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Please Note:

The Traffic Impact Study contains its own Table of Contents, which lists six tables, 11 figures and six appendix items.

The Stormwater Pollution Prevention Plan has its own Table of Contents, which lists eight appendix items and three figures.

Chapter 1 — Executive Summary

A. Proposed Action

1) Brief History of Prior Approvals

a) 2006

On November 27, 2006 a Findings Statement was adopted by the Village of Tarrytown Planning Board for the Crescent Associates, LLC proposal for the construction of a 60,000-square-foot office building at 155 White Plains Road. The 60,000-square-foot office building was to be constructed on a site with two existing office buildings and associated parking areas with access derived from NYS Route 119. The ZBA issued a variance approval on 4/1/04, subject to the donation of land to the Village to allow the Village to construct a new firehouse in a location that was necessary to provide adequate coverage to this are of the Village. The ZBA Variance dated April 1, 2004 is contained in Appendix P.

b) 2008-2009

In 2008-2009 a subdivision was approved by the Village of Tarrytown Planning Board separating the 155 White Plains Road parcel into two separate parcels, denominated 153 and 155 White Plains Road. The subdivision plat was filed in 2009.

c) 2014

In 2014 a Site Plan Approval and Lot Line Adjustment were obtained from the Village of Tarrytown Planning Board to construct additional parking for the exclusive use of a new long-term medical tenant on what was originally part of the proposed office building site referenced in the 2006 Findings Statement.

d) 2015-2016

In 2015, the Tarrytown Zoning Board of Appeals, in response to a request for

interpretation from the site owner Crescent Associates, LLC, opined that the office use permitted as a principal permitted use in the OB district allowed medical uses in the zone. The ZBA Minutes of February 9, 2015 with the Resolution of Approval is contained in Appendix W.

The porous pavement parking lot construction parcel was completed and the tenant took occupancy at 155 White Plains Road in 2016.

e) 2018-2019 Current Application

The proposed action is a plan by Artis Senior Living of Tarrytown, which envisions the construction of a 64-bed Alzheimer's / Dementia Care Housing facility. This will be geared towards the need of seniors and located wholly on the 153 White Plains Road parcel.

A zoning text amendment has been requested by the applicant in support of the proposed action. The proposed action combined with the porous pavement parking lot previously constructed will encompass the same general limits of disturbance as the 60,000-square-foot office building that was the subject of the 2006 Findings Statement.

As a result of the changes to the previously approved project described above, the Tarrytown Planning Board, as the lead agency under SEQRA, has issued a positive declaration requiring preparation of a Supplemental DEIS ("SDEIS").

This SDEIS is intended to supplement the 2006 Final Environmental Impact Statement as prepared and accepted by the Village of Tarrytown. The 2006 FEIS is incorporated by reference herein in its entirety.

The 2006 FEIS incorporates the DEIS of roughly 800 pages by reference. It is not feasible to include it as an appendix, but the electronic version is available upon request from the Preparer of this document via the email address listed on the front cover. Copies of the DEIS and FEIS are on file at the Village of Tarrytown Planning Department and at Warner Library.

This Supplemental DEIS will address potentially significant environmental impacts not adequately addressed in the Findings as a result of project changes, newly discovered information, or changes in circumstances related to a project. In this instance the change of the project from a 60,000-square-foot office building to a 64-bed Alzheimer's / Dementia Care Housing facility results in changes to the project requiring additional study.

Required Approvals are shown in Table 1 below:

f) Table 1: Required Approvals

| Government Entity | Approval |
|---|--|
| Village of Tarrytown Board of Trustees | Zoning Amendment |
| Village of Tarrytown Planning Board | Site Plan Approval |
| Village of Tarrytown Architectural Review Board | Architectural Plan Approval |
| Westchester County Department of Health | Residential Sewer Connection Approval |
| Westchester County Department of Health | Backflow Preventer Approval |
| New York State Office of Parks Recreation and Historic Preservation | Site Plan Review |
| New York State Department of Health | NYS Licensing/permitting to operate a residential health care facility |

2) Scope and outline of this document

After several meetings and a public hearing, the Final Scope for this document was adopted by the Planning Board on July 23, 2018.

The scope is a highly detailed outline of all of the subjects that must be presented in detail in this document in order to allow the Planning Board and the public to fully understand the potential environmental impacts that the proposed project (which in SEQRA terms is a “proposed action) might cause and the measures that the applicant proposes to undertake to “mitigate” or to lessen the negative impacts. Some impacts are, of course positive, or negligible,

and require no mitigation. This document presents both positive and negative impacts, and the approval bodies, in this case both the Board of Trustees, for the proposed zoning text amendment, and the Planning Board, for the site plan review, will decide if the mitigations proposed are adequate. The Boards will weigh the positives and negatives, and after careful deliberation the Boards will issue their Findings Statement delineating the conditions under which the project will be allowed to proceed. The Planning Board is the Lead Agency for this proposed action. The Board of Trustees is an involved agency, and can accept the findings of the Planning Board, or develop its own findings relative to the zoning petition.

3) List of Subjects Addressed in this SDEIS

The Final Scope outlines in very fine detail the subjects to be addressed in this document. The Final Scope may be found in Appendix A.

More briefly put, the subjects to be addressed in this SDEIS are:

Land Use and Zoning

Green Technology and Sustainability

Soil, Topography, Steep Slopes and Wetlands

Vegetation and Tree Protection and Replacement

Stormwater Management

Traffic and Transportation

Infrastructure and Utilities

Community Facilities

Fiscal Impact Analysis

Construction Impacts

Adverse Impacts that Cannot Be Avoided

Alternatives

Visual Impacts from Martling Avenue

Conformance with Master Plan

4) Location of Site

The site is located at 153 White Plains Road, which is also known as New York State Route 119, directly across from the Exit #8 exit and entry ramps to Interstate Route I-87, also known as the New York State Thruway.

The project site is located one quarter mile due east of the intersection with U.S. Route 9 (South Broadway). The site measures 4.64 acres. It is reached via a shared driveway with the two existing medical office buildings at 155 White Plains Road. It has 462 feet of

frontage along Martling Avenue, but no vehicular access from Martling Avenue will be permitted except for emergency vehicle access. The applicant envisions the provision of a fob-controlled gate for the use of police, fire and ambulance responders. Once the site of a private library, which was demolished in about 1920, it has remained undeveloped for nearly 100 years.

A Site Locator Map and a Vicinity Map of the area are presented on the following pages.

5) *Figure 1—Site Locator Map*

6) *Figure 2—Vicinity Map*

7) Purpose of the SEQRA process

The purpose and goal of the SEQRA process and this or any Supplemental Draft Environmental Impact Statement is to identify and describe potential environmental impacts. This assists the public and the reviewing agencies in determining the severity of the impacts, the possibilities of mitigating negative impacts, and generally to provide the information required to weigh the pros and cons of any proposal in a logical, orderly, balanced and well reasoned manner.

Each of the topics above will be discussed twice. They will be briefly discussed in this Executive Summary and they will be further elaborated upon in Chapter 3, entitled Existing Environmental Conditions, Potential Impacts and Mitigations.

8) Organization of this SDEIS

This document is divided into five Chapters:

This Chapter, entitled Chapter 1 Executive Summary, is intended to provide a very brief summary of the overall proposal, and a brief presentation of the impacts and mitigations of the original proposal.

Chapter 2, Description of the Proposed Action describes the proposed action more fully.

Chapter 3, Existing Environmental Conditions, Potential Impacts and Mitigations discusses very fully the potential impacts and mitigations of the proposed action.

Chapter 4 Adverse Environmental Impacts that Cannot be Avoided, discusses adverse environmental impacts that cannot be avoided.

Chapter 5 Alternates, discusses three alternatives that the Planning Board asked the Applicant to investigate and present as potential alternatives, and a No Action alternative to the proposed action.

In the process of attempting to create four alternate site plans, Applicant's engineers discovered that one of the proposed alternates, a Medical Office Building of 60,000 Square Feet, with required parking spaces for 300 cars, would not, under any circumstances, fit on the site. That alternate was eliminated, leaving:

Alternate 1 Commercial Office Building of 36,000 Square Feet with 120 parking spaces

Alternate 2 Medical Office Building of 36,000 Square Feet with 180 parking spaces

Alternate 3 Commercial Office Building of 54,000 Square Feet with 180 parking spaces

---and the No Action alternate.

The No Action Alternate is also fully discussed and compared to the proposed action and the three alternates to the proposed action in a document titled "Memorandum in Response to Comments" dated March 8, 2019, which may be found in Appendix W.

B. Brief Summary of Potential Impacts and Benefits of the A/D Floating/Overlay Zone

The following paragraphs provide a brief summary of potential impacts and benefits of the A/D Floating/Overlay Zone and the construction of this proposed assisted living facility for elder persons with memory problems.

C. Land Use and Zoning

Relative to the existing zoning, the proposed inclusion of the A/D Floating/Overlay Zone is an opportunity to create a transition between the commercial corridor along NYS Route 119 as well as the adjoining residential areas surrounding the NYS 119 corridor.

Directly adjacent to the site to the south is a 4.4 acre property zoned LB Limited Business which hosts a neoclassical brick building belonging to the Marshall Cavendish Corporation.

To the west, the site is contiguous with the Old Croton Trailway State Historic Park. In order to prevent any potential negative visual impact on the Old Croton Trailway State Historic Park, the proposed building has been moved as far away from the Aqueduct Trail as possible. Due to this mitigation the closest point of the proposed retaining wall will be located 246 feet from the Aqueduct Trail.

Across Martling Avenue to the North lie four parcels totaling 15.1 acres owned by Hitachi America, Limited. That site is zoned OB Office Business.

The contiguous property to the northeast, at the substantially higher elevation of 298 feet is Ridgcroft Estates, zoned and built MU-4, multifamily residential. Dense woods and a steep slope separate it from the proposed site in such a way that it will not be possible to see the new building from that property over the tops of the trees.

D. Green Technology and Sustainability

One benefit of the A/D Floating/Overlay Zone is it will require applicants to incorporate sustainability measures such as green building techniques.

Applicant's consultants believe this will improve stormwater quality beyond what is required by the current regulations.

E. Soil, Topography, Steep Slopes and Wetlands

The proposed site plan continues to preserve environmentally-sensitive features of the property, including steep slopes and wetlands. Any steep slopes disturbance has been mitigated by the temporary and permanent stabilization measures discussed on the erosion and sediment control plan. Proposed erosion and sediment control Measures have been designed in conformance with the New York State Standards and Specifications for Erosion and Sediment Control, latest edition.

F. Vegetation and Tree Protection and Replacement

The construction of this facility will require the clearing of all vegetation on an area of about 2.3 acres, or about half of the site. Please see Appendix F, Site Plans for Proposed Action, Drawing SP-2.

The Tree Removal Plan is presented as Drawing SP-4 in Appendix F, and the Tree Replacement Plans are shown on Drawings SP-3.1 and SP-3.2 in Appendix F.

Proposed erosion and sediment control measures have been designed in conformance with the New York State Standards and Specifications for Erosion and Sediment Control, latest edition and are shown on Drawing SP-5, Sediment and Erosion Control Plan, in Appendix F.

G. Stormwater Management

In 2015, the Stormwater Pollution Prevention Plan (SWPPP) for the proposed project was constructed in accordance with the Findings Statement. This resulted in the construction of a P-1 micropool extended detention basin on the

western portion of the site. The P-1 micropool extended detention basin was designed in accordance with the New York State Storm Water Design Manual (Design Manual) and the New York State Department of Environmental Conservation SPDES General Permit for Storm Water Discharges from Construction Activities Permit No. GP-15-002 (General Permit).

The P-1 micropool extended detention basin is located on the westernmost portion of the site adjacent to an existing wetland and is complimentary in nature to the surrounding habitat. The micropool extended detention basin provides a natural transition from the wetland and woods adjacent to the Old Croton Aqueduct to the developed areas to the north, south, and east. All adjacent development is separated from the pond by a minimum of 100 feet of horizontal distance.

Concerns about the potential hazard from mosquitoes breeding in the standing water in the micropool extended detention pond have been addressed in detail in a letter dated April 11, 2019 from Steve Marino, Senior Wetland Ecologist for Tim Miller and Associates, which is included in Appendix W.

An updated SWPPP has been provided for the Artis Site Plan and is included in a separate binder submitted herewith. The project includes two Green Infrastructure Practices not previously contemplated; a bioretention filter will be provided and an additional porous pavement parking lot will be provided. Green Infrastructure Practices (GIP's) were previously provided in 2015, when the new parking lot was constructed with porous pavement parking lot.

H. Traffic and Transportation

Relative to Traffic and Transportation please refer to the Traffic Impact Report

prepared on January 10, 2019 by Kimley-Horn. The addition of the A/D Floating/Overlay Zone is not anticipated to have a significant adverse impact on traffic. The Traffic Impact Report shows that due to the extremely low traffic generated by memory care facilities as compared to all other uses, the inclusion of the A/D Floating/Overlay Zone is anticipated to have a potential positive benefit to traffic whenever it is applied. The potential for emergency situations with multiple traffic impacts at peak hours has been addressed in a special supplement to the report which may be found in Appendix W.

I. Infrastructure and Utilities

In relation to the potential impacts to existing water and sewer infrastructure a meeting was convened at Village Hall on April 11, 2019 attended by Dan Pennella, PE of the Village of Tarrytown and Richard Williams, PE of Insite Engineering and Surveying of Carmel, New York, on behalf of the applicant Artis Senior Living.

The engineers reviewed existing utilities and established protocols going forward to plan for water and sewer service at a proposed Artis Senior Living building to be constructed on the parcel known as 153 White Plains Road, Tarrytown, New York.

