

The Residences at Corporate Park Drive

Harrison, New York

Final Environmental Impact Statement

Prepared for

Lead Agency:

**Harrison Planning Board
One Heineman Place
Harrison, NY 10528**

Prepared by



**VHB Engineering, Surveying and
Landscape Architecture, PC
50 Main Street, Suite 360
White Plains, NY 10606**

December, 2015





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The Residences at Corporate Park Drive

Town/Village of Harrison,
Westchester County, New York

PREPARED FOR

Harrison Planning Board
One Heineman Place
Harrison, New York 10528
Contact: Mr. Thomas Heaslip
Planning Board Chairman
914.679.3077

PREPARED BY



**VHB Engineering, Surveying and
Landscape Architecture, PC**
50 Main Street, Suite 360
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December 2015



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The Residences at Corporate Park Drive

Harrison, New York

Final Environmental Impact Statement

Project Location:

103-105 Corporate Park Drive
Harrison, NY

Tax Map Designation:

Parcel 0621.-3

Lead Agency:

Town of Harrison Planning Board
One Heineman Place
Harrison, New York 10528
Contact: Thomas Heaslip, Planning Board Chairman

SEQR Classification of Action:

Type I

Applicant:

103/105 Corporate Park Drive, SPE, LLC
c/o Normandy Real Estate Partners
53 Maple Avenue
Morristown, NJ 07960
973/898-1242
Contact: Giorgios Vlamis

Date Submitted: November 4, 2015

Accepted for Distribution: December 15, 2015



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Lead Agency:

Town of Harrison Planning Board
One Heineman Place
Harrison, New York 10528
Contact: Thomas Heaslip, Planning Board Chairman

Applicant:

103/105 Corporate Park Drive, SPE, LLC
c/o Normandy Real Estate Partners
53 Maple Avenue
Morristown, NJ 07960
973/898-1242
Contact: Giorgios Vlamis

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Stuart Johnson, AIA



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Public Hearing #1- Transcript (6/23/15)

Harrison Town House, Harrison, NY

Speakers:

Thomas Heaslip, Planning Board Chairman

Kate Barnwell, Planning Board member

Anthony Spano, Planning Board member

Nonie Reich, Planning Board member



Seth Mandelbaum, Esq., attorney, McCullough, Goldberger & Staudt
John Canning, Traffic Engineer, VHB
Stuart Johnson, Project Architect, Minno & Wasko
Pat Cleary, Town Planner, Harrison, NY
Richard Hyman, Westchester Workforce Housing Coalition
Ted Demirjian, Town Resident, Century Ridge Road
Nada Carter, Westchester Workforce Housing Coalition
Jim Killoran, Habitat for Humanity of Westchester
Kristen Wilson, Counsel to Harris Beach (representing PETA)
Alexander Roberts, Westchester Workforce Housing Coalition
Leo Tidd, Louis Berger Group (representing PETA)

Public Hearing #2 Transcript (7/23/15)

Harrison Town Hall, Harrison, NY

Speakers:

Seth Mandelbaum, Esq., attorney, McCullough, Goldberger & Staudt
Thomas Heaslip, Planning Board Chairman
Luccile Held, Town Resident
Ted Demirjian, Town Resident, Century Ridge Road
Joe Stout, Planning Board member
Kate Barnwell, Planning Board member
Pat Cleary, Town Planner, Harrison, NY
Darius Chafizadeh, Counsel to Harris Beach (representing PETA)

B. Letters and Written Comments Received on the DEIS

Letter #1: Letter from Chief Anthony Marraccini, Harrison Police Department to Steve Martini, VHB (5/11/15)

Letter #2: Memo from Michael Amodeo, Town Engineer to Thomas Heaslip and Harrison Planning Board (5/19/15)

Letter #3: Letter from Edward Buroughs, Commissioner Westchester County Planning Board to Rosemary Cusumono and Harrison Planning Board (6/8/15)

Letter #4: Letter from Howard E Greenberg to Thomas Heaslip and Harrison Planning Board (6/17/15)



Letter #5: Memo from Richard Hyman, RH Consulting, Westchester Workforce Housing Coalition to Thomas Heaslip and Harrison Planning Board (6/17/15)

Letter #6: Letter from Marissa Brett, Westchester County Association to Thomas Heaslip and Harrison Planning Board (6/18/15)

Letter #7: Letter from Dr. Marsha Gordon, Business Council of Westchester to Thomas Heaslip and Harrison Planning Board (6/18/15)

Letter #8: Letter from Jeff Melby, Life Time Fitness Inc. to Thomas Heaslip and Harrison Planning Board (6/18/15)

Memo #9: Memo from Niek Veraart, Louis Berger to Town of Harrison Planning Board (6/23/15)

Letter #10: Alexander Roberts, Westchester Workforce Housing Coalition to Thomas Heaslip and Town of Harrison Planning Board (6/26/15)

Letter #11: Akhter A. Shareef, Senior Transportation Analyst, New York State Department of Transportation to Thomas Heaslip and Harrison Planning Board (7/10/15)

Letter #12: Letter from Ted Demirjian, Town Resident, 33 Century Ridge Road, Purchase to Thomas Heaslip and Harrison Planning Board (7/23/15)

- C. Proposed Zoning Text Amendments (DEIS)**
- D. Special Exception Use Permit**
- E. Tree Removal and Planting Plan**
- F. Stormwater Management Appendix**
- G. Utilities Appendix**
- H. Saturday Traffic Counts**
- I. Letter from Harrison Police Department, May 11, 2015**
- J. Market Study**
- K. Market Area Map**
- L. Magic-Pak MGE4**
- M. Site Plans**



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1 Introduction and Project Summary





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1. Introduction and Project Description

A. State Environmental Quality Review

In accordance with the requirements of the New York State Environmental Quality Review Act (SEQRA), this Final Environmental Impact Statement (FEIS) has been prepared for the development of the Residences of Corporate Park Drive located in Harrison, New York (hereinafter as "Proposed Action"). The purpose of this FEIS is to address the issues of the DEIS in the form of responses to comments. The Lead Agency for review of the proposed project pursuant to SEQRA is the Harrison Planning Board. The FEIS is organized as follows:

- This initial chapter of the FEIS includes a summary of the Proposed Action studied in the DEIS. The Project History is also discussed, providing a timeline of the environmental review process.
- The second chapter of the FEIS includes the indices of comments and responses.
- The third chapter of the FEIS includes all substantive comments regarding the project received during the DEIS comment period and a response to each comment. Comments have been organized by topic area.
- The Appendices, includes the public hearing transcripts, copies of all written comments received regarding the DEIS, as well as technical reports and data referenced in the responses. The Appendices also include the Proposed Zoning Text Amendments and Special Exception Use Permit.

The previously submitted DEIS in its entirety is incorporated by reference into this FEIS. The revisions to the Proposed Action, as described in this FEIS, reduce the potential for adverse impacts from that described in the DEIS.



B. Project History

The DEIS was compiled based on a scoping document that was adopted after a public scoping session. Chronology of the SEQR review of the Proposed Action (to date) is as follows:

- 04/28/2015 Lead Agency Declared/Positive Declaration
- 04/28/2015 Scoping document adopted
- 05/19/2015 DEIS accepted as complete for distribution
- 06/23/2015 First DEIS public hearing held
- 07/23/2015 Second DEIS public hearing held
- 09/06/2015 End of Public Comment Period on DEIS



C. Project Description

The Proposed Action, Residences at Corporate Park Drive Site, as described in the DEIS is located at 103-105 Corporate Park Drive, in the southern portion of the Town/Village of Harrison, NY, along the I-287 corridor. The Proposed Action encompasses 10.35 acres of land, and is owned by 103-105 Corporate Park Drive, SPE, LLC (Normandy Real Estate Partners).

The existing zoning is SB-O (Special Business – Office). The subject site contains two primarily vacant office buildings, with a total of 148,646 gross square feet (GSF) of floor area; 457 off-street parking spaces, and 5.28 acres (51 percent) of the Site covered by impervious surfaces. Present access to the subject site is from two existing driveways along Corporate Park Drive. The site is located within the “teardrop” area described in the 2013 Harrison Comprehensive Plan update.

As part of the Proposed Action, a zoning amendment is being proposed to Section 235-17 of the Town/Village Zoning Ordinance by adding new sections X and Y (see proposed zoning text amendments in Appendix C). The proposed amendments will permit SB-O Multi-Family Residential, SB-O Retail Use, Retail Service Use and Restaurant Use on the site, and set standards to utilize the existing developed Site in an efficient, appropriate and cohesive manner.

The Proposed Action includes a 421 apartment unit complex to replace the two existing office buildings, which will be demolished. The design of the building allows the development to accommodate existing grades and minimize required earthwork. The majority of the apartment units (231 units, or 55%) will be studios (17 units) and one-bedrooms (214 units). The balance (190 units, or 45%) will be two-bedroom units. There will be no three bedroom or larger units.

The proposed building has been designed to be architecturally attractive and compatible with details that allow it to blend with Site and area conditions in a mixed-use environment. The proposed residential building has three major component parts: 1) the western residential portion of the building, 2) the parking garage and 3) the eastern residential portion. The western part of the building includes residential units wrapped around a swimming pool/courtyard area. This western portion of the building will have four levels of apartments.

The Proposed Action also includes a four-level parking structure with approximately 752 total parking spaces for residents as well as for patrons of the restaurant space (5,400 sf), which is located along the Corporate Park Drive frontage. This restaurant use would serve residents of the proposed



development as well as workers and visitors to other uses along Corporate Park Drive and the general public.

The eastern side of the residential portion of the building, with apartments grouped around a common open space/courtyard. This portion of the building has five levels of apartment units.

The Residences at Corporate Park Drive
Harrison, New York
Final Environmental Impact Statement

2 Index of Comments and Responses

Index of Comments and
Responses





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2. Index of Comments Responses

Index of Comments and Responses

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Letter # 1	Pg. 3	Anthony Marraccini, Harrison Police Department	Community Facilities and Services (Police)	H2a.4
Letter # 1	Pg. 3	Anthony Marraccini, Harrison Police Department	Community Facilities and Services (Police)	H2a.5
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Letter # 3	Pg. 2	Edward Buroughs, Westchester County Planning Commissioner	Land Use and Zoning	A1
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Letter # 4	Pg. 1	Howard E. Greenberg	Land Use and Zoning	A2
Letter # 5	Pg. 1-2	Richard Hyman	Land Use and Zoning	A7



Comment Source/Key		Commenter	FEIS Subsection	Comment/Response Number
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Comment Source/Key		Commenter	FEIS Subsection	Comment/Response Number
Memo # 9	Pg. 11	Niek Veraart, Louis Berger	Community Facilities and Services (EMS and Fire)	H2b.1
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Memo # 9	Pg. 13	Niek Veraart, Louis Berger	Miscellaneous	K2
Memo # 9	Pg. 13	Niek Veraart, Louis Berger	Miscellaneous	K3
Memo # 9	Pg. 13	Niek Veraart, Louis Berger	Miscellaneous	K4
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Memo # 9	Pg. 1	Niek Veraart, Louis Berger	Land Use and Zoning	A4
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Comment Source/Key		Commenter	FEIS Subsection	Comment/Response Number
Public Hearing # 1	Pg. 70-72	Alexander Roberts	Land Use and Zoning	A9
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Comment Source/Key		Commenter	FEIS Subsection	Comment/Response Number
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Public Hearing # 1	Pg. 56-57	Ted Demirijian	Traffic and Transportation	F10
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Public Hearing # 2	Pg. 10	Ted Demirijian	Fiscal Impact	I7

3 Comments and Responses





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3. Comments and Responses

A. Land Use and Zoning

Comment A1:

The proposed development is generally consistent with the County Planning Board's long-range planning policies set forth in *Westchester 2025-Context for County and Municipal Planning and Policies to Guide County Planning*, adopted by the Board on May 6, 2008, amended January 5, 2010, and its recommended strategies set forth in *Patterns for Westchester: The Land and the People*, adopted December 5, 1995 because it will continue to meet the increased demand for the "Live, Work, Play" model of development that will help capitalize on many of Westchester's strengths: a skilled and talented workforce, an available and highly competitive real estate market, diversity, access to transportation corridors and quality of life. While this proposed development is not located within an existing downtown center, we observe that it will be part of changes that will enhance one of the county's major corridors through the redevelopment of a section of the Platinum Mile into an attractive mini-center.

(Letter #3, Edward Buroughs, Westchester County Planner Commissioner, 6/9/15)

Response A1:

Comment noted. No response is required.

Comment A2:

I am writing in support of the proposed young professional/empty nester apartment building at 103-105 Corporate Park Drive that is currently being considered by the Planning Board. The proposed development has the potential to turn approximately 148,000 square feet of obsolete and mostly empty office space into a live/work/play community that can revitalize the "Platinum Mile".



