residential areas. The older residential areas to the north, south and west are zoned R1-10, and there is also an R-3 multifamily residential district located to the southwest. There is also an area zoned RSP-2 for senior citizen development. The southern portion of Yorktown Heights, consisting mainly of the area along Front Street, is zoned M-2, light industrial. Most of the outlying areas around Yorktown Heights are zoned R1-40.

Franklin D. Roosevelt (FDR) Park, the Town's largest public open space, occupies most of the area south of Crompond Road and east of Yorktown Heights. The park is located in the R1-80 district, which permits single-family residences on lots measuring at least 80,000 square feet in area. Because the area is publicly owned, it will not be developed in the future. The French Hill area is located to the south of FDR Park. To the south of FDR Park is the southern portion of Donald J. Trump State Park, where 153 acres was donated to the State of New York in February of 2006. This area is known as the French Hill area and also includes a few developed subdivisions.

The Turkey Mountain and Croton Heights areas are located to the south of French Hill and Yorktown Heights. The Turkey Mountain area is zoned R1-200, which requires a minimum lot size of 200,000 square feet, and includes a large park. The Croton Heights area, to the east of Turkey Mountain, is zoned R1-80, and includes the Hilltop Hanover Farm owned by Westchester County. All 182 acres of the farm are located in both the Town's Farmland Preservation Overlay District (FPO) and the County's Agricultural District. There is also a small Country Commercial district, which is intended to accommodate small-scale, rural commercial development, in southern Croton Heights.

*Area 5: South of the Reservoir*

The area south of the reservoir is the least developed section of Yorktown. It includes two major areas of preserved open space—the Kitchawan Preserve and the Teatown Lake Reservation—but also an IBM research campus and several residential subdivisions. Much of the area west of the Taconic State Parkway, including the Teatown Lake Reservation, is zoned R1-200. Zoning is less restrictive on the lands surrounding the IBM campus, which is located just east of the Parkway. Several large areas to the east and west of the campus are zoned R1-80, while the land to the north of the campus is zoned R1-160, along with a triangle-shaped area near the southeastern-most corner of the Town. The IBM campus itself is zoned OB-1 (Office/Business).<sup>15</sup>

#### 4.2.1.5 Use and Bulk Requirements

The current use and bulk requirements for each of the mapped districts in Yorktown are described in Appendix A of the 2004 DGEIS.

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<sup>15</sup> Town of Yorktown Comprehensive Plan Draft GEIS, November 2004. pp. 2-5 – 2-8.

## 4.2.2 Future Baseline Conditions

To determine Future Baseline Conditions, the DSGEIS reviews current population and land use trends and market factors to project the amount and type of development that are likely to occur by the horizon year, assuming the Proposed Action does not take place. This DSGEIS reflects relevant changes in circumstances and new information available since the GEIS.

As was noted in the GEIS, barring unanticipated significant economic or societal changes, Yorktown is expected to continue to grow at a slow to moderate pace over the next 20 years. Over this horizon of 20 years, essentially all remaining available residential land will be developed, and the Town is expected to approach a condition of 95 percent buildout.

### 4.2.2.1 Residential Buildout

The GEIS noted that Yorktown will approach full build-out within approximately the next 20 years. With the exception of updated population estimates, little new data on population and growth trends have become available since the GEIS, and these trends have not markedly changed in the last several years: the U.S. Census Bureau's 2007 estimates put the Town's population at 37,753, an annual increase of 0.6 percent since the 2000 Census. This rate of increase is less than the 0.8 percent increase between the 1990 and 2000 Census. Thus, the Future Baseline Conditions for residential buildout as presented in the DGEIS remain conservative, and are summarized here. The GEIS stated:

In the 20-year future, it is expected that Yorktown's residential areas will be approximately 95% built out in accordance with its existing zoning unless the zoning is changed. This level of buildout should be reached between the years of 2020 and 2030. Demand for housing is strong, and the Town experienced a slightly less than 1% annual growth rate during the 1990s, consistent with the average annual growth rate for the prior 20 years. At an average growth rate of approximately 0.8% per year, with a current housing stock of approximately 12,900 units, Yorktown could be expected to reach effective buildout in accordance with current zoning by slightly after 2030.

The full total expected number of units in each area of Town is shown in Table 2-2 [of the GEIS]. These totals generally reflect the existing zoning applied to the unconstrained vacant or underutilized lots in each area of the Town. As discussed in the above section on existing conditions, the required minimum lot size is generally lower in northern Yorktown and the Yorktown Heights area than in the Hunterbrook area, located west of the Taconic State Parkway between Route 202 and the reservoir, and in the area south of the reservoir. The table shows that the total number of additional units in Yorktown is expected to reach 3,871 units by buildout, equal to a 30% increase over the current level of development. The expected 20-year buildout is 95% of this total, or approximately 3,678 units. The full set of assumptions for the buildout analysis presented here can be found in Appendix B [of the GEIS].

Table 2-2 of the DGEIS is reproduced here as Table 4-2 for ease of reference.

**Table 4-2: Residential Buildout under the Future Baseline Conditions\***

Area	Total number of additional residential units based on current zoning **	20-year buildout of additional residential units based on current zoning
Area 1: West of Taconic, North of Route 202	1,212	1,151
Area 2: East of Taconic, North of Route 202	1,079	1,025
Area 3: West of Taconic, between 202 and Reservoir	588	559
Area 4: East of Taconic, South of Route 202	684	650
Area 5: South of reservoir	<u>308</u>	<u>293</u>
<b>Total new units</b>	<b>3,871</b>	<b>3,678</b>

\* Note: This table excludes accessory units, which are not necessarily permanent.

\*\* Note: Total buildout is expected to be reached by the early 2030s, about 5–10 years after the 20-year buildout is reached.

#### 4.2.2.2 Commercial Buildout

The GEIS noted that while there is remaining buildable commercial land in Yorktown, existing buildings and natural features constrain more intense development and likely preclude the intensification of commercial uses in the five business centers of Yorktown. The GEIS also noted that commercial development along the arterial roads in Yorktown could likely increase dramatically in the coming years.

Since population has increased slower than projected, demand for new commercial uses is slower than expected, and no substantial commercial growth has occurred since the GEIS, the Future Baseline Conditions for commercial buildout as presented in the DGEIS remain conservative, and are summarized here. In terms of the supply of developable commercial land, the DGEIS analysis noted:

In total, the analysis finds that approximately 559,000 square feet of commercial space could theoretically be constructed based on the current zoning of undeveloped land in commercial districts other than the Commercial Recreation (CR) district, which permits only indoor and outdoor recreation facilities—not shopping centers or retail sales or services. The increase would be divided among the different commercial areas as shown in Table 2-3 [of the DGEIS].<sup>16</sup>

That table is reproduced here as Table 4-3, for ease of reference.

<sup>16</sup> Ibid. p. 2-10



**Table 4-3: Commercial Development under the Future Baseline Conditions**

Area	Theoretical development potential of vacant/underutilized properties (sq.ft.)
Crompond	75,000
Croton Heights	48,000
Jefferson Valley	255,000 *
Mohegan Lake	132,000
Shrub Oak	0
Yorktown Heights	49,000
<b>Total</b>	<b>559,000</b>

\* Includes future expansion of Jefferson Valley Mall.

The DGEIS noted that this buildout analysis provides an “estimate of the amount of commercial space that is likely to be constructed over the next 20 years: 559,000 square feet, based on the amount of available vacant and underutilized land.” The DGEIS also noted that “future commercial demand is likely to exceed the amount of available land.” As of this writing, there is no newer data that would warrant changing this conclusion.

The DGEIS also noted, “As most new commercial development is currently being sited along thoroughfares to attract drivers on their way to and from other destinations, it is expected that most new space will be relatively small-scale (e.g., drugstores and convenience marts). However, under the Future Baseline Conditions, big-box retail would still be allowed and likely to happen.”<sup>17</sup>

#### 4.2.2.3 Office and Industrial Buildout

Since population has increased slower than projected, demand for new commercial uses is slower than expected, and no substantial commercial growth has occurred since the GEIS, the Future Baseline Conditions as presented in the DGEIS remain conservative, and are only summarized here. In terms of the supply of developable commercial land, the DGEIS analysis noted “based on the current supply of vacant office and industrial land, the 20-year total potential additional office buildout is 494,000 square feet, and the total potential additional industrial buildout is 631,000 square feet, as shown in Table 2-4 [of the DGEIS].”<sup>18</sup>

Table 2-4 is reproduced below as Table 4-4 for ease of reference.

<sup>17</sup> Ibid. p. 2-11

<sup>18</sup> Ibid. p. 2-11.

**Table 4-4: Theoretical Development Potential of Vacant and Underutilized Office and Industrial Properties**

Area	Industrial (sq. ft.)	Office (sq. ft.)
Crompond	251,000	0
IBM vicinity	0	494,000
Jefferson Valley	202,000	0
Mohegan Lake	0	0
Shrub Oak	0	0
Yorktown Heights	<u>178,000</u>	<u>0</u>
<b>Total</b>	<b>631,000</b>	<b>494,000</b>

The DGEIS further notes:

However, it is uncertain whether this amount of office and industrial development will be reached within the 20-year horizon. Yorktown has never been and is not likely to become a major office or industrial center in the near future. As discussed elsewhere in this document, the Town is not located on or near a major transportation corridor (other than the Taconic State Parkway, on which trucks are prohibited). Office development is therefore likely to be gradual.

Office development on the scale of IBM is unlikely under the Future Baseline Conditions. Because of its lack of convenient east-west highway connections, Yorktown is not as competitive with other major corporate office locations around the region, such as those communities along I-287 in lower Westchester County. Current zoning does not encourage these kinds of developments, especially in Crompond, where the Bear Mountain Parkway will intersect the Taconic State Parkway.

Yorktown is in a disadvantageous location for industrial and warehouse development, having no limited access highways on which trucks are permitted and no rail lines. Other locations around the region are much more competitive from a transportation standpoint and offer the larger sites that industrial and warehouse developers prefer.

In sum, for purposes of establishing the likely baseline conditions, it is assumed that the amount of office and industrial development in Yorktown will increase, at the low end, by less than 100,000 square feet, to, at the high end, the figures shown in Table 2-4.<sup>19</sup>

At time of this DSGEIS, no new economic or market information is available that would warrant changing this projection of Future Baseline Conditions.

#### **4.2.3 Impacts of the Proposed Action**

By recommending changes to the Town's zoning regulations and zoning map, the Proposed Action is expected to impact the location and type of development that would occur by the horizon year without the Proposed Action. It would also reduce the total amount of development that could occur within the Town over the long term by reducing total buildout.

<sup>19</sup> Ibid. p. 2-12.

The DGEIS found that under the 2005 Comprehensive Plan, 842 fewer housing units would be constructed within the 20-year horizon period than under the Future Baseline Conditions. The amount of commercial space that could potentially be constructed on vacant and underutilized sites outside PDDs and CHC districts would be approximately 82,000 square feet less than under the Future Baseline Conditions during the 20-year horizon period, while the reduction in projected demand for commercial space would be 95,000 square feet compared with the Future Baseline Conditions. The Proposed Action will further reduce overall buildout through several actions detailed below. In addition, the Proposed Action will encourage additional housing diversity in Yorktown's hamlets, and will preclude large-scale office development in highly-visible or scenic areas. Some landowners commented on the DGEIS that the Proposed Action should change their residentially-zoned properties to commercially-zoned ones. However, such a zoning change frequently would be inconsistent with the Town's overall goals of managing and reducing the impacts associated with development, while still maintaining and enhancing the economic vitality of hamlet centers, because the expansion of available land for commercial development often carries greater potential for increased impacts than managing opportunities for more compact development within existing commercial zones.

The DGEIS also found that under the 2005 Comprehensive Plan the potential would be created for new development projects in traditional "main street" or "village center" style developments within proposed PDDs and CHC districts within the currently developed business areas over the 20-year horizon period. An additional 358,000 square feet of commercial space could be constructed in the proposed CHC districts, while the development potential within areas earmarked for PDDs would actually be reduced by 25,000 square feet. All new commercial developments in these areas would be constructed in the style of a traditional small-town downtown, oriented toward pedestrians, with public open space integrated into the projects. Such developments would consist largely of small retail sales and service operations, mixed with offices and residences, and would not be in the form of big-box development or strip shopping centers. The zoning will require that the upgrades be well-designed at a human scale, with adequate infrastructure, in order to ensure the continued viability of the business areas and improve the experience of visiting these areas.