For water service, Insite has obtained from its principal a letter covering domestic/fire flows as determined using the International Plumbing Code (IPC) and NFPA requirements. This letter sets forth the domestic/fire flows used in planning an Artis project in Somers, New York, which is nearly identical to what is contemplated for Tarrytown. This letter, dated April 19, 2019 from Paul Folger of LK Architecture has been included in Appendix W.

The five components of Artis's projected water demand delineated in the letter are to be used by Village of Tarrytown water system consultants Woodard and Curran to model both the current condition of the water line as well as prospective conditions after the completion of ongoing village water system upgrades.

Taking into account that modeling, Applicant's engineers at Insite Engineering will then evaluate an alternative water connection into the water main on Route 119 in order to determine the feasibility of such a connection. The modeling and subsequent redesign of the contemplated water system will occur over the next several weeks and will be fully designed during the site plan review process.

As for the sewer service discussions with the Village indicate the sewer service can connect to either the existing sewer main in NYS Route 119, or the existing sewer main in Martling Avenue. Both of these options will be explored during the detailed site plan review process with the Planning Board. Based on the findings the Village and applicant will work together to determine the best sewer service location for both parties. Discussions with the Village to date indicate that should a connection to NYS Route 119 be pursued, a small portion of the existing sewer main may need to be repaired, as a result of a sag in the existing pipe. Similarly, should a connection to Martling Avenue be pursued, a section of existing sewer main just south of the intersection of Prospect St. and Martling Avenue may need to be repaired because of a sag in the main. In addition, a repair to the manhole at the intersection of Broadway and Prospect Avenue evaluated for the Martling Avenue connection. It was observed that an existing pump station discharges into this manhole. The Proposed Action is not tributary to the pump station but is tributary to the gravity sewer main that flows through the manhole. When the pump station is active (the flow was observed

to be active for several minutes then ceased) the flow in the manhole is disrupted and the sewer main temporarily becomes submerged (for approximately five minutes in duration). Should the Martling Avenue connection be pursued the applicant will have to work with the Village to determine if the existing issue in the manhole will be worsened by the project.

J. Community Facilities

Relative to Community Facilities, the addition of the A/D Floating/Overlay Zone is not anticipated to place any additional demand on Police, Fire, Emergency Medical Services, or Schools beyond what is permitted by the current zoning. Specific statistical data provided by Artis Senior Living indicates their facility, as an Alzheimer / Dementia Care Facility, on average generates approximately 1.4 to 1.8 ambulance trips per month. The limited demand placed on police, fire and EMS is often offset by the additional tax revenue generated by the facility. In addition, the project is anticipated to have a positive impact on the Tarrytown School District as the project will pay school taxes, but will not create an additional demand on the school system.

K. Fiscal Impact Analysis

Applicant's consultants have completed a detailed Fiscal Impact Analysis for the proposed action that describes the tax revenues to each taxing jurisdiction and the additional municipal costs which will be associated with the proposed action. Those tables may be found both in the Fiscal Impact Analysis in Section I of Chapter 3 at page 96, below, and also are also included in Appendix K, which includes tabular comparisons of the proposed action and the alternates. In summary, the proposed action will provide a very substantial net benefit to each taxing jurisdiction.

L. Construction Impacts

The impacts of the proposed action during construction are described below in Chapter 3.

M. Alternates

The comparative impacts of the proposed action versus the three alternate actions and the “no action” alternative are described below in Chapter 5.

Chapter 2 Project Description

A. Proposed Action

1) Description of the Proposed Action

On November 27, 2006 a Findings Statement was adopted by the Village of Tarrytown Planning Board for the Crescent Associates, LLC proposal for the construction of a 60,000-square-foot office building at 155 White Plains Road. The 60,000-square-foot office building was to be constructed on a site with two existing office buildings and associated parking areas with access derived from NYS Route 119.

In 2008-2009 a subdivision was approved by the Village of Tarrytown Planning Board separating the 155 White Plains Road parcel into two separate parcels, denominated 153 and 155 White Plains Road. The subdivision plat was filed in 2009.

In 2014 a Site Plan Approval and Lot Line Adjustment were obtained from the Village of Tarrytown Planning Board to construct additional parking for the exclusive use of a new long-term medical tenant on what was originally part of the proposed office building site referenced in the 2006 Findings Statement.

In 2015, the Tarrytown Zoning Board of Appeals, in response to a request for interpretation from the site owner Crescent Associates, LLC, opined that the office use permitted as a principal permitted use in the OB district allowed medical uses in the zone. The porous pavement parking lot construction parcel was completed and the tenant took occupancy at 155 White Plains Road in 2016.

The proposed action is a plan by Artis Senior Living of Tarrytown, which envisions the construction of a 64-bed Alzheimer's / Dementia Care Housing facility. This will be geared towards the need of seniors and located wholly on the 153 White Plains Road parcel, which has frontage only on Martling Avenue, and no frontage along Route 119.

A zoning text amendment has been requested by the applicant in support of the proposed action.

As a result of the changes to the previously approved project described above, the Tarrytown Planning Board, as the lead agency under SEQRA, has issued a positive declaration requiring preparation of Supplemental DEIS ("SDEIS").

This SDEIS is intended to supplement the 2006 Final Environmental Impact Statement as prepared and accepted by the Village of Tarrytown. The 2006 FEIS is incorporated by reference herein in its entirety. Copies of the FEIS are on file at the Village of Tarrytown Planning Department and at Warner Library.

This Supplemental DEIS will address potentially significant environmental impacts not adequately addressed in the Findings as a result of project changes, newly discovered information, or changes in circumstances related to a project. In this instance the change of the project from a 60,000-square-foot office building to a 64-bed Alzheimer's / Dementia Care Housing facility results in changes to the project requiring additional study.

B. Regulations and requirements of the site's existing and proposed zoning:

1) A. Existing Zoning:

The site is currently zoned OB, Office Building.

The OB zoning allows as principal permitted uses executive business, sales, accounting and general offices and research laboratories.

Maximum total coverage of all buildings, structures and paved areas: 45% of the buildable site area.

Buildable site area shall be determined by subtracting from the total lot area 50% of the area of the wetlands and steep slopes (25% or greater) on the site.

Minimum setback of all permitted buildings, structures and paved areas from the right-of-way of any public street or any residential zoning district: 100 feet.

Minimum setback of all permitted buildings, structures and paved areas from any nonresidential zoning district and from other property boundaries: 50 feet.

Minimum setback of buildings and structures from the right-of-way of the New York State Thruway or the Administrative Headquarters of the New York State Thruway: 50 feet.

Minimum setback of paved areas from the right-of-way of the New York State Thruway or the Administrative Headquarters of the New York State Thruway: 25 feet.

Minimum setback of a telephone exchange or an electric substation from all property lines: 50 feet.

Maximum Height in feet is 35.

Maximum height in stories is 3.0

Permitted Building Coverage ranges from 12% to 17%, depending upon percentage of parking enclosed

Table 2-01 below is from "Village of Tarrytown Zoning Schedule OB District."

| Percentage of Parking Enclosed | Permitted Building Coverage |
|--------------------------------|-----------------------------|
| 20% | 12% |
| 25% | 13% |
| 30% | 14% |
| 35% | 15% |
| 40% | 16% |
| 45% | 17% |

The gross floor area permitted shall not exceed the product of the buildable site area and the following floor area ratios:

Table 2-02

Maximum Floor Area Ratios vary according to Permitted Building Coverage

| Permitted Building Coverage | Permitted Height (stories) | Maximum Floor Area Ratio |
|-----------------------------|----------------------------|--------------------------|
| 12% | 3 | 0.36 |
| 13% | 3 | 0.39 |
| 14% | 3 | 0.42 |
| 15% | 3 | 0.45 |
| 16% | 3 | 0.48 |
| 17% | 3 | 0.51 |

Floor area ratio is defined in code as gross floor area/buildable site area.

Buildable site area is defined as a percentage of total lot area: Buildable site area is reduced by 50% of the square footage of any designated wetlands on site and further reduced by 50% of the square footage of steep slopes on the site. Steep slopes are defined as slopes with a grade of 25% or greater.

All aspects of the *Proposed Zoning* will be described in Section 3 of Chapter 3, below, titled "Description of Land Use and Zoning."

C. Overview and Description of Site and Environs:

1) Description of the location, frontage, access, acreage, ownership and tax map designation of lot(s) involved in the Proposed Action

The property is located at 153 White Plains Road in the Village of Tarrytown and is identified as Tax Map Section 1.201, Block 121, Lot 5.12. The total area of the lot is 4.6 acres. It is currently owned by Crescent Associates, LLC of White Plains, New York, and it is under contract to the Applicant, Artis Senior Living, LLC, of McLean, Virginia.

D. Description of Adjacent Properties:

Directly adjacent to the site to the south is a 4.4 acre property zoned LB Limited Business which hosts a neoclassical brick building belonging to the Marshall Cavendish Corporation.

To the west, the site is contiguous with the Old Croton Trailway State Historic

Park. In order to prevent any potential negative visual impact on the Old Croton Trailway State Historic Park, the proposed building has been moved as far away from the Aqueduct Trail as possible. Due to this mitigation the closest point of the proposed retaining wall will be located 246 feet from the Aqueduct Trail.

Across Martling Avenue to the North lie four parcels totaling 15.1 acres owned by Hitachi America, Limited. That site is zoned OB Office Business.

The contiguous property to the northeast, at the substantially higher elevation of 298 feet is Ridgcroft Estates, zoned and built MU-4, multifamily residential. Dense woods and a steep slope separate it from the proposed site in such a way that it will not be possible to see the new building from that property over the tops of the trees.

Primary access to the property will be via a new access easement pursuant to the Purchase and Sale Agreement between owner Crescent Associates, LLC and Contract Vendee Artis Senior Living of Tarrytown, LLC, over 155 White Plains Road from which it was subdivided in 2009. Secondary access for emergency purposes only will be provided from Martling Avenue.

E. Existing Easements

The existing drainage-only easement is shown on the subdivision plat in Appendix N. The easement document, prepared by attorney John Kirkpatrick and duly recorded in the Westchester County Clerks office, may be found in Appendix O. *Please see Appendix N, Subdivision Plat Showing Drainage Easement, and Appendix O, Description of Drainage Easement.* Review of the title report prepared September 21, 2018 for Artis shows that there are no other easements on the subject property. The drainage easement shown on the subdivision map filed with the County Clerk on February 12, 2015 as map number 28844 is the only easement affecting the property.

F. History of Prior Approvals at This Site

Several zoning variances were granted by the Tarrytown Zoning Board of appeals as part of the eventually approved application for a 60,000-square-foot office building that was eventually superseded by the subsequent parking lot plan. These variances are set forth in the ZBA minutes of April 1, 2004 as included herein at Appendix P. The Findings Statement is to be found in Appendix Q.

Prior to the 2009 subdivision, this site was subject to an Environmental Impact Statement under SEQRA in the early 2000's for a 60,000-square-foot office building. A copy of the Findings Statement dated November 27, 2006 has been included for review at Appendix Q. The office building was duly approved by the village in 2006.

In 2015 a lot line adjustment was performed in which Lot 2 (153 White Plains Road) was reduced to its current size of 4.64 Acres. The lot line adjustment was in conjunction with the construction of a porous pavement parking along the eastern border of the current Lot 2.

During the 2015 and 2016 construction of the porous pavement parking lot on Lot 1, (155 White Plains Road) a stormwater basin was constructed on Lot 2. The stormwater basin was constructed to the dimensions and design proposed for the original 60,000 square foot structure studied in the early 2000's and was duly designed to accommodate runoff for any future development on the overall site.

G. Compliance with Comprehensive Plan

In order to determine how well the proposed action supports the clearly stated community goals in the Village of Tarrytown Comprehensive Plan, adopted

November 2018, the Applicant directed its consultants to study that document carefully.

On Page 36, the Comprehensive Plan states:

“Growth must be balanced with a sense of the historical legacy of place”

Applicant Artis Senior Living of Tarrytown directed their local consultants Development Strategies, Inc, by Don Walsh, Principal Consultant, and Main Street Consulting, LLC (Mark Fry, Principal), to research the history of property, and to present their findings to the Planning Board as follows:

1) History of the Site from 1881 through 1959:

For many years, the 153 White Plains Road site and surrounding neighborhood was made up of several farms and large estates. In the early 1890's, the fee title of the site under study passed from Thomas Dean to G.H. Jones, and then to local magnate Robert Hoe III. (See further detail later in this section). Hoe's primary residence was a Route 9 estate located where Temple Beth Abraham is situated today. Eventually, Hoe had three large property holdings in Tarrytown: his home, this site, and much of the west side of Route 9 in Tarrytown, south of Church Street that would eventually become the Tappan Landing development. The Tappan Landing property had been inherited from his father, Robert Hoe, Jr., and then subdivided.

As expanded upon later in this introduction, Hoe lost ownership of all of his Tarrytown holdings due to a significant financial reversal. During the time of a debt-driven liquidation, wealthy car manufacturer Jonathan Maxwell settled in the area. His new home – 99 White Plains Road – eventually became the locally-landmarked Goebel Collector's Club building, now owned by the Marshall-Cavendish Publishing Company.

In 1924, Maxwell's entire estate was sold to entrepreneur David Luke. Luke expanded the estate's holdings to the north and east and acquired the derelict Hoe library property along with several other large parcels. Luke held the combined lots for more than 37 years, until a dispersal of his estate that led to its acquisition, along with what is now 155 White Plains Road, by the predecessors in title of the current owner Crescent Associates, LLC.

In the course of the pre-acquisition investigation by Crescent Associates, little trace of any previous structures was unearthed by the Development Strategies due diligence team. Some loose stones, gate pillars, traces of a driveway and remnants of a stone wall along Martling were all that remained of the Hoe library parcel.