I am the President of a commercial real estate brokerage firm located in Westchester, and am very familiar with the issues associated with development in the area. The proposed development would be attractive to the surrounding corporate parks because it would provide housing within walking or shuttle distance for employees. This will make the Platinum Mile a more enticing neighborhood for both prospective businesses and young professionals.

I therefore encourage the Board to grant the necessary approvals for this project as soon as possible, so as to further revitalize the Platinum Mile.

(Letter #4, Howard E. Greenberg, 6/17/15)

I am writing on behalf of the Westchester County Association, a business membership organization in Westchester in regards to the proposed multi-family dwelling at 103-105 Corporate Park Drive that is currently being considered by the Planning Board. ... The Westchester County Association supports the proposal from Normandy Real Estate Partners, LLC, in collaboration with Toll Brothers, to demolish the current dilapidated, essentially vacant buildings on the 103-105 Corporate Park Drive property, and construct a much-needed young professional/empty nester multi-family residential building with a parking garage, restaurant and other amenities. Such housing is desperately needed in the Town/Village of Harrison for the employees of the surrounding office buildings, as well as Fordham University, Life Time Athletic and Sloan Kettering. This housing is also attractive to the empty nesters who wish to sell their homes but remain in Harrison.

The proposed use will replace the existing office buildings on the Property, and will help revive the entire I-287 Corridor, by providing suitable, complementary non-office development, which will replace underutilized buildings, and help preserve the tax base created by surrounding office uses, without burdening the school system or existing infrastructure. We urge this Board, and the Town/Village Board, to grant the necessary approvals.

(Letter #6, Marissa Brett, Westchester County Association, 6/18/15)

I am writing on behalf of the Business Council of Westchester, an organization whose mission is to foster the business climate in Westchester and provide more opportunities for local businesses. The Business Council wishes to support the proposed multi-family dwelling at 103-105 Corporate Park Drive that is currently being considered by the Planning Board.

We believe that Harrison and Westchester County would be greatly served by the revitalization of the properties along the I-287 corridor, also known as the Platinum Mile. The Business Council supports the proposal from Normandy Real Estate Partners, LLC, in collaboration with Toll Brothers, to demolish the dilapidated and largely empty buildings on the 103-105 Corporate Park Drive property, and construct a multi-family residential building with a parking garage, restaurant and



other amenities. This proposal will attract young professionals to the area and provide much needed housing for the surrounding office buildings, as well as Fordham University, Life Time Athletic and Sloan Kettering. The proposed development will also be attractive to empty nesters who wish to sell their homes but remain in Harrison.

The proposed use will help revive the entire I-287 Corridor by providing suitable, complementary non-office development, which will replace underutilized buildings, and help preserve the tax base created by surrounding office uses, without burdening the school system or existing infrastructure. We urge this Board, and the Town/Village Board, to grant the necessary approvals for this project as soon as possible, so construction may begin on this important project. The members of the Business Council of Westchester wholeheartedly support the proposal to construct a multi-family residential building in the I-287 Corridor that will provide much-needed housing for young professionals and empty nesters, and will help to foster business growth in the Town/Village of Harrison and the County of Westchester.

(Letter #7, Marsha Gordon, Business Council of Westchester, 6/18/15)

I am writing on behalf of Life Time Fitness, Inc., the owner and operator of the fitness center at One Gannett Drive, Harrison, New York. Life Time Fitness is proud to be a part of the rebirth of the "Platinum Mile" neighborhood and supports the proposed multi-family dwelling at 103-105 Corporate Park Drive that is currently being considered by the Planning Board.

Specifically, we believe that providing much needed multi-family housing will attract young professionals as well as empty-nesters, and will help to strengthen the "teardrop" area of the Platinum Mile. We believe that providing a greater mix of complimentary uses, such multi-family housing, will better ensure the long-term sustainability of the community, and will support the existing businesses within the Platinum Mile by providing close proximity housing that will attract young professionals.

We therefore encourage the Board to grant the necessary approvals for this project as soon as possible, so as to continue the revitalization of the Platinum Mile.

(Letter #8, Jeff Melby, Life Time Fitness, Inc., 6/18/15)

Response A2:

Comments noted. No response is required.



Comment A3:

Fundamentally, the DEIS fails to address the SB-O district-wide impacts of changing the allowable uses to include residential and restaurants. This change in zoning does not just affect the proposed project site, but all parcels within the SB-O district. This issue was identified in our scoping comments, but was not considered in the DEIS. Specifically, the DEIS is deficient in the identification of both indirect and cumulative impacts.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response A3:

Since Corporate Park Drive is somewhat isolated from other portions of the Westchester Avenue corridor, it has been identified by the Town in the 2013 Comprehensive Plan as an area where a mixture of land uses would be appropriate as a mechanism to reuse, re-purpose and revitalize the area from its former prominence as a high-end office park location to a vibrant area supporting a variety of compatible uses. Specifically, the Comprehensive Plan (page 71) notes that, "This teardrop-shaped subarea has seen some of the most significant vacancy issues, and represents the portion of the overall area that is most subject to change." The Comprehensive Plan recommended the creation of an new SB-MX (mixed-use) zone for this "tear drop" shaped area that would allow a mixture of uses that would "broaden the potential uses in this area." This was identified as a First Priority Item in the Comprehensive Plan.

Since the SB-O zoning district currently does not permit multiple dwelling residences or retail uses the applicant submitted a petition proposing new zoning amendments, consistent with the Comprehensive Plan, in order to permit new multi-family residential development, along with restaurant use, (retail use is also permitted, although not proposed with this application). The current SB-O zoning controls would be amended to permit housing specifically designed to accommodate young professionals and/or empty nesters, supportive retail, and restaurants all by Special Exception Use Permit (see Appendix D of the FEIS). The proposed Zoning amendment is intended to be limited to the "tear drop" area of the SB-O zoning district. This proposed zoning is a mitigation measure in and of itself, proposed to address potential impacts to land use and zoning. The proposed zoning has area and bulk requirements and standards designed to permit appropriate uses, but sets requirements that meet the character of the area and the objectives of the Comprehensive Plan.

The zoning amendments propose adding new uses to the SB-O District, each subject to its own site-specific Special Exception Use Permit, Site Plan approval process and SEQRA review. As described above, the other properties within the SB-O District that are located in the "tear drop" area, are all



occupied (some of which with non-office uses such as Life Time Athletic and the Hyatt House hotel), and are not anticipated to change their current land use in the foreseeable future. SEQRA does not require cumulative impacts to be studied where information on future project phase(s) is too speculative; future phase(s) may not occur; or future phase(s) are functionally independent of current phase(s), as is the case here. In addition, since each Special Exception Use Permit application that may occur sometime in the future would be subject to its own project-specific SEQRA review, not including such other properties in the SEQRA review for this project would be no less protective of the environment.

It is anticipated that the residential use will have a positive impact on the surrounding properties and help augment the varied uses that exists by providing conveniently located, high-quality housing opportunities in close proximity to employment locations. Therefore, the adopted scope of the EIS only required the Applicant to look at the impacts specifically associated with the proposed zoning amendment and the redevelopment of the property, which constitutes the Proposed Action.

Comment A4:

The DEIS does not address indirect impacts—the change in SB-O allowable uses by special exception use permit is likely to “induce” additional conversions of office space to residential or restaurant uses. The DEIS acknowledges the weakness of the Platinum Mile office market, making conditions ripe for induced land use changes if zoning regulations are modified. This issue is not addressed at all in the “Growth Inducing Aspects” section of the DEIS on page 5-2. To comply with SEQRA, the Town must consider how the change in allowable uses may spur additional conversions of office space to other uses.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response A4:

We do not anticipate additional conversions in the foreseeable future in the “tear drop” area from non-residential use to residential use. The other properties within the “tear drop” surrounding the site contain varied non-residential land uses. In the immediate area of the site, on Corporate Park Drive, uses include a hotel (Hyatt House) directly adjacent to the west, a day care center and other Normandy RE office buildings supporting viable occupancy rates to the east at 106-108-109-110 Corporate Park Drive, and a bank. Two adjacent office buildings to the south of the site were recently adapted for research and development use (Histogenics). Along Westchester Park Drive to the north, the Site abuts an office building and a recently opened health and fitness club (Life Time



Athletic recreational facility). At the north end of the “teardrop” is the USPS Westchester Processing and Distribution Center facility.

It is important to draw a distinction between growth inducement and the repurposing of an underutilized office park. Growth inducement, in this context, relates to the logical progression of an economic activity or type of land use, driven by the approval and construction of a particular facility. Repurposing by contrast, involves filling a void left by an underperforming, underutilized or in some instances, vacant property. The proposed action is not a situation where new growth is an inevitable result, but rather represents a situation where lost assets are replaced by more viable and durable uses. In addition, see response to comment A3.

Comment A5:

The DEIS does not address cumulative impacts—the cumulative district-wide SB-O redevelopment of multiple properties will have environmental and traffic impacts substantially greater than the redevelopment of any one property. This cumulative impact of multiple conversions to residential and restaurant uses must be analyzed for compliance with SEQRA. The applicant should be required to disclose their plans for other office parks they own within the SB-O district, including 106-108-109-110 Corporate Park Drive. Other office park owners within the SB-O district should be surveyed on their vacancy rates and the likelihood of their sites being redeveloped should the underlying zoning change. This data can then be used to construct reasonably foreseeable development scenario to allow for a proper cumulative impact analysis

No discussion is provided of the potential impacts of the proposed zoning text amendments to the surrounding area, as is required by the scoping document. As noted in Louis Berger's memorandum dated April 7, 2015, the proposed project has foreseeable impacts in terms of the conversion of underutilized and/or outdated office space to other uses in all of the SB-O zoning district, beyond the project site. A Reasonable Worst Case Development Scenario (RWCDs) should be developed for the town-wide impacts of adding residential, retail and restaurants as permitted uses in the SB-O district. At minimum, a discussion of potential cumulative impacts should be provided to assess potential cumulative impacts to land use, traffic, and community character as a result of the proposed zoning text amendments. Further, SEQRA 617(c)(2) requires the lead agency to consider "reasonably related long-term short-term, direct, indirect and cumulative impacts."

(Memo #9, Niek Veraart, Louis Berger, 6/23/15, and Leo Tidd, Louis Berger, Public Hearing, 6/23/15, pg. 73-74)



Response A5:

A discussion of cumulative impacts in other SB-O districts would be entirely speculative. The Comprehensive Plan recommends the limited repurposing of underutilized site within the “tear drop.” While the subject site is clearly underutilized, most other sites are not, and support viable tenancies. Therefore, it would be impossible to select which other sites might decline and become underutilized in the future. Moreover, arbitrarily categorizing some other random site as one that might, in the future, become underutilized, may create a situation where this hypothetical analysis becomes a self-fulfilling prophecy – which benefits no one. The suggestion of creating a “reasonable worst case scenario” to review similar repurposing throughout the Town reflects an excessively far-reaching, hypothetical analysis, that is not supported by any policy direction established in the Comprehensive Plan.

See also responses to comments A3 and A4.

Comment A6:

Segmenting that review of just this site, when the decision by the Board will affect all the sites in the district, including other sites owned by this applicant, just to the east. So I think that makes the issue of cumulative impacts in looking at what will happen realistically over a ten year time period, if multiple properties being redeveloped and the traffic and community implications of that.

(Leo Tidd, Louis Berger, Public Hearing, 6/23/15, pg. 73)

Response A6:

See response to comments A3 and A5.

Comment A7:

In addition to ignoring the County’s recommendation, the DEIS quotes and then also ignores the recently adopted Harrison Comprehensive Plan which states “Harrison should evaluate the possibility of allowing more varied housing types to increase variety and affordability of housing.” To respond to this recommendation of the Comprehensive Plan, as the DEIS does state that “rental apartments



would help expand the housing options available within the Town” is actually non-responsive and disingenuous. SEQRA case law requires the DEIS to include the study of socio-economic factors of which affordable housing is one. If Harrison were to accept this DEIS with no discussion of fair and affordable housing, it could easily be accused of not taking a hard look and be subject to litigation.

(Letter #5, Richard Hyman, RH Consulting, 6/17/15 and Richard Hyman, Public Hearing, 6/23/15, pg. 50-51)

Response A7:

The Proposed Action includes a residential development of 421 units of studios, one and two-bedroom apartments. The DEIS takes a hard look at the environmental, fiscal, and community impacts of those 421 units in accordance with the scoping document. If the Proposed Action included an affordable housing component, the impacts and mitigation measures identified in the DEIS for the 421 units would result in the same conclusions regarding potential environmental impacts. The analysis of the impacts in the DEIS would use the same methods and data since the proposed number of residential units and number of bedrooms within those units would not change if the project included an affordable housing component. Therefore, potential adverse environmental impacts and the resulting mitigation measures associated with a proposal that included an affordable housing component would be essentially identical to the market rate proposal.