The DGEIS also found that the 2005 Comprehensive Plan would allow for the construction of approximately 1,185,000 additional square feet of office space (which amount is reduced to 782,718 square feet under the 2009 Comprehensive Plan, due to changes made to the Plan since the DGEIS was published), while reducing potential industrial buildout by 266,000 square feet. The office space would include small second-story professional offices in Commercial Hamlet Center districts.

#### 4.2.3.1 Town-Wide Impacts

The Proposed Action does not implement the Density Reduction Program as initially proposed in the 2005 Comprehensive Plan. Although this is a change from the 2005 Comprehensive Plan, the possibility that it would not be implemented was already studied in the DGEIS as Alternative B2. Under this alternative, 538 fewer housing units would be constructed than under the Future Baseline Conditions, so the net impact of the Proposed Action on land use is still positive compared with the Future Baseline Conditions.

The Proposed Action would also split the C-2 zone into two zones: the C-2 and C-2R zones. The C-2R zone would allow accessory apartments above stores and offices, while the C-2 zone would not. Otherwise, the permitted uses in the two zones would be the same. The C-2R zone would be applied within the center of Yorktown Heights to implement the policies in the Comprehensive Plan for the future development of that area into a more pedestrian-oriented village-style town center. Removing apartments from the proposed list of allowed uses in the remaining C-2 zones cannot be expected to have any impacts compared with the Future Baseline Conditions, as those districts do not currently permit apartments anyway.

The Proposed Action will also upzone parcels greater than one acre in areas that are currently zoned R1-20 to R1-40. This policy effectively implements Alternative B5 studied in the GEIS, which had proposed to reduce development yield by up to 1,978 units by applying R1-40 bulk standards to remaining undeveloped R1-20 properties. This will significantly impact the total future development in Yorktown. For example, without the Proposed Action, a two-acre parcel zoned R1-20 may have yielded four total units, assuming it was fully developable and without serious constraints. The Proposed Action will reduce this theoretical yield to two units. Numerous landowners objected to this proposed upzoning in their comments on the DGEIS, with some identifying reasons why their specific parcel or parcels should either not be upzoned, or in fact should be downzoned. While perhaps raising valid points from their individual perspectives, these landowners are not acknowledging the Town's goals of reducing the future residential build out of Yorktown, and managing and reducing Townwide impacts such as on traffic, infrastructure, and community services, so that the Proposed Action yields fewer Town impacts compared with the Future Baseline Conditions.

#### 4.2.3.2 Crompond Area

At the Bear Mountain Triangle, the Proposed Action will retain the PDD overlay but will change the underlying zoning to Interchange from C-3 on the eastern end of the triangle; to R1-40 from R1-20 in the central part of the Triangle; and to RSP-2 and C-2 from C-3 in the western end of the Triangle. The properties fronting directly on Route 202 and between Route 202 and Old Crompond Road would, with one exception, be changed to C-2 from C-3. This is in contrast to the 2005 Comprehensive Plan, which proposed that the Bear Mountain Triangle be zoned OB with a PDD overlay. This action is proposed in response to the DGEIS as well as comments

made at the public hearing on the DGEIS that the kind of large-scale office complex envisioned by the OB zoning would not be appropriate in that location because lots are comparably small and are often adjacent to residences. The zoning implemented by the Proposed Action is similar to the zoning that exists there today and, in some cases, represents a reduction in intensity; therefore, the Proposed Action provides in some cases less intensity when compared to the Future Baseline Conditions. The RSP-2 zoning also allows for additional housing diversity in this area.

South of the Bear Mountain Triangle, the 2005 Comprehensive Plan had proposed that the area currently zoned Interchange be rezoned to OB and that the neighboring property immediately to the west, currently zoned C-3, also be rezoned to OB. The Proposed Action will retain the existing zoning in this area while carving out two small parcels from the existing Interchange zone to be rezoned as C-3. As a result of these minor changes, the area will be zoned essentially the same as it is today; therefore, the Proposed Action does not differ significantly from the Future Baseline Conditions. The reasoning behind this change is the same as that for the zoning within the Bear Mountain Triangle set forth in the prior paragraph.

At the western end of the Crompond corridor, the 2005 Comprehensive Plan had proposed a PDD-MX Planned Design District. This district is not included as part of the Proposed Action. The impacts of not implementing the PDD-MX district and the other PDDs were evaluated in Alternative B2 of the GEIS. The effect of not including the PDDs will be similar to the Future Baseline Conditions. Moreover, some of the benefits of the PDDs will now be delivered by conventional zoning due to the proposed policy that new development that might affect infrastructure service capacity (e.g., roadway traffic volume, sewer and water service) should undertake appropriate mitigation measures and/or infrastructure improvements that might reasonably be required.

Large residentially zoned properties to the north of Route 202 will be rezoned to R1-160 rather than R1-200, as recommended in the 2005 Comprehensive Plan. This change still provides for significant protection from the negative impacts of new development, while allowing for a reasonable amount of development and considering the major environmental constraints in the area. It is also consistent with the goals of the Sustainable Development Study. The properties are currently zoned R1-40, so the Proposed Action will provide for reduced density, and therefore reduced impacts compared with the Future Baseline Conditions.

#### 4.2.3.3 Jefferson Valley

The 2005 Comprehensive Plan had proposed that several properties between Lee Boulevard and Hill Boulevard north of Route 6 be rezoned to commercial and multifamily from single-family residential. Under the Proposed Action, these properties will be rezoned to R1-40 single-family residential, which represents a reduction in intensity over the existing zoning as well as the initially-proposed future zoning. This proposal is a slight variation on a proposal presented in

Alternative B1 in the GEIS. This revision of the 2005 Comprehensive Plan will be comparable to implementing one of the mitigation measures identified in the GEIS, the reduction of the potential intensity of commercial development.

The 2005 Comprehensive Plan had proposed that the properties on both sides of Hill Boulevard north of Route 6 be rezoned to Commercial Hamlet Center (C-2). The Proposed Action proposes to instead rezone some of these properties to CC/Country Commercial, which has more restrictive bulk and use requirements. This change is a slight variation on the zoning option presented in Alternative B1 in the GEIS. This revision of the 2005 Comprehensive Plan will be comparable to implementing one of the mitigation measures identified in the GEIS, the reduction of the potential intensity of commercial development compared with Future Baseline Conditions.

The Proposed Action would extend the new CC zoning along East Main Street to incorporate some additional properties near the intersection of East Main Street with Mahopac Street. These properties were to be rezoned to office in the 2005 Comprehensive Plan. The proposed zoning is a more realistic alternative for these properties in that it allows for a wider range of uses, fits more logically with the surrounding commercial zoning on either side, and minimizes potential negative impacts (e.g., increase in traffic) of the previously proposed office zoning. Therefore, the proposed zoning is consistent with the community character of the area.

The Proposed Action would retain the existing C-3 zoning of a very small property at the northeast corner of East Main Street and Mahopac Street, rather than rezoning to CC, as called for in the original draft. This change is consistent with the existing community character of the area and thus will have no adverse impacts compared with the Future Baseline Conditions.

The Proposed Action would retain the existing industrial zoning of a property on the eastern boundary of Yorktown on the north side of Route 6, rather than rezoning to office as suggested in the 2005 Comprehensive Plan. As reflected by the GEIS and comments made with respect to the rezoning of large parcels to office, this change is a more appropriate zoning alternative and better reflects the existing built community character of this area.

The Proposed Action would change the zoning designation of a parcel located at the eastern boundary of Yorktown on the south side of Route 6 to R1-80, as studied in Alternative B1 of the GEIS. The property is currently zoned R1-20, and the 2005 Comprehensive Plan proposed to rezone the property to OB Office Business. As reflected in the GEIS and comments made with respect to the rezoning of large parcels to office, this change is a more appropriate zoning alternative. It is more consistent with the zoning of adjacent properties in the Town of Somers, which is residential with a minimum lot size of two to three acres. Somers has also set aside the immediately adjacent property as preserved open space. The Proposed Action provides for a logical transition to the lower density residential and preserved lands in Somers. Finally, the

upzoning from R1-20 to R1-80 will result in fewer adverse impacts than the Future Baseline Conditions on this property.

The Proposed Action would retain the existing zoning designation of one property at the northwest corner of Hill Boulevard and Lee Boulevard and change the other from R1-20 to R1-40. Under the 2005 Comprehensive Plan, they would have been rezoned to RSP-1 from R-3 Multifamily Residential and R1-20 Single Family Residential, respectively. The Proposed Action is more consistent with the current, stable uses of these properties than the zoning that had been proposed in the 2005 Comprehensive Plan.

The Proposed Action would not implement the originally-proposed PDD-OB (Office Business Campus) PDD northeast of the intersection of the Taconic State Parkway and Route 6. This change is being made in light of the GEIS and comments made with respect to impacts of rezoning large parcels to office, and will result in lessened impacts from office development in light of site constraints such as steep slopes. It was included in Alternative B3, which studied the impacts of not implementing the PDD zones throughout Town, and concluded that there will be no adverse impacts compared with the Future Baseline Conditions.

Residentially zoned properties in the northeastern most corner of the Town near the Somers Town Line would be rezoned in the Proposed Action to R1-80 rather than R1-160 as had been proposed in the 2005 Comprehensive Plan. This change is more consistent with the character of the surrounding area while still providing for the protection of the steep slopes in the area from inappropriate development. There will be no adverse impacts compared with the Future Baseline Conditions.

#### 4.2.3.4 Mohegan Lake

The Proposed Action would rezone the commercial properties on the south side of Route 6 east of Mohegan Avenue to C-3 from the existing C-4 zoning. The 2005 Comprehensive Plan had proposed retaining the existing C-4 zoning. The allowed uses in the C-3 District are somewhat more restrictive than those in the C-4 District, and, from a planning perspective, the intensity of development would be reduced; thus, there will be no adverse impacts compared with the Future Baseline Conditions.

The Proposed Action would rezone most of the commercial properties surrounding the intersection of Route 6, Mohegan Avenue and Lakeland Street to Office, from the existing C-2 zoning. The 2005 Comprehensive Plan had proposed designating these properties as CHC (C-2). A variation on this proposal involving a larger land area was presented in Alternative B1 in the GEIS. Diversification of use in the Mohegan Lake business district is consistent with the goals of the proposed Comprehensive Plan, which speaks of the need to encourage professional office development in the hamlet business areas. Because the bulk restrictions and parking regulations are the same in the Office and C-2 zones, and because there are fewer

allowable uses under Office than under C-2, development will be at least the same as Future Baseline Conditions, if not actually reduced. Thus there will be no adverse impacts compared with the Future Baseline Conditions.

The Proposed Action would extend the C-3 zoning boundary all the way to the rear of several properties on the north side of Route 6 west of its intersection with Lakeland Street, rather than changing the designation of the rear portions of the properties to RSP-1, as recommended in the 2005 Comprehensive Plan. This change is consistent with the existing zoning of these properties and will have no adverse impacts compared with the Future Baseline Conditions.

The Proposed Action would split a parcel situated just to the west of the above-referenced properties between the R1-20 and C-2 zones. By comparison, the 2005 Comprehensive Plan had proposed to split the property between the CHC (C-2) zone and a senior citizen development zone. The proposed change is similar to that presented in Alternative B1 in the Draft Plan, except that the frontage of the property would be zoned commercially rather than residentially. A consistent nonresidential frontage in this area is a more reasonable zoning alternative, corresponding to the existing context and minimizing land use conflicts between commercial uses and senior citizen residences, while providing for residential development in the rear will help to mitigate the impacts of commercial development on the residentially zoned property that surrounds it to the north and west.

The Proposed Action would different zoning configuration of the properties located north of Route 6 along Lexington Avenue in the 2005 Comprehensive Plan. Some of these properties would be designated as C-2, others would be designated R1-40, and others would be designated RSP-2. By comparison, most of these properties had been proposed for senior citizen development in the 2005 Comprehensive Plan. This proposal is a slight variation on the proposal that was presented in Alternative B1 in the GEIS. The proposed zoning is essentially similar to the existing zoning and is consistent with the community character in the area.

The Proposed Action would retain the existing C-2 zoning of several properties located in the middle of the commercial strip along the south side of Route 6 between Lexington and Mohegan avenues, where the 2005 Comprehensive Plan had suggested rezoning these properties to C-3. Given the policy in the proposed Comprehensive Plan to ensure that infrastructure is provided in advance of development, this change will not be significantly different than the Future Baseline Conditions. In addition, the intensity of C-2 development will be less than under the 2005 Comprehensive Plan due to changes to the bulk requirements. Therefore, there are likely to be no adverse impacts compared with the future baseline conditions.