A small pre-1930 underground fuel storage tank was subsequently discovered and removed under the supervision of the Westchester County Department of Health, acting under delegated authority of the NYSDEC. Finally, Boy Scout leaders indicated that the last actual occupancy of the premises may have been as a scout winter weekend demonstration campground in the mid-1960s.

a) *Photo of Robert Hoe*

2) Key Historical Site Occupant: Robert Hoe III

Robert Hoe III (1839-1909) was a wealthy American businessman with residences in both Tarrytown NY, and London, UK. He followed his grandfather, Robert Hoe, Sr., and his uncle, Richard Marsh Hoe, as what would be termed today as Chairman and Chief Executive Officer of R. H. Hoe & Company. That entity evolved from an early user of steam power in industrial engines into the leading manufacturer, worldwide, of rotary presses, which made possible the proliferation of daily newspapers in the decade prior to the American Civil War.

By the time Robert Hoe III took over the company on the death of his uncle, a major inventor as well as a friend and colleague of Robert Fulton, he was able to join other Hoe family members as lifetime board members and receivers of substantial annual dividends from a significant block of non-public stock. This gave him the leisure to pursue his hobbies, horticulture and rare book collecting. Quite simply, Hoe was a master gardener and simultaneously one of the most significant individual book collectors in world history.

His efforts in the plant world were a feature of his Tarrytown estate, Mercyhurst, located at the site of today's Temple Beth Abraham. Notably, his greenhouses stretched along the low bluff rising from the northern end of the Temple's parking lot up to the dead-end area of Grove Street. Even today, after more than 110 years, an interested party can find traces of the brick lower walls of the greenhouse structures' ruins as well as a Hoe greenhouse cistern. This is located at the southwestern terminus of the Grove Street sidewalk, just past 159 Grove Street.

Photos of the greenhouses are shown on the following pages.

The village recently uncovered lateral lead drainage pipes emanating from the Hoe greenhouse ruins running into the Loh Brook drainage area on Leroy Avenue near the South Grove Street intersection with Leroy. The sole original Mercyhurst structure still standing and in use is the Hoe gatehouse, a Mansard-roofed brick Second Empire cottage at the intersection of Route 9 and Leroy Avenue. This cottage is complemented by one existing extant remnant of the Hoe Library, the stone pillars and wall on Martling Avenue.

Hoe was working on developing vines that would be used to form a grape arbor situated on the south face of the greenhouses, tumbling down to the front lawn of Mercyhurst, where the Temple Beth Abraham parking lot is situated today. Photos of Mercyhurst and the greenhouses are displayed on the following pages.

In their book, "The History of the Tarrytowns" authors Jeff Canning and William Gross note that:

"Robert Hoe, of the firm that invented the first rotary printing press, had an imposing estate south of Copcutt, where the Tappan Zee toll booths now stand. Hoe had an elaborate livestock operation and took great pride in exhibiting choice cattle from other lands.

The Robert Hoe Estate, the Copcutt estate and five estates adjoining to the north are shown on the 1891 Watson Map on the following page.

In addition to his interests in horticulture and animal husbandry, Hoe had an extraordinary interest in collecting rare books, which he developed from his early education in printing. He was the collector of rare books beginning with the late Renaissance productions of the Gutenberg press.

This led him to acquire in 1890 the G.H. Jones property, formerly owned by Thomas Dean, at what now is the first bend in Martling Avenue. There he built a separate major structure to house his extensive library within easy commuting distance of his home and his other nearby properties.

The location is shown on the 1868 F.W. Beers map on the next page as the property of "T. Dean", and is shown on the 1891 Watson map attached as the property of G.H. Jones. Note that the configuration of the historic driveway, which is still clearly visible on the site itself, is the same in 2019 as it was 1891. In 1868 the driveway led only to White Plains Road. By 1891 Mr. Jones had extended the driveway across the Croton Aqueduct to connect to another parcel he owned with frontage on Broadway. The driveway is also very clearly shown on Drawing EX-1 in Appendix F.

INSERT PAGE 1 of 2 OF Historic Maps HERE

INSERT PAGE 2 of 2 OF Historic Maps HERE

3) *Key Historical Use: The Hoe Library*

The stone structure built by Hoe in 1891 and 1892 on the former Jones property housed some of the rarest books in the world. They were selected not only for their appeal to a bibliophile but also for their appeal to a scion of the printing industry.

Hoe developed collections from Gutenberg to Aldine to French Revolutionary tracts, from early woodcut engravings to Civil War photographs to Harper's lithographs, and from incunabula to Shakespearean First Folios. All were carefully catalogued and documented in Hoe's own 1895 active Grolier Club in Manhattan, which Hoe co-founded on the evening of January 23, 1884 with eight fellow bibliophiles. The club he founded in 1884 is going very strong today.

Hoe travelled daily the quarter-mile south from Mercyhurst to his library by horse and carriage, riding along the trail on the top of the Croton Aqueduct. Sadly, owing to his participation in outside investments centered on insurance syndicates, principally Lloyd's of London, Hoe's personal assets in America were seized circa 1901 in satisfaction of a defaulted insurance contract.

These assets included the library site, where the Artis Senior Living Residential Assisted Living facility is proposed, the Mercyhurst estate, and the lands west of Broadway, which today include the homes of Tappan Landing. The estate on the Hudson side of Broadway was built by his father Robert Hoe II who died in Tarrytown on September 13, 1884. Upon his death Robert Hoe III inherited his father's estate, thereby doubling his Tarrytown holdings.

A large part of that estate was eventually sold to the State of New York in 1951 to allow the construction of the Tappan Zee Bridge in 1955. The bridge opened

to traffic in 1955, nearly fifty years after Robert Hoe's death. The center of his Robert Hoe III's stately home stood almost exactly where the toll booths for the bridge stood from 1955 through 2015.

The contents of Hoe's library sold for nearly a million dollars in 1911 and 1912. It had taken the auctioneers nearly ten years to sort and catalog the vast holdings for the sale. That would be the equivalent of nearly fifty million dollars today. Many of the same volumes were eventually acquired by the Grolier Club, where they may be seen today.

The Tappan Landing lots were also sold and the proceeds from the two assets together covered his losses. Hoe was personally able to stay "above water" moving to a second home in London and living on stock dividends for another decade after the loss of his Tarrytown assets until he died in 1909. After Robert Hoe III's death in 1909, the two large residential properties, ignored for decades, gradually fell into ruin.

In conformance to the wishes he expressed in his last will and testament, Hoe's body was returned to the United States for burial in the Sleepy Hollow Cemetery. In their book, "The History of the Tarrytowns" authors Jeff Canning and William Gross note:

"The peaceful setting of his grave is in sharp contrast to the rhythmic pounding of his presses."

For those who would like to learn more about this site's most famous former owner, Appendix M contains a selection of historic maps, photos, and drawings, as well as a copy of his obituary from the New York Times of September 23, 1909.

Also included is an extensive article from the New York Times of October 19, 1855. The article describes his New York City factory, which covered ten city blocks. An illustration of the extensive factory complex is included in the appendix, along with line drawings of the presses he manufactured with the help of his 2,500 employees.

At the time of his death his London factory employed nearly 1,000 workers, and his "Lightning" presses were exported to China, the East and West Indies and to nearly every country in Europe.

INSERT PHOTO OF HOE ESTATE HERE

H. Description of Land Use and Zoning:

1) Land Use: A description of the Proposed Action's proposed use as it relates to the previously approved commercial office building

The proposed action is the proposed construction of a 64-bed Alzheimer's / Dementia Care Housing facility, geared towards the need of seniors, on the 153 White Plains Road parcel. A zoning text amendment has been requested by the applicant in support of the proposed action.

A petition has been submitted to the Village Board of Trustees to add an A/D Floating/Overlay Zone to permit Alzheimer's Dementia Care Housing for properties located along or within 350 feet of the NYS Route 119 corridor. Alzheimer Dementia Care Housing would be designed as a residential facility operated by an entity licensed by the State of New York to operate an assisted living residence which combines dwelling units, communal dining, routine protective oversight, personalized assistance and supportive services and provides 24-hour care for people suffering from Alzheimer's Disease or Alzheimer's-like disorders resulting in dementia, but who do not need the skilled medical care provided by a nursing home or convalescent care facility.

The zoning amendment as proposed would have the potential to affect properties within 350 feet of NYS Route 119, in existence since January 1, 2017. Principal uses permitted within the zone would include Alzheimer's / Dementia Care Housing and medical and dental offices.

The proposed zoning text reproduced on page numbers 62 through 65 includes bulk regulations and dimensional standards that are very similar to the OB Zone

regulations described in detail above.

Relative to the existing zoning, the proposed inclusion of the A/D Floating/Overlay Zone is an opportunity to create a transition between the commercial corridor along NYS Route 119 as well as the adjoining residential areas surrounding the NYS 119 corridor. This is a potential positive benefit to the community.

Relative to natural features, the inclusion of the A/D Floating/Overlay Zone is not anticipated to provide any additional impacts to topography, vegetation, stormwater management, and erosion and sediment control. The parcels in which the A/D zone could be applied are either already developed or approved for development, and any further development would be subject to a site plan approval by the Village Planning Board.

Relative to Traffic and Transportation please refer to the Traffic Impact Study prepared by Kimley-Horn, which is summarized in Section B. Briefly put, the report shows that the proposed use is projected to generate only twenty percent of the traffic that would have been generated by the previously approved office building. The addition of the A/D Floating/Overlay Zone is therefore not anticipated to have a significant adverse impact on traffic.

Relative to fiscal impacts, the proposed action will generate nearly fifty percent more taxes for the Tarrytown School District than the previously approved office building, while generating less than twenty percent of the traffic. A full Fiscal Impact analysis with all calculations is included in Section 9 below.

I. Zoning:

Petition has been made to amend the Zoning Ordinance of the Village of Tarrytown to create an A/D Floating/Overlay Zone in order to respond to a need in the Village, and a growing national need.

This proposed A/D Floating/Overlay Zone will allow small facilities for Alzheimer's care to be built in the Village, subject to certain specific conditions. With these conditions, the proposed zone will be added to the existing zoning of certain parcels, but only to parcels currently zoned OB, LB or MU which have frontage on or are wholly or partially within 350 feet of State Route 119.

Furthermore, the parcel must have been in existence as shown on a plat duly filed in the Office of the Westchester County Clerk as of January 1, 2017.

Because the proposed new zone is both a floating and an overlay zone, it will be in addition to and overlay all of the zoning districts where it is applied. The effect is that any parcel of land lying in the A/D Floating/Overlay zone shall also lie in one or more of the underlying zoning districts, meaning OB, LB and MU, provided for by the Zoning Ordinance.

The difference between a floating zone and an overlay zone is as follows: 1) a floating zone is a zone which is created but not yet applied to any property. It can only be applied to a property by a zoning map amendment passed by the Board of Trustees; 2) an overlay zone is a zone which is created and mapped onto chosen and eligible properties as an overlay of additional requirements in addition to the existing zoning. The proposed floating/overlay zone is a combination of the two. It is proposed to be applied as an overlay to the chosen and eligible properties that have been identified above, but it also floats

as a possible addition to other properties in the future, at the discretion of the Trustees.

The effect is to create a new combined district which has the characteristics and limitations both of the underlying district and of the overlay district. In other words, the floating/overlay zone simply adds requirements to the existing underlying zoning.

J. What is the need for this proposed amendment?

As populations age everywhere, the need is growing for facilities to care for those affected with memory impairment.

The latest statistics on Alzheimer's Disease were released by the Alzheimer's Foundation on January 15, 2019. They are available at www.alz.org under the heading "Facts and Figures." According to the Alzheimer's Foundation statistics:

- There is a new incidence of Alzheimer's every 68 seconds
- 1/9 individuals over 65 years old have Alzheimer's
- 1/3 individuals over 85 years old have Alzheimer's
- 10,000 baby boomers are turning 65 years old EVERY DAY
- Alzheimer's is the 6th leading cause of death in the United States
- Currently, over 5,000,000 Americans are living with Alzheimer's, by 2050 that number anticipated to TRIPLE to 16,000,000
- Percentage of individuals with Alzheimer's/Dementia by age (2017)
- 85 years old +: 38%
- 75 – 84 years old: 44%
- 64 – 74 years old: 16%
- 64 – under: 4%

In order to provide an appropriately licensed residential facility which combines

dwelling units, communal dining, routine protective oversight, personalized assistance and supportive services, and provides 24-hour care for people suffering from Alzheimer's disease or Alzheimer's – like disorders resulting in dementia, but who do not need the skilled medical care provided by a nursing home or convalescent care facility, the text of the Zoning Ordinance should be amended.

Applicant believes such facilities are most appropriately located on properties already zoned for business, conference center, club, municipal and similar uses. Further provisions are provided that will in the applicant's opinion ensure that the location for such use has enough frontage and is well set back from residential uses.

Effect: The result, as compared with other uses currently allowed in the same zone, is to reduce traffic, noise, emissions, and all other environmental impacts. Likewise, usage of the environmental resources of the Village is reduced.

K. What are the zoning alternatives to the Proposed Floating/Overlay Zone ?

1 Alzheimer's/dementia care housing could be made a permitted use in all OB Zoned Properties.

The map on the following page illustrates the properties and locations to which this zone would apply. Rather than spreading this use throughout the entire village, it is however likely to be preferable to start with limited locations that are particularly appropriate for a use which is compatible with residential as well as commercially zoned neighboring properties.

As a use that is by its nature a small facility, with few visitors, as compared to a nursing home which might include rehabilitation facilities, this is particularly true. It is possible that the locations of such small facilities throughout the village might in the applicant's opinion prove desirable in the future.