Comment A8:

Given the crisis of affordability in Harrison and Westchester County, one could argue that it’s even more important. And given the U.S. Supreme Court’s decision yesterday affirming consideration of disparate impact under the Fair Housing Act, one could argue that the town MUST consider whether the failure to include affordable housing has a disparate impact on protected classes. Westchester County HUD Monitor James Johnson has cited zoning in the Town of Harrison as discriminatory and in violation of the Fair Housing Act (Huntington standards) and Berenson Line of Cases. With this record, does the developer and the Planning Board really want to risk litigation for failing to include consideration of affordable housing in the DEIS?

(Letter #10, Alexander Roberts, Westchester Workforce Housing Coalition, 6/26/15)

Response A8:

See response to comment A7.



Comment A9:

What would be the great harm in setting aside a portion of these units for people making up to 56,000 thousand dollars for a family of three, in an apartment which is what affordable is. Why don't you feel that you have any obligation to address people at or below 80 percent of the area median income, which is over 40 percent of the population of Westchester? Why do you ignore such a large group of people in the town, that's almost the size of Manhattan?... you should recommend that some of the housing go to over 40 percent of the population that makes less than 80 percent of the area median income. That's a good point. By the way, as a whole, the Work Force Housing Coalition supports this project.

(Alexander Roberts, Public Hearing, 6/23/15, pg. 70-72)

Response A9:

See response to comment A7.

Comment A10:

The discussion of anticipated impacts to zoning focuses entirely on the proposed zoning, which it concludes is consistent with the 2013 Comprehensive Plan recommendation for a new SB-MX (Mixed Use) zone. However, the proposed zoning would not create a new zone, but rather amend the SB-O zone to allow for Multi-Family Residential, Retail Use, Retail Service Use and Restaurant by special exception use permit. Per Appendix C, Proposed Zoning Text Amendments, the proposed project would be inconsistent with the following recommendations in the Comprehensive Plan:

- "The regulations for this zone would be the same as the currently mapped SB-O zone." This is not the case as the proposed zoning text amendments recommend lot coverage of 45% in comparison to the current 20% stated in Harrison Code §235 Zoning Attachment 4.
- "Except that assisted-care, senior and other housing would potentially be allowable by special exception permit." The proposed zoning text amendments do not allow for assisted care or senior housing by special exception permit.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)



Response A10:

The DEIS describes the consistency of the proposed zoning amendments to the 2013 Comprehensive Plan in Section A.1 of the DEIS. The “teardrop” shaped area where the Proposed Action is located was identified for rezoning that would allow a mixture of uses. Creating an SB-MX (mixed use) zone that would “broaden the potential uses in this area” was listed as a First Priority Item in the Plan. The current SB-O (Special Business District) zoning would be amended to permit housing for young professionals and/or empty nesters, supportive retail, restaurants and commercial uses, commercial recreation, hotels, etc., all by Special Exception Use Permit. Assisted care and senior housing uses are not part of the Proposed Action, only residential and restaurant uses. However, by not proposing to include assisted care and senior housing uses as part of the Proposed Action, does not make the project inconsistent with the Comprehensive Plan because the residential and restaurant uses are identified in the Comprehensive Plan as uses for this site. Moreover, the residential use provision does not prohibit senior housing, which under the current zoning regulations, would be classified as a multi-family residential use.

Comment A11:

The discussion of existing zoning and the SB-O district should reference the requirements from Harrison Code §235-24. Required buffer strips; screening and landscaping that "required buffer strips in SB-O, SB-1, SB-35 and SB-100 Districts shall be left in natural woodland or, if not already wooded, shall be planted with dense evergreens and suitably maintained."

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response A11:

The Proposed Action will meet all zoning code requirements. The proposed site plan incorporates perimeter landscaping and the final dimensions and type of vegetation in the buffer strips will be coordinated with the Harrison Planning Board during final site plan approval. The character and appearance of all property within the “tear drop” is of paramount concern to the Planning Board, and assuring the appropriate appearance of the site remains a priority that will be addressed both by the Planning Board during the site plan review process as well as by the Architectural Review Board.



Comment A12:

The discussion of existing zoning on the project site does not identify permitted or special exception accessory uses, as detailed in Harrison Code §235 Zoning Attachment 3.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response A12:

Under the existing Table of Use Regulations Business Districts found in Attachment 3 of Chapter 235 of the Town of Harrison zoning code, permitted accessory uses for the SB-O district include customary accessory uses incidental to a permitted use on the same premises, and private off-street parking pursuant to Article VII, and signs pursuant to Article VII. Special exception accessory uses for the existing SB-O district include retail service or wholesale trade only as an incidental activity to a permitted use, and SB-O day-care center.

Comment A13:

All of this takes place in the context of Harrison's dismal history relating to fair and affordable housing. The Westchester County Housing Allocation Plan for the 2000-2015 period for Harrison is 756 units. None have been built in Harrison. The two Allocation Plans have been utilized by the County for over 20 years and recognized and given standing by the Courts in *Triglia v. the Town of Cortlandt*. In addition, the Housing Monitor under the 2009 Settlement of the law suit against Westchester County has determined that Harrison is one of three municipalities in the County with the most exclusionary zoning based on both the Berenson and Huntington tests.

Ironically, in the face of all this history, Harrison has a unique opportunity to adopt zoning requiring fair and affordable housing on this site and has a developer with a history of providing affordable units in many of its developments. In Dutchess County, Toll Brothers is providing affordable housing at Hopewell Glen (29 of 292 units) and Four Corners (26 of 264 units).

You have a developer willing to do it. You have a County tell you should be doing it. You have a Court that's the monitor saying your zoning is exclusionary and in the date of that it seems unbelievable you would not proceed with affordable units in this development.



The proposed development before this Board-- The Residences at Corporate Park Drive -- is not currently permitted under local zoning. Therefore, Harrison has the ability even obligation to require the inclusion of fair and affordable housing as a condition for rezoning the property.

(Letter #5, Richard Hyman, RH Consulting, 6/17/15 and Richard Hyman, Public Hearing, 6/23/15, pg. 51-53)

Response A13:

The Applicant is supportive of an affordable housing component being included in this Project.

Comment A14:

I hope that you reconsider, even though we did it in the guise of the DEIS, will you consider the impact of affordable housing on the project. They're beautiful. Set aside some of them there, which they have done before and they can do again in this great town.

(Jim Killoran, Public Hearing, 6/23/15, pg. 65)

Response A14:

See response to comments A7 and A13.

Comment A15:

Why does the Board refuse to ask the developers to consider the impact of affordable housing in the DEIS, just to consider it. My question again, if the developer decided to reserve 10 percent affordable housing, as it has in many other projects, how would the Board feel about it? Would they support that?

(Alexander Roberts, Public Hearing, 6/23/15, pg. 70)

You correctly said that many of our concerns about affordable housing policy should be addressed to the Town Board. You said that you could only "recommend," and I said, "Then recommend."

There is nothing to prevent the Planning Board from requiring consideration of the impact of the project on the need for affordable housing in the Draft Environmental Impact Statement, as we requested on January 21 at the scoping session. It is just as important as the number of school children generated, or the traffic.



(Letter #10, Alexander Roberts, Westchester Workforce Housing Coalition, 6/26/15)

Response A15:

See response to comments A7 and A13

Comment A16:

With respect to the zoning, proposed zoning amendment, you had on your agenda tonight a proposal, adjourned now, parcel B for the development of a commercial building and what I mentioned before and I renew that request, some type of moratorium be considered on any rezoning of commercial office park in the entire town, so that it can be looked at a little more closely, if you're considering approval of other commercial office space and at the same time rezoning existing corporate office park space, it's inconsistent.

(Kristen Wilson, Public Hearing, 6/23/15, pg. 67)

Response A16:

A moratorium on the proposed zoning is not contemplated as part of the Proposed Action, nor would a moratorium as requested be warranted. Moreover, the imposition of a moratorium is within the jurisdiction of the Town Board, not the Planning Board.

Comment A17:

Are there any other viable parcels that could possibly take advantage of this zoning and what impact that might have?

(Kristen Wilson, Public Hearing, 6/23/15, pg. 68)

Response A17:

See response to comment A3



Comment A18:

Table 3A-1 states that lot coverage for the SB-O district is 45%, but Harrison Code §235 Zoning Attachment 4 identifies the maximum lot coverage for the SB-O district as 20%. This error appears to minimize the increase in proposed allowable lot coverage relative to existing requirements.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response A18:

Under the existing zoning for Harrison, the maximum lot coverage for the SB-O district is 20%. The Proposed Action includes a zoning text amendment. The proposed zoning text amendment in the DEIS, as noted in Table 3A-2 of the DEIS, has a maximum lot coverage of 45%.



B. Vegetation and Wildlife

Comment B1:

The DEIS states coordination with USFWS will be conducted regarding potential impacts to the habitat of the federally-listed Northern long-eared bat. This consultation should have been completed prior to the issuance of the DEIS so that USFWS's guidance could be considered by the public. Given that the project impacts 247 trees of 8" dbh or greater, we recommend the FEIS include a mitigation measure establishing a construction window for tree clearing that would greatly reduce any chance of impacts to the Northern long-eared bat.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response B1:

As of May 4, 2015 the northern long-eared bat is now listed as federally threatened by the US Fish and Wildlife Service (USFWS) under the section 4(d) of the Endangered Species Act. Chapter D, Vegetation and Wildlife in the DEIS details the results of the investigation of the potential carrying capacity and habitat quality of the current site for the northern long-eared bat. The current site's capability to provide suitable habitat for the northern long-eared bat is severely limited due to the predominately developed conditions at the site and the general surrounding area. Moreover, no evidence of the presence of this species has ever been identified in the area. However the Applicant will consult with the USFWS as suggested in the Northern Long-Eared Bat Interim Conference and Planning Guidance, which can be found in Appendix D of the DEIS. The Applicant will comply with all requirements from the USFWS regarding the northern long-eared bat.

Comment B2:

The proposed tree mitigation (100 trees) is inadequate given the number of mature trees impacted (247). Harrison's Tree Protection Law requires replacement of trees when more than three trees are removed and a greater number of replacement trees is required for removing mature trees. "The plans shall provide for new trees to be planted in sufficient quantity, taking into account the anticipated survival rate, to replace the destroyed trees in kind or in suitable alternate species, at the discretion of the Town Tree Committee. Where the existing trees are too large to be replaced with



trees of equivalent size, the planting of multiple trees of suitable species may be substituted." Given the current site plan, there is insufficient room on site to provide for appropriate tree mitigation. Off-site tree mitigation options should be explored, one option would be restoration of a portion of an underutilized surface parking lot at the applicant-owned property at 106-110 Corporate Park Drive.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15, and Leo Tidd, Public Hearing, 6/23/15, pg. 74)

Response B2:

The Applicant will comply with all regulations and apply for all permits as required by the Town of Harrison Town Code Chapter 220 Trees. The DEIS analyzes the woodland habitat of the site. The woodland communities are located along the perimeter of the site and in narrow, linear features that occur between development properties. These features do not support forest interior habitat. Furthermore, the DEIS states that the on-site woodlands also exhibit evidence of significant historical and ongoing disturbance. Although there are some native species, the western woodlands are also dominated by a number of non-native species.

The proposed tree removal plan and planting plan can be found in Appendix E of the FEIS. In the tree planting plan, 1.18 acres of vegetated terrestrial (Oak-Tulip Tree Forest and Successional Southern Hardwoods) are proposed on the site and 3.04 acres of landscaping (mowed lawn, mowed lawn with trees and flower/herb garden) are proposed. The planting plan includes the creation of landscaped habitats and supplementation of existing naturally vegetated habitats through the installation of new trees, shrubs and groundcovers. 103-105 Corporate Park Drive is a separate site and property from the 106-110 Corporate Park Drive site and they have separate ownership entities. The existing parking lot for 106-110 Corporate Park Drive is associated with an approved site plan and is not part of the Proposed Action. Therefore, off-site tree mitigation is not warranted and is not proposed.



C. Wetlands

Comment C1:

Given the developed nature of the majority of the site, a redevelopment project could be devised that would avoid impacts to the sensitive forested habitats around the periphery of the site (including the wetland buffer on the eastern edge of the site). Instead, a project that involves clear cutting nearly the entire site and building out to the lot line is proposed. A harder look at avoidance measures through design modifications should be completed, rather than merely maximizing the potential building floor area. We note that such a design approach emphasizing the protection of existing forest could increase the attractiveness of the development to potential future tenants and the appearance of the development to existing residents and visitors to the town. The Town's wetland regulations prohibit the issuance of a permit unless it is shown that "there is no reasonable alternative for the proposed regulated activity on a site which is not a freshwater wetland or adjacent area." This demonstration of why the impact to the wetland adjacent area is unavoidable is missing from the DEIS.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response C1:

According to the United States Fish and Wildlife Service's National Wetlands Inventory (NWI) Mapper website, there are no wetlands or surface water features located at or immediately adjacent to the project Site. An identified wetland/intermittent stream is located beyond the limits of work for the proposed action, and no direct impacts to this feature are proposed.