The Proposed Action would not implement the PDDs that had been proposed in the 2005 Comprehensive Plan for Mohegan Lake. This change was studied in Alternative B3. This change was made because, in this area, the benefits that PDDs were intended to produce already will be realized through implementation of the Proposed Action. More specifically, as



described in the GEIS, the Proposed Action would require that adequate infrastructure improvements be made prior to development, and that site-specific mitigation measures be implemented.

The property on the southern side of Route 6 and bordering on Mohegan Lake, which is split between R3 and commercial frontage, had been proposed in Alternative B1 to be rezoned all commercial, as an Office zone. The Proposed Action will maintain the existing zoning, which is consistent with its existing use and consistent with the proposed Comprehensive Plan's goal of maintaining a diverse housing stock. There will be no adverse impact from Future Baseline Conditions.

#### 4.2.3.5 Shrub Oak

The Proposed Action proposes to retain the existing C-4 zoning of a large property across from the intersection of Main Street and Stony Street. By comparison, the 2005 Comprehensive Plan had recommended rezoning the property to CHC (C-2). The impacts of retaining this zoning were thus evaluated in the GEIS as part of the Future Baseline Conditions. As its impacts will be no different than the future baseline, there will be no adverse impacts compared with the Future Baseline Conditions.

The Proposed Action proposes a different zoning configuration than currently exists for numerous commercially zoned properties in the vicinity of Main Street, Buckhorn Street, Route 6, the Taconic State Parkway, and Route 132. The 2005 Comprehensive Plan had proposed rezoning most of these properties to CL (C-3) and CR (Commercial Recreation) from the previously existing C-2 and C-4. The Proposed Action proposes to generally retain the existing zoning designations in this area, except that two properties along the east side of Route 132 and one property at the southwest corner of Barger Street and Route 6 would be rezoned C-4 from the current C-2, and a property on Main Street currently zoned R1-10 would be rezoned C-2 consistent with the uses of this property. This proposed zoning configuration of these properties is appropriate, given that the commercially zoned properties will essentially retain their existing designations and will not result in any adverse impacts over the Future Baseline Conditions. Overall, the changes are relatively minor, affect only a few properties, and improve the consistency of the zoning map with the land uses in the area.

The Proposed Action would rezone the large parcels immediately adjacent to the Taconic State Parkway to Office rather than Commercial Recreation, as had been proposed in the 2005 Comprehensive Plan. This property is currently zoned as Industrial. Adjacent properties are currently split between residential and commercial zones. The property split between residential and commercial will be rezoned all residential. The 2005 Comprehensive Plan evaluated the impacts of designating these properties within a PDD that would have allowed office development. The re-zoning in the Proposed Action will have fewer visual impacts and is likely to result in less truck traffic than under Future Baseline Conditions.

The Proposed Action would not implement the PDD that had been proposed for Shrub Oak in the 2005 Comprehensive Plan. This change was studied in Alternative B3 in the GEIS. The benefit of the PDD for this area will now be achieved through the proposed Comprehensive Plan's policy requiring that adequate infrastructure be put into place before development occurs. Also the PDD's goal of allowing office will be met through the underlying zoning of office for the larger parcel abutting the Taconic State Parkway.

#### 4.2.3.6 Yorktown Heights

The Proposed Action proposes to designate as C-2R most of the properties that had been designated as CHC (C-2) in the 2005 Comprehensive Plan. This district is essentially the same as the previously proposed CHC district, so the impacts were evaluated in the GEIS. The C-2R zone will provide for housing diversity and help to create a more village-like downtown atmosphere.

The Proposed Action proposes to designate as Office several parcels between Route 118 and the North County Trailway to the south of the center of Yorktown Heights. These parcels are currently zoned Industrial. Office use will likely have fewer impacts (e.g. heavy truck traffic, noise, and air pollution) on these parcels than the current Industrial zoning; development on these parcels would be significantly restricted in any event due to environmental constraints; the existing Industrial zoning of these properties already contemplates office development; and the proposed Comprehensive Plan includes as a goal the addition of professional office space in the hamlet business areas. Therefore, there will be no adverse impacts compared with the Future Baseline Conditions.

The Proposed Action would retain the existing designation of the Yorktown Engine Company property as C-4 rather than rezoning the property to CHC (C-2) as proposed in the 2005 Comprehensive Plan. Because the proposed designation is the same as the existing designation, there will be no adverse impacts compared with the Future Baseline Conditions; moreover, the property is intended to remain in firehouse use under the Proposed Action, whereas in the 2005 Comprehensive Plan the firehouse would have been relocated elsewhere, potentially opening up the property for development.

The Proposed Action would retain as Commercial several properties along Veterans Road, Maple Avenue and Greenwood Street, whereas the 2005 Comprehensive Plan would have rezoned these properties to Office. The retention of the existing zoning is more consistent with the community character of the area.

The Proposed Action proposes a different configuration of the zoning in the residential area beginning at Front Street and extending east. Some existing small lots which had been proposed in the 2005 Comprehensive Plan to be rezoned to R1-10 will remain R1-20, while

other, larger lots will be rezoned from R1-20 to R1-40. In addition, a few lots will be rezoned from R1-20 to R-2 in order to reflect conditions in the immediately surrounding area. Some of these changes were map corrections; others are designed to improve the consistency of the zoning map with existing land uses. These changes result in a zoning configuration which better reflects and preserves the existing conditions in the area, fulfills the proposed Comprehensive Plan's goals of protecting neighborhood quality of life and have no adverse impacts compared with the Future Baseline Conditions.

Properties near French Hill north of Underhill Avenue will be rezoned to R1-160 rather than R1-200 as had been proposed in the 2005 Comprehensive Plan. The Proposed Action is still significantly less intense than the existing R1-40 zoning or the R1-80 proposed in Alternative B1 in the GEIS. The Proposed Action will reduce impacts of development, in consideration of environmental constraints, while allowing a reasonable level of development and will result in no adverse impacts compared to the Future Baseline Conditions.

#### 4.2.3.7 Hunterbrook

In the Hunterbrook area, the boundaries of the various residential zoning classifications have been shifted slightly to better account for existing conditions. Also, the lowest density zoning classification in the area will now be R1-160 rather than R1-200 as proposed in the 2005 Comprehensive Plan. Various zoning alternatives for this area have been studied extensively in the GEIS. The Hunterbrook area will be extensively upzoned under the Proposed Action, thereby reducing adverse impacts compared with the Future Baseline Conditions.

Properties located on the south side of Jacob Road and White Hill Road had been proposed to remain wholly or partly R1-80 in the 2005 Comprehensive Plan. The Proposed Action would rezone these properties to R1-160, consistent with the other properties to their south. This change in zoning results in greater zoning consistency throughout the Hunterbrook area, is reflective with the community character of Hunterbrook, recognizes and reinforces the historic boundary of Jacob Road and White Hill Road as the southern edge of intense development, and will help to reduce the environmental impacts of future development in an area which is now largely undeveloped and has important stream corridors.

The Church of the Nazarene property will be rezoned from R1-80 to R1-40. The Lead Agency finds that this zoning will allow for needed housing diversity for up to four new single-family affordable houses with accessory apartments. This housing diversity is consistent with the Proposed Action's goal of creating and maintaining affordable and diverse housing stock.

#### 4.2.3.8 South of the New Croton Reservoir

Under the Proposed Action, a small improved residential property adjacent to the IBM campus would remain in its existing residential classification rather than be rezoned to Office as proposed in the 2005 Comprehensive Plan. This configuration better reflects existing conditions

and will have no impact on the Town's economic development efforts to retain and attract high quality office and research tenants in this area.

#### 4.2.4 Impacts of Alternatives

**Alternative B1:** Under the proposed zoning of this Alternative, 609 fewer housing units would be constructed than under the Future Baseline Conditions within the 20-year horizon period and 71 fewer units than the Proposed Action. The projected demand for commercial space during the period, because of a reduction in future population, would likely be 101,000 square feet less than under the Future Baseline Conditions. The maximum potential buildout of vacant and underutilized commercial parcels outside PDDs and CHC districts would also be reduced by 131,000 square feet.

The potential buildout of office space would be up to 407,000 square feet greater than under the Future Baseline Conditions, though much of this space would probably not be constructed within the 20-year horizon period. The potential buildout of industrial space would be 116,000 square feet less. In addition, the potential would be created for an additional 349,000 square feet of commercial space within CHC districts and 6,000 additional square feet of commercial space within PDDs over the 20-year horizon period. New commercial developments in these areas would be constructed in the style of a traditional small-town downtown, oriented toward pedestrians, with public open space integrated into the projects. Such developments would consist largely of small retail sales and service operations, mixed with offices and residences, and would not be in the form of big-box development or strip shopping centers. The zoning will require that the upgrades be well designed at a human scale, with adequate infrastructure, in order to ensure the continued viability of the business areas and improve the experience of visiting these areas.

**Alternative B2:** Under the proposed zoning of this alternative, 538 fewer housing units would be constructed than under the Future Baseline Conditions within the 20-year horizon period (The Proposed Action and Alternative B2 are the same, since, as stated previously, Alternative B2 represented the elimination of the Density Reduction Program). Due to the reduction in the total potential population, the demand for commercial space during the period would likely be 61,000 square feet less than under the Future Baseline Conditions, though slightly greater than under the Proposed Action. The maximum potential buildout of commercial, office and industrial parcels would be the same as under the Proposed Action.

**Alternative B3:** Under the proposed zoning of this alternative, 518 fewer housing units would be constructed within the 20-year horizon period than under the Future Baseline Conditions and approximately 20 additional units than the Proposed Action (since this Alternative eliminates the Planned Development Districts). The reduction in the amount of commercial space that could potentially be constructed on vacant and underutilized sites outside CHC districts would be approximately 183,000 square feet compared with Future Baseline Conditions during the 20-

year horizon period, while the demand for commercial space would be 81,000 square feet less than with the Future Baseline Conditions.

In addition, the potential would be created for new development projects in traditional “main street” or “village center” style developments within proposed CHC districts within the currently developed business areas over the 20-year horizon period. Overall, an additional 335,000 square feet of commercial space could be constructed in the proposed CHC districts. All new commercial developments in these areas would be constructed in the style of a traditional small-town downtown, oriented toward pedestrians, with public open space integrated into the projects. Such developments would consist largely of small retail sales and service operations, mixed with offices and residences, and would not be in the form of big-box development or strip shopping centers. The zoning will require that the upgrades be well designed at a human scale, with adequate infrastructure, in order to ensure the continued viability of the business areas and improve the experience of visiting these areas.

In addition, the alternative allows for the construction of 621,000 additional square feet of office space, while reducing potential industrial buildout by 266,000 square feet. The office space would include small second-story professional offices in CHC districts.

**Alternative B5:** Under the proposed zoning of this alternative, 1,774 fewer housing units would be constructed within the 20-year horizon period than under the Future Baseline Conditions and 1,236 fewer units than the Proposed Action. The demand for commercial space would be 224,000 square feet less than under the Future Baseline Conditions. The maximum potential buildout of commercial, office and industrial parcels would be the same as under the Proposed Action.

**Alternative B6:** Under the proposed zoning of this alternative, 619 fewer housing units would be constructed within the 20-year horizon period than under the Future Baseline Conditions and 81 fewer units than the Proposed Action. The demand for commercial space would be 105,000 square feet less than under the Future Baseline Conditions. The maximum potential buildout of commercial, office and industrial parcels would be the same as under the Proposed Action.

### 4.3 POPULATION

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To the extent there is additional information not already presented in the GEIS, this DSGEIS discusses current and historical population and socioeconomic characteristics of the Town, future baseline conditions, and the likely impacts of the Proposed Action on population and socioeconomic characteristics.

### 4.3.1 Existing Conditions

#### 4.3.1.1 Current Population

The U.S. Census Bureau estimated Yorktown’s population in 2007 at 37,753, an increase of 1,435 people or 3.95 percent total (0.6 percent per year for seven years) over the 2000 census figure of 36,318.<sup>20</sup> This estimate represents a declining rate of increase since the 2002 estimate, which noted an annual increase of 1.0 % per year from between 2000 and 2002 (this was noted in the GEIS). Also, as the GEIS noted, “the 2000 figure represented an increase of 2,851 over the 1990 figure of 33,467.”<sup>21</sup> Table 3-1 of the GEIS indicated the population change, and demonstrates that such changes were not evenly distributed throughout the Town. In percentage terms, the 1990-2000 increase was 8.5 percent over 10 years or 0.85 percent per year.” Thus, the updated Census figures suggest that the Yorktown population, while still increasing slightly, is increasing more slowly than previously thought.