2 Alzheimer's/dementia care housing could be made a permitted use in the OB Zoned Properties along Route 119. This has the benefit of limiting locations for now to an area which offers properties which share the characteristics of adjacency to both commercial and residential properties.

3 Alzheimer's/dementia care housing could be made a permitted use in all of the commercially zoned properties along Route 119 including OB, LB & MU Zoned Properties. This is essentially the same as the above alternative applying only to OB zoned properties, and merely expands it to address a few other parcels.

4 Alzheimer's/dementia care housing could be made a permitted use via a Compatible Use Permit. This offers the advantage of a careful review process to ensure the compatibility with both residential and commercial properties, but it requires an extremely complex process involving applying to the Trustees for an amendment, obtaining a recommendation from the Planning Board, holding a public hearing and obtaining a zoning amendment from the Trustees, applying for a Compatible Use Permit to the Trustees, referral to the Planning Board, back to the Trustees for the Compatible Use permit, and then back to the Planning Board for a site plan approval.

5 Creation of an A/D Floating/Overlay Zone which allows this use in specified areas and subject to specified conditions. Interestingly, the Village of Tarrytown was one of the first to use this zoning mechanism, and its use became the

subject of a court case approving the mechanism. The concept is to create a zone in text only, which as yet applies to no properties, and therefore "floats" above all properties to which it might, by its terms, apply. It shares with the Compatible Use Permit the advantage of a careful review process to ensure the compatibility with both residential and commercial properties. Note however that when applied, it then replaces the underlying zoning.

6 Creation of an Overlay Zone which allows this use in specified areas and subject to specified conditions. An Overlay Zone is by its nature a sub-species of a Floating Zone, in that it is created in text only without yet applying to any properties, and therefore "floats" above all properties to which by its terms it might apply. An Overlay zone can be mapped with specific text providing eligibility criteria and special provisions required for a special permit

The advantage of an Overlay Zone is that it does not replace the underlying zoning, so that such zoning for all existing uses continues to apply.

L. Relationship of the project to the Village Comprehensive Plan

What is the relationship of the proposed project to the newly adopted Village of Tarrytown Comprehensive Plan?

A new comprehensive plan, entitled "Tarrytown Connected," was adopted by the Village Board of Trustees in November of 2018. As noted therein, it "represents a vision as well as a framework. As a vision, it embodies a core value of the Village now and in the future – to continue to engage in planning as a community and as a place inseparable from its regional context."

Twenty-one goals are identified, of which five are particularly supported by the Artis project:

Leverage land use & development to promote sustainable growth

Ensure fiscal health & sustainability

Ensure housing stock supports a diverse, multi-generational community

Ensure sustainability of infrastructure

Reduce greenhouse gas emissions & resource consumption

Of particular note in the context of the Artis project, the Plan on page 31 provides an overview of the long-term decline of office parks and the concurrent growth of the health care industry in Tarrytown:

“As a counterpoint to the waterfront industries, Tarrytown facilitated the development of office buildings and corporate facilities in the second half of the twentieth century, consistent with a regional shift toward deindustrialization and the rise of corporations in the postwar period. And in the early years of the twenty-first century, the economy has shifted yet again, with the shuttering of corporate headquarters and the rise of professional, hospitality, and health care businesses and services. As of 2015, these growing sectors make up nearly 60% of all Village employment, an increase of 50% over the scale of these industries less than a decade ago.”

The Artis site is in fact one on which a 60,000-square-foot office building was proposed and approved approximately ten years ago. It was never built, for exactly the reasons set forth in the Plan. Now is the time, as the Plan notes on page 62, to employ “future development [that will] focus on the redevelopment of underperforming properties to enable uses that bring a greater benefit to the Village.”

Furthermore, the Artis project will utilize methodologies for improved energy performance in its building and will utilize cutting edge green infrastructure practices, including stormwater management practices with bioretention basins and vegetative swales.

M. Description of Other Potential A/D Floating/Overlay Zone Properties

The proposed floating/overlay zone will apply to several properties in the OB, LB and MU zones that are within 350 feet of Route 119. These include:

99 White Plains Rd, Tax Parcel 1.140-89-2, owned by Marshall Cavendish Corp, and consisting of 4.44 acres with frontage on and access to White Plains Rd.

120 White Plains Rd., Tax Parcel 1.140-94-5.2 owned by GEJ Tarrytown LLC, and consisting of 7.85 acres with frontage on and access to White Plains Rd.

150 White Plains Rd., Tax Parcel 1.150-98-24, owned by G B R Tarrytown LLC, and consisting of 5.9 acres with frontage on and access to White Plains Rd.

153 White Plains Rd., Tax Parcel 1.201-121-5.12, owned by Crescent Associates LLC, and consisting of 4.64 acres with frontage on Martling Avenue and access to White Plains Rd.

155 White Plains Rd., Tax Parcel 1.201-121-5.11, owned by Crescent Associates LLC, and consisting of 8.03 acres with frontage on and access to White Plains Rd.

220 White Plains Rd., Tax Parcel 1.201-122-7, owned by H'Y2 Talleyrand LLC, and consisting of 5.37 acres with frontage on and access to White Plains Rd.

200 White Plains Rd., Tax Parcel 1.201-122-4, owned by H'Y2 Talleyrand LLC, and consisting of 5.46 acres with frontage on and access to White Plains Rd.

1202 Crescent Drive, Tax Parcel 1.201-122-1.3, owned by EQR Talleyrand LLC, and consisting of approximately 23.5 acres with frontage on and access to White Plains Rd.

100 White Plains Rd, Tax Parcel 1.140-94-5.1, owned by Manor House Properties LLC, and consisting of slightly more than 1.0 acres with frontage on and access to White Plains Road.

See following page and Appendix I for Figure F-1 showing eligible properties and their underlying zoning

INSERT Map of Eligible Properties Here

Applicant has also undertaken a more detailed analysis of the potential development of each of the lots, listed above which would be potentially eligible for the application of the proposed A/D Floating/Overlay Alzheimer's and Dementia Zone

While no development under this zoning amendment is currently contemplated for other qualifying sites in the OB, LB and MU zones, the following offers an analysis of such sites.

The proposed A/D Floating/Overlay Zone will apply to several properties in the OB, LB and MU zones that are within 350 feet of Route 119. These include:

99 White Plains Rd, Tax Parcel 1.140-89-2, owned by Marshall Cavendish Corp. This is a property in the LB zone, currently improved with an office building that constitutes a remodeling/expansion of a former residence. Parking for the use, and a driveway with direct access to Route 119 are also provided. This property is well located for and Alzheimer's/dementia care use and could, probably with the removal of the existing improvements on site be redeveloped under the proposed A/D Floating/Overlay Zone. With direct access to Route 119, no traffic problems should be anticipated. Furthermore, with medical offices located on the property adjacent to the East, the use would be compatible with existing development.

120 White Plains Rd., Tax Parcel 1.140-94-5.2 owned by GEJ Tarrytown LLC. This is a property in the OB zone, currently improved with a large modern office building, now or formerly known as the Christiana Building, and accompanying parking, including covered parking for tenants. Although the property has direct access to Route 119, and would also be a compatible location for an

Alzheimer's/dementia care use, it would not seem likely, due to the existence on site of a modern office building, that the site would be redeveloped under the proposed floating/overlay zone.

155 White Plains Rd., Tax Parcel 1.201-121-5.11, owned by Crescent Associates LLC. This is a property in the OB zone, currently improved with a modern office building, now occupied by medical offices. Parking for the use, and a driveway with direct access to Route 119 are also provided. Despite that direct access, the current use of medical offices is relatively recent and the market demand for medical office space of this kind has proven to be quite strong. Consequently, redevelopment under the proposed A/D Floating/Overlay Zone appears unlikely

150 White Plains Rd., Tax Parcel 1.150-98-24 owned by G B R Tarrytown LLC. This is a property in the OB zone, currently improved with a large modern office building. Parking for the use, and driveways with direct access to Route 119 are also provided. As above, it would not seem likely, due to the existence on site of a modern office building, that the site would be redeveloped under the proposed floating/overlay zone.

220 White Plains Rd., Tax Parcel 1.201-122-7 owned by H'Y2 Talleyrand LLC. This is a property in the MU zone, currently improved with a modern office building. It is part of a small office park currently developed with two large modern office buildings and a restaurant, parking and shared direct access to Route 119. Records of the Village Planning Board indicate that discussions have been held by the owners about converting/remodeling/replacing this building with rental apartments. Market demand for rental apartments is known to be strong, and consequently proposals to convert underperforming to office buildings to residential use are becoming common in the region. Consequently, considering

the size of the building, and the limited permitted size in the proposed A/D Floating/Overlay Zone of a building for Alzheimer's/dementia care use, it would appear much more likely to be converted to residential use than to be repurposed under the proposed A/D Floating/Overlay Zone.

200 White Plains Rd., Tax Parcel 1.201-122-4 owned by H'Y2 Talleyrand LLC. This is also a property in the MU zone, likewise, currently improved with a modern office building. It is part of the same small office park currently developed with two large modern office buildings and a restaurant, parking and shared direct access to Route 119. Although as indicated above, discussions have been held by the owners about converting/remodeling/replacing the adjacent building with rental apartments, there is no indication of a similar proposal for this building. As with the buildings at 120 and 150 White Plains Rd., discussed above, the market demand for office space may be sufficient that this building will remain office. As with the building at 220 White Plains Rd., the size of the building, and the limited permitted size in the proposed A/D Floating/Overlay Zone of a building for Alzheimer's/dementia care use, makes it appear much more likely to be converted to residential use than to be repurposed under the proposed A/D Floating/Overlay Zone.

1202 Crescent Drive, 1.201-122-1.3, owned by EQR Talleyrand LLC. This is also a property in the MU zone, but currently improved with residential townhouses along Crescent Drive, which connects to the shared direct access to Route 119 of the 200 – 220 White Plains Rd. parcels. As noted above, market demand for similar residential properties is strong. Consequently, it does not appear to be likely to be redeveloped or repurposed under the proposed A/D Floating/Overlay Zone.

100 White Plains Rd., Tax Parcel 1.140-94-5.1 owned by Manor House Properties LLC. This is a property in the OB zone, currently improved with a former residence that has been remodeled/expanded into an office building, currently occupied by Dennis Noskin Architects. Parking for the use, and a driveway with direct access to Route 119 are also provided. Although this property has many of the same qualifications as properties above for reuse under the proposed A/D Floating/Overlay Zone, including direct access to Route 119 and compatibility with existing development, it encompasses only slightly more than approximately one acre in area. Consequently, it does not appear to be likely to be redeveloped or repurposed under the proposed A/D Floating/Overlay Zone.

Proposed Zoning Amendment Text:

FLOATING/OVERLAY ZONE PROPOSAL

DEFINITIONS SECTION:

§ 305-5: Word Usage; Terms Defined

Alzheimer¹s/Dementia Care Housing: A residential facility operated by an entity licensed by the State of New York to operate an assisted living residence which combines dwelling units, communal dining, routine protective oversight, personalized assistance and supportive services, and provides 24-hour care for people suffering from Alzheimer's disease or Alzheimer's-like disorders resulting in dementia, but who do not need the skilled medical care provided by a nursing home or convalescent care facility.

TEXT SECTION:

§ 305-40-1. A/D Floating/Overlay Zone.

§ 305-40-1A Introduction

By action of the Board of Trustees, a qualifying parcel of land may be rezoned to the A/D Floating/Overlay Zone, either upon application of the parcel's owner or upon the initiative of the Board of Trustees. Upon approval, this district shall be in addition to and shall overlay all other zoning districts where it is applied so that any parcel of land lying in the A/D Floating/Overlay Zone shall also lie in one or more of the other zoning districts provided for by the Zoning Ordinance. The effect is to create a new district which has the characteristics and limitations of the underlying district, together with the characteristics and limitations of the overlay district. Its development under the A/D Floating/Overlay Zone is governed by the use, dimensional and other provisions of the following regulations.

§ 305-40-1B Qualifying Conditions

(1) The lot must be currently zoned OB, LB or MU and have frontage on or be wholly or partially within 350 feet of State Route 119.

(2) The lot upon which it is located shall have both been in existence and of the same size, as shown on a plat duly filed in the Office of the Westchester County Clerk, as of January 1, 2017.

§ 305-40-1C Permitted Accessory Uses.

(1) Parking lots and garage spaces

(2) Personal service establishments such as restaurants, barbershops, beauty parlors, newsstands, and the like if within the principal structure and only for the use of staff and residents of the principal structure.

§ 305-40-1C Additional Requirements

(1) Maximum practicable efforts shall be made to include sustainability measures such as a storm water pollution prevention plan that includes implementation of Green Infrastructure Practices, energy efficient construction, and similar measures that will achieve significant increases in efficiency and sustainability. Green infrastructure practices maintain or restore stormwater's natural flow pattern by allowing the water to slowly permeate into the ground and be used by plants. These practices include rain gardens, vegetated swales, green roofs and porous pavements, along with bioretention areas, vegetated swales dry swales, and green roofs.

(2) A facility for Alzheimer's/Dementia Care Housing shall have no more than 100 beds.

(3) Notwithstanding any other provisions of Village Code, a facility for Alzheimer's/Dementia Care Housing is not residential within the meaning of § 305-130 "Affordable Housing."

(4) The maximum coverage of all buildings shall be 13%, and the maximum coverage of all buildings, structures and paved areas shall be 45% of the total site area;

(5) The minimum setback of all permitted buildings, structures and paved

areas from the right-of-way of any public street shall be 35 feet, from any residential zoning district, shall be 175 feet, and from any non-residential zoning district shall be 0 feet;

(6) Off-street parking shall be provided at the rate of 0.50 spaces per bed.

