

George Latimer
County Executive

June 26, 2024

Diana L. Quast, Town Clerk
Town of Yorktown
363 Underhill Avenue
Yorktown Heights, NY 10598

**County Planning Board Referral File YTN 24-006 – Field Home Senior Development
2302 and 2448 Catherine Street
Concept Plan and Zoning Map Amendments**

Dear Ms. Quast:

The Westchester County Planning Board has received a petition to amend the Yorktown Zoning Map to rezone a 50.51-acre site comprised of two tax parcels (SBLs 35.12-1-2 and 35.08-1-45) located at 2302 and 2448 Catherine Street. 2302 Catherine Street is 17.70 acres and currently located within the RSP-3 – Continuous Care zone, and hosts the former Catherine Field Home Building. 2448 Catherine Street is 32.81 acres and currently located within the R1-40 – One-Family Residential zone, and hosts a sports field. Other than these two site features, the majority of both properties consists of woodland, with a stream connecting to Hunter Brook running along the rear of the site.

The site abuts the Yorktown Rehabilitation and Nursing Center to the south, as well as a senior residential neighborhood across Catherine Street to the west. The site has additional frontage along Field Street, with a single family neighborhood to the east. Along the northern boundary of the site runs the underground Catskill Aqueduct, across from which lies a small residential neighborhood and the Crompond Road commercial corridor.

The applicant proposes to rezone both parcels to the RSP-2 - Senior Citizens Development district, to permit the development of a new senior townhouse community consisting of 37 buildings housing a total of 118 three-bedroom units restricted to residents age 55 and over. Amenities would be provided for the townhouses, including a clubhouse, pickleball courts, and pool. Stormwater retention basins would be located along the northern portion of the site, and 14.3 acres, primarily around the stream and its associated wetlands, would be protected under a conservation easement. A new road network would loop through the townhouse parcel to connect all of the residential units, which would have separate garages and driveways. This new road network would connect twice to Catherine Street, and include an interior circle and a short cul-de-sac. A 20-space parking lot is proposed next to the clubhouse building.

The site would also be re-subdivided so that the townhouse development would be located on one 48.05-acre parcel and the existing Field Home Building would remain on a 2.46 acre parcel. This building would be obtained by the Town for a future use, either by the Town or as a live/work space. As the existing sports field on the site would be removed, the applicant proposes to provide \$150,000 for improvements to the nearby Hunterbrook Field.

We have previously reviewed this zoning petition and submitted a comment letter dated December 12, 2022. Amendments to the petition include a reorientation of the street network, building layout, and stormwater basins, as well as an increase of 11 parking spaces for the clubhouse building. As the petition has been amended, we have reviewed the current proposal under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and offer the following comments:

1. Need for wider range of housing types.

While the applicant makes a case that the entire development site should be rezoned to RSP-2 as a means to “diversify housing options”, we point out that the site’s existing zoning would actually permit a greater diversity of housing types because each of the two tax parcels are zoned for a different type of residential use. In fact, 68% of the site contemplated for new development is currently zoned R1-40, which does not have any senior restrictions. As proposed, the petition would essentially homogenize the site’s zoning and add to the Town’s inventory of developable land that is restricted for seniors at the expense of potential development that can serve a broader population, including families.

There is a critical need for all types of housing that has been documented in the County’s *Housing Needs Assessment*, and taking into account the site’s existing zoning we recommend the Town consider an approach where the majority of the proposed development is not restricted to seniors. While it is true that the availability of housing for seniors is an ongoing concern, there is no prohibition on seniors living in developments that are not age-restricted. In fact, since the proposed development would be entirely comprised of three-bedroom townhouses, it suggests that permitting families to occupy a portion of these units would be appropriate, since multi-bedroom housing is often sought by families in Northern Westchester.

2. Affirmatively furthering fair housing (AFFH).

The plans do not indicate whether affordable AFFH units would be provided within the development. The acute shortage of affordable housing in Westchester County has been documented in the County’s *Housing Needs Assessment* and it is critical for all of Westchester’s municipalities to play a role in meeting this need, particularly since the economic and social impacts of the affordable housing shortage are spread throughout the County. We continue to urge the Town to adopt remaining portions of the County’s affordable housing [Model Ordinance Provisions](#) that are not currently part of the Zoning Code. Specifically, the requirement that 10% of the total number of proposed dwelling units shall be set aside as Affordable Affirmatively Furthering Fair Housing Units ensures that all new developments would provide increased housing opportunities for disadvantaged residents.