As was noted in the GEIS and illustrated in Table 3-1 of the GEIS, the population change was not evenly distributed throughout the Town. The population growth was greatest in the Mohegan Lake and Shrub Oak areas, as well as in the areas of Crompond, Hunterbrook and south of the reservoir. Growth was least in the southern Yorktown Heights and Croton Heights areas. This Table is reproduced below as Table 4-5 for illustrative purposes. The Census Tract boundaries have remained the same since the GEIS was written.

**Table 4-5: Population in Yorktown and its Census Tracts, 1990 and 2000<sup>22</sup>**

<b>Geographic Area</b>	<b>1990</b>	<b>2000</b>	<b>Numeric change</b>	<b>Percent change</b>
Census Tract 148.04 (Mohegan + Shrub Oak)	6,558	7,791	+1,233	+18.8%
Census Tract 148.05 (South of Croton, Hunterbrook, Crompond)	3,609	4,019	+410	+11.4%
Census Tract 148.06 (North and southwest JV)	6,428	6,764	+336	+5.2%
Census Tract 148.07 (Southeast JV, Sparkle Lake)	7,690	8,127	+437	+5.7%
Census Tract 148.08 (North Y-Heights)	3,335	3,596	+261	+7.8%
Census Tract 148.09 (South Y-Heights, Croton Heights)	5,847	6,021	+174	+3.0%

<sup>20</sup> In general, 2000 figures are used for consistency throughout the GEIS because the most recent available data for most topics are from 2000. However, the 2007 population estimate will be used as a base for determining future town-wide population.

<sup>21</sup> The amount of increase may be overstated because the census had a lower undercount in 2000 than in 1990.

<sup>22</sup> More recent figures for population by Census tract are not available.

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<b>Total</b>	<b>33,467</b>	<b>36,318</b>	<b>+2,851</b>	<b>+8.5%</b>
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#### 4.3.1.2 Aging Trends

No new data on aging trends has been made available since the GEIS. Tables 3-2, 3-3, and 3-4 of the GEIS illustrated Yorktown's population by age group, as compared with the local Counties, within Yorktown by census tract, respectively.

#### 4.3.1.3 Historical Population Statistics

The historical population statistics remain the same as in the GEIS. No new data is available.

#### 4.3.1.4 Regional Population Comparisons

The regional population comparisons described in the GEIS remain unchanged.

#### 4.3.1.5 Income Levels

*Median Household and Per Capita Income:* The existing conditions of income levels described in the GEIS remain unchanged.<sup>23</sup>

*Income by School District:* The existing conditions of income levels by school district described in the GEIS remain unchanged.

*Income Trends:* The existing conditions of income trends described in the GEIS remain unchanged.

### **4.3.2 Future Baseline Conditions**

As the GEIS noted, because Yorktown is growing more slowly and approaching full buildout, significant changes in population and socioeconomic characteristics are not expected to occur over the 20-year horizon period. In general, barring unforeseen social or economic changes, the current socioeconomic makeup of the community can be expected to continue. However, certain areas of Town will experience more population growth than other areas, as described below. This difference reflects the amount of available land for development in each area. In general, it is expected that the population of the Town will nearly reach full buildout by the end of the horizon period. The population figures reflect this.

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<sup>23</sup> While some new Federal and County estimates are available for 2006, it is standard practice to utilize the last census figures as the existing condition baseline.

#### 4.3.2.1 Future Population

As the GEIS noted, future population growth will be closely related to the number of housing units constructed and the average household size, and the number of housing units constructed under the future baseline conditions will be determined by what is allowed under the Town's current zoning regulations and the growth rate during the 20-year horizon period. Given the land use patterns described previously, and the current population trends, it is assumed that the growth rate will be similar to the growth rate of recent years, less than 1 percent per year.

In 2000, the average household size in Yorktown was 2.83 persons per household. This figure represented a decline from the 1990 census, when the average household had 3.0 persons. Assuming the current average household size of 2.83 applies to newly-constructed housing units, and assuming a 2.5% vacancy rate (per the GEIS) for new units, the total *additional* population in Yorktown under the future baseline conditions will be 10,149. When this is added to the 2006 population estimate of 37,800, this figure yields a total potential population of 47,949 by the 20-year horizon date.

This figure is much higher than a simple trend analysis would project—a growth rate of 0.6 percent (described previously) applied to the 2007 population estimate yields 40,900 people by 2020, 42,100 people by 2025, and 43,300 people by 2030.<sup>24</sup>

Thus it should be noted that this projected future baseline condition reflects an upper limit on the future population. It assumes that the household size, both for existing and new units, will not continue to decline and that the vacancy rate for existing units will remain the same as it is today. This analysis is conservative because the household size will likely continue to fall. These estimates represent a “reasonable worst-case” scenario, differing from the Comprehensive Plan estimates of future population, which represents the most likely scenario.

#### 4.3.2.2 Future Aging Trends

No new data on aging trends has become available since the GEIS was written, and the trends identified in the GEIS are expected to hold true for the foreseeable future. In summary, the GEIS reported that the elderly population in New York State is expected to increase dramatically after 2010, when the Baby Boom generation begins to reach retirement age, and that between 2005 and 2025 the State's population under 60 is expected to increase by only 2%, while the population over 60 is expected to increase by 40%. Furthermore, the GEIS reported that between 1990 and 2000, the population aged 18–34 decreased by 18% in the city's northern suburbs, an area which includes Yorktown. Barring a substantial change in economic conditions, these factors are expected to continue in the future, contributing to a flat or declining population of younger working age residents.

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<sup>24</sup> Estimates are rounded to the nearest 100.



### 4.3.2.3 Future Income Levels

As noted previously, Yorktown is already within the upper half of the metropolitan area in terms of both household and per capita income. The GEIS noted that barring significant economic changes, this trend can be expected to continue in the future. No new data is available, and there is no reason to expect this trend to reverse.

## 4.3.3 **Impacts of the Proposed Action**

### 4.3.3.1 Future Population

As discussed in the Land Use and Zoning chapter of the GEIS and this SGEIS the future Year 20 population under the plan is expected to be less than that under the Future Baseline Conditions because the number of housing units is expected to be reduced. Using the same assumptions that were made for the Future Baseline Conditions, discussed previously, the likely upper limit on the 20-year future additional population if the Proposed Action is implemented would be 7,825. This figure is based on full buildout and assumes that the current vacancy rate in Yorktown applies to both new and existing units in the future. When added to the 2000 population, this yields a total potential future population (at the 20-year time horizon) of 44,871, or 2,324 fewer persons than the future baseline conditions.

### 4.3.3.2 Future Aging Trends

Future aging trends with implementation of the Proposed Action are likely to be similar to those under the Future Baseline Conditions. However, the Proposed Action could influence migration into and out of Yorktown by certain age groups. By implementing housing policies that include reduced barriers to accessory units and creation of the potential for apartments in existing business areas, the Proposed Action would promote greater housing diversity than the existing zoning. Specifically, implementation of the proposed zoning changes has the potential to generate up to about 20 apartment units in business areas beyond what could be expected to be built under the Future Baseline Conditions. These units are likely to attract different age groups than single family homes. Therefore, young people who might otherwise have left Yorktown may choose to remain in the Town, counteracting the regional suburban trend toward fewer residents in these age groups. These policies would also help the Town retain senior citizens who might have to leave in the future due to their inability to continue to maintain large single-family houses.

### 4.3.3.3 Future Income Levels

In comparison to the Future Baseline Conditions, implementation of the Proposed Action is likely to result in a wider range of income levels throughout the community because it would allow for the construction of a greater variety of housing types. The additional accessory apartments that could be constructed throughout the community would tend to attract those with

lower income levels. Mandatory set-asides for middle-income housing, as per the Westchester County income guidelines for affordable housing, would similarly have a leveling impact on incomes throughout the Town.

On the other hand, the construction of new mixed-use communities in the existing business areas could be expected to raise income levels. Usually, these types of communities are marketed to attract “empty nesters” and young professionals with relatively high disposable incomes and no children. As a result, income levels often go up when new mixed-use developments are constructed. Also, the larger lot sizes created by the proposed upzonings in residential areas would be expected to draw those with higher incomes to Town.

In addition, the Proposed Action proposes a number of public investments, which are expected to increase the value of land throughout Yorktown. These include the provision of additional parks and greenway trails, the redevelopment of unattractive business areas, and the alleviation of traffic congestion through additional road connections. As the Town becomes a higher value community, the income levels of those who choose to live in the Town are likely to rise.

It should be emphasized regardless of the implementation of these policies, overall income levels throughout Yorktown are expected to continue to rise, as they have in the past, barring unanticipated significant economic or social changes. This is primarily due to larger social forces affecting the entire metropolitan region, whereby many communities, including Yorktown, are rapidly rising in value and prestige. Because of these outside forces, income level changes have occurred relatively uniformly throughout Yorktown and it is expected that they will continue to do so.

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#### **4.4 HOUSING**

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This document considers the impacts of the Proposed Action on the Town’s housing resources, including the general cost of land and housing within the various residential land use zones and the impacts of the proposed housing set-aside legislation, to the extent there is additional information not already presented in the GEIS. The DSGEIS assesses the potential overall impact of the Proposed Action on the total number of housing units that are expected to be built between the time of the adoption of the Proposed Action and the horizon year. It is also expected that implementation of the Proposed Action would impact the location and type of the units constructed. Thus, the DSGEIS describes these projected changes to the housing stock of Yorktown and examine how they differ from the changes that can be expected under the likely future baseline conditions. The DSGEIS also discusses how seniors’, “work force,” singles’, and young families’ housing needs are addressed, how a diversity of affordable and low-cost housing options, including multi-family units, is affected, as well as the extent to which the implementation of the Proposed Action would impact Westchester County’s affordable housing goals for the Town. As applicable, this section also includes a discussion of housing in the Town’s hamlets.

#### 4.4.1 Existing Conditions

##### 4.4.1.1 Housing Characteristics and Tenure

As new Census data have not been released since issuance of the GEIS, there are no changes to the existing conditions described in the GEIS.

##### 4.4.1.2 Housing Costs

The GEIS quoted figures from the New York State Consolidated Plan for Federal Fiscal Years 2001-2005, which was published in 2000, and noted that the average sales price for a home in Westchester County in 1999 was \$459,000. This had increased to \$687,000 in 2002. The GEIS further noted that interest rates at the time were very low, allowing residents are able to spend more on housing than in the past. In any case, the GEIS noted that the evidence is that housing is out of reach for increasing segments of the population in Westchester.

Since the GEIS, new data has been made available in the New York State Consolidated Plan for Federal Fiscal Years 2006-2010, which was published in December 2005. According to this new data, the median sales price of homes in Westchester County in 2002 was \$525,000. By 2004, this had increased 2.0 percent to \$640,000. The Westchester County Databook issued in 2008 reports the 2007 the median sales price for Westchester County as \$670,098. This represents a considerable decrease in the projections of the data available at the time of the GEIS, but nonetheless represents very high homeownership costs.

The 2008 Westchester County Databook also provides statistics of home prices in Yorktown. The median sales price of single family homes for Yorktown over the past decade is summarized below. Data for the year 2008 is available through the New York State Office of Real Property Services Sales Web. As one might expect with the current economic downturn and deflation of the housing bubble, the median sales price fell further to \$470,000.

**Table 4-6: Median Sales Price of Single Family Homes, Yorktown, 1997-2008**

Year	Median Price (current \$)
1997	208,000
1998	224,800
1999	245,000
2000	279,900
2001	323,000
2002	372,000
2003	415,000
2004	440,625
2005	500,000
2006	510,000

2007	478,500
2008	470,000

Source: Westchester County Department of Planning, Westchester County Data Book 2008. The 2008 data is from the New York State Office of Real Property Services.

In addition, the 2006-2010 Consolidated Plan notes that the fair market rents for two-bedroom apartments in Westchester County increased by 8.2 percent between 2002 and 2004, from \$1,196 per month to \$1,294 per month.