N. Discussion of green technology and sustainability of the proposed project.

A primary design goal for the Artis Senior Living of Tarrytown facility has been the reduction in the production of Green House Gases.

An important but often forgotten precept in energy use reduction might best be expressed in a simple question:

“Is it more energy efficient to care for sixty-four elder citizens in one modern energy-efficient facility or is it more energy efficient to care for them in sixty-four older private homes?”

The answer, of course, is the former. While aging in place has some advantages, and while more affluent families can afford 24/7 care at home, from an energy use perspective it is an extremely energy-inefficient option. In addition to the heating and cooling costs and energy use involved within the individual homes, at least three caregivers need to travel back and forth from their own homes to their patient’s homes every day, thereby using more fossil fuels.

A congregate care facility for 64 residents is by its very nature more energy efficient and sustainable for our environment than 64 individual homes.

A series of related questions can be easily answered:

“Is it more energy efficient to cook for 64 residents in a single kitchen, or in 64 individual kitchens?”

Artis Senior Living’s nationwide portfolio includes fifteen assisted living facilities in operation or under construction and over 30 facilities in various stages of development. All of the facilities have been built since 2012 and utilize the most modern heating and cooling technology.

To reduce operating costs and to provide a comfortable living environment for its residents, Artis Senior Living has always made energy efficiency and sustainable design and construction one of their corporate priorities. The same architectural firm and HVAC engineering firms that have designed many of their communities nationwide will also design and engineer Artis Senior Living of Tarrytown to the achieve the same standards of energy efficiency they have achieved in fifteen communities in the Northeast.

The following text has been provided by Paul Folger, who, along with his colleague Dennis Smith of LK Architecture, will be the architects of record for this project. Note that construction plans have not yet been prepared, so reference is made to the design goals. Please see Paul Folger’s letter dated January 30, 2019 in Appendix W. The text of the letter follows:

“The building we are designing for the Artis Senior Living project in Tarrytown, NY incorporates multiple sustainable features, some of which will be briefly described in this letter. We have found this design approach to be a successful model for senior care facilities while also reducing the environmental impact of the building on the site and its surroundings.

Creating an energy efficient building envelope was essential to reducing the cooling and heating demand for the building. The typical exterior wall section will be insulated with R-19 spray foam insulation. This not only helps achieve a high R-value for the walls, but also acts as a vapor and air barrier. The spray foam insulation will reduce moisture infiltration into the building, helping eliminate the concern of mold and mildew issues. The typical roof section will be insulated with R-30 continuous insulation.

The majority of the roof will have a high-albedo [a measure of the diffuse reflection of solar radiation] roofing membrane that has an initial solar reflectance index of 99 and a 3-year aged solar reflectance index of 85. This roofing material will reflect solar heat and greatly reduce the HVAC cooling demand on the building. Using a high-albedo roof material also helps to reduce urban heat islands.

It was important to consider the design of the building shape and the placement and size of the windows to maximize interior daylighting. The resident rooms and public spaces throughout the building are designed to have generously sized windows. Also, the building floor plate depth was designed to be narrow, allowing natural daylight to penetrate deep into every room. Besides reducing energy demand, this creates a healthy environment that helps the resident connect with the natural environment outside the building and enhances the residents' psychological well-being.

The design for the interior lighting incorporates motion sensors for energy savings. The lighting design also incorporates LED fixtures to reduce the overall energy load on the building.

Efficiency was important in selecting the appliances throughout the facility and includes Energy Star rated appliances.

Selecting interior finishes that would encourage a healthy environment was important for this facility. This includes choosing low or zero VOC paints, stains, and varnishes. Also, the furnishings and finishes are selected to help reduce the toxins in the building and promote a healthy indoor environment.”

In addition to sustainable design and energy efficient features of the building itself, the site engineers at Insite Engineering and Landscape Architecture have incorporated a series of sustainable elements in all elements of the site design.

Those features, which are more fully described on pages 1, 2, and 3 of the Stormwater Management Report which has been provided in a separate binder submitted herewith. Green Technology Infrastructure Practices, which include bio-swales, bio-retention areas, micropool extended detention ponds.

In the course of the site selection process, Artis sought a site that was well served by public transportation. The Applicant expects that some of their future employees will commute by bus from southern and central Westchester County. There is a bus stop for the #13 Bee-Line bus directly in front of the site, and pedestrian access to the site from the bus stop is less than 150 feet. Easy access to public transportation has been an important element in energy use reduction strategies nationwide.

The project has been designed to fully support the Route 119 Complete Streets program, and bicycle racks for employees and for local visitors will be provided on premise. The Traffic Impact study in Appendix B describes the proposed

extension of the pedestrian and bicycle trails along Broadway that will connect to the new trails over the Mario Cuomo Bridge. When these are completed, this site will have direct access to an extensive network of new and existing trails for both pedestrians and cyclists.

Chapter 3 — Existing Conditions, Potential Impacts and Proposed Mitigation

A. Soil, Topography, Steep Slopes, and Geology

1) Soils, Topography (Steep Slopes) and Geology

At the applicant's request and expense an extensive geotechnical investigation was undertaken by Whitestone Associates, Inc., Environmental and Geotechnical Engineers and Consultants in November of 2018. Whitestone's subsurface exploration included the drilling of 16 soil test borings including associated offsets, excavating seven soil profile pits, and collecting soil samples for laboratory analyses. A letter evaluating the potential for geothermal heating has been included in Appendix W. Please see letter dated April 26, 2019, from Paul Folger of LK Architecture.

The Final Report on Geotechnical Investigation was issued on February 7, 2019. *Please see Appendix V Geotechnical Investigation Report Feb. 7, 2019*

The following is a concise one-page summary of the Whitestone's engineers' findings. See page 1 of the report.

Section 1.0
Summary of Findings

Whitestone has performed an exploration and evaluation of the subsurface conditions for the proposed assisted living facility located at 153 through 155 White Plains Road in the Village of Tarrytown, Westchester County, New York. The site of the proposed construction is shown on the Test Location Plan

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included as Figure 1. At the time of Whitestone's exploration, the site primarily consisted of a moderately-wooded lot with an asphaltic pavement path bisecting the site.

Based on the March 7, 2018 Site Plan prepared by Insite Engineering (Insite) and information provided by Artis, the proposed site redevelopment will include clearing of the wooded area and construction of a 64-bed, two-story assisted living facility with a maximum footprint of approximately 21,656 square feet, site retaining walls, stormwater management (SWM) areas, trash enclosure, and associated new pavements, landscaping, and utilities.

The subsurface exploration included drilling 16 soil test borings (including associated offsets), excavating seven soil profile pits, and collecting soil samples for laboratory analyses. A portion of the subsurface tests encountered variable existing fill materials with variable amounts of debris overlying natural residual soils that generally consisted of a mixture of sand, silt, and weathered rock fragments (USCS: SP, SM, and ML). The residual soils were underlain by weathered rock followed by intact bedrock. Static groundwater was encountered within one boring at a depth of approximately 9.0 fbs, corresponding to an approximate elevation of 161.0 feet above the North American Vertical Datum of 1988 (NAVD 88).

In general, the results of the investigation indicate the proposed structures may be supported on conventional shallow foundations designed to bear within the underlying improved natural site soils, weathered rock/bedrock, and/or on structural fill placed over the on-site natural materials provided the soils are properly evaluated, placed, and compacted as described herein. Existing fill materials should be over-excavated where encountered at or below proposed foundation bearing elevations. The majority of the

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existing fill materials are anticipated to be suitable for floor slab and pavement support following supplemental evaluation and subgrade preparation as described herein.

Weathered rock and rock were encountered across the subject property at variable depths that can present difficult excavation. Based on proposed grades and top of weathered rock/bedrock elevations encountered during this investigation, removal of weathered rock and bedrock is anticipated to be required during mass grading for portions of the proposed building footprint, excavation of proposed building foundations, cut retaining walls, and site utilities. Conventional excavating equipment likely will be effective in removing the upper few feet of weathered rock. However, planned excavation in confined excavations, such as for footing and utility trenches, may require ripping tools, pneumatic hammers, pre-spitting and/or expansive grout. Blasting may also be required in confined excavations or to expedite construction excavation.

Based upon the foregoing, Artis Consultant Donal Walsh of Development Strategies Co, LLC, has prepared an Initial Construction Management Plan dated February 7, 2019, for inclusion in this Supplemental Draft Environmental Impact Statement. The text follows, and a copy of the plan is included in Appendix W.

The plan was prepared on behalf of Artis Senior Living after consultation and review with the current site owner Crescent Associates, LLC:

As Artis learned from both Crescent and from its own engineers' input, the rock content on the subject site is mapped as Fordham Gneiss. This is a rock with a variable mineral content that in general consists of substantially very

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hard layered rock including garnet, biotite, quartz and hornblende. The rock structure is overlaid with residual soils formed by the weathering of the underlying bedrock, which is part of the local geologic area known as the Manhattan Formation. This extensive rock formation extends in an east-west direction into the city of White Plains and is particularly visible in heights to the north of Route 119 in Tarrytown and Elmsford west of the Saw Mill Parkway and elevations south of Route 119 from the parkway into the area near the County Center.

The presence of this rock dictates that excavation is required for a planned shallow basement and ancillary senior living center features, including a retaining wall, storm water management facilities, underground water and sewer connections, garden areas, trash enclosure, pedestrian pathways, driveways and parking areas.

As set forth in the attached Geotechnical Testing Report prepared by Artis consulting engineers Whitestone Associates, Inc., attached (see Appendix V, attached), removal of a layer of existing rock will be necessary in the course of construction.

However, due to the minimal coverage of any planned new construction after site plan approval, any drilling, excavation equipment, tools and blasting will be far less in quantity as well as far shorter in duration than that used for similar rock-based local construction in the Manhattan Formation area nearby including Ridgescroft, Edgemont, Castle Heights, Carrollwood (especially phase four) and Sleepy Hollow Gardens. Further, since Artis regularly constructs adjacent to or near health-related facilities catering to seniors, it is Artis corporate policy during construction to remove rock using tools rather than blasting wherever possible. Rock removal methods are

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discussed with the focus on using tools rather than blasting wherever possible. Final removal protocols will be finalized during site plan review.

2) Steep Slopes

The most recent Village of Tarrytown Steep Slopes Ordinance has been used as a starting point for a review of the topography of the site.

The site has been extensively surveyed by a professional surveyor. The topographical map, Drawing EX-1, Existing Conditions, is to be found in *Appendix F, Site Plans for the Proposed Action*.

The varying landscape is discussed below and the steep slopes have been categorized below.

The Whitestone report concisely describes the site topography as follows:

Topography: Based on the Site Plan prepared by Insite, the area of the proposed redevelopment has a high elevation of approximately 196.0 feet above NAVD 88 in the northeastern corner and a low elevation of approximately 150.0 feet above NAVD 88 in the northwestern corner. More specifically, the area of the proposed building has a grade change of approximately 20.0 feet.

Please see Page 5, Section 3.2 of the report, which may be found in Appendix V Geotechnical Investigation Report Feb. 7, 2019,

More specifically the topography may be described as follows.

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Roughly 55% of the project site consists of flat land and gentle slopes less than 10%.

About 27% of the site consists of 10 to 20 percent grades.

About 18% percent of the site consists of steep slopes, which are defined in the Village of Tarrytown Zoning Code as slopes with percentage grades of 25% or more.

The figures under the heading “Analysis of Area of Steep Slopes” below show the key dimensional parameters of the proposed disturbance of steep slopes on the site. In evaluating the following, kindly refer to Drawings EX-1, OP-1 SP-1 SP 3.1 and SP 3.2 in *Appendix F, Site Plans for Proposed Action*.

3) Analysis of Area of Steep Slopes:

- Total Site Area = 202,253 SF
- Area of Steep Slopes (25% or above) on Site = 36,292 SF
- Area of Steep Slopes Area as a percentage of Total Site Area: 17.9 %
- Amount of steep slope disturbance: 13,564 SF
- **Amount of proposed steep slope disturbance site as a percentage of total site area: 6.7%**
- Percentage of Steep Slopes to be disturbed: $13,564 \text{ SF} / 36,292 \text{ SF} = 37\%$ of steep slopes to be disturbed
- Reduction of Buildable Area per code, 50% of 36,292 SF = 18,146 SF

4) Steep Slopes Narrative:

Rationale and need for steep slopes disturbance:

The steep slope disturbance, which affects just 6.7 % of the site, has been minimized to the maximum extent practicable while balancing several important elements of the overall site design.

Applicant's engineers were asked to evaluate a series of alternative layouts and directed to reduce steep slope disturbance to an absolute minimum.

Applicant's engineers found that the site layout selected and shown on the drawings submitted provide the lowest possible environmental impact based upon the following constraints:

- 1) The grades of the development pad are relatively fixed based on the need to interconnect Martling Avenue to the existing 155 White Plains Road parcel.
- 2) Other possible layout orientations would place the building and the parking lots closer to the Marshall Cavendish Building. This was discouraged during the previous project reviews.
- 3) Other orientations require substantially taller retaining walls, or the need for additional walls in close proximity to Martling Avenue.

5) Proposed Mitigations

The existing slope on the western part of the site will be permanently stabilized in

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conjunction with this project through the construction of three engineered retaining walls which will descend in three landscaped terraces toward the existing stormwater micropool extended detention pond.

The proposed retaining walls are shown on Drawings OP-1 and SP-1 in Appendix F. They may also be seen, to the extent visible from Martling Avenue, in the set of four *3D Photo-Simulation Perspective Renderings* to be found in Appendix H.