The wetland/intermittent stream was reviewed in the field by the Town's wetland consultant on April 23, 2015, who concurred with the characterization of the wetland by VHB and indicated that the feature is regulated by the Town. Although no significant adverse impacts to wetlands or surface waters are anticipated to result from implementation of the Proposed Action, the Proposed Action anticipates a total of 0.24 acre (10,600 sf) of disturbance in the regulated buffer area for grading, re-paving of existing driveway, limited tree removal and the installation of a drainage culvert.

Much of the current area within the 100-foot adjacent wetlands buffer is currently developed as a parking lot. Prior to the DEIS, the site plan went through alterations to decrease the disturbance to the wetland buffer area on the site by decreasing the pavement area. The site cannot accommodate



an additional reduction of the wetland buffer disturbance without affecting the emergency access routes. The Proposed Action will result in the creation of two dry detention ponds in the southwestern and southeastern portions of the project site, as well as a bioretention basin at the eastern portion of the site. Cumulatively, these structures will result in an on-site increase of 6,515 sf of wetland and facultative habitats.

Comment C2:

Page 3E-1 first paragraph line 3 says "wetland/ stream feature to the east of the site", this should be changed to "west of the site."

On Exhibit 3E-1 there is an unlabeled red line near the 100' label. The map needs to be clarified to explain what this line indicates.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response C2:

The map indicates that the red line is an 18" CMP drainage pipe.



D. Stormwater Management

Comment D1:

Town/Village's Hazard Mitigation Plan is a relevant planning study not discussed in the DEIS. Flooding is an identified hazard included in the Hazard Mitigation Plan. Although it is not located in the 100-year floodplain, certain stormwater structures drain runoff from the site into a headwater stream downslope to the east of the site and a wetland/intermittent stream offsite at the base of the project parcel's west slope. Both of these water bodies ultimately drain to the Mamaroneck River. Therefore, a discussion of the Hazard Mitigation Plan should be included due to site drainage patterns and the potential impacts of development on downstream flooding.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response D1:

Chapter F, Stormwater Management, complies with the scoping document. This site is not discussed in Harrison's Hazard Mitigation Plan, and this plan would have no impact on, or require any revisions to, the applicant's approach to flooding or stormwater management for the site. The location of 103-105 Corporate Park Drive is not within the 100 year floodplain. Chapter F of the DEIS details the stormwater management being proposed for the site and Appendix E of the DEIS contains the draft SWPPP, which further provides details of the stormwater features and analysis. Furthermore, both proposed detention basins 1 and 2 detain and control the projected onsite runoff of the Proposed Action. As a result of the proposed stormwater features, the runoff (ranging from 1-year storm to 100-year storm) leaving the site will be less than what is currently taking place during storm events at the site.

In summary, all runoff leaving the site under the Proposed Action are less than existing conditions the existing conditions. Thus the development will have no adverse impact to downstream flooding.

Comment D2:

We reviewed the Stormwater Pollution Prevention Plan provided in the DEIS and have the following comments:



- Per NYSDEC Stormwater Management Design Manual Chapter 9, section 9.2, paragraph 5, proposed water quality volume provided should be greater than the existing provided for the redeveloped areas. There is an existing retention basin in the site. The plan needs to be revised to provide the existing stormwater quality calculations to show the existing retention basin is providing less than 25% water quality volume for the redeveloped areas, in order to use 25% per criteria in Section 9.2.1 B II of the NYSDEC Stormwater Management Design Manual.
- Incorporate the existing retention basin into the existing peak flow calculations for water quantity.
- Incorporate all the proposed features including the bioretention basin and sand filter into the proposed water peak flow calculations.
- Provide the drainage areas maps with the separate areas going to the sand filter, bioretention basin and CDS units.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response D2:

1. Under existing conditions, there is approximately 5.28 ac of impervious area out of the 10.35 ac site. Thus is the required 25% water quality volume for the redeveloped area is approximately 6217 cubic feet. The total volume provided by the entire existing basin is approximate 4396 cubic feet (see Appendix F - WQ calculation for existing basin). The total volume of the existing basin is less than the required 25% WQv. Therefore criteria in Section 9.2.1 B II of the NYSDEC Stormwater Management Design Manual applied for this site.
2. Existing basin has been incorporated into the existing HydroCAD model for peak flow/water quantity calculations. Refer to Appendix F - Existing Condition HydroCAD output.
3. Bioretention basin and underground sand filter have been incorporated into the proposed HydroCAD model for the peak flow/water quantity calculations. Refer to Appendix F - Proposed Condition HydroCAD output.
 - Please note after incorporating the existing basin, sand filter and bioretention basin into the existing and proposed HydroCAD models, the peak flows under proposed conditions are still less than the existing conditions at study point A, B and C. Tables below summarize the peak flows at study point A, B and C.



Table 1 – Existing Conditions Peak Flows

Study Point	Area (ac)	Peak Discharges (cfs) of Various Storm Frequency				
		1-yr	5-yr	10-yr	25-yr	100-yr
A	2.01	3.29	6.68	7.70	9.74	12.8
B	4.46	7.95	16.36	18.55	22.92	29.44
C	1.89	3.41	6.65	7.61	9.53	12.4

Table 2 – Proposed Conditions Peak Flows

Study Point	Area (ac)	Peak Discharges (cfs) of Various Storm Frequency				
		1-yr	5-yr	10-yr	25-yr	100-yr
A	3.01	2.16	5.73	7.04	8.91	11.08
B	4.76	7.90	13.91	16.75	22.43	28.52
C	1.82	2.34	6.15	7.01	8.77	11.31

The Appendix F - Water quality drainage area map (WQ-1) depicts the separate drainage areas going to the sand filter, bioretention basin and CDS units.

Comment D3:

The DEIS suggests the on-site stormwater treatment areas will support herpetofauna. On-site use of pesticides and herbicides that would impact such species should be prohibited accordingly.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response D3:

No herbicide and pesticide application in the vegetative stormwater features will be applied. The Applicant agrees to establish this as a condition of site plan approval.



Comment D4:

The land use and zoning impacts discussion in the DEIS does not consider the Comprehensive Plan's strong emphasis on the need for amendments to the SB zoning district regulations to emphasize stormwater management. The Comprehensive Plan notes that the "*regulations for the SB zoning districts should be examined to study various means of placing greater emphasis on stormwater management. This could include requirements that parking area drainage should be designed such that all surface runoff (both piped and overland flow) is conveyed through a vegetated swale, vegetated filter strip, created wetlands, rain gardens, detention basins with bio-filtration prior or other similar facility to discharge into existing wetlands, streams, ponds, or other waterbodies. In addition, landscaping requirements, which also benefit stormwater management, could be strengthened ... As parking constitutes such a large proportion of impervious surfaces, consideration should also be given to adjusting the off-street parking requirements in light of new ideas such as landbanking or landscaping; the setting aside of landscape reserves that can be converted to parking if shortages arise. The use of porous surfaces should also be considered as an alternative to impervious ones.*" The proposed zoning text amendments do not contain a single reference to stormwater management.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response D4:

Chapter F, Stormwater Management, of the DEIS details the stormwater features being proposed for the site and Appendix E of the DEIS contains the draft SWPPP. The stormwater management chapter of the DEIS reflects the recommended regulations for the SB zoning district in the 2013 Comprehensive Plan. Furthermore, the proposed stormwater management system will result in an increase in the total area of vegetated stormwater features (i.e., the two detention ponds and the bio-retention basin) to 1.9 percent of the overall site coverage.

The proposed project is characterized as a "redevelopment project", as described and outlined in Chapter 9 of the New York State Stormwater Design Manual dated August 2010. The existing (229,997 sf) and proposed (258,352 sf) impervious areas on the site had and will have stormwater management infrastructure. The proposed plan is designed to ameliorate the slight increase to the amount of impervious surfaces through the use of two dry detention ponds, a bioretention basin, and a sand filter. The current site has 5.28 acres of impervious coverage and the Proposed Action will result in 5.91 acres of impervious coverage. The Proposed Action will further comply with the provisions of Chapter 130 of the Town Code – Stormwater Management and Erosion & Sediment Control. For all of these reasons, the proposed zoning text amendments do not need to specifically address stormwater management.



E. Utilities

Comment E1:

It is the understanding of this office that neither sanitary sewer main that originates on Corporate Park Drive nor the streetlights were ever dedicated to the Town of Harrison.

(Letter #2, Michael Amedeo, Town Engineer, 5/19/15)

Response E1:

Comment noted.

Comment E2:

A full study of the existing conditions and capacity of the sanitary sewer main is required to understand if it can accept the proposed flows.

(Letter #2, Michael Amedeo, Town Engineer, 5/19/15)

Response E2:

The Applicant's consultants are in contact with the Town Engineer. In order to perform the existing sewer capacity, we identified the most critical sewer pipe for the analysis. Since all of the existing sewer pipe upstream of the 36" sewer main are 8" pipes, the most critical pipe will be the flattest 8" pipe that is closest to the 36" pipe where all contributing flow is included. This pipe receives the most sewer flow and has the least capacity. This pipe is depicted in Appendix G.

The capacity of the existing 8" critical pipe is calculated using the Manning equation for full flow condition. Manning n value of 0.012 is used for the cast iron pipe, the slope of the pipe is 0.6%. Based on the analysis, the critical pipe has a capacity of 655,303 gallons per day (gpd). Please refer to Appendix G for the pipe capacity analysis.

There are 6 existing buildings and the proposed site that will contribute the sewer flow to the most critical pipe as shows in Appendix G. Appendix G shows the estimated calculation of the sewer demand



from these buildings. The hydraulic loads (gpd/unit) are based on the usage of the building as per NYSDEC standard. The number of unit (patron/child/employee) is based on a conservative full occupancy assumption and total building floor area. We assume 20 showers in health club in our calculation as indicated in the Appendix G. The number of hotel rooms and number of seat for Hyatt Hotel was obtained from the website as in Appendix G. Based on the analysis, the sewer demand is approximately 164,635 gpd.

The pipe capacity of the most critical existing 8" sewer pipe is about 655,303 gpd and the sewer demand within the vicinity is about 164,635 gpd. Therefore, the existing sewer pipe network can handle the sewer demand from the proposed development.

Comment E3:

Any needed upgrades to the sanitary sewer main and street lighting system should be explored at this time to ensure adequate conditions.

(Letter #2, Michael Amedeo, Town Engineer, 5/19/15)

Response E3:

Any sanitary sewer and lighting upgrades required by the Village/Town Engineer will be finalized during site plan approval and all necessary changes will be incorporated into the final site plans.

Comment E4:

The draft EIS states that the proposed development will add 67,530 gallons per day to the sewer flow volume requiring treatment at the Mamaroneck Wastewater Treatment Plant operated by Westchester County. We note that the draft EIS contains an adequate discussion of I&I mitigation to offset this increase.

(Letter #3, Edward Buroughs, Westchester County Planning Commissioner, 6/9/15)

Response E4:

Comment noted.



Comment E5:

In regards to electrical power, the applicant has not supplied any information for Con-Ed as to how the proposed building will be power 24/7. As it currently stands, the area at 103 - 105 is commercial, will Con-Ed reroute power from the existing Residential grid to this proposed building and if so, what will be the impact to existing homeowners.

(Letter #12, Ted Demirijian, 7/23/15, and Ted Demirijian, Public Hearing, 7/23/15, pg. 10-12)

Response E5:

All utilities analyzed in the DEIS comply with the scoping document and can be found in Chapter G, Utilities, of the DEIS. Provision of electrical power to the site will not be an issue. The project proposes the removal of existing older office buildings and replacement with a new more efficient residential structure, which is anticipated not to significantly increase usage. The site lies within a developed corridor that service can be easily obtained. At this point mechanical and electrical design of the proposed building has not yet been performed. Con Edison will not provide detailed service information until detailed plans are provided.

Comment E6:

On Sunday, 7/19/15, Con-Ed lowered the power to the residents in Purchase in order to keep up with the demands of the 1st heat wave. Adding more strain or demand on the existing fragile power grid will create tremendous power outage and/or electrical appliance damage to existing homeowners.

(Letter #12, Ted Demirijian, 7/23/15, and Ted Demirijian, Public Hearing, 7/23/15, pg. 11)

Response E6:

Comment noted. See response to comment E5.

Comment E7:

In regards to gas, where will the applicant tap into the gas main to feed all of the proposed 421 Units?