#### 4.4.1.3 Affordable Housing Goals

Since issuance of the GEIS, the affordable housing goal for the Town set by the 1993 Westchester County Affordable Housing Allocation Plan noted in the GEIS has been increased from 204 units. The latest Allocation Plan, issued in November 2005, set a total goal of 378 units for Yorktown (i.e., 174 in addition to the 1993 goal). Recognizing that 80 affordable senior units were constructed at the Wynwood Oaks development, the total unmet obligation is 298 units (378 total minus 80 built), or 79 percent of the allocation. Statistics for the municipalities neighboring Yorktown that are also categorized as “North County” are as follows: New Castle has an unmet obligation of 100 percent (its total allocation is 255 units); and Somers has an unmet obligation of 100 percent (its allocation is 224 units). Of the remaining municipalities in this classification, only Bedford does not have an unmet obligation of 100 percent; its unmet obligation is 92 percent. The neighboring Town of Cortlandt, which is classified as a “Hudson River” municipality, has an unmet obligation of 30 percent (its total allocation is 403 units).

The Town’s affordable housing program also includes 13 homeownership units that are not counted towards the County’s allocation goal, primarily because the deed restrictions and re-sale provisions are slightly different than the standards of the County program. In addition, the Town also provides five Section 8 rental apartments. These are also not counted towards the County’s allocation goal.

#### **4.4.2 Future Baseline Conditions**

As noted in Chapter 4.2, and as was determined in the GEIS, under existing zoning, 3,678 new housing units could be constructed in Yorktown in the 20-year future. Under existing zoning, almost all of these units would be single-family homes because there is little land available on which other types of housing are permitted.

#### **4.4.3 Impacts of the Proposed Action**

The updated existing conditions data does not significantly affect the analysis presented in the GEIS or in this SGEIS. The Proposed Action takes steps to provide diverse housing, including

the zoning of land for multifamily development and the adoption of an inclusionary housing law to require that affordable housing be provided as a component of new residential development. The Proposed Action also loosens accessory apartment restrictions on smaller parcels.

#### 4.4.3.1 Housing Characteristics and Tenure

The total amount of housing that would be added will be reduced due to townwide upzonings, as detailed previously. However, the Proposed Action should result in greater housing diversity than the Future Baseline Conditions, though the great majority of new units constructed are still expected to be single-family homes. The Proposed Action recommends rezoning some small areas near Old Crompond Road to allow multifamily housing within existing business areas. At densities typical of contemporary suburban developments, the newly zoned area could accommodate approximately 24 units near Old Crompond Road.

#### 4.4.3.2 Affordable Housing Goals

Given market trends, most new multifamily and single family construction is expected to be targeted toward middle and higher income individuals, as the market demand for such housing is very strong throughout the region, and Yorktown's income levels are already high and trending upward. The Proposed Action would implement a requirement that a certain number of units in new subdivision developments be set aside as affordable units. For single-family subdivisions of 10 units or more, at least 10 percent of the total units will be affordable. For a multifamily development, in developments of 30 units or less, at least 10 percent of the total units will be affordable, and in developments of more than 30 units, at least 15 percent of the units will be affordable. As the Future Baseline Conditions call for construction of 3,678 units in approximately 20 years, and the Proposed Action would reduce such construction to 2,836 units (842 fewer than the Future Baseline Condition), it is projected that approximately 283 units (or 10%) of the new units constructed under the Proposed Action would be affordable. Thus, along with the existing 80 affordable housing units, the Proposed Action would allow the Town to satisfy approximately 96% of the affordable housing goal set forth in the Westchester County Affordable Housing Allocation Plan.

The Proposed Action also would require that the Town loosen restrictions on accessory apartments, including the restriction that the owner occupy the larger apartment, as well as the time period in which an owner could construct an accessory apartment. The Proposed Action also provides that the Town work with nonprofit agencies to provide low-cost ownership units on properties the Town has condemned for property tax delinquency.

These requirements, if implemented, would assist the Town in fulfilling its current (and future) affordable housing goals. In addition, as noted directly above, the Proposed Action allows more multifamily units to be built as a percentage of all new development than otherwise would occur under Future Baseline Conditions.

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## **4.5 WATER RESOURCES**

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There is no significant additional information not already presented in the GEIS with respect to the Proposed Action's impact on the water resources of Yorktown, however, since the GEIS the County has finalized the Comprehensive Croton Watershed Protection Plan, which Yorktown supports. The Proposed Action would not cause any previously-identified significant adverse environmental impacts to water resources. This section also addresses concerns raised in the 2006 litigation about the environmental impact of low-density zoning.

### **4.5.1 Existing Conditions**

#### **4.5.1.1 Surface Water**

Nearly 86 percent or 20,871 acres of Yorktown's total land area is within the Croton Watershed. The remaining land area, the northern part of the town, is within the Peekskill Hollow Brook Basin. Thus, the GEIS referenced the 2003 Draft of the Comprehensive Croton Watershed Water Quality Protection Plan in describing the majority of Yorktown's surface water resources. The Croton Plan was finalized in December 2007, but the underlying data presented in the GEIS has not changed in any significant manner. Thus no supplemental information is available or necessary to describe the existing conditions of surface water resources.

It bears repeating, however, that phosphorus loads in the Muscoot and New Croton reservoirs are above the levels permitted by the Croton Plan, most likely as a result of failing septic systems, fertilizer runoff, and wastewater treatment plants. Similarly, turbidity, a measure of the relative murkiness of water, has been increasing.

#### **4.5.1.2 Groundwater**

The underlying data on the existing conditions of Yorktown's groundwater resources presented in the GEIS has not changed in any significant manner. Thus no supplemental information is available or necessary to describe the existing conditions of groundwater resources. Groundwater is not used as a source of drinking water in the Town.

### **4.5.2 Future Baseline Conditions**

#### **4.5.2.1 Surface Water**

The underlying data on the future baseline conditions of Yorktown's surface water resources presented in the GEIS has not changed in any significant manner. Thus no supplemental information is available or necessary to describe the Future Baseline Conditions of surface water resources.

The Croton watershed plan prepared by the County was finalized in December 2007. While the Croton plan does not present any new data that bear consideration in this DSGEIS, it is

apparent that Yorktown's current policies are not sufficient to protect the quality of the watershed according to the Croton plan. Major recommendations identified in the Croton Plan, some of which the Town has adopted as noted below, are as follows:

- Develop a stormwater system inspection and maintenance schedule that begins at the headwaters of streams and proceeds downstream. All streams are inspected, and cleaned out if necessary, each year.
- Develop a snow and ice operational plan using best management practices to reduce water quality impacts from de-icing operations. The Town Highway Department uses 66% less salt on roadways in sensitive areas of town which includes: around all lakes, around the Croton Reservoir, and in the entire area of town located below the Croton Reservoir. Signs are posted reading "Low Salt Area" in these locations.
- Implement a scheduled maintenance program to reduce non-point source pollution with an emphasis on protecting water quality, not on an as-needed basis or in response to complaints. Elements of this program would include street sweeping and catch basin clearing. The Town sweeps all town roads and cleans all catch basins every year.
- Work with private stormwater detention basin owners to ensure that basin management plans are developed and adhered to. Develop a system for homeowners' associations to report basin problems. The Town has a part time Environmental Inspector to investigate complaints.
- Require maintenance for the life of new stormwater basins when they are constructed, considering funding, reporting and enforcement. Currently the Town's consultant conducts inspections of post-construction management practices. Inspections will continue on a cyclical basis. The Building Inspector and Town Engineer may issue violations for non-compliance.
- Adopt a steep slope ordinance to regulate activities on slopes of 15% or greater.
- Develop a stormwater ordinance to implement the U.S. Environmental Protection Agency's Phase II regulations. The Town of Yorktown adopted a Stormwater Ordinance by Local Law No. 12 of 2004 dated May 6, 2004.
- Develop an education plan for residents and businesses targeting septic system maintenance, lawn care, water conservation, agricultural impacts, and other similar issues. The Town Conservation Board obtained and developed several stormwater brochures, including detailed information on phosphorus reduction, that are available in Town Hall. In addition, a public mailing which contains illicit discharge information will be mailed to all residents.<sup>25</sup>

If these and other measures recommended in the Croton Plan are not implemented, water quality in the New Croton and Muscote reservoirs will not achieve the total maximum daily load (TMDL) targets, and it is likely that water quality in the watershed will continue to deteriorate.

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<sup>25</sup> The Croton Watershed Water Quality Protection Plan, as quoted in The Town of Yorktown Comprehensive Plan Draft GEIS, November 2004. p. 5-6.

Noting this likelihood, Yorktown supports the Croton Plan and already has adopted some of the policies, as noted above. The Proposed Action would further address these concerns by limiting development on steep slopes, concentrating commercial development in hamlet centers, and overall, reducing allowable density in watershed areas such as the Hunterbrook area.

#### 4.5.2.2 Groundwater

As noted by the GEIS, the future of Yorktown's groundwater resources is unknown at this time because the aquifers beneath Yorktown have not been fully identified and mapped. There is no new information available to for this SGEIS to consider.

### **4.5.3 Impacts of the Proposed Action**

Because the Proposed Action would reduce development density in sensitive areas and promote infill development in existing village areas (consistent with smart growth principles), it would have a positive impact on water resources compared with future baseline conditions. Policies first developed and proposed by the 2005 Comprehensive Plan are proposed to be instituted by the Proposed Action. This includes the implementation of the recommendations of the Croton Watershed Plan.

Overall development intensity will be reduced in substantial portions of environmentally sensitive areas, and instead new intense development will be directed to the hamlet areas of Town. Where new development in areas of low-density zoning could increase existing impervious surface coverage (by adding driveways, tennis courts, patios, swimming pools, accessory buildings such as pool houses and guest houses, large garages, and other hardscapes, etc.), the Proposed Action requires consideration of the following site specific mitigation measures:

- Reductions in impervious coverage.
- Native habitat enhancement and reconstruction.
- Clustering of development away from sensitive scenic, agricultural or environmental resources.
- Imposition of conservation easements on environmentally sensitive lands.
- Public acquisition of environmentally sensitive lands.
- Undisturbed buffers adjacent to environmentally sensitive lands.
- Wetlands mitigation at ratios equal to or greater than required by law.
- Use of natural and engineered Best Management Practices (BMPs) to protect water bodies adjacent to projects, to control flooding, and to promote groundwater recharge.



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## **4.6 BIOLOGICAL AND ECOLOGICAL RESOURCES**

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There is no significant additional information not already presented in the GEIS with respect to the Proposed Action's impact on the biological and ecological resources of Yorktown. The Proposed Action would not cause any previously-unidentified significant adverse environmental impacts to biological or ecological resources.

### **4.6.1 Existing Conditions**

The underlying data on the existing conditions of Yorktown's biological and ecological resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the existing conditions.

### **4.6.2 Future Baseline Conditions**

The underlying data on the future baseline conditions of Yorktown's biological and ecological resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the future baseline conditions.\

### **4.6.3 Impacts of the Proposed Action**

The Proposed Action would have positive impacts on biological and ecological resources compared to the future baseline conditions. Those policies proposed by the 2005 Comprehensive Plan remain largely unchanged but for two substantive instances:

- The Proposed Action includes a new policy recommending that the Town support appropriate forest management techniques to ensure that the quality of forested land is protected and maintained. This policy can be expected to have a positive environmental impact on forests.
- The Proposed Action includes a new policy recommending that a program be developed for monitoring conservation easements and protected open space. This program can be expected to benefit biological and ecological resources by ensuring that land set aside for conservation remains undisturbed.

Overall, based on the assessments in the GEIS, the Proposed Action will have a positive impact on biological and ecological resources compared with the Future Baseline Conditions.

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## **4.7 GEOLOGY AND TOPOGRAPHY**

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There is no additional information not already presented in the GEIS with respect to the Proposed Action's impact on the geology and topography of Yorktown. The Proposed Action would not cause any previously-unidentified significant adverse environmental impacts to geology and topography.

#### **4.7.1 Existing Conditions**

There have been no changes or modifications to the Town's existing geology and topography since the 2004 DGEIS. All of the relevant existing conditions are described in that document.

#### **4.7.2 Future Baseline Conditions**

There are no changes or modifications to the Future Baseline Conditions since the 2004 DGEIS. All of the relevant future baseline conditions are described in that document.

#### **4.7.3 Impacts of the Proposed Action**

The proposals in the Proposed Action with regard to geology and topography are largely unchanged from the 2005 Comprehensive Plan. Thus, there is no change to the GEIS' conclusion that those policies will have a net positive impact on critical geological and topographic areas.

### **4.8 AIR QUALITY**

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Air quality is an important component of the overall quality of life but, as noted in the GEIS, is unlikely to be impacted greatly by the Proposed Action. The Proposed Action would not cause any previously-unidentified significant adverse environmental impacts to air quality.

#### **4.8.1 Existing Conditions**

The underlying data on the existing conditions of Yorktown's air quality presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the existing conditions.