6) Comparison of the proposed steep slope disturbance of the proposed action as compared to the proposed steep slope disturbance of the 60,000 SF office building proposed and approved in 2006:

The proposed action creates approximately 8,600 SF of additional steep slope disturbance on the western portion of the site, as compared to the steep slope disturbance approved in 2006. The primary cause of this change is the removal through re-subdivision in 2015 of roughly 1.6 acres of the rear parcel upon which this site is located and the addition of the same 1.6 acres to the front parcel.

The portion of parcel which was removed was relatively flat, which has left the remaining portion of the parcel relatively more sloped. The portion removed has since been used for the construction of a permeable paving parking lot associated with the front parcel.

The net result is that the building pad for this proposed action needed to be pushed slightly further toward the west, which in turn required a marginally greater steep slope disturbance.

As shown in the figures above, the steep slope disturbance will be limited to just 6.7 % of the site.

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The proposed steep slope disturbance will be mitigated during construction through the provision of an erosion and sediment control plan that addresses temporary stabilization throughout construction and permanent stabilization through the construction of engineered retaining walls thereafter. The retaining wall will be extensively landscaped as further discussed in Section 3, below. In addition, slope landscaping will serve to retain topsoil and provide vegetative stabilization of slopes.

The erosion and sediment control plan has been designed in compliance with the New York State Standards for Erosion and Sediment Control.

Drawing SP-5, titled "*Erosion and Sediment Control Plan*" in Appendix F shows those features in plan view, and Drawing D-2, titled "*Details*" shows the erosion control blanket detail and illustrations and construction notes for fabricated silt fence, along with the requirements for the temporary soils stockpiles that will be necessary during construction.

The reader is referred to the complete *Storm Water Pollution Prevention Plan* which has been provided as a separate volume, for a complete and detailed explanation of the sediment and erosion plan, in addition to the Storm Water Pollution Prevention Plan.

The reader is further referred to the "*SEQRA Findings Statement dated August 28, 2006*" in Appendix Q for the sediment and erosion control findings of the board at that time.

B. Wetlands

1) Existing Condition

Applicant engaged wetlands scientist Steven Marino of Tim Miller Associates in October of 2018 to perform a detailed site investigation to determine if the site contained any existing wetlands as defined in the Village Code and wetland buffer areas) will be delineated. The wetland report by Tim Miller Associates is included in Appendix W.

A small area that meets the general criteria of being a regulated wetland was observed by Mr. Marino in the southwest corner of the Artis site. He submitted the following brief statement:

“The combination of occasional overflow from the adjacent stormwater management basin and the runoff from the surrounding slopes create enough hydrology to make the area identifiable as a wetland. The area was delineated strictly by the soils and hydrology; the sparse vegetation in the area was dominated by Japanese knotweed, an invasive non-native species. Surface waters collect in this corner of the site then exit through a culvert under the Old Croton Aqueduct trail.”

Based upon Mr. Marino’s observation and his marking of the area with three wetland flags a licensed surveyor from Insite Engineering surveyed the area in question and determined that the area of the wetland is approximately 706 square feet. The area is shown on Drawings EX-1 and SP-1 in Appendix F. along with the Village of Tarrytown Regulated Wetlands Buffer forming an arc of 150-foot radius in the southwest corner of the site.

2) Potential Impacts:

Based on the current site plan, this wetland is more than 200 feet away from the nearest proposed site disturbance, and no disturbance of any kind will occur within the wetland buffer.

3) Mitigation:

No wetlands or areas within the 150-foot wetland buffer areas will be disturbed. The distance from the wetland to the proposed building is 246 feet. No mitigation measures are required.

C. Site Geology

In section 3.3, titled Site Geology, the Whitestone Report of Geotechnical Investigation describes the site geology as follows:

The subject site is mapped as Fordham Gneiss. Fordham Gneiss is comprised of gneiss with variable mineral content that general consists of garnet, biotite, quartz, plagioclase, sillimanite, amphibolite and hornblende. The subject site is overlain by residual soils formed from the weathering of the underlying bedrock. Overburden materials also include man-made fill associated with past and present development of the subject site.

D. Vegetation and Tree Removal

1) Existing Conditions:

The extensive Vegetation and Wildlife Report prepared by Richard Jacobsen on June 30, 2004 and included in the FEIS on August 28, 2006 has been reproduced in this document for the reader's convenience and may be found in Appendix

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L. Please see Appendix L, *Vegetation and Wildlife Report June 30, 2004*

Vegetation and Wildlife Analysis Update for 153 White Plains Road:

The following update of existing conditions was provided by Don Walsh of Development Strategies based on a series of twelve site visits performed in 2015, 2017 and 2018:

“Prepared By Development Strategies Company, LLC, for Artis Senior Living, Contract Vendee of Site Owner Crescent Associates, LLC as of December 16, 2019

Original Information developed and presented in original 2006 FEIS by Richard Jacobsen, o/b/o Crescent Associates, LLC, from observations and site visits in 2003/2004; updated below by DSC staff in late fall 2018. [Please see Appendix L, *Vegetation and Wildlife Report June 30, 2004*]

Existing Vegetation:

The 2006 FEIS stated that the existing vegetative cover of the undeveloped portion of the site was approximately 80 percent mixed hardwood forest and 20 percent vine thicket. Since that time, numerous winter storms and nearby construction with a concurrent subdivision have reduced the hardwood forest portion to some 60 percent of the site. The remaining approximately 40 percent of the site remains overgrown with vine thicket as of fall 2018.

As noted earlier by Mr. Jacobsen, ‘remnants of a paved driveway and areas of ornamental ground cover persist in the central portion of the site.’ Since that report, an additional few paving and building stones have emerged over the last decade from soil cover, providing an observer with slight evidence of the once-terraced Hoe library tower that occupied this site from the last decades of the 1800’s until sometime mid-twentieth century. There appears to be little remaining Hoe-originated decorative shrubbery or herbaceous cover in the forested area.

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A number of invasive species are visible in the slight existing cover closer to the OCA trail including Norway Maple bush, Garlic Mustard plants, and Multiflora Rose interspersed with Winged Euonymus undergrowth. Further, several planned grass plantings exist on the slope descending to the western side retention pond using a combination of (1) obligate wetland seeding feed mix (fox sedge, eastern bur reed, green bulrush); (2) facultative seed mix (Virginia wild rye, ox eye sunflower) plus (3) upland species feed (bluestem, aldous, plus butte side oats gram). The pond slope cover is part of the storm water management plan adopted by the site owner with NYSDEC input and after review by the Village of Tarrytown.

Existing Traces of Wildlife:

In 2004, wildlife observations were made by Mr. Jacobsen. His report, attached as Appendix L, noted bird and animal species present on the site. The November and December visits by DSC staff on behalf of this SDEIS found no bird nests, either in ground cover or in existing trees. In addition, evidence of white-tail deer in the form of recent tracks and droppings are consistent with other areas in Tarrytown proper, in particular within the confines of the municipally-designated Sheldon Brook Drainage District.

Small mammal sightings of several white-footed mice, plus two each of gray and black squirrels, chipmunks and one raccoon were made by staff in November 2018. No such observations were made the following month.

It appears that the recent construction of the adjacent porous pavement parking lot for Columbia Doctors, coupled with the pond construction and maintenance, may have significantly reduced transient wildlife habitats on the parcel.

Divergences from 2006 Report:

The original report finalized in the 2006 FEIS noted that 'the slopes at the east end of the property contain debris and material from dumping that occurs along the property boundary.' Note that extensive cleanup and landscape maintenance since that time have eliminated all such debris.

Efforts by the current site owners in that respect will continue pursuant to the existing long-term lease with Columbia Doctors. If this application is approved, responsibility for site maintenance will pass to Artis Senior Living of Tarrytown when title to the property is transferred.

Concurrences with 2006 Report:

Deer continue to use this site as a food source, as they do in many other areas in Tarrytown including, for example, the nearby Sheldon Brook wetlands, wooded areas to the south once part of the Gould/Talleyrand holdings, the Tarrytown Lakes watershed and natural parts of Edgemont, Ridgescroft, The Crest, and the Hackley School which extend in all directions from 153 White Plains Road. Droppings and scuff marks on trees are continuing evidence of recent deer visits. In addition, a search of the NYSDEC database as updated through 2018 confirms there are still no records of rare or state-listed animals, plants and/or significant habitats for same on this site or on any adjacent properties.

2) Potential Impact on Vegetation and Wildlife

The subject property is approximately 4.6 acres. The portion of the existing site which is proposed for development is approximately 2.3 acres. Of the 4.6 acres approximately 2.3 acres shall be cleared leaving approximately 2.3 acres undisturbed. Please see Appendix F. Site Plans for Proposed Action, Drawing SP-2

A new and extensive tree survey was performed July of 2018 by a registered landscape architect within the 2.9 acre area within the limits of disturbance. Every tree within that area with a diameter of four inches at breast height was tagged, located by GPS and located on the Tree Removal Plan presented as *Drawing SP-4 Tree Removal Plan* in Appendix F. *Please see Appendix F, Site Plans for Proposed Action.*

Each tree is listed on the plan by location, tag number, species, and caliper. Of the 600 existing trees greater than above four inches DBH (Diameter at Breast Height, measured at a height of four feet above the ground), 329 are proposed to be removed, and 271 of the existing trees are proposed to remain undisturbed. There are many saplings, small trees and shrubs which shall remain

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undisturbed but are not illustrated on the proposed site plans since they are below the required 4" caliper size (diameter) at breast height.

3) Proposed Mitigations

The loss of existing vegetation will be mitigated through the extensive planting of new vegetation. The proposed Landscape Plan Drawings SP-3.1 and Drawing SP-3.2 illustrate the placement and size of the proposed planting of new replacement trees. *Please see Appendix F, Site Plans for Proposed Action.*

The proposed planting has been placed to add screening along the south, west and north sides of the subject property. Specific attention has been taken to provide adequate visual screening of the proposed project from Martling Avenue to the north, the Old Croton Aqueduct to the west and the Marshall Cavendish property to the south. The proposed landscape plan will be revised as necessary to comply with any additional planting as required by the Tarrytown Code or the site plan approval process.

Final landscape plans will be provided to mitigate the tree loss, and / or compensation will be provided in accordance with village regulations to the village tree fund, if required. The final landscape plans will be developed during the detailed site plan review and will be developed in concert with the Village Tree Commission and/or the Village of Tarrytown Landscape Consultant.

The landscaping and tree protection and replacement plans will be developed to provide aesthetic value to the proposed project while providing necessary screening to the adjacent properties. The proposed tree protection plan and tree replacement plan shall be subject to final review by the Tree Commission and the Village Landscape Consultant during site plan review.

E. Stormwater Management

1) Existing Conditions

Please see Appendix S, Pre-Development Drainage Plan, for a plan showing existing conditions.

Existing stormwater runoff from the project site follows three general drainage patterns. The first area includes the existing office building which is collected and conveyed through an existing drainage system; the second drainage area includes a small portion of undeveloped area which drains towards Martling Avenue; and the third drainage pattern is located along the western property line of the project site. The P-1 micropool extended detention basin is located on the westernmost portion of the site adjacent to an existing wetland and is complimentary in nature to the surrounding habitat. The micropool extended detention basin provides a natural transition from the wetland and woods adjacent to the old Croton Aqueduct to the developed areas to the north, south, and east. All adjacent development is separated from the pond by a minimum of 100 feet of horizontal distance.

2) Potential Impacts

In any new construction there is a potential that uncontrolled runoff from the site can cause erosion of the site and that stormwater can transport soil and pollutants to sensitive receptors downstream. In this case, the ultimate downstream receptor is the Hudson River. Modern stormwater management engineering and technology, if properly applied, can mitigate that threat. Concerns about the potential hazard from mosquitoes breeding in the standing water in the micropool extended detention pond have been addressed in detail in a letter dated April 11, 2019 from Steve Marino, Senior Wetland Ecologist for Tim Miller and Associates, which is included in Appendix W.

3) *Proposed Mitigations*

The proposed stormwater management practices have been designed to treat both water quality and stormwater quantity. Relative to water quality all Green Infrastructure Practices (GIP's) will be designed for the Water Quality Volume (WQv) which is equal to the volume of water generated by the 90% event as specified in the New York State Stormwater Management Design Manual. The existing micropool extended detention basin was sized to treat the initial WQv without the benefit of the upstream GIP's, and as such provides additional treatment volume that would currently be required. Relative to stormwater quantity the Micropool Extended Detention Basin has been designed to meet the Channel Protection Volume (CPv), Overbank Flood Control (Qp) and Extreme Storm Control (Qf) events. This requires the 24-hour detention of the one-year, 24 hour storm event and the attenuation of the 10-year and 100-year peak flow rates to pre-development levels.

The stormwater management system for the proposed project has been designed in accordance with New York State Department of Environmental Conservation (NYSDEC) Stormwater Design Manual and the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activities Permit No. GP-02-01.

Please see the Stormwater Pollution Prevention Plan, which has been provided in a separate binder, for a complete copy of the plan.

Please also see Appendix S, Pre-Development Drainage Plan, for a full-size color plan of the existing conditions.

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Please see Appendix T, Post-Development Drainage Plan, for a full-size color plan of the proposed new stormwater management system.

The proposed stormwater management systems shall maintain the overall existing drainage patterns while also maintaining the peak rate of runoff of stormwater to the pre-development rates. The proposed drainage system for the site improvements will collect and convey stormwater runoff associated with the development to a stormwater basin located in the western portion of the site.

An updated SWPPP has been provided for the Artis Site Plan. The overall stormwater management system and drainage patterns are similar to the previously approved site plan and therefore, similar in impact. However, one positive benefit of the project is the current project SWPPP includes two Green Infrastructure Practices not previously contemplated; a bioretention filter will be provided and a porous pavement parking lot will be provided.