(Letter #12, Ted Demirijian, 7/23/15, and Ted Demirijian, Public Hearing, 7/23/15, pg. 12)



Response E7:

The location of the gas connection will be dictated by Con Edison. At this point mechanical and electrical design of the proposed building has not yet been performed. Con Edison will not provide detailed service information until detailed plans are provided.

Comment E8:

The concerns I have are regarding what will be long-term and lasting that were in the DEIS, as posted on the Harrison website. Starting with utilities, it was mentioned about water in Section 3-G-1, it was mentioned that the Westchester Joint Water Works already is going to be monitoring and working with this development, but there was no mention about the violation about the Westchester Joint Water Works that they're in right now being noncompliant in water purification systems. There is no mention regarding a threshold, what the pressure and the volume of usage that a residential unit would impose on the violation and threshold of the Westchester Joint Water Works. If one calls the Westchester Joint Water Works, which I often do, I'm told there's a problem with the pumping station, it's old, it is outdated. So in the study it was mentioned that there's some assessment, but no mention specifically was made to what that assessment was and what the problems would be if there are any problems with the ability of the Westchester Joint Water Works to provide adequate pressure and water, without raising my rates and putting me at a point of economic despair because of this housing unit.

(Ted Demirijian, Public Hearing, 6/23/15, pg. 54-55)

Response E8:

The DEIS identifies the Proposed Action receiving its water supply from Westchester Joint Water Works (WJWW), which is operated in conjunction with the Town of Harrison and the Town/Village of Mamaroneck. The site is presently serviced by Westchester Joint Water Works and there is sufficient capacity to service the Proposed Action, no mitigation measures are proposed. However, water saving fixtures will be utilized within the proposed structures such as low flow toilets, and high-efficiency plumbing fixtures.

VHB met with the Terrance O'Neill, Distribution Superintendent of Westchester Joint Water Works, to review existing water service to the site and discuss the proposed project. Each existing site building has a dedicated domestic and fire service. The existing fire service lines are 8 inch diameter connections, similar to the proposed building. A review of hydrant flow information from hydrants



adjacent to the site on Corporate Park Drive showed available flows of 2,080 gallons per minute (gpm) at a pressure of 102 pounds per square inch (psi).

Please note that at this point mechanical and plumbing design of the proposed building has not yet been developed. WJWW will not provide detailed service information until detailed plans are provided and reviewed.

For a project of this size the critical flow requirement will be the fire flow to the building sprinklers. For a building of this size the fire flow would typically range between 750 and 1,000 gpm at 50 to 60 psi. The existing service provide well in excess of this typical requirement, therefore adequate water service is available.



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F. Traffic and Transportation

Comment F1:

We are pleased to note that the EIS describes applicant as contemplating "improved access to adjoining properties for pedestrians and cyclists" (and covered bicycle parking) as a part of the proposal. We strongly support this approach because the combination of dead-end cul-de-sacs, lack of cross connections between cul-de-sacs and the one-way traffic pattern of Westchester Avenue is an arrangement that may hinder the successful mixing of uses and the economic foundation of redevelopment. We encourage the Town/Village to give consideration to both vehicular and non-motorized connections in a broader context, beyond the subject site and its adjoining properties, by exploring potential connections throughout the "Platinum Mile" quadrant. Connections could also make the provision of transit service more efficient and rider friendly.

(Letter #3, Edward Buroughs, Westchester County Planner Commissioner, 6/9/15)

Response F1:

Comment noted.

Comment F2:

The traffic analysis continues to provide information on the impacts of the project in comparison to the traffic that would be generated if the office park buildings on the site were fully occupied. The comparison should be made between the project and what will really happen, not an unrealistic hypothetical future condition. The first office park building has been vacant for several years and the second office building is less than 50% occupied. The future year is 2018 or less than 3 years from now. There is no indication that the offices will be occupied at 100% during the next three years even if there was no building project. The actual difference in the effect of 421 apartments and a restaurant on traffic will be an increase in traffic without the two office buildings being occupied. The applicant believes that the existing office buildings will not be occupied since they want to change the land use and demolish the existing buildings.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

**Response F2:**

Chapter F, Traffic and Transportation, of the DEIS contains details on the future level of service for the site remaining in its current underutilized condition as well as the two current office buildings being fully occupied. They are the “No-Action” and “No-Build” conditions, respectively, in the analysis. It is standard practice and reasonable to evaluate the property to its full potential as currently developed, as the owner has a right to re-lease the space for the currently permitted office use. This is a position which is also regularly taken by lead agencies under SEQRA as reflective of the traffic impacts of redeveloping properties from one use to another. The analysis of the future No-Action, No-Build and Build conditions were performed in accordance with standard traffic engineering methodologies and with the accepted Scoping document. Tables 3H-7 and 3H-8 in the DEIS specifically include levels of service for the future No-Action, No-Build, and Build scenarios to allow for comparisons between the various scenarios.

Comment F3:

A weekend traffic analysis should be completed as this is when the incremental impact of the project may be greatest. The apartments will generate substantially more weekend trips than an office park. As a check, this analysis should see if the increased project weekend traffic will make a difference in intersection performance and impacts when considering the reduced level of the background weekend traffic.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response F3:

The DEIS evaluates traffic conditions during the weekday peak AM and PM hours, as required by the scoping document. The peak hours were determined to take place during the weekday commuter periods as the combined project traffic and background traffic is significantly higher during these time periods than during weekend peak periods. However, weekend traffic counts were conducted on October 3, 2015, a Saturday, at the intersection of westbound Westchester Avenue with Corporate Park Drive and the counts revealed that the peak hour traffic volumes on Saturday are only 40% of the weekday peak hour volumes. It is obvious that the weekday traffic volumes represent the “worst case” from an impact assessment perspective. Weekend traffic volumes do not have the potential to create impacts nearly as severe as those experienced during weekdays. Appendix H in the FEIS compares the weekday and weekend traffic volumes. Therefore, we do not anticipate any significant impacts to the traffic during the weekends when the project is fully constructed and occupied.



Comment F4:

The future year should be at least 10 years from completion of the project. Cumulative effects should be considered by developing a list of reasonably foreseeable future developments in the teardrop and surrounding areas. For example, what are the future plans for the office buildings owned by the applicant to the east at 106-108-109-110 Corporate Park Drive?

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response F4:

Chapter F, Traffic and Transportation, complies with the scoping document. The scoping document required the future conditions to reflect the build year of 2018. There is no basis or justification for the use of a 10 year future build-out date. As indicated in the DEIS, the Town of Harrison and City of White Plains planning officials were contacted and indicated that there were no major development projects contemplated to proceed within the time frame of the proposed project. Although NYSDOT data indicate traffic growth in the area has not increased in the recent past, to provide for a conservative analysis, the existing volumes were increased by a 6 percent growth rate to account for typical background growth and traffic from any future planned developments.

Comment F5:

The traffic section of the DEIS should make it clear how pass-by trips were handled for the proposed restaurant. Were pass-by trips added to the turning movements into the driveways or were they diverted trips? If they were diverted trips, they should be added to the network. The traffic section should also explain how the peak hour factor was established and whether or not it was based on traffic counts.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response F5:

The restaurant trip generations did not include any credit for pass-by trips and as such reflect a very conservative approach to the assessment of traffic impacts associated with the restaurant use. The peak hour factors for each intersection were calculated based on the traffic counts, following standard traffic engineering practices, to account for the fluctuation of traffic volumes within the peak hour.



Comment F6:

The DEIS needs to explain whether and how queueing impacts were considered. Did all the storage lane lengths meet the 95% storage lengths?

The assumption that 85% of AM peak hour trips to the restaurant will be from the development, transit trips, or local walking trips is not conservative and understates potential impacts. The analysis should be revised to assume primarily auto access as was done for the AM peak hour. Employees of nearby office parks are very likely to drive to the restaurant, it should not be assumed they will all walk even if connections between the sites are improved.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response F6:

The Synchro capacity analyses include calculations for the 50th percentile (average) queue length and 95th percentile (maximum) queue length. The queueing results were compared to the available storage lengths. With one exception, the maximum queues were generally significantly less than the storage lengths provided. The exception was on the 315-foot left turn lane on Westchester Avenue westbound at the Corporate Park Drive intersection. A 402-foot maximum queue was calculated for the future No-Action, No-Build and Build conditions during the AM peak hour. As there is no change in the queue length under Build conditions, it is clear that the project will not have any impact on the operations of this lane as no site trips are added to this movement or to the adjacent through lane.

For the restaurant AM peak hour trips, it is unlikely that a large number of individuals would drive from remote locations specifically to have breakfast at the restaurant on site. Some may visit the restaurant after they have completed some other trip on Corporate Park Drive (such as dropping their children at Bright Horizons) but these trips will be on the surrounding roadways regardless of whether the restaurant is part of the development program or not. As such, it is the opinion of VHB that the 85% credit taken for AM local or transit trips is an accurate reflection of the fact that only a small number of the restaurant's vehicular trips (up to 9 in the AM peak hour) will be made by motorists coming from or going to places outside of the Corporate Park Drive area. During the evening peak hour, more people from the surrounding community would be expected to visit the restaurant, which is why the credit taken for local or transit trips was a modest (5%) translating into an inconsequential 3 non-vehicular trips.



Comment F7:

The ITE Land Use Category Mid-Rise Apartments LUC 233 is based on a very low number of studies (7) and has a very high standard deviation. The small number of studies makes the ITE trip generation rate unreliable. To establish the trip generation rate, field counts should be made at similar apartment complexes in the area.

To establish the actual General Office Park trip rate, counts should be made at the actual site. A field count is much more accurate than the ITE rates which have a high degree of variance.

The traffic study should identify if the rates used in the study are the peak hour rates or the adjacent street peak hour rates.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response F7:

The Institute of Transportation Engineers (ITE) Trip Generation Manual, Ninth Edition, is the accepted industry standard for estimating trips for various land uses, including Mid-Rise Apartments. The trip rates provided by ITE are based on traffic counts at facilities similar to the proposed action, therefore, there is no need to perform counts at multiple properties in the area. The description for Mid-Rise Apartments provided by ITE does not mention that the data should be used with caution, as is sometimes the case with other uses that may have a limited number of studies. However, to provide for a conservative approach, the ITE-based trip generations in the DEIS for the residential component were increased by 25 percent.

Similarly, the trip generations for the existing office were based on ITE trip rates for Land Use Code 710, General Office, which is based on traffic counts at over 200 office developments. Therefore, the use of the ITE trip rates is considered appropriate for use in the DEIS.

The rates used in the DEIS for the residential component are for the peak hour of the adjacent street traffic and the office rates in the DEIS are for the AM and PM peak hours, which coincide with the peak hour of the adjacent street traffic, resulting in a very conservative analysis of potential impacts.



Comment F8:

The referenced proposal is to replace existing 148,646 square foot of retail space by construction 421 residential apartments and 5,400 square foot of restaurant facility. The Traffic Impact Statement prepared as part of DEIS indicates that the resultant impact on the existing highway system is minimal. We have no additional comments to offer at this time.

(Letter #11, Akhter A. Shareef, NYSDOT, 7/10/15)

Response F8:

This comment incorrectly references the elimination of retail space. Office space will be eliminated. Comment noted.

Comment F9:

What is the situation with Manhattanville Road? The DEIS make very brief mention of it. And you don't really propose any changes to it. That's contrary to a statement made publicly tonight. If that could be clarified...About opening it up, whether or not that access road will ever be open.

(Kristen Wilson, Public Hearing, 6/23/15, pg. 66)

Response F9:

A traffic analysis was conducted for all intersections as required by the scoping document. The Applicant is not proposing any change to Manhattanville Road. Therefore, this street was not among those listed in the scoping document and therefore was not analyzed in the DEIS. No changes are proposed.

Comment F10:

In regards to traffic, there is no mention in the study regarding Anderson Hill Road, Purchase Street and Kenilworth Road. If somebody were to go on Westchester Avenue, make the wrong turn, you have you go off Purchase Street and Anderson Hill Road, which is right behind the property. It's a main thorough way. Any time anybody here, I'm sure you all have, if you go certain hours of the day or night, 7:15 to 9 or so, it sometimes could become a parking lot, specifically when 287 is congested, which is just about getting more and more every day, especially if there's an accident or a problem at the Tappan Zee.



(Ted Demirijian, Public Hearing, 6/23/15, pg. 55-56)

There is no mention regarding Purchase Street, which there's the traffic from Manhattanville College, as well as the schools, the school buses and in regard to school buses, Kennelworth Road is highly used by the school buses in going from the Morgan Stanley complex across to go to the middle school and high schools. So that would be helpful to for that road to be included in the study.