#### **4.8.2 Future Baseline Conditions**

The underlying data on the future baseline conditions of Yorktown's air quality presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the future baseline conditions.

#### **4.8.3 Impacts of the Proposed Action**

The Proposed Action's policies in regard to air quality remain as they were analyzed in the GEIS, which concluded that the Proposed Action will have no significant impacts on air quality. However, it bears noting that the Proposed Action's land use goals of promoting infill development in existing village areas may reduce dependence on automobiles and reduce vehicle miles traveled as compared to future baseline conditions.

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## **4.9 PUBLIC HEALTH**

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There is no additional information not already presented in the GEIS with respect to the Proposed Action's impact on public health. The Proposed Action would not cause any previously-unidentified significant adverse environmental impacts to public health.

### **4.9.1 Existing Conditions**

The underlying data on the existing conditions of Yorktown's public health conditions and resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the existing conditions.

### **4.9.2 Future Baseline Conditions**

The underlying data on the future baseline conditions of Yorktown's air quality presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the future baseline conditions.

### **4.9.3 Impacts of the Proposed Action**

The Proposed Action's policies that impact public health do not differ from those of the Comprehensive Plan as studied by the GEIS. Overall, based on the assessment in the GEIS, the Proposed Action will have no negative impacts on public health and may in fact have positive impacts. However, it bears noting that the Comprehensive Plan's land use goals of promoting infill development in existing village areas may increase walkability and physical activity, and reduce dependence on automobiles, thus promoting improvements in health.

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## **4.10 NOISE AND ODOR**

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There is no additional information not already presented in the GEIS with respect to the Proposed Action's impact on noise and odor in Yorktown. The Proposed Action would not cause any previously-unidentified significant adverse environmental impacts to noise or odor.

### **4.10.1 Existing Conditions**

The underlying data on the existing conditions of Yorktown's noise and odor presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the existing conditions.

### **4.10.2 Future Baseline Conditions**

The underlying data on the future baseline conditions of Yorktown's noise and odor presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the future baseline conditions.

### **4.10.3 Impacts of the Proposed Action**

The Proposed Action's policies in regard to noise and odor remain as they were analyzed in the GEIS, which concluded that the Proposed Action will have no significant impacts on noise or odor. While noise is not a significant problem in Yorktown (and is not expected to become a significant problem), the Proposed Action may marginally reduce noise in some areas (and marginally increase it in others) by spreading out and slowing down traffic.

## **4.11 ENERGY**

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There is no additional information not already presented in the GEIS with respect to the Proposed Action's impact on energy resources in Yorktown. The Proposed Action would not cause any previously-unidentified significant adverse environmental impacts to the Town's energy resources.

### **4.11.1 Existing Conditions**

The underlying data on the existing conditions of Yorktown's energy use and resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the existing conditions.

### **4.11.2 Future Baseline Conditions**

The underlying data on the future baseline conditions of Yorktown's energy use and resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the future baseline conditions.

### **4.11.3 Impacts of the Proposed Action**

The Proposed Action's policies that impact energy resources do not differ from those of the Comprehensive Plan as studied by the GEIS. Overall, based on the discussion in the GEIS, the Proposed Action will have no negative impacts on energy resources.

## **4.12 UTILITY INFRASTRUCTURE**

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There is no additional information not already presented in the GEIS with respect to the Proposed Action's impact on utility infrastructure. The Proposed Action would not cause any previously-unidentified significant adverse environmental impacts to utility infrastructure.

### **4.12.1 Existing Conditions**

The underlying data on the existing conditions of Yorktown's utility infrastructure presented in the GEIS has not changed in regards to the Town's Water Supply and Service and Sewer

Service from the Westchester County Sewer District. However, the Town has upgraded the Hallock's Mill Sewer Treatment Plant.

Since the GEIS was issued, the Town of Yorktown completed construction at its Yorktown Heights Water Pollution Control Facility which serves the Hallock's Mill Sewer District. The project included the installation of an Ammonia Removal System to comply with the Town's SPDES Permit with the New York State Department of Environmental Conservation, which included rotating biological contactors, new trickling filters and an alkalinity control system. In addition, the project provides for the compliance with the New York City Department of Environmental Protection's Watershed Rules and Regulations (R&R's). This means the plant has moved to a new level of treatment of Microfiltration, including the addition of an ultraviolet disinfection system, a new emergency generator, and new sand filters. The upgraded facility is capable of treating an average monthly flow of 2.5 million gallons per day (mgd). The Town is seeking a variance from the NYCDEP to the R&R's to increase its SPDES Permit average monthly flow limit to the 2.5 mgd.

#### **4.12.2 Future Baseline Conditions**

The underlying data on the future baseline conditions of Yorktown's utility infrastructure presented in the GEIS has not changed in any significant manner, and no supplemental information is available or necessary to describe the future baseline conditions.

#### **4.12.3 Impacts of the Proposed Action**

The Proposed Action's policies in regard to utility infrastructure remain as they were analyzed in the GEIS, which concluded that the Proposed Action will have no significant impacts on utility infrastructure. It bears repeating, however, that the Proposed Action would implement a policy that new development that might affect infrastructure service capacity (e.g., roadway traffic volume, sewer and water service) should undertake appropriate mitigation measures and/or infrastructure improvements that might reasonably be required.

### **4.13 SCENIC, HISTORIC, AND CULTURAL RESOURCES**

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There is no additional information not already presented in the GEIS with respect to the Proposed Action's impact on the scenic, historic, and cultural resources of Yorktown. The Proposed Action would not cause any previously-unidentified significant adverse environmental impacts to these resources.

#### **4.13.1 Existing Conditions**

The underlying data on the existing conditions of Yorktown's scenic, historic, and cultural resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the existing conditions.

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### **4.13.2 Future Baseline Conditions**

The underlying data on the future baseline conditions of Yorktown's scenic, historic, and cultural resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the future baseline conditions.

### **4.13.3 Impacts of the Proposed Action**

The Proposed Action's policies in regard to scenic, historic, and cultural resources remain as they were analyzed in the GEIS, which concluded that the Proposed Action will have no significant impacts on these areas.

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## **4.14 PARKS AND RECREATION**

There is no additional information not already presented in the GEIS with respect to the Proposed Action's impact on the parks and recreational resources of Yorktown. The Proposed Action will not cause any previously-unidentified significant adverse environmental impacts to these resources.

### **4.14.1 Existing Conditions**

Very little of the underlying data on the existing conditions of Yorktown's parks and recreation resources presented in the GEIS has changed in any significant manner.

However, with regard to County and State Parks, one significant (and beneficial) change is to the 1,912 acres of such parks noted in the GEIS. In addition to that acreage, in 2006 some 211 acres were added to Donald J. Trump State Park (58 acres of land from the R1-160 residential district north of Route 202, east of the Taconic Parkway were donated to the Park, and 153 acres south of Route 202, east of the Taconic, and south of FDR Park, were donated to the French Hill section).<sup>26</sup>

In addition, ball fields are now under construction at Strang Park. Funded by the Westchester County Legacy Program, the project includes renovation to one existing ball field and the construction of two new ball fields—one baseball diamond and one soccer field.

### **4.14.2 Future Baseline Conditions**

The underlying data on the future baseline conditions of Yorktown's park and recreational resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the Future Baseline Conditions.

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<sup>26</sup> Ibid. p. 14-2.

### **4.14.3 Impacts of the Proposed Action**

The Proposed Action shifts the emphasis of some of the recommendations in the Parks and Recreation chapter in the 2005 Comprehensive Plan from heavily detailed recommendations to suggestions for further study. These include:

- Slight changes in existing conditions (see above) prompted an alteration of the language in the 2005 Comprehensive Plan which recommended consideration of a large new community park to instead recommend investigating the need for a new major community park. Additionally, detailed recommendations for the location and programming of a new park have been removed to give the Town more flexibility in choosing the location and type of construction in the future as needs determine.
- Similarly, criteria for the size, character and location of future parks were removed as compared to the 2005 Comprehensive Plan so that the Recreation Commission can consider those criteria in its own updated Recreation Plan. Also, specific suggestions on the use of the Holland Sporting Club site were removed, and it was recommended instead that a more detailed assessment be made in the future.
- A recommendation to create a unified signage format, theme and logo for Town parks was removed. The Town already has such a format.
- A pair of suggestions on ways the Town could work with the State to promote greater use of FDR Park by Town residents was removed. Also, recommendations on creating additional parking lots and running shuttle services to parks were removed, as they are also in the purview of the Recreation Commission, which will study the issues further before the Town adopts policies related to them.

Overall, the Proposed Action does not reduce the number of parks or other recreational resources. In fact, its land use actions will likely create additional scenic open spaces, including lands protected by easement.

## **4.15 AGRICULTURAL RESOURCES**

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There is no additional information not already presented in the GEIS with respect to the Proposed Action's impact on Yorktown's agricultural resources. The Proposed Action would not cause any previously-identified significant adverse environmental impacts to agriculture.

### **4.15.1 Existing Conditions**

The underlying data on the existing conditions of Yorktown's agricultural and farm resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the existing conditions.

### **4.15.2 Future Baseline Conditions**

The underlying data on the future baseline conditions of Yorktown's agricultural and farm resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the future baseline conditions.

### **4.15.3 Impacts of the Proposed Action**

The Proposed Action adds a land use policy acknowledging the value of agricultural uses in the Town to the policies set forth in the 2005 Comprehensive Plan. The Proposed Action will have a positive impact on agriculture compared with the Future Baseline Conditions.

## **4.16 TRANSPORTATION**

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As with the GEIS, any action or alternative that generates fewer than 100 vehicle trips in the peak hour is deemed not likely to have the potential for significant traffic impacts. With that in mind, there is no additional information not already presented in the GEIS with respect to the Proposed Action's impact on transportation. The Proposed Action would not cause any previously-unidentified significant adverse environmental impacts to traffic or to transportation (including bicycle and pedestrian) resources.

### **4.16.1 Existing Conditions**

The underlying data on the existing conditions of Yorktown's traffic conditions presented in the GEIS has not changed in any significant manner.

### **4.16.2 Future Baseline Conditions**

The underlying data on the future baseline conditions of Yorktown's traffic conditions presented in the GEIS has not changed in any significant manner.

### **4.16.3 Impacts of the Proposed Action**

Overall, the discussion in the GEIS with regard to transportation remains applicable. However it is informative to include the following summary of the Proposed Action's projected impacts on traffic, as described in the GEIS:<sup>27</sup>

Although it is difficult to evaluate the numerous combinations of development that could occur under proposed rezoning under the Proposed Action (i.e., Comprehensive Plan), potential street extensions or connections, and transportation policies, certain overall assessment conclusions can be made. These include:

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<sup>27</sup> Ibid. pp. 16-33 – 16-34.



- The Proposed Action would generate a series of traffic reductions and increases that may offset one another Town-wide or in many parts of the Town, and which would not generate increases in traffic that would be significant. They appear likely to generate a level of development that would require traffic impact studies in the Jefferson Valley, Mohegan Lake, and Yorktown Heights business centers. Alternatively, mitigation measures including a reduction in office buildout could be applied so as to avoid the traffic impacts.
- Of the four basic land use types that could be developed, office space would be the largest vehicle trip generator, followed by retail space. The reduction in residential buildout would reduce the volume of vehicular traffic generated, but this reduction would not fully offset the volume of increased traffic generated should residential space be replaced by an equal amount of office or retail space.
- Even at this Generic EIS level, it is difficult to address key corridors or potentially critical intersections within the Town without a quantitative traffic analysis. Such locations include, but are not limited to, the Triangle intersection, Route 202 at the Taconic State Parkway, Route 6 at several intersections (e.g., at the Taconic State Parkway, at Route 132, and at Lexington Avenue), and others. New development at any significant size situated near intersections with elevated levels of vehicular delay or adverse traffic levels of service could require traffic impact studies.
- A threshold of 100 vehicle trips generated in the peak hour is established as the threshold above which any new development would be required to complete a traffic impact study, as a means of determining whether or not significant traffic impacts requiring mitigation can be expected. This would mean, in broad terms, that a residential development with approximately 100 units, a retail development with approximately 20,000 sf, an office development with approximately 65,000 sf, and an industrial development with approximately 100,000 sf would require additional traffic analyses. Proposed developments smaller than this could be presumed to not generate traffic at levels that would be significant unless the Town mandates that a detailed study be done due to a potential development's proximity to a known problem traffic location.
- Street extension and connection proposals would need to be evaluated on a case-by-case basis; no generalization can be made about their needing detailed traffic impact studies. In general, most can be expected to generate 100 or more new vehicle trips (or divert them from one location to another) and therefore require detailed traffic analyses; some options, like "lesser" extensions, may not. Requiring new residential subdivisions to have a maximum set of connections to the area's roadway network might limit increase in traffic that could be significant if only one traffic "outlet" was built.
- The policy statements contained in the Comprehensive Plan are generally intended to increase pedestrian safety, "calm" local streets and school areas, promote non-motorized travel modes, and promote carpooling and transit. Such policies would not generate significant additional vehicle trips. Some, like park-and-ride facilities, may have very localized impacts that would need commensurate traffic improvements.