Please see pages 1, 2 and 3 of the SWPPP for a detailed explanation of the Green Infrastructure Practices which Applicant proposes to employ. The plan was prepared by a licensed professional engineer at Insite Engineering, LLC. The project proposes to incorporate both bio-retention filters and porous pavement. These practices are both Green Infrastructure Practices as identified in the New York State Stormwater Management Design Manual (Design Manual). As encouraged by the Design Manual, infiltration of stormwater will be maximized where soil testing indicated infiltration can be supported. Infiltration will be enhanced through the provision of a porous pavement parking lot. Where infiltration is not feasible a bioretention filter will be provided. Bioretention filters are shallow heavily landscaped stormwater features designed to be incorporated into the site landscaping. They are designed and constructed with engineered soil media. They promote nutrient uptake through the planting plan,

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evapotranspiration and the filtering of the stormwater. Through the provision of the above noted Green Infrastructure Practices the project SWPPP has met the Runoff Reduction Volume requirements of the Design Manual.

F. Traffic and Transportation

A comprehensive traffic study was prepared by Kimley-Horn of New York, P.C. to document the potential traffic impacts associated with the proposed redevelopment of the property located at 153 White Plains Road in the Village of Tarrytown NY. *Please see Appendix B, Traffic Impact Study.*

The study presents the existing conditions and the potential impacts of the extremely low traffic generation of the proposed action and concludes that there will be no impact.

The following information is excerpted from that report, which concludes that

“The proposed development will generate significantly fewer trips than the formerly-approved office development”

The following table presents a comparison with the traffic generation of the alternatives that the Applicant was asked to study and present.

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Table 6- Trip Generation Comparison of Alternatives

| Alternative | AM Peak Hour Trips | PM Peak Hour Trips | Weekday Daily Trips | Saturday Peak Hour | Saturday Daily Trips |
|-------------------------------|-----------------------|-----------------------|------------------------|-----------------------|-------------------------|
| a. Office (36,000 sf) | 42 | 41 | 351 | 19 | 80 |
| b. Office (54,000 sf) | 63 | 62 | 526 | 29 | 119 |
| c. Medical Office (36,000 sf) | 100 | 125 | 1253 | 112 | 309 |
| e. No Action | 0 | 0 | 0 | 0 | 0 |
| Proposed Action | 14 | 17 | 151 | 24 | 107 |

Note: Trip generations based on ITE Trip Generation Manual, tenth edition. Rates were based on Land Use Code 710 (General Office Building), Land Use Code 720 (Medical-Dental Office Building) and Land Use Code 254 (Assisted Living).

As indicated in the Table, other than the No Action alternative, the Proposed Action will result in fewer trips than each alternative evaluated (with one minor exception).

During the AM and PM peak hours, the Proposed Action will generate from 24 to 49 fewer trips than the office building alternatives and from 86 to 107 fewer trips than the medical office alternatives. Throughout the course of an entire day on weekdays, the Proposed Action will generate from 200 to 375 fewer trips than an office building and 1,102 fewer trips than a medical office building.

It can be concluded that, as a result of the significantly lower volumes, the Proposed Action will have less of an impact than the other development alternatives evaluated. Traffic study by Kimley Horn shows significantly lower traffic volumes for the proposed action than other development alternatives.

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The site was formerly approved to construct a 60,000-sf office building. It is proposed, instead, to construct an Artis Alzheimer's/Dementia Care Residential Treatment Center ("Artis Center" or the "Project"). The traffic impact study evaluated existing and future traffic conditions surrounding the site both with and without the Project.

The following table presents a simple comparison between the previously approved office building versus the proposed residential assisted living memory care facility at the Peak Hour.

Weekday AM peak hour trips for the office building were 70 trips in the peak hour.

Weekday AM peak hour trips for the proposed action were 14 trips in the peak hour.

The conclusion is clear; the proposed facility will generate just 20% or one-fifth of the traffic of the previously approved office building.

In other words, if the proposed action was to be rejected, and an office alternative is chosen, it will generate five times as much traffic.

Table 3-1 - Peak Hour Trip Summary

| Land Use | Weekday AM Peak Hour | Weekday PM Peak Hour |
|--|----------------------------|----------------------------|
| Proposed Artis Alzheimer’s/Dementia Care Residential Treatment Center 35,952 sf / 64 beds | 14 | 17 |
| Formerly-approved Office Building 60,000 sf | 70 | 69 |
| Difference | -56 | -52 |

Source: ITE Trip Generation Manual, 10th Edition

The proposed 35,952 square-foot (sf), Artis Center development will have 64 beds and will provide services to Alzheimer’s and dementia residents. The Project site is located at 153 White Plains Road (NYS Route 119) which is situated immediately to the northwest of the adjoining parcel at 155 White Plains Road. The subject site was originally part of the 155 White Plains Road parcel.

An Environmental Impact Statement was prepared and a Findings Statement adopted in 2006 to permit the development of a 60,000-sf office building on the 153 / 155 White Plains Road parcels. The 153 White Plains Road parcel is currently undeveloped while 155 White Plains Road is developed with two office buildings.

Bus service is provided along White Plains Road by Westchester County’s Bee-Line bus system and by Coach USA. The Bee-Line system operates two bus routes; #13 provides weekday service between Ossining and Rye and route

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#1W provides service Monday through Saturday between the Bronx and White Plains. The Bee-Line bus stops are located in front of the subject site. Coach USA operates one bus route (OWL Express) which operates Monday through Friday during the peak morning and afternoon commuter periods. The OWL Express bus stop is located on White Plains Road adjacent to Meadow Street, approximately 0.15 miles from the subject property.

Public Transportation

The Bee-Line and Coach USA buses each connect to the White Plains Transit Center, a multi-modal transportation center which provides transfers to Metro-North Railroad's Harlem Line trains and other Bee-Line buses. Bee-Line bus #13 also connects to Metro-North Railroad's Tarrytown station. The Hudson Link bus (Routes H07 and H07X) operates seven days a week between the Palisades Center Mall in West Nyack and Metro-North Railroad's Tarrytown station with a bus stop located along US Route 9 at White Plains Road.

Proposed Improvements

The New York State Thruway Authority (NYSTA) is implementing improvements to US Route 9 as part of the New NY (Mario Cuomo) Bridge project. These improvements, which are expected to be completed prior to the opening of the proposed project, include providing an additional southbound left-turn lane on US Route 9 at the intersection with I-287/I-87 Eastbound Ramps and the Doubletree Hotel driveway.

Pedestrian Access to the Site

The site is currently served by a sidewalk along White Plains Road which allows easy pedestrian access from the site to the shopping center at the corner of Broadway and White Plains Road. From that intersection, pedestrians can walk to Main Street and beyond to Beekman Avenue in Sleepy Hollow.

As part of the Mario Cuomo Bridge project, the New York State Thruway Authority will construct a new 10-foot wide, paved, shared use path on the west side of US Route 9.

The northern end of the shared use path will connect to the New NY Bridge's shared use path (near 330 South Broadway) and continue southbound to the Doubletree Hotel driveway. Studies are underway to consider a possible extension of the shared use path to the south.

The improvements also include the reopening of Ramp E, which provides access to the New NY Bridge from NY Route 9 southbound.

A complete streets study is being conducted for White Plains Road (NY Route 119) between Route 9 in Tarrytown and Route 22 in White Plains. This study, the Route 119 Complete Streets Plan, is evaluating measures to make the Route 119 corridor more pedestrian and bicycle friendly.

The Complete Streets study, with specific recommendations, is anticipated to be completed by the end of 2018. If the recommendations of the Route 119 Complete Streets Plan are adopted and the proposed bicycle-only lane is constructed from White Plains to Tarrytown, the site will be much easier to reach by bicycle, and, finally, biking along Route 119 will no longer be seen as an

unacceptably dangerous choice.

G. Infrastructure and Utilities

1) Existing Conditions

a) Utilities Overview:

The proposed site is located with frontage and / or utility easements on two public roads with electric service, internet and phone cables, water mains and waste water sewers. While the street address is 153 White Plains Road, the site also has 462 feet of frontage on Martling Avenue. It is technically and economically feasible to connect to utilities and water and sewer infrastructure on either road.

Applicant's engineers have assessed the adequacy of existing utilities and infrastructure and found that electric service, internet and phone cables are unquestionably adequate and easily available.

b) Water supply

In July of 2018, Village Engineer Donato Pennella, P.E., brought the question of the adequacy of the Village's existing water mains and sewer piping to the attention of Applicant's engineers, and requested that the Applicant's Licensed Professional Engineer prepare both a Water Engineering Report and a Waste Water Engineering Report that will include all calculations of water and sewer requirements for the proposed 64 bed facility. Those reports are included herein. Please note that both reports will be updated when the results of Woodard and Curran's modeling are complete and the sewer lines on Martling Avenue have been more fully evaluated.

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In addition to domestic water use, the flows and pressures must be adequate to support the total requirements of a fire sprinkler system, and a fire standpipe and internal fire hose system as well as an irrigation system.

The Village has been requested that the applicant's engineer provide all data and supporting calculations to Woodard and Curran, to allow that firm to update their computer modeling to confirm the effect of the water service connections to either Martling Avenue or White Plains Road. Based on the results of the modeling and discussions with the Village the water service will be run to one of those two locations.

After reviewing the documents submitted with the review copy of the SDEIS, Village Engineer Donato Pennella, P.E., requested that the total water demand for the project be re-calculated according to specific standards in the International Building Code, (IBC) and the National Fire Protection Association Regulations (NFPA).

Those calculations have been provided to Village Engineer Donato Pennella, P.E. in a letter dated April 19, 2019, from Paul Folger of LK Architecture to Applicant's engineer Richard Williams of Insite Engineering. A copy of the letter is included in Appendix W.

Please see Appendix D, Water Engineering Report, and please see Appendix E for the Waste Water Engineering Report.

It is understood the Village is currently planning to undertake improvements to the Martling Avenue water main and is currently seeking approval from the Westchester County Department of Health for that proposed work.

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Based on the timing of those improvements in relation to the project timing, the project water service connection will be coordinated with the Village initiated improvements.

c) Sanitary Sewer

Questions regarding the adequacy of the villages existing sanitary sewer infrastructure were posed during the scoping process by the Westchester County Department of Planning, in their letter dated June 22, 2018.

For a copy of the letter, *Please see Appendix J, Comment Letters on Scope.*

As discussed in *Chapter 1, Section I, Infrastructure and Utilities*, the proposed project will connect to either the Martling Avenue sewer main, or the sewer main in NYS Route 119. Either connection may require offsite improvements to the existing main. The applicant's engineer will coordinate with the Village Engineer during the Planning Board site plan review process to determine which connection is most beneficial to the applicant and Village and what offsite improvements will be necessary as a result of the new service connection.

H. Community Facilities

Relative to Community Facilities, the addition of the A/D Floating/Overlay Zone is not anticipated to place any additional demand on Police, Fire, Emergency Medical Services, or Schools beyond what is permitted by the current zoning. Specific statistical data provided by Artis Senior Living indicates their facility, as an Alzheimer / Dementia Care Facility, on average generates approximately 1.4 to 1.8 ambulance trips per month.

As a matter of corporate practice, Artis Senior Living fully reimburses all emergency medical transportation, regardless of the insurance of their clients,

so there will be no negative fiscal impact whatsoever on these services from this facility. Further, the Artis medical staff which is on premise at all times will deal with routine medical issues that do not require emergency transportation. In addition, Artis has already expressed its intention to use the Columbia Medical facility and the Urgent Care facility directly adjoining their proposed premises whenever their own medical staff deems it appropriate. There will certainly be medical events that will require high speed emergency medical transport to advanced tertiary care facilities like Westchester County Hospital, but effective triage on premises will reduce those trips to an appropriate minimum.

The Applicant hopes that the detail provided above will fully address the concerns expressed by Town of Greenburg Commissioner of Community Development and Conservation Garrett Duquesne in his letter dated July 5th, 2018, which is to be found in Appendix J titled "Comment Letters on Scope."

The limited demand placed on police, fire and EMS is often offset by the additional tax revenue generated by the facility. In addition, the project is anticipated to have a positive impact on the Tarrytown School District as the project will pay school taxes but will not create an additional demand on the school system.

1. Fiscal Impact Analysis

The fiscal impact analyses that follow include an analysis of the incremental and cumulative economic impacts of the proposed action. These analyses have been developed using the industry-standard methodology developed at the Center for Urban Policy Research. The analysis includes a tabulation of:

- 1) Revenues derived from the project

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- 2) Costs associated with the project, and
- 3) A cost-versus benefit analysis.

Total Revenues Associated with the Project

The following table presents the current taxes generated by the vacant site, broken down by taxing jurisdiction.