(Ted Demirijian, Public Hearing, 6/23/15, pg. 56-57)

Response F10:

Chapter F, Traffic and Transportation, complies with the scoping document. A traffic analysis was conducted for all intersections as required by the scoping document. Traffic volumes generated at a development are dispersed to the surrounding roadways so that, as the distance from the site increases, fewer and fewer trips are added to the more remote roadways and potential traffic impacts become smaller and less significant. Since the DEIS traffic study did not identify any traffic impacts at the intersections closest to the site, it can be safely concluded that there will be no project related traffic impacts at the more remote roadways. Anderson Hill Road, Purchase Street, and Kenilworth Road (the closest of which is over a mile away and separated by 2 highways from the subject site) are not access ways to 103-105 Corporate Park Drive. Any traffic impacts to Purchase Street or Kenilworth Road that would be associated with vehicles traveling to and from the site would be negligible due to the location of those roads and access to those roads from 103-105 Corporate Park Drive.

Comment F11:

In regards to mitigation, there was no mention of any mitigation in that document.

(Ted Demirijian, Public Hearing, 6/23/15, pg. 57)

Response F11:

Mitigation measures for traffic are addressed on pg. 3H-19 of the DEIS. The DEIS concludes, based on the analysis conducted, that the Proposed Action will not have a significant adverse impact on the traffic operating conditions of the area. Therefore traffic mitigation measures are not required.

**Comment F12:**

The DEIS states that an analysis was completed with FHWA's Traffic Noise Model (INM) and the results showed noise levels at the project site below the NYSDOT Noise Abatement Criteria (NAC). First, the DEIS provides no information on what the actual predicted sound level was, where receptors were placed, or what the traffic volume input data was into TNM2.5. This supporting information needs to be provided in the FEIS. Second, an exceedance of the NAC would not be expected at this site, the purpose of suggesting a noise analysis in our scoping comments was to address traffic noise effects on health that can occur at very low levels, well below the NAC. The NAC are not impact criteria, but rather are required by FHWA's noise regulations for determining when mitigation needs to be considered for highway projects. A noise level below the NAC is not synonymous with "no impact" for purposes of SEQRA. We agree that the health risk of noise exposure can be addressed through the acoustical design of the building as stated in the DEIS, however the specific acoustical design commitments (such as buildings and walls of particular sound transmission class rating) should be identified during the environmental review process.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response F12:

The Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT) considers a receptor to be experiencing a traffic noise impact when sound levels exceed the noise abatement criteria (NAC)^[1]. As discussed in the DEIS, a conservative calculation using FHWA's Traffic Noise Model (TNM) estimated sound levels associated with the major traffic noise sources. Results of the conservative assessment indicate sound levels ranging in the lower 50s, which are substantially below the NYSDOT's noise impact criteria of 66 dB(A) for residential uses.

Additionally, sound levels within the interior of the proposed residential units are expected to be substantially lower due to standard required building wall construction and levels of insulation. The proposed building will be designed to meet or exceed the local building code, to ensure no adverse noise impacts. Furthermore, all project related elements will comply with Chapter 177 (Noise) of the Town Code.



^[1] The Environmental Manual, Section 4.4.18 Noise Analysis Policy and Procedures, New York State Department of Transportation, April 2011.



G. Visual Resources and Community Character

Comment G1:

Overall, this section of the DEIS focuses on visual resources and does not discuss community character impacts more generally (encompassing quality of life issues such as traffic and noise). The DEIS does not address the condition for redevelopment of the teardrop area in the Comprehensive Plan that it *"does not burden or negative affect the quality of life of neighboring communities, and will not result in increased height or density."* The project involves both an increase in height and density, which is inconsistent with the redevelopment concept envisioned in the Comprehensive Plan. The impact on quality of life in neighboring communities is not addressed in this section. Importantly, the visual impact analysis focuses on the view from Corporate Park Drive itself and does not discuss how the project could change views for surrounding communities outside the teardrop area.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response G1:

The Chapter I, Visual Resources and Community Character, of the DEIS complies with the scoping document. The "tear drop" of Harrison is an isolated area that is not directly adjacent to any residential neighborhoods. The DEIS contains "after development" perspective views generated by the project architect to illustrate the future views from Corporate Park Drive and it contains cross-sections to illustrate the relationship between the proposed structures and the existing surrounding structures. Both cross-sections illustrate that the proposed building will fit into the character of the surrounding topography and buildings. It is inaccurate to suggest that the project will increase height and density, as both measures are relative, and in fact as proposed are consistent with the general developed character of the surrounding area. Even in the winter months, views of the proposed building from outside of the "tear drop" will be unavailable, or extremely limited.



Comment G2:

The discussion of existing visual environment conditions states "with the exception of the East Ridge Enrichment Center" but does not describe the visual character of that day care facility.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response G2:

The East Ridge Enrichment Center is a one-story, child care facility with connected outdoor playground. The facility is located at the eastern end of Corporate Park Drive.

Comment G3:

The discussion of anticipated impacts should clearly describe where and how the building is situated on the site (i.e., the site plan) in relation to the existing office buildings. It presently states that the project will be a "multifamily residential building (with structured parking) with 4 to 5 stories stepping up the site and fit into existing topography." However, there is no discussion of where the building footprint would be in relation to the existing two footprints or changes in massing. The Anticipated Impacts section should discuss where the heights change from 4 to 5 stories and how the roofline varies, how high the building is in relation to the existing buildings, and how it would fit into existing topography.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response G3:

The proposed building will be located primarily within the existing building and parking lot area of the existing site. The current site contains approximately 5.28 acres of building and parking lots. The Proposed Action will include approximately 5.93 acres of building and parking lots, a slight increase from what is existing. The "tear drop" of Harrison is an isolated area that is not directly adjacent to any residential neighborhoods. The DEIS contains "after development" perspective views generated by the project architect to illustrate the future views from Corporate Park Drive and it contains cross-sections to illustrate the relationship between the proposed structures and the existing surrounding structures. Both cross-sections illustrate that the proposed building will fit into the character of the surrounding topography and buildings. It is inaccurate to suggest that the project will increase height and density, as both measures are relative, and in fact as proposed are consistent with the general developed character of the surrounding area. Even in the winter months,



views of the proposed building from outside of the "tear drop" will be unavailable, or extremely limited.

Comment G4:

All comparisons in the Anticipated Impacts section should be quantified. For example, the addition of "slightly more impervious surface area" than the existing should be quantified; and the setbacks including a "smaller setback" for the restaurant should be quantified. "Some of the knoll on the north side" that would be cut to accommodate the new building should also be quantified. The section states both "with a wooded landscape perimeter to remain in place or be enhanced to the extent practical," and later "the wooded perimeter on the north and east sides of the site would be reduced in order to accommodate the proposed site circulation and emergency access." The Anticipated Impacts should be clarified, and be consistent.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response G4:

The Visual Resources and Community Character chapter of the DEIS complies with the scoping document. The quantified setbacks, impervious coverage, and vegetation coverage can be found in Exhibit 2-5, and Table 3D-2 of the DEIS (see below). Table 3D-2 of the DEIS describes the current conditions of the site and the anticipated conditions of the Proposed Action. The current site contains approximately 5.28 acres of impervious surfaces. The Proposed Action will include approximately 5.93 acres of impervious surfaces, a slight increase from what is existing. The proposed site coverage includes 3.04 acres of landscaping, 1.18 acres of vegetated terrestrial, and 0.20 acres of stormwater detention/detention features. The front yard setback proposed is 50 feet (35 feet at the restaurant). The side yard proposed is 40 feet and the rear yard proposed is 51 feet.



Table 3D-2 Existing and Proposed Cover Types

Cover Type (ECNYS Ecological Communities)	Existing Site Coverage (acres)	Existing Site Coverage (percent)	Proposed Site Coverage (acres)	Proposed Site Coverage (percent)
Impervious (Urban Structure Exterior and Paved Road/Path)	5.28	51.0 ¹	5.93	57.3
Landscaping (Mowed Lawn, Mowed Lawn with Trees and Flower/Herb Garden)	2.70	26.1	3.04	29.4
Vegetated Terrestrial (Oak-Tulip Tree Forest and Successional Southern Hardwoods)	2.32	22.4	1.18	11.4
Stormwater Retention/Detention Features (Water Recharge Basin)	0.05	0.5	0.20	1.9
Total	10.35	100	10.35	100

Note: ECNYS ecological communities shown in parentheses.
¹These areas essentially unvegetated.

Comment G5:

The Anticipated Impacts section should note where and what type of vegetation (grass, trees) would be removed that would result in "slightly more impervious surface area," presumably along the north and east sides of the site.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response G5:

The Visual Resources and Community Character chapter of the DEIS complies with the scoping document. The impacts to the vegetative coverage can be found in DEIS Table 3D-2. There will be a total of 237 trees removed as a result of the Proposed Action.

The DEIS analyzes the woodland habitat of the site. The woodland communities are located along the perimeter of the site and in narrow, linear features that occur between development properties. These features do not support forest interior habitat. Furthermore, the DEIS states that the on-site woodlands also exhibit evidence of significant historical and ongoing disturbance. Although there are some native species, the western woodlands are also dominated by a number of non-native species.

The proposed tree removal plan and planting plan can be found in Appendix E of the FEIS. In the tree planting plan, 1.18 acres of vegetated terrestrial (Oak-Tulip Tree Forest and Successional



Southern Hardwoods) are proposed on the site and 3.04 acres of landscaping (mowed lawn, mowed lawn with trees and flower/herb garden) are proposed. The planting plan includes the creation of landscaped habitats and supplementation of existing naturally vegetated habitats through the installation of new trees, shrubs and groundcovers. In particular, species of shrubs that would be used include Inkberry, Common Juniper, Blue Rug Juniper, Mountain Laurel, Northern Bayberry, Gold Drop Potentilla, and Pink Azalea. Species of trees that would be used at the site include Autumn Blaze Maple, 'Autumn Brilliance' Serviceberry, Western Redbud, White Flowering Dogwood, Shademaster Locust, White Spruce, Weeping Cherry, Pin Oak, and Dark American Arborvitae. Groundcover to be used at the site is Little Bluestem Grass. The primary tree removal will take place to accommodate the emergency access route for the site.



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H. Community Facilities and Services

1. Schools

Comment H1.1:

The applicant submitted a written request to the Harrison Central School District to obtain information about the capacity of the schools that would be serving the project. Because the school district did not respond to the inquiry, the applicant's alternative method consisted of using historic peak enrollment data as a proxy for capacity (Page 3J-2). This methodology is problematic because it does not account for changes in classroom layout or support space over time that may have bearing on the actual number of seats available.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response H1.1:

The projections for the generation of school-age children at the proposed development range from 11 to 29 children. The DEIS states that the total number of children would be divided between the schools. Therefore, each grade between Kindergarten through 12th grade would mathematically gain approximately 0.91-2.23 children per grade. This would calculate out to a total of 6-14 children (rounding up to the nearest whole number) for Purchase Elementary School, 3-7 children (rounding up to the nearest whole number) for the Louis M. Klein Middle School, and 4-9 children (rounding up to the nearest whole number) for the Harrison High School. All of the schools in the Harrison Central School District can accommodate the few additional children per school and per grade.

In addition, based on the type of residential units proposed in this project, we anticipate that most of the children will be younger in age and will likely have a more immediate impact on the Purchase Elementary School. The Purchase Elementary School could easily accommodate the additional students due to its declining enrollments over the years. During the 2004-2005 school year, enrollment for the Purchase School was 474 students. Enrollment for the 2014-2015 school year was 338 students. This is a decrease of 136 students over a ten year



period. Furthermore, the DEIS concludes that the taxes, which will be generated from this project, will offset any potential impacts to the schools.

Comment H1.2:

The need for interviews with school officials is particularly important for Harrison High School, which the DEIS data shows as having increasing enrollment in recent years, with a 2014/2015 enrollment of 1,060 being the highest enrollment out of the historical enrollment data presented in Table 3J-1A. The DEIS does not address the potential capacity issue at Harrison High School, focusing instead entirely on the declining Purchase Elementary school enrollment (which presumably indicates capacity for additional students).

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response H1.2:

See response to comment H.1.1.

Comment H1.3:

The DEIS attempts to minimize the project impact on schools by using a selection of hand-picked “comparable” projects outside of the Harrison Central School District as the basis for the school children generated per unit (instead of accepted planning methods). It is not clear how the selection of projects was made and whether objective criteria were used consistently to select projects. In particular, the determination of whether or not a project is comparable did not consider the quality of the schools where the project is located. For example, projects in the City of White Plains may have real or perceived lower school quality, which could in turn affect the decisions of parents in deciding where to locate.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15,
and Leo Tidd, Public Hearing, 6/23/15, pg. 74-75)

Response H1.3:

Using comparable developments within a locality to determine the potential school student enrollment is an acceptable planning method that is typically more accurate than relying on



“accepted planning methods” – which tend to over-estimate the number of school aged children generated. The DEIS uses five multi-family developments located in surrounding and nearby communities (City of White Plains, Village of Elmsford, Village of Bronxville, and Village of Mamaroneck). One City Place in White Plains (a 311 unit apartment building consisting of primarily 1 and 2 bedroom units with a small number of 3 bedroom units) generated nine public school children. Bank Street Commons in White Plains (a 505 unit apartment building complex consisting of approximately 50% 1-bedroom and 50% 2-bedroom) generated 13 public school children. One City Place resulted in 0.029 public school children per unit, while Bank Street Commons generated 0.026 public school children per unit.