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## 4.17 ECONOMIC RESOURCES

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There is no additional information not already presented in the GEIS with respect to the Proposed Action's impact on economic resources. The Proposed Action would not cause any previously-unidentified significant adverse environmental impacts to economic resources.

### **4.17.1 Existing Conditions**

Review of the most current available economic data reveals that the analysis of Yorktown's economic resources as presented in the GEIS, has not changed in any significant manner that would warrant changing projections of Future Baseline Conditions, but this SGEIS recognizes that the current economic downturn has affected all sectors of the market.

The GEIS gave figures from the 1997 Economic Census. Since then, the 2002 Economic Census has become available. According to the 2002 data, Yorktown's retail businesses reported total sales of approximately \$920 million (compared to \$630 million in 1997) at a total of 228 retail establishments. Of this amount, \$208 million was spent at auto dealers (compared to \$67 million in 1997), and the remainder was spent at other businesses. Still, based on 1999 income levels reported in the 2000 U.S. Census, it is estimated that Yorktown residents have approximately \$420 million in spending power; therefore, the level of retail sales in Yorktown reflects a net inflow, contributing to the Town's economic vitality.

Thus total sales figures have increased, likely due to both inflation and to the strong economy of the early 2000s, but the basic conditions noted in the GEIS still hold true. As of this writing, the economic recession, which began at some point in 2007 with the decline in the housing credit markets and accelerated with the credit crisis in 2008, can be expected to decrease consumer purchasing power and lead to lower overall sales figures.

The demand for office, light industrial, and warehouse space in Yorktown has not changed significantly since the GEIS, at least in terms of measurable data available at this writing. The Northern Westchester office market, including Yorktown, competes with a large amount of supply and demand in the southern portion of the County, and there is no reason to suspect that significant amounts of new office space will be demanded in Northern Westchester. This SGEIS recognizes that the current economic downturn has significantly affected all sectors of the market, however, and demand and supply in certain sectors is likely to fluctuate and change in unforeseen ways.<sup>28</sup>

### **4.17.2 Future Baseline Conditions**

The underlying data on the future baseline conditions of Yorktown's economic resources presented in the GEIS has not changed in any significant manner.

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<sup>28</sup> Cushman & Wakefield's MarketBeat Series for 2006 indicates Westchester County office vacancy rates were somewhere between 13 and 15 percent (compared to 15 percent as reported in the GEIS), and Class A average rents have increased slightly to about \$30 per square foot, but Class B rents have remained at about \$25 per square foot.

### **4.17.3 Impacts of the Proposed Action**

Overall, the findings in the GEIS with regard to economic resources remain applicable. While numerous zoning changes have been made in response to the GEIS and the comments thereon, the main economic concepts introduced in the 2005 Comprehensive Plan remain in the Proposed Action. These include the development of mixed-use small-town village centers within the hamlet business areas; more active business retention and recruitment efforts on the part of the Town; and the zoning of additional lands for office development. (In the latter case, the emphasis has been shifted to smaller scale office development, in accordance with the GEIS and comments on the GEIS.) Overall, therefore, the Proposed Action can be expected to have a positive impact on economic resources compared with the Future Baseline Conditions.

From an economic perspective, the key difference between the 2005 Comprehensive Plan and the Proposed Action is the removal of certain PDDs. This change was studied in the GEIS, and it was found that, from an economic perspective, there would be no negative impacts compared with the Future Baseline Conditions.

The Proposed Action makes wording changes throughout the Economic Development & Hamlet Business Centers chapter of the 2005 Comprehensive Plan in order to reflect the revised transportation and land use policies described in the 2005 Findings Statement. Some of these changes reduced the potential buildout of nonresidential zone districts in order to mitigate impacts that were identified in the GEIS.

The Proposed Action also makes wording changes throughout the Economic Development & Hamlet Business Centers chapter of the 2005 Comprehensive Plan to include a policy that any new development that would affect infrastructure service capacity (e.g., roadway traffic volume, sewer and water service) should undertake appropriate mitigation measures and/or infrastructure improvements that might reasonably be required. These wording changes emphasize the analysis in the GEIS that mitigation measures are likely to be needed for nonresidential developments throughout Yorktown.

## **4.18 COMMUNITY FACILITIES AND SERVICES**

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There is no significant additional information not already presented in the GEIS with respect to the Proposed Action's impact on Yorktown's community facilities and services. The Proposed Action would not cause any previously-unidentified significant adverse environmental impacts to community facilities and services.

### **4.18.1 Existing Conditions**

With the exception of updated school enrollment figures for the current school years, as well as updated fire response data, there is no additional information not already presented in the GEIS

with respect to the Proposed Action's impact on community facilities and services. The existing conditions for the library, senior and your services,

#### 4.18.1.1 Schools

Aside from current year enrollment figures, the underlying data on the existing conditions of Yorktown's school resources presented in the GEIS have not changed in any significant manner.

School enrollments are updated as follows:

- Lakeland Central School District: Enrollment levels have dropped from their peak in 1974-75 of 8,000 students to approximately 6,300 students currently, about 100 more students than indicated in the DGEIS.
- Yorktown Central School District Total enrollment in the Yorktown Central School District in 2007-08 was 4,000 students. Enrollment peaked in 2005 at 4,223 students and has declined since that time. Because the district includes only small areas outside Yorktown, almost all the students in the Yorktown District are Yorktown residents.
- Croton-Harmon and Ossining School Districts: These districts have no actual facilities in Yorktown, but some areas of southwestern Yorktown are included in these districts. This area of Town remains thinly populated, as described in the DGEIS, and, as also described in the DGEIS, there are very few, if any, students from Yorktown currently enrolled in these districts.

#### 4.18.1.2 Library

The underlying data on the existing conditions of Yorktown's library, the John C. Hart Memorial Library in Shrub Oak, has not changed in any significant manner. No supplemental information is available or necessary to describe these existing conditions.

#### 4.18.1.3 Senior Citizen and Youth Services

The underlying data on the existing conditions of Yorktown's senior and youth services has not changed in any significant manner. No supplemental information is available or necessary to describe these existing conditions.

#### 4.18.1.4 Police

The underlying data on the existing conditions of Yorktown's police department has not changed in any significant manner (though the Department has added a sixth patrol squad). No other supplemental information is available or necessary to describe these existing conditions.

#### 4.18.1.5 Fire

The underlying data on the existing conditions of Yorktown's fire services, provided by the Mohegan and Yorktown Heights fire departments, has not changed in any significant manner. However it bears noting that in 2008 the Lake Mohegan Fire District responded to 2,700 calls, with 1,200 (44 percent) being fire/rescue related (this compares to 2,670 calls, 40 percent, in 2001 as noted in the GEIS. The Yorktown Heights district responds to 500-600 fire calls per year, slightly higher than the 470 calls reported in 2001 as noted in the GEIS. No other supplemental information is available or necessary to describe the existing conditions.

#### 4.18.1.6 Volunteer Ambulance Corps

The underlying data on the existing conditions of Yorktown's volunteer ambulance corps has not changed in any significant manner. No supplemental information is available or necessary to describe these existing conditions.

#### 4.18.1.7 Town Hall and Town Services

The underlying data on the existing conditions of Yorktown's Town Hall and Town Services has not changed in any significant manner. No supplemental information is available or necessary to describe these existing conditions.

### **4.18.2 Future Baseline Conditions**

#### 4.18.2.1 Schools

The underlying data on the future baseline conditions of Yorktown's schools presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the future baseline conditions.

#### 4.18.2.2 Library

The underlying data on the future baseline conditions of Yorktown's library resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the future baseline conditions.

#### 4.18.2.3 Senior Citizen and Youth Services

The underlying data on the future baseline conditions of Yorktown's senior and youth resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the future baseline conditions.

#### 4.18.2.4 Police, Fire and Volunteer Ambulance Corps

The underlying data on the future baseline conditions of Yorktown's police, fire, and ambulance corps resources presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the future baseline conditions.

#### 4.18.2.5 Town Hall and Town services

The underlying data on the future baseline conditions of Yorktown's Town Hall and Town services presented in the GEIS has not changed in any significant manner. No supplemental information is available or necessary to describe the future baseline conditions.

### **4.18.3 Impacts of the Proposed Action**

The Proposed Action's policies that impact community facilities do not differ substantially from those of the 2005 Comprehensive Plan as studied by the GEIS. Overall, as stated in the GEIS, the Proposed Action will have no negative impacts on community facilities.

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## **4.19 COMMUNITY CHARACTER**

To the extent there is additional information not already presented in the GEIS, this DSGEIS generally discusses the Town's community character. As necessary, likely changes to community character will be made to establish Future Baseline Conditions, and general impacts of the Proposed Action on community character are assessed.

### **4.19.1 Existing Conditions**

The existing conditions of Yorktown's community character as presented in the GEIS have not changed in any significant manner since that time. No supplemental information is available or necessary to describe the existing conditions.

### **4.19.2 Future Baseline Conditions**

The future baseline conditions of Yorktown's community character as presented in the GEIS have not changed in any significant manner since that time. No supplemental information is available or necessary to describe the future baseline conditions.

### **4.19.3 Impacts of the Proposed Action**

The 2005 Comprehensive Plan's recommendations with regard to community character have been largely retained unaltered in the Proposed Action. From a land use and zoning perspective, the key change has been the removal of several PDDs. This change was studied in

the GEIS as Alternative B3, and it was found that several of the PDDs would have been detrimental to community character or the environment.

Moreover, some of the benefits of PDDs will now be delivered by conventional zoning in light of the Proposed Action's policy that any new development that would affect infrastructure service capacity (e.g., roadway traffic volume, sewer and water service) should undertake appropriate mitigation measures and/or infrastructure improvements that might reasonably be required. In general, the Proposed Action's other policies to maintain and enhance community character remain intact. In addition, the Proposed Action retains the existing zoning in several locations, rather than instituting the rezoning that had been proposed in the draft Plan, in order to better protect community character. Overall, the Proposed Action will have a positive impact on community character.

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## **4.20 FISCAL IMPLICATIONS FOR THE TOWN, SCHOOL DISTRICTS, AND FIRE DISTRICTS**

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To the extent there is additional information not already presented in the GEIS, the DSGEIS generally discusses the fiscal implications of the Proposed Action and its alternatives.

### **4.20.1 Existing Conditions**

While certain figures (including for example total assessed and taxable values, total property tax revenues, property tax revenues directed to the school districts, and tax rates) presented in the GEIS have of course changed in the intervening years, the overall fiscal condition and health of the town and the existing conditions of Yorktown's fiscal base as presented in the GEIS have not changed in any significant manner since that time.

### **4.20.2 Future Baseline Conditions**

The future baseline conditions of Yorktown's fiscal base as presented in the GEIS have not changed in any significant manner since that time. Therefore no supplemental information is necessary to describe the future baseline conditions.

### **4.20.3 Fiscal Implications of the Proposed Action**

Overall, the findings in the GEIS (Appendix J) with regard to fiscal impacts remain applicable. While the current economic and housing downturn may lead to reductions in property values and corresponding increases in tax rates, as well as some pressures on local municipal and service budgets, over the longer term there is no reason to expect that the current downturn will alter the findings of the GEIS.

It bears repeating however, that the Proposed Action will reduce the number of additional schoolchildren that could live in Yorktown compared with the Future Baseline Conditions. And as noted in the GEIS, the reduction will be most felt in Areas 1 and 2 (the northernmost parts of

Yorktown), suggesting that the Lakeland and Yorktown districts will both benefit because over 600 fewer housing units would be built in these areas.<sup>29</sup>

Additionally, the GEIS noted:

Moreover, under the Proposed Action, a greater percentage of the housing that would be constructed in these areas would be multifamily dwellings constructed as part of traditional mixed-use “main street” or “village center” style developments within the business areas. As discussed more extensively in Chapter 3, throughout the New York metropolitan area, this style of housing appeals to those without children—either “empty nest” parents or young, childless singles and couples. These groups enjoy living in active environments that have different amenities than single-family developments oriented toward families with children. Therefore, the number of children per household would also be reduced in these areas.