3. Site connectivity.

The site is located in an area that has been developed around the Yorktown Rehabilitation and Nursing Center, which opened in 1986. However, the surrounding development did not occur until 2003 when the building which now houses the Yorktown Assisted Living Residence was constructed. The Glassbury Court senior residential development on the west side of Catherine Street was constructed later, in 2007. During this time, the Town was involved in the *Route 202/35/6 Bear Mountain Parkway Sustainable*

Development Plan which advocated for pedestrian and bicycle connections within the study area along this corridor. Although all of these developments were within that study area, no sidewalks were constructed between the developments themselves, or to the commercial area along Crompond Road (Route 202/35) that is within walking distance of this area. As a result, the Town lost an opportunity to reduce traffic pressures along this corridor, as well as to provide a healthy and safe alternative for residents in this area to walk within their larger community and to nearby businesses.

The Town has recently brought congestion along the Crompond Road corridor to the State's attention by asking that certain road improvements discussed in the *Route 202/35/6 Bear Mountain Parkway Sustainable Development Plan* be considered. We ask the that Town consider that same study in terms of the non-motorized transportation connections that will also be needed as the Town continues to permit development in this local area. At a minimum, sidewalks should be provided within this development and along its frontage with Catherine Street. This should be done in connection with a longer term goal to connect all properties within this area with sidewalks, as well as make a broader connection to the businesses on Crompond Road. We point out that offering residents choices, beyond an auto-dependent lifestyle, can also reduce congestion.

4. Transportation demand management.

In line with providing connectivity within the surrounding neighborhood as mentioned above, ensuring that the transportation needs of new residents are accommodated through means other than private automobiles is an important factor in reducing the dependency on cars and encouraging dense residential growth without overburdening the surrounding street network. The County's *Transportation Demand Management Toolkits* provides strategies for municipalities, employers, and developers to reduce the need for single-occupancy vehicle commutes, which could help future tenants avoid the need to park private vehicles. We recommend that the City and applicant review these *Toolkits* to ensure transportation needs are met through means other than private automobiles.

5. Croton Watershed protection.

The site is located in the Croton Watershed. Components of the site development may be subject to compliance with the New York City Department of Environmental Protection (NYC DEP) *Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and its Sources*, including a review of the Stormwater Pollution Prevention Plan. Adequate erosion and sediment control and stormwater runoff water quality protection, both during and after construction, are of critical importance.

6. Construction within a regulated stream/wetland buffer.

The referred development, as submitted, involves the disturbance of 0.07 acres of wetland and 1.84 acres of wetland buffer area. The County Planning Board consistently recommends that construction and alteration of land within regulated wetlands and stream/wetland buffers should be avoided. This recommendation extends to the siting of stormwater management facilities. However, we note that the applicant has been working with the Town to ensure that mitigation measures would be established, and that the plans indicate that the wetland in question would be enhanced through these measures. We

also note that the majority of on-site wetlands and buffer areas, including the impacted portion, would be protected under a conservation easement.

7. Stormwater management.

As the proposed site plan includes subsurface stormwater quality and retention infrastructure, we point out that subsurface methods of stormwater management can be of diminishing effectiveness over time if not properly cleaned and maintained. We note that a Stormwater Pollution Prevention Plan has been established. The Town should ensure the continued operability of this stormwater management system into the future to prevent the system from being clogged with sediment, and in turn force a higher amount of stormwater runoff offsite. We appreciate that the applicant has included aboveground stormwater management basins, as well as incorporated a stormwater harvesting system for the use of excess rainwater as an irrigation source.

8. County sewer impacts.

As the property falls within the Peekskill Sewer District, the proposed development will increase sewage flows from this site into the existing infrastructure. The increased flow will add to the volume of sewage flow requiring treatment at the Peekskill Water Resource Recovery Facility operated by Westchester County. Since 2010, it has been the policy of the County Department of Environmental Facilities (WCDEF) that municipal governments require the applicant to identify mitigation measures that will offset the projected increase in flow. The best means to do so is through the reduction of inflow and infiltration (I&I) at a ratio of three for one for market rate units and at a ratio of one for one for affordable units. We note that the project narrative indicates that the applicant is working with the town to monitor I&I and to ensure that wastewater capacity is sufficient.

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

9. Tree removal remediation.

While we appreciate that a portion of the property would be maintained as woodland within the conservation easement, a large number of trees would be removed from the heavily wooded site. The project narrative discusses the Town's requirements for tree removal mitigation. The applicant and the Town should work to ensure that the greatest number of trees as possible are protected.

10. Universal Design.

We encourage the Town to consider the principles of universal design in this development. Universal Design standards allow all residents and visitors to fully engage in our public and residential spaces. Universal Design is also an important means of enabling household residents to age in place as well as to provide access for persons with mobility issues.

Please inform us of the Town's decision so that we can make it a part of the record.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD



Richard Hyman
Chair, Westchester County Planning Board

RH/mv

cc: Blanca Lopez, Commissioner, Westchester County Department of Planning
Cynthia Garcia, Bureau of Water Supply, SEQR Coordination Section, NYC DEP