Also analyzed were several projects where the collected data represented the total number of school-age children (rather than just public school children alone). Avalon Green in Elmsford had seven total school children in 105 units (consisting of 1 and 2-bedroom units). Avalon Willow in Mamaroneck had 15 total children in 227 units (consisting of 1 and 2-bedroom units). The Avalon in Bronxville had seven total children in 100 units (consisting of 1, 2 and 3-bedroom units). These three projects gave very consistent results, ranging from 0.06 to 0.07 school children per unit.

The five projects above result in projections for the generation of school-age children at the proposed development ranging from 11 to 29 children. The DEIS utilizes this range in its analysis of school related impacts of the Proposed Action, which can be found in Chapter J, Community Facilities and Services.

Comment H1.4:

In absence of an objective, documented selection process, alternative method would be to calculate demographic multipliers using the most recent Public Use Microdata Sample (PUMS) data from the US Bureau of Census for the Public Use Microdata Areas (PUMAs) in Westchester County, taking into account the number of bedrooms, housing type (number of units) and tenure (renter-occupied) of the Proposed Project. At a minimum, the FEIS should present a sensitivity analysis of school children generated with an alternate method for comparison to the comparable project method.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)



Response H1.4:

See response to comment H1.3.

Comment H1.5:

The DEIS fails to provide information on the number of teachers and staff and the ensuring teacher/ student ratios as was requested in the scoping comments.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response H1.5:

The school analysis provided in Chapter J, Community Facilities and Services, of the DEIS complies with the scoping document. The DEIS analyzes the anticipated generation of school children from the Proposed Action and describes the potential school enrollment increases and impacts. The DEIS evaluates the potential generation of school children utilizing comparable projects in the area (see response to comment H1.3). The DEIS concludes that the taxes, which will be generated from this project, will offset any impacts to the schools and can accommodate any additional personnel that would be required as determined by the Harrison Union Free School District. According to the 2013-2014 Harrison Central School District School Report Card from the New York State Department of Education, the average classroom size is 19 students. It is not anticipated that the amount of children (11 to 29 students) that may be added to the school district will require the additional hiring of teachers.

Comment H1.6:

On DEIS Page 3J-3, Tables 3J-2, 3J-3 and 3J-4, the source of the Harrison School District budget information is not provided.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response H1.6:

The Harrison school budget for the 2014-2015 school year can be found in the April 23, 2014 Harrison Central School District Board of Education meeting minutes. The budget for the 2014-2015 was adopted at \$109,113,297. The total cost per pupil of \$31,051 was based on



the 2014-2015 budget divided by the total school district enrollment of 3,514 students. The local tax levy information is taken from public school budget records. The DEIS concludes that the taxes, which will be generated from this project, will offset any impacts to the schools.

Comment H1.7:

I would like to know today how many students come to the Harrison School District that live in apartment complexes, what the percentage of the school district is already.

(Joe Stout, Public Hearing, 7/23/15, pg. 13)

Response H1.7:

Two multi-family developments in the Harrison Central School District were studied as possible comparisons and are detailed on page 3J-5 of the DEIS. The Applicant determined that those developments did not include similar unit types, bedroom counts, rental price, or distance to work as the Proposed Action. The two developments were the Park Knoll Cooperative in West Harrison and the Pizza 2000 building in downtown Harrison. The Park Knoll development contains 227 ownership garden style apartments in 15 separate buildings. The Pizza 2000 building, although rental, only contains eight units and are smaller in scale than the Proposed Action. The Proposed Action will be a multi-family rental located in one building. Park Knoll contributes 24 students to the Harrison Central School District and Pizza 2000 contributes no students to the school district.

Another multi-family housing development in the Town of Harrison is the Newport Towers. Located within the Central Business District of the Town, Newport Towers consists of two buildings with a mix of studios, 1-bedroom, and 2-bedroom apartments. The Towers development was constructed in 1968. The Towers development is a cooperative, thus different than the rental apartments that are proposed at 103-105 Corporate Park Drive. The Residences at Corporate Park Drive is a multi-family development consisting on all rental units. Since the Newport Towers development does not include any rental units, this comparable development was excluded from the analysis. We were not able to obtain the number of school age children living in the Towers.



Comment H1.8:

There's a couple of smaller things, like the school section could use a fuller description of source sighting, sources similar to what Mr. Demirjian said about the tax data, I'm just concerned about some [in]consistencies there and Joe's comments, that a study of -- we heard a lot from the advocates for affordable housing the first part of the public hearing. I think that warrants consideration in this project and if so included, it should be carried throughout the study, the environmental impact study.

(Kate Barnwell, Public Hearing, 7/23/15, pg. 14-15)

Response H1.8:

See response to comment H1.6. If there is to be an affordable housing component incorporated in this project, the anticipated school impacts will be the same as if the project was entirely market rate units. The comparable developments identified in the DEIS and utilized to determine the projected school age population generation rate of the Proposed Action includes affordable housing units. As a result, if the Proposed Action includes affordable units, the school population projections would remain the same as presented in Chapter J, Community, Facilities, and Services, of the DEIS.

Comment H1.9:

Finally, schools. There was a mention in the study about Purchase Elementary. The glossing over LMK and Harrison High School was not mentioned. LMK and Harrison High School, according to the study in the DEIS, has been on the increase, not on the decrease. That's page 3J-1. No mitigation has been made or references has been made, what happens when you increase the students? They're basing it on the 2 bedroom, 190 units of the 2 bedroom, they're going to have between 11 and 29 students. They're assuming all of them are going to go to Purchase Elementary. Eventually they're all going to LMK and Harrison High School, which are right now over-crowded.

(Ted Demirjian, Public Hearing, 6/23/15, pg. 58)

Response H1.9:

As the DEIS indicates, the Purchase Elementary School's enrollment decreased by 31 students during the school year (2014-2015 academic year), the Louis M. Klein Middle School



increased by 8 students, and the High School's enrollment increased by 15 students. Overall, for the relevant schools, there was a decrease of 19 students within the school year.

The anticipated impact of 11 to 29 new public school children into the Harrison School District is not considered a significant impact as it is approximately a 0.8% increase from the total existing enrollment of public school children. Thus, with such a minimal increase, no mitigation is proposed. These additional public school children will be absorbed into the School District. The DEIS states that the total number of children would be divided between the schools. See response to comment H1.1 for additional information.

Comment H1.10:

I would like you to look at applying HUD regulations to affordable housing, if in fact, somehow, the developer volunteers to do affordable housing or there's some kind of discussion on this, I would like that to be studied, so we have the benefit of knowing what the impact is, both on the school and on the services. I don't know if those – my understanding of HUD regulations is that they may generate more children than your study shows today.

(Joe Stout, Public Hearing, 7/23/15, pg. 13-14)

Response H1.10:

The anticipated school impacts will be the same as market rate housing. The comparable developments identified in the DEIS and utilized to determine the projected school age population generation rate of the Proposed Action includes affordable housing units. The bedroom counts will also remain the same if the development contains some affordable units or remains only market rate. As a result, if the development includes affordable units, the school population projections are the same as presented in Chapter J, Community, Facilities, and Services, of the DEIS.

2. Emergency Services

Comment H2.1:

The DEIS utilizes model factors from the Urban Land Institute Development Assessment Handbook to estimate the additional police/fire/EMS personnel, facility space and vehicles needed to serve the new population, but does not monetize these additional expenses. These expenses should be quantified so that they can be compared to the Proposed Project's



potential revenues as part of the Fiscal Impact section. Without taking into account the full costs of the development, the project benefits are overstated. One potential approach to estimate the cost to local government is to use the town budget for Public Safety from the New York State Office of the State Comptroller, calculate the per capita cost for public safety and then subsequently apply the per capita cost to the estimated population increase. The cost to local government generated by the new jobs also needs to be assessed.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response H2.1:

Both the Community Facilities and Services and the Fiscal Impact chapters of the DEIS comply with the scoping document. The Community Facilities and Services chapter estimates the additional personnel that might be required as a result of the Proposed Action. The Fiscal Impact chapter identifies the estimated total Town tax that will be generated from the Proposed Action. It is anticipated that the Purchase Fire District will receive \$40,786 and the Town/Village of Harrison will receive \$475,644 annually in taxes. The Harrison Town Board is responsible for determining the use and distribution of the local taxes that would be generated from the Proposed Action.

a. Police

Comment H2a.1:

At the time of the DEIS preparation, the Police Department had not responded to the inquiries from the applicant's consultant on topics such as the average response time to the site and any concerns with site access. This information needs to be included in the FEIS, follow-up interviews with the Police Department should be conducted if necessary so that their opinion is known and considered before a final decision is made by the Town.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response H2a.1:

The Harrison Police Department submitted a letter on May 15, 2015 in response to the inquiries regarding their services for the Town. The responses from the letter have been listed as comments in this chapter of the FEIS. The letter can be found in Appendix I of the FEIS.



Comment H2a.2:

Increased demand for police services due to an increase in population from the number of residents that would potentially reside at 103-105 Corporate Park would require this department to increase our police and staffing. The impact on the Police Department due to the restaurant proposed on site would be determined by the restaurant size, hours and number of patrons.

(Letter #1, Anthony Marraccini, Harrison Police Department, 5/11/15)

Response H2a.2:

According to the Development Impact Assessment Handbook, the projected increase in demand for police services is estimated to include 1.65 police personnel, 165 square feet of facility space, and 0.5 vehicles. These impacts, also based on the proposed project's size (421 multi-family residential units) and the amount of residents generated (825), are considered marginal and thus not significant. The restaurant includes 5,400 square feet of space and would primarily serve the residents, workers, visitors to Corporate Park Drive, and the general public. The anticipated impacts of the restaurant on police personnel will be negligible and will be offset by the additional tax revenue.

Comment H2a.3:

The impact on traffic in the area could be problematic as we would estimate another eight hundred and forty two vehicles (based on an average of 2 vehicles per household, from the 2009 Survey by the National Highway Transportation Safety Board) and this does not include the vehicles from restaurant staff and patrons. Residential developments will require a variety of police services including and not limited to: ambulance/ aided case calls, domestic disputes, larcenies, identity theft complaints, and criminal mischief as well as create a potential opportunity for more serious criminal activity. Additionally, this site will be transformed from a commercial area, which required most of its police services Monday - Friday from 7:00AM - 6:00PM. We are now looking at a development which would require police services seven days a week, twenty-four hours a day. In order to comment on the traffic impact and the restaurant, more information will be needed.



(Letter #1, Anthony Marraccini, Harrison Police Department, 5/11/15)

Response H2a.3:

See response to comment H2a.2. The DEIS calculates the Proposed Action generated peak hour trips for the Proposed Action. During AM peak hours, for both restaurant and residential use, 167 automobile trips are anticipated to be generated from the project site. During PM peak hours, 255 trips are anticipated to be generated from the project site. The number of 842 vehicles overestimates the projected trip generation. The DEIS concludes that the Proposed Action will not have a significant adverse impact on the traffic operating conditions. We do not believe the Proposed Action will transform the current time that policing will be required. Hyatt House is open 24 hours a day and Life Time Fitness is open from 4 a.m. – 12 a.m. seven days a week.

Comment H2a.4:

The 421 residential units being proposed would require us re-evaluating our patrol sector coverage areas, which would most likely increase our manpower requirements.

(Letter #1, Anthony Marraccini, Harrison Police Department, 5/11/15)

Response H2a.4:

Comment noted. Please see response to comment H2a.2.

Comment H2a.5

Adequacy of access to site and site components appear to be adequate, however I would suggest that the existing emergency access lane be widened for larger emergency vehicles such as fire trucks and ambulances and we would also like to evaluate additional access points.

(Letter #1, Anthony Marraccini, Harrison Police Department, 5/11/15)

Response H2a.5:

Based on meetings with the Applicant and its professionals and requested revisions to the proposed plans, the Harrison Fire Marshall and Purchase Fire Department have



indicated that the proposed fire access is adequate and meets New York State Fire Code. In addition, the proposed access will be adequate for police and ambulance vehicles due to the fact that police and ambulance vehicles are shorter than a fire truck and able to maneuver through a site more easily than a fire truck.

b. EMS and Fire

Comment H2b.1:

The 2013 Master Plan makes it clear that a concern of the town is providing adequate emergency access to potential future residential uses in the teardrop area. The DEIS avoids addressing this area of potential inconsistency with the Master Plan, focusing primarily on the adequacy of access internal to the project site. The transportation section states that no connection (emergency or otherwise) between Manhattanville Road and Corporate Park Drive is part of the project: "The Applicant is not proposing any change to this existing condition." This statement is consistent with our scoping comments that noted the 1984 stipulations prohibit the opening (connection) of Corporate Park Drive & Manhattanville Road (unless Purchase Street is closed), irrespective of the nature of the connection. Given the reality that no connection between Manhattanville Road and Corporate Park Drive can be made, the issue is whether or not it is safe from an emergency response perspective for residential housing (in part targeted at seniors) to be located within the transportation network constraints of the teardrop area. If it is not safe, such residential uses should not be approved. This issue should be addressed explicitly in further coordination with the emergency response providers and discussed in the FEIS given the large number of residences added to the teardrop by this project.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response H2b.1:

Based on meetings with the Applicant and its professionals and requested revisions to the proposed plans, the Harrison Fire Marshall and Purchase Fire Department have indicated that the proposed fire access is adequate and meets New York State Fire Code. The fire access routes and dimensions are adequate to meet the projected emergency needs of the site.



Comment H2b.2:

With respect to water supply for firefighting, the final scoping document requires the DEIS to "Identify source of water supply and evaluate pressure and required storage volumes." Information on the existing water supply is provided in the utilities section of the DEIS, but the adequacy of this supply is glossed over with vague references to a "preliminary analysis" that indicated the supply is sufficient (no details of which are provided) and comparison to similar projects. The issue of required water storage volumes is not addressed at all. The DEIS suggests the adequacy of the water capacity for firefighting purposes will be determined prior to construction, but this deferral of analysis that was required by the scoping document until after the SEQRA process is complete is not permissible. The analysis needs to be done before the town makes a decision on the project.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response H2b.2:

The Applicant will continue to work with the Harrison Fire Department to review the site plan for fire code compliance. Currently, the existing office buildings contain sprinklers, and are tied into the water main on Corporate Park Drive. The DEIS concludes that there will be adequate water supply for fire and potable water needs. The DEIS identifies the Proposed Action receiving its water supply from Westchester Joint Water Works (WJWW), which is operated in conjunction with the Town of Harrison and the Town/Village of Mamaroneck. The site is presently serviced by Westchester Joint Water Works and there is sufficient capacity to service the Proposed Action, no mitigation measures are proposed.

VHB met with the Terrance O'Neill, Distribution Superintendent of Westchester Joint Water Works, to review existing water service to the site and discuss the proposed project. Each existing site building has a dedicated domestic and fire service. The existing fire service lines are 8 inch diameter connections, similar to the proposed building. A review of hydrant flow information from hydrants adjacent to the site on Corporate Park Drive showed available flows of 2,080 gallons per minute (gpm) at a pressure of 102 pounds per square inch (psi).

Please note that at this point mechanical and plumbing design of the proposed building has not yet been developed. WJWW will not provide detailed service information until detailed plans are provided and reviewed.



For a project of this size the critical flow requirement will be the fire flow to the building sprinklers. For a building of this size the fire flow would typically range between 750 and 1,000 gpm at 50 to 60 psi. The existing service provide well in excess of this typical requirement, therefore adequate water service is available.

Comment H2b.3:

Finally, the emergency service data should be more complete at this time, with respect to the police and fire. The EMS seemed to be fairly complete. If there could be more complete responses from the Police Department as well.

(Kristen Wilson, Public Hearing, 6/23/15, pg. 69)

Response H2b.3:

The Harrison Police Department has submitted a letter of responses to the initial inquiry of their services as of May 11, 2015. This letter is included in Appendix I of the FEIS.

Comment H2b.4:

In regards to the fire department, 3J-8, the failure to mention that the Purchase Fire Department is on Anderson Hill Road, but it's an all-volunteer fire department, what the additional requirements would be adding in additional need for volunteer firemen and how that would occur?

(Ted Demirijian, Public Hearing, 6/23/15, pg. 57)

Response H2b.4:

As identified in Chapter J, Community Facilities and Services, according to the Development Impact Assessment Handbook, 1994 the increase in demand for the fire department amounts to an increase of 1.36 fire personnel, 206.25 of facility space, and 0.165 additional vehicles. This increase appears to be marginal.



Comment H2b.5:

There was a study mentioned that would be a seven minute run from Purchase Fire Department to this complex, and in the event of a traffic or in getting, rounding up all the firemen, that may not be very realistic in terms of numbers. That seems to be more of an arbitrary number quoted.

(Ted Demirijian, Public Hearing, 6/23/15, pg. 57)

Response H2b.5:

The seven minute response time is the average response time that it currently takes the Purchase Fire Department to arrive at Corporate Park Drive. The Proposed Action will not affect the current average response rate.

Comment H2b.6:

I refer everyone to the Avalon Building Complex fire in New Jersey. That had at the time all the necessary building code requirements, sprinkler systems. Yet in a manner of a few minutes, the whole place was consumed and devastated. I'm not sure if this particular complex is going to be the same material, which seems to be the de facto standard in building such apartment units and complexes, even though with the fire suppression system, that would be made.

(Ted Demirijian, Public Hearing, 6/23/15, pg. 57-58)

Response H2b.6:

The applicant and the applicant's consultants have met with Robert W. FitzSimmons, Building Inspector and Fire Marshal, and the Purchase Fire Department, and have satisfied them with respect to all applicable regulations related to fire safety, emergency access, and fire code issues. The project, as designed, complies with and/or exceeds all applicable construction codes, local code ordinance, and fire safety codes. The final details of the construction documents will be subject to the review and approval of the Town for Building Permit.



3. Solid Waste

Comment H3.1:

Section III.J.5 Solid Waste notes that "the project would participate in the Town and County recycling programs." We recommend that the final EIS include a discussion of how recyclables will be sorted and stored on site in compliance with the expanded County recycling program which now includes plastics numbered 1 through 7.

(Letter #3, Edward Buroughs, Westchester County Planning Commissioner, 6/9/15)

Response H3.1:

The building is designed to be served by two trash chute locations that will discharge into a dumpster and compactor within the building. All trash will be collected and separated as required by applicable local recycling and waste disposal regulations.



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I. Fiscal Impact

Comment I1:

The fiscal impact section of the DEIS starts with a demographic overview of the town, surrounding municipalities and the County. The demographic overview should include population projections for the year the Proposed Project is expected to be fully operational. Because the Proposed Project also creates jobs, the DEIS also needs to include an overview of employment in the County and local area. Historic and recent County level employment information can be obtained from the Bureau of Labor Statistics while local employment information can be obtained from the Longitudinal Employer-Household Dynamics (LEHD) program from the Bureau of Census. Employment projections should be included for the year that the Proposed Project is expected to be fully operational. The DEIS points out that the average age of Harrison residents is relatively high and concludes that young people are not moving into the area. This statement should be supported using migration data by age as opposed to basing it on median age data for one point in time.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response I1:

Comments noted. Chapter K, Fiscal Impacts, of the DEIS, complies with the scoping document and includes population changes from 2000-2013. In addition, Chapter K of the DEIS highlights a 2014 report from Community Housing Innovations which looked at the demographic trends in Westchester County and notes population losses of 25-34 year olds since 2000. It notes that the loss of 25-34 year olds has been consistently between 12 and 13 percent since 2000. The Proposed Action anticipates targeting this demographic to help decrease the losses. Furthermore, the additional demographic data requested can be found in the Market Analysis that can be found in Appendix C of the DEIS.

Comment I2:

A fiscal profile consisting of expenditure and revenue data should be provided for each of the affected local governments: county, town, village and special districts. Recent expenditure and revenue data can be obtained online from the New York State Office of the State Comptroller



(NYSOSC). Expenditures should be broken down by service category (including debt service); revenues should be broken down by source. The profiles should also include per capita expenditures for each service category, which are calculated by dividing a service category's total expenditures by the total population.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response I2:

Comments noted. Chapter K, Fiscal Impacts, of the DEIS, complies with the scoping document. Table 3K-4, Tax Projections, displays the projected annual property taxes from the project that would go to all taxing jurisdictions including special districts, school district, Town/Village, and County taxes. The DEIS estimates the yearly amount of taxes generated from this project to total \$1,948,125. This is \$1.5 million higher than the existing annual taxes generated at the site. The Proposed Action will result in a net positive impact for the taxing districts including the Harrison Central School District, the Town and Westchester County.

DEIS Tax Projections (Table 3K-4)

District	Assessed Value (AV)	Tax Rate per \$1,000 AV	Projected Taxes
Town/Village of Harrison	\$1,428,000	333.084281	\$475,644
Fire District #4-Purchase Fire	\$1,428,000	28.561496	\$40,786
Town Sewer Maintenance District ¹	\$528,360 ¹	35.289854	\$18,645
Westchester County	\$1,428,000	205.396246	\$293,306
Mamaroneck Valley Sewer Authority	\$1,428,000	32.312094	\$46,142
Refuse Disposal	\$1,428,000	19.238129	\$27,472
Total County & Town/Village Taxes			\$901,996
Harrison Central School District	\$1,428,000	732.583659	\$1,046,129
Total			\$1,948,125



As described in Chapter 3J of the DEIS, the per pupil instructional cost for the Harrison Central School District is approximately \$21,404, which is paid by local property taxes. Applying the per pupil cost to the estimated 11 to 29 new public school students results in additional costs between \$235,444 and \$620,716 to the Harrison Central School District. When these figures are compared with the estimated property tax revenues to the school district from the proposed development (\$1,046,129), the Harrison School District would receive an annual surplus of tax revenue with either of these scenarios, ranging from \$425,413 (29 school children) to \$810,685 (11 school children).

Chapter 3J of the DEIS estimates the additional police, fire, and emergency medical services (EMS) personnel and vehicles that would be needed as a result of the Proposed Action. The DEIS estimates an increase in police services of 1.65 police personnel. The fire service increases include an additional 1.36 fire personnel, and 0.165 of vehicles. The emergency medical services includes an additional 0.11 EMS personnel, and 0.028 EMS vehicles. Property taxes generated by the project that will be significantly higher than the existing condition, a portion of which will go to the Fire and EMS services.

Currently the Town/Village of Harrison receives \$93,263 per year in taxes from the site, a portion of which helps pay for police services. The estimated annual taxes that the Town/Village would receive as a result of the Proposed Action is \$475,644. The additional taxes generated as a result of this project would cover the increase in police personnel. The site currently accounts for \$7,997 annually to the Purchase Fire District. The estimated taxes that the Purchase Fire District would receive per year as a result of the Proposed Action is \$40,786. The additional taxes would cover the increase in fire and EMS services.

No Town/Village services or facilities would be required for solid waste disposal from the project since private carters will be used. The Proposed Action would not require any major facility or service upgrades to the sewer system and therefore it is a net benefit to the Town's Sewer Maintenance District and the Mamaroneck Valley Sewer Authority.

Comment I3:

The DEIS quantifies the fiscal impact on the school district, but does not quantify the impact on other local governments. The fiscal impact on the county, town, village and other special districts that will be generated by the increased population and employment associated with the Proposed Project needs to be assessed as part of this chapter. More specifically, the additional expenditures for each of the local governments need to be estimated and compared with the additional tax



revenues that each local government will receive (presented in Table 3K-4 of the DEIS). If the net impact is negative (i.e., new expenditures exceed new revenues) mitigation measures need to be taken to address the negative impact. Potential methodologies to estimate additional expenditures associated with the Proposed Project include the per capita multiplier method (for residential component), the case study method, and the proportional valuation method (for commercial component) as described in the Fiscal Impact Handbook (1978) by Burchell and Listokin.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15, and Leo Tidd, Public Hearing, 6/23/15, pg. 75)

Response I3:

Chapter K, Fiscal Impacts, of the DEIS, complies with the scoping document. Table 3K-4 (see response I2), Tax Projections, displays the projected annual property taxes from the project that would go to all taxing jurisdictions including special districts, school district, Town/Village, and County taxes. The DEIS concludes that the Proposed Action would result in a net positive impact for the taxing districts including the Harrison Central School District, the Town, and Westchester County.

Comment I4:

In the DEIS report, the applicant has not stated the source of the numbers for the proposed tax revenue that will be possibly generated by the proposed project. How were these numbers derived and based on what source?

They stated number and they made projections based on those numbers. They did not state where the source of those numbers, if they met with the Town Assessor, the New York State Assessor or how those numbers were derived, and based on those numbers, they made predictions that they were going to be possible benefits for the Harrison Central School District, based on a limited number of students coming in. If they can please clarify how they got the numbers and what the sources are, obviously, that would make it transparent.

(Letter #12, Ted Demirjian, 7/23/15, and Ted Demirjian, Public Hearing, 7/23/15, pg. 9-10)

Response I4:

The tax rates for the proposed tax revenue generated from the development at 103-105 Corporate Park Drive were provided via email by the Mark Heinbockel