It is likely that the fiscal implications for Town services and fire districts over the 20-year horizon period will be unchanged compared with the Future Baseline Conditions. A reduced population will mean less spending, but also less residential property tax revenue. Because it is expected that commercial areas will be more vibrant under the Proposed Action than under the Future Baseline Conditions, more tax revenue per capita can be expected under the Proposed Action than under the Future Baseline Conditions.

The Comprehensive Plan also proposes two actions which would help to equalize property tax rates throughout Town. It recommends that the school districts be merged, and that a merger between the fire districts also be considered. With respect to the school districts, the Yorktown and Lakeland districts would be prime candidates for a merger. (It is less likely that the Croton-Harmon and Ossining districts would be included in any merger because the population concentrations of those districts are located far from the population concentrations in the Yorktown and Mohegan districts. However, the portions of the Croton-Harmon and Ossining districts within the Town could be annexed to a new Yorktown-wide school district.) The potential for greater administrative efficiency if a merger were implemented could result in lower overall costs for the schools within the horizon period and would bring an equalized school tax rate to most of Yorktown.

A merger of the fire districts would bring substantial benefits. It would end the current substantial disparity between tax rates in the Mohegan and Yorktown fire districts, and it would help provide adequate capital for the needed service expansions of the Yorktown district. At the same time, the paid firefighting staff in the Mohegan district would be available to the Yorktown service area. Also, a merger would provide for better coordination between the two districts and would assist the police in dispatching.

Even in the absence of a merger, the Comprehensive Plan recommends pursuing shared services and shared staff between the different school and fire districts in Town. Particularly with regard to the fire districts, such sharing could result in increased efficiency and more equalized tax rates between districts.<sup>30</sup>

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<sup>29</sup> Town of Yorktown Comprehensive Plan Draft GEIS, November 2004. p. A-61

<sup>30</sup> Ibid.



#### 4.20.3.1 Fiscal Implications of Alternative B1 (Zoning Modification)

As noted in the GEIS, Alternative B1 would reduce the potential number of housing units that would be constructed over the 20-year horizon period, and therefore population, to a greater degree than would the Proposed Action. The further reduction in population will be concentrated in Areas 1 and 2, benefiting the Lakeland and Yorktown districts equally. Fiscal implications with respect to Town services and fire districts are expected to be similar to the Proposed Action.

#### 4.20.3.2 Fiscal Implications of Alternative B2 (Elimination of Density Reduction Program)

As noted previously in this SGEIS, the density reduction program was proposed in the 2005 Comprehensive Plan but is not a part of this Proposed Action. The implications of not including the DRP were studied in Alternative B2 of the GEIS.

#### 4.20.3.3 Impacts of Alternative B3 (Elimination of Planned Development Districts)

As noted in the GEIS, Alternative B3 would reduce the potential number of housing units that would be constructed over the 20-year horizon period, and therefore population, to a lesser degree than the Proposed Action, but there would still be a sizable reduction compared with the Future Baseline Conditions. Fiscal implications with respect to Town services and fire districts are expected to be similar to the Proposed Action.

#### 4.20.3.4 Impacts of Alternative B4 (Elimination of Road Connections other than Those Recommended by the Sustainable Development Study)

As noted in the GEIS, this alternative would have no fiscal implications for Town services, schools or fire districts.

#### 4.20.3.5 Fiscal Implications of Alternative B5 (R1-20 Zone is Changed to 40,000 Square Foot Minimum Lot Area)

As noted in the GEIS, Alternative B5 would reduce the potential number of housing units that would be constructed over the 20-year horizon period, and therefore population, to a greater degree than would the Proposed Action. The further reduction in population will be concentrated in Areas 1, 2 and 4, benefiting the Lakeland and Yorktown districts equally. Fiscal implications with respect to Town services and fire districts are expected to be similar to the Proposed Action.

#### 4.20.3.6 Fiscal Implications of Alternative B6 (Hunterbrook Alternative Rezoning)

As noted in the GEIS, this alternative would involve only a minor change to overall residential buildout and therefore would not have significant fiscal implications for Town services, schools or fire districts.



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## 5 Additional Information

### 5.1 GROWTH-INDUCING IMPACTS

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The existing and Future Baseline Conditions presented in this DSGEIS are not substantially different than those of the GEIS. Therefore, as noted in the GEIS, because the Proposed Action would reduce residential buildout, population growth would be less under the Proposed Action than under the Future Baseline Conditions. The total demand for nonresidential development would be less than under the Future Baseline Conditions. Any additional development that might occur due to zoning changes would be required to adhere to strict design standards, would supplement the Town's tax base and promote the redevelopment of unattractive commercial areas in a human-scaled, pedestrian-friendly manner.

### 5.2 IMPACTS ON ENERGY, SOLID WASTE AND PUBLIC ACQUISITION OF AGRICULTURAL LAND FOR NON-FARM DEVELOPMENT

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The existing and future baseline conditions presented in this DSGEIS are not substantially different than those of the GEIS.

Therefore, as noted in the GEIS, the Proposed Action is expected to promote the conservation of energy compared with the Future Baseline Conditions and total energy use will likely be less than under the Future Baseline Conditions. Also, the Proposed Action is not expected to have any significant impact on solid waste management or local solid waste management plans because the overall level of residential development within Town under the Proposed Action will be less than the Future Baseline Conditions. The Proposed Action does not propose any public acquisition of agricultural land for non-farm development.

### 5.3 MITIGATION MEASURES

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The existing and future baseline conditions presented in this DSGEIS are not substantially different than those of the GEIS. The alternatives studied in this DSGEIS do not present any substantial negative impacts that would require mitigation measures beyond those already proposed and indicated in the GEIS. It bears noting that the GEIS indicated the following with regard to mitigation:<sup>31</sup>

With regard to potential private-sector development in response to the new zoning classifications in business areas, some mitigation may be necessary so as to avoid land use, noise and community character impacts. Specific mitigation measures should be proposed and reviewed when specific projects are put forward. Types of mitigation measures to be considered for specific projects include, but are not limited to:

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<sup>31</sup> Town of Yorktown Comprehensive Plan Draft GEIS, November 2004. pp. 20-9.

- Upgrades to roadway and utility infrastructure to handle increased demands.
- Reductions in impervious coverage.
- Native habitat enhancement and reconstruction.
- Clustering of development away from sensitive scenic, agricultural or environmental resources.
- Imposition of conservation easements on environmentally sensitive lands.
- Public acquisition of environmentally sensitive lands.
- Undisturbed buffers adjacent to environmentally sensitive lands.
- Noise and visual buffering.
- Imposition of easements or other agreements to protect scenic, historic and agricultural resources.
- Wetlands mitigation at ratios equal to or greater than required by law.
- Construction of wildlife crossings where roadways or other infrastructure split habitat or biodiversity corridors.
- Use of natural and engineered Best Management Practices (BMPs) to protect water bodies adjacent to projects, to control flooding, and to promote groundwater recharge.
- Use of attractive wayfinding signage to direct motorists to shops, attractions and parking.
- Traffic calming measures such as speed tables (modified speed humps).
- Provision of pocket parks and pedestrian/bike trail connections.
- Enhanced design features such as decorative light poles, pavers, and signage.
- Public spaces and pedestrian amenities to reduce auto use and enhance community character.

Potential town-wide and local area mitigation measures include the following:

- Reductions in allowed densities and intensities in commercial areas throughout northern Yorktown.
- Reductions in the allowable buildout of office districts in the Jefferson Valley area.
- Deletion of the office Planned Development District overlay in the Jefferson Valley area.
- Prohibition on the transfer of development rights into Planned Development Districts (PDDs).
- Development of a system for determining whether adequate infrastructure is in place to handle additional development, so as to coordinate with the policy of the Proposed Action that new development should take steps to assure adequate infrastructure is available in accordance with the parameters of the system.

#### **5.4 UNAVOIDABLE ADVERSE IMPACTS**

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As noted in the DGEIS, an “unavoidable adverse impact” is a significant adverse impact that cannot be avoided or mitigated. An “impact” is defined as a change from the Future Baseline Conditions, *not* a change from current conditions. The Future Baseline Conditions project a number of changes that are likely to occur in the future if the Proposed Action is not implemented. If the Proposed Action is implemented, a different set of changes will occur. The “impacts” being measured here are the difference between the Future Baseline Conditions and the implementation of the Proposed Action. As detailed in the DGEIS, the Proposed Action proposes no unavoidable significant adverse impacts. Almost all of the impacts of the Proposed

Action are positive when compared with the Future Baseline Conditions. Moreover, all proposals that could create negative impacts will be subject to further environmental review before they are actually implemented. Further, all projects constructed in accordance with the Proposed Action will be subject to screening in accordance with the criteria for future site-specific projects, discussed in the next section.

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## **5.5 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES**

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This section, also required by law, identifies the extent to which the Proposed Action would create a loss of manmade or natural resources when compared with the Future Baseline Conditions. As with the DGEIS, this DSGEIS does not expect that the Proposed Action would create such a loss when compared with the Future Baseline Conditions. In fact, it is expected that the use of manmade and natural resources will be reduced under the Proposed Action when compared to the Future Baseline Conditions, and the potential loss of such resources will be less under the Proposed Action than under the Future Baseline Conditions.

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## **5.6 CRITERIA FOR FUTURE SITE-SPECIFIC PROPOSALS**

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As noted in the GEIS, certain individual actions take to implement the Proposed Action and/or its alternatives could have specific localized impacts that are beyond the scope of this generic environmental impact statement, which by definition identifies impacts on a broad basis.

Therefore this DSGEIS incorporates the criteria for future site specific proposals that were indicated in the GEIS, which were as follows:<sup>32</sup>

All individual actions should be required to undergo individual project reviews as part of the site plan, subdivision or other approval processes. These project reviews should include, at a minimum, scrutiny of the following environmental considerations:

1. Whether the proposed project would impact the quality and/or quantity of runoff into water supply and recreational resources including groundwater, recreational lakes, the New Croton Reservoir, the Muscote Reservoir and the Peekskill Hollowbrook, or any tributaries feeding these water bodies. To the extent practical, projects should be designed to maximize on-site groundwater recharge, maintain pre-construction runoff rates, and utilize natural best management practices where filtering, retention and detention are required.
2. Whether the proposed project would impact areas of critical environmental concern, including critical habitats, wetlands, vernal pools and steep slopes. Projects should be sensitively designed so as to avoid impacting such areas and to preserve identified wildlife corridors and critical habitat areas.
3. Whether the proposed project can be served adequately by parks, schools and emergency services.

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<sup>32</sup> Town of Yorktown Comprehensive Plan Draft GEIS, November 2004. pp. 20-11.

4. Whether the proposed project would alter the Town's housing balance. Residential projects should be developed consistent with the goals of the Comprehensive Plan.
5. Whether the amount of traffic from any site-specific proposal can be adequately handled by the Town's existing transportation infrastructure. The adoption of transportation management plans, as well as project designs that encourage pedestrian and non-motorized transportation, should be considered in the evaluation of any site-specific project.
6. Whether proposed development would lie in the path of or block views in the Town's scenic vistas or view corridors, or views of parks and open space.
7. For projects involving septic systems, whether the size and environmental conditions of the property are sufficient to assure safe and adequate treatment of the waste expected to be generated by the project.
8. For projects that will be connected to public sewer and water, whether sewer and water supply capacity is sufficient to serve the proposed project.
9. Whether the proposed project would adversely affect historic, scenic, cultural or agricultural resources, or would adversely impact the character of an existing community. To the extent possible, projects should be designed so as to protect historic, scenic, cultural and agricultural resources, as well as to protect and enhance community character.
10. For previously approved projects with lapsed approvals, or for developers seeking an extension of time for existing approvals, a new or supplemental environmental review should be conducted to evaluate the project's impact on the above-listed conditions with particular focus on infrastructure impacts and to ensure compliance with the Town's current regulations.
11. Apply the policy that if any new development might affect infrastructure service capacity (e.g., roadway traffic volume, sewer and water service), it should undertake appropriate mitigation measures and/or infrastructure improvements that might reasonably be required.

## **6 Appendices**

As necessary, supportive studies or data upon which the DSGEIS is based will be appended to the document.

Appendix A: Existing Zoning Map

Appendix B: Proposed Zoning Map

Appendix C: Proposed Changes to Zoning Text

## 7 List of Sources

The sources listed below were consulted for the preparation of this DSGEIS.

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