Table 9-01 Current Taxes Generated By the Vacant Site in 2018-2019

| | Current Assessment | Tax Rate / \$1,000 | Current Taxes |
|--|---------------------------|---------------------------|----------------------|
| Year | 2018-2019 | 2018-2019 | 2018-2019 |
| Jurisdiction | | | |
| Village of Tarrytown | \$709,300 | 7.9922 | \$5,668.87 |
| Union Free School District of the Tarrytowns | \$709,300 | 21.5977 | \$15,319.25 |
| County of Westchester | \$709,300 | 3.230495 | \$2,291.39 |
| Town of Greenburgh | \$709,300 | 0.474007 | \$336.21 |
| Saw Mill Valley Sewer Enlargement District | \$709,300 | 0.471936 | \$334.74 |
| County Refuse District | \$709,300 | 0.283277 | \$200.93 |
| Sheldon Brook Drainage District (Fee not based upon assessment) | \$1.09 | 7.941541 | \$8.66 |
| Total | | | \$24,160.05 |
| | | | |

Sources: Village of Tarrytown; Town of Greenburgh Tax Assessor and Tax Bills Paid by Current Site Owner

Table 9-03 Existing and Project Generated Real Estate Property Taxes

| | Current Assessment | Tax Rate / \$1,000 | Current Taxes | Projected Assessed Value on Completion | Projected Taxes on Completion |
|--|---------------------------|---------------------------|----------------------|---|--------------------------------------|
| Year | 2018-2019 | 2018-2019 | 2018-2019 | 2018-2019 | 2018-2019 |
| Jurisdiction | | | | | |
| Village of Tarrytown | 709,300 | 7.99220 | 5,669 | 12,000,000 | 95,906 |
| Union Free School District of the Tarrytowns | 709,300 | 21.59770 | 15,319 | 12,000,000 | 259,172 |
| County of Westchester | 709,300 | 3.23050 | 2,291 | 12,000,000 | 38,766 |
| Town of Greenburgh | 709,300 | 0.47401 | 336 | 12,000,000 | 5,688 |
| Saw Mill Valley Sewer Enlargement District | 709,300 | 0.47194 | 335 | 12,000,000 | 5,663 |
| County Refuse District | 709,300 | 0.28328 | 201 | 12,000,000 | 3,399 |
| Sheldon Brook Drainage District (Fee not based upon assessment) | 1.09000 | 7.94154 | 8.65628 | 1.09 | 9 |
| Total | | | 24,160 | | 408,604 |

Source: Village of Tarrytown Assessor, Town of Greenburgh Assessor, and actual paid tax bills provided by current site owner

As shown in the table above, it is estimated that the Project will pay **\$408,604 in total property taxes as of the year of completion.**

School District Cost and Benefit Evaluation

The Artis Senior Living of Tarrytown Project is located within the Union Free School District of the Tarrytowns. Estimating the fiscal impact to the school system is a straight-forward exercise.

Based on the School District's 2018-2019 budget of \$77,910,552, and the 2017-2018 student enrollment, it costs approximately \$27,146 annually to educate each of the district's 2,870 students.

Source: Public Schools of the Tarrytowns, 2018-2019 Adopted Budget

School District Cost

The Artis Senior Living of Tarrytown Project does not generate any students. Therefore, the cost of the project to the school system is **zero**.

School District Benefit

The current benefit to the school system as of this year for the site as vacant land is **\$15,319.25** which is the amount that the current site owners paid in school taxes. This results in a **net gain** to the school system of the full **\$15,319.25**.

When the Artis Senior Living of Tarrytown project is completed, in the first year alone, **school taxes are projected to climb to \$259,172**, nearly 17 times the **\$15,319.25** paid now. The full **\$259,172 will therefore be a net benefit**.

In other terms, the school taxes that the property owner pays now are less than the cost to educate one Tarrytown student.

When the project is completed the property will pay enough school taxes to educate about ten Tarrytown school students at no cost to any other residential or commercial taxpayer.

Municipal Cost and Benefit Evaluation

The development of the Artis Senior Living of Tarrytown Project will result in new municipal costs and fiscal impacts to the Village of Tarrytown in the form of limited increased demands on municipal services.

The Project, however, will generate revenue in the form of real estate taxes. The following fiscal impact analysis evaluates these costs and revenues.

The Existing and Project-Generated Real Estate Taxes table on the following page provides an overview of the real estate taxes currently generated by the Site compared to the projected real estate taxes that will accrue to the various taxing jurisdictions upon completion of the project.

These taxes are based upon an estimated \$12,000,000 total project cost and a projected \$12,000,000 full value assessment.

Municipal Cost Evaluation

The Project will result in a small incremental increase in municipal costs. Those costs are calculated and shown in the tables below.

The Proportional Valuation Method has been selected to calculate the projected change to municipal costs resulting from the project. This technique is a standard average costing approach used to project the impact of

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development on municipal costs (*The Fiscal Impact Handbook*, Burchell & Listokin, Center for Urban Policy Research, 1978, and *The New Practitioners Guide to Fiscal Impact Analysis*, 1985).

This technique assumes that municipal costs increase with the intensity of development, and that the change in real property value is a reasonable substitute for change in intensity of use. The following formulas are used:

Table 9-11 Data on Total Municipal Expenditures and Real Property Values

| | |
|---|-----------------|
| Total Municipal Expenditure | \$25,149,000 |
| Total Real Property Value | \$2,056,849,000 |
| Total Non-Residential Real Property Value | \$493,643,760 |
| Proposed Project Value | \$12,000,000 |

Table 9-12 Local Non-Residential Use Cost Projection

| Total municipal expenses | × | Portion of non-residential value to total real property value | = | Percentage Non-residential | × | Refinement coefficient | Total existing municipal expenditures attributable to non-residential uses |
|--------------------------|---|---|---|----------------------------|---|------------------------|--|
| \$25,149,000 | × | $\frac{\$493,649,760}{\$2,056,849,000}$ | = | 24 | × | 1.30 | \$7,846,583 |

Table 9-13 Incoming Use Cost Projection for Proposed Artis Senior Living Project

| Total existing municipal expenditures attributable to non-residential uses | × | Proportion of proposed new office building to total non-residential real property value in Tarrytown | = | Project value as a percentage of total nonresidential real property value | = | Municipal costs allocated to the proposed new office building (incoming use) |
|--|---|--|---|---|---|--|
| \$7,846,583 | × | $\frac{\$12,000,000}{\$493,649,760}$ | = | 0.0024 | = | \$18,832 |

Source: Village of Tarrytown Web Site

Based upon this analysis, it can be estimated that the Artis Senior Living of Tarrytown Project will result in an increased municipal service cost of approximately \$18,832 annually.

Municipal Cost and Benefit Evaluation

Upon completion, the project will generate \$95,906 in Village of Tarrytown taxes. See Table 9-03, Existing and Project Generated Real Estate Property Taxes, above.

Upon completion, the project will generate \$18,832 in additional costs to the Village of Tarrytown. See Table 9-13, directly above.

Based upon a projected benefit of \$95,906 to the Village of Tarrytown taxes, and a projected \$18,832 in additional costs to the Village of Tarrytown, the **net benefit** of the Artis Senior Living of Tarrytown Project to the Village of Tarrytown is estimated to be **\$ 77,074** for the first year after completion of the project.

Cost Benefit Summary

The following table summarizes the direct local costs that can be assigned to the Artis Senior Living of Tarrytown Project, as well as the tax revenues that can be anticipated. It should be noted that this analysis only evaluates Village and School costs and revenues. In reality, overlapping jurisdictional responsibilities (i.e. Town and County government) marginally reduce the local cost burden. As a result, the figures presented below represent a conservative estimate.

Please note that these comparisons are for a single, first, year.

Table 9-14 Cost Benefit Summary for the Village of Tarrytown and the Union Free School District of the Tarrytowns

| Jurisdiction | Annual Cost in services | Annual Benefit in Tax Revenues | Surplus/Deficit |
|--|------------------------------------|---|--------------------------|
| Village of Tarrytown | \$18,832 | \$95,906 | \$77,074 Surplus |
| Union Free School District of the Tarrytowns(UFSDT) | 0 | \$259,172 | \$259,172 Surplus |

Based upon this analysis, a substantial fiscal surplus, both to the Village and to the School District, will result from the Project.

J. Construction Impacts

Donal Walsh of Development Strategies LLC has prepared the following Initial Construction Management Plan and notes dated February 7, 2019 on behalf of Artis Senior Living after consultation and review with site owner Crescent Associates, LLC for inclusion in Supplemental Draft Environmental Impact Statement. The complete plan is included in Appendix W.

“This initial construction management review is prepared pursuant to the scope of a required SDEIS. Of note, the referenced SDEIS reviews alternative development plans as well as examines the possible environmental impacts of a proposed text amendment to the local Village of Tarrytown zoning code.

After submission of the SDEIS, and after the referenced text amendment and site plan go through a comprehensive review and both are approved by the village, Artis’ intent will be to submit a building permit application to construct a 64-bed facility with a maximum footprint of approximately 21,600 square feet. Of course, a site-specific building has not been designed at this early stage of the review by the Village of Tarrytown.

When such a building permit is approved, the project will be put out to bid to reputable and bonded contractors doing business in the area who are experienced in construction for the senior-oriented, health care industry. As a consequence, there may be future changes and/or additions to this plan on the part of the Artis architect and/or the selected contractor(s). Any such will be fully explained and clarified in any future building permit application to be timely submitted to the village for eventual review and consideration. To the extent possible at this stage, the following seven (7) items are fundamental to the initial construction planning of the Artis principals and staff:

1. A comprehensive storm water pollution prevention plan (SWPPP) has been drafted and is included in the instant SDEIS. That plan was designed by Insite Engineering and Surveying of Carmel, New York and takes into account the comprehensive experience Insite has on the site, working first

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on behalf of owner Crescent Associates, LLC., 2003-present, followed by Artis assignments for the last 18 months. All recommendations in same for storm water management will be carefully followed, implemented, and maintained as designed.

2. Artis project consultants had the opportunity to observe the construction protocols and planning used by owner Crescent Associates, LLC. in respect to the porous pavement parking lot and other adjacent site improvements. These include the grading, landscaping and storm water management as were planned and installed over the last three years. Specifically, under the prior permits drafted in consultation with Crescent site tenant Columbia Doctors, and subsequently approved by the village, construction access was solely from temporary ingress points along Martling Avenue to avoid interactions with medical patient transportation to and around 155 White Plains Road. Input from Crescent and principal Leon Silverman dictates that a similar procedure must be followed by Artis for any construction that the village approves for the site.

3. Further, Crescent requires and Artis will adhere to that requirement that any impact made by vehicles working on an Artis construction project should be fully mitigated and repaired at the conclusion of the project. 'Vehicles' in this matter includes wheeled construction vehicles as well as portable management trailers, of which it is anticipated that there will be at least two needed on the site during the pendency of the construction of any eventually-approved Artis Senior Living facility. Such trailers will be promptly removed from the site when construction is finished.

4. Further, as Artis learned from both Crescent and from its own engineers' input, the rock content on the subject site is mapped as Fordham Gneiss. This

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is a rock with a variable mineral content that in general consists of substantially very hard layered rock including garnet, biotite, quartz and hornblende. The rock structure is overlaid with residual soils formed by the weathering of the underlying bedrock, which is part of the local geologic area known as the Manhattan Formation. This extensive rock formation extends in an east-west direction into the city of White Plains and is particularly visible in heights to the north of Route 119 in Tarrytown and Elmsford west of the Saw Mill Parkway and elevations south of Route 119 from the parkway into the area near the County Center.

The presence of this rock dictates that excavation is required for a planned shallow basement and ancillary senior living center features, including a retaining wall, storm water management facilities, underground water and sewer connections, garden areas, trash enclosure, pedestrian pathways, driveways and parking areas. As set forth in the attached Geotechnical Testing Report prepared by Artis consulting engineers Whitestone Associates, Inc., attached (see Appendix V, attached), removal of a layer of existing rock will be necessary in the course of construction. However, due to the minimal coverage of any planned new construction after site plan approval, any drilling, excavation equipment, tools and blasting will be far less in quantity as well as far shorter in duration than that used for similar rock-based local construction in the Manhattan Formation area nearby including Ridgescroft, Edgemont, Castle Heights, Carrollwood (especially phase four) and Sleepy Hollow Gardens. Further, since Artis regularly constructs adjacent to or near health-related facilities catering to seniors, it is Artis corporate policy during construction to remove rock using tools rather than blasting wherever possible.

5. As grading commences for any approved construction, trucks will be

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used to remove construction debris on regular weekly or otherwise 'as needed' basis. Notably, however, the rock that will be excavated may be used as required fill which will greatly lessen off-premises removal. Notes to this effect are part of the cited and attached Appendix V (Whitestone report).

6. On-site sanitary facilities will be rented by the project to be used for the construction staff in the same manner as the facilities that were recently part of the Crescent parking lot project. Also, as with the Crescent construction, all such facilities will be properly maintained and removed after the conclusion of any approved facility.

7. A comprehensive landscaping and screening plan will be part of the submission to the Village of Tarrytown and, if approved by the planning board, will be installed to the specifications of the village landscaping consultant and the village engineer as the village may require."

Chapter 4 — Adverse Environmental Impacts that Cannot be Avoided

This project will involve the construction of a new building on a parcel of land that has not been re-developed for almost one hundred years.

The irrevocable commitment of land is an irreversible commitment of a piece of our country's most precious environmental asset, our land.

This project cannot be built without removing nearly two and a half acres of vegetation.

The very substantial visual impact to the view shed from Martling Avenue is unavoidable. This parcel when fully developed will look very different than it does today. The Applicant submits that the extraordinary landscape plan will make the property much more attractive.

The Applicant submits that these unavoidable adverse environmental impacts are more than outweighed by the collective benefits to the elder persons who will be very well take care of through their sunset years.

Chapter 5 — Alternatives to the Proposed Action

A. Alternate 1 Commercial Office Building of 36,000 Square Feet with 120 parking spaces

B. Alternate 2 Medical Office Building of 36,000 Square Feet with 180 parking spaces

C. Alternate 3 Commercial Office Building of 54,000 Square Feet with 180 parking spaces

The impacts of these alternates as compared to the impacts of the proposed action have been provided in tabular format on the following pages.

A complete set of tabular comparisons of the alternatives is included in Appendix K.

A description of the impacts of the “No Action Alternative” as compared to the impacts of the “Proposed Action” is included in Appendix W on pages 3 through 9 of the “Memorandum in Response to Comments on the Artis SDEIS” dated March 8, 2019.

INSERT Table 5-05 Zoning Compliance Comparison ~~here~~ HERE

INSERT Table 9-07 Tabular Comparison of Projected Taxes for
Proposed Action and Alternates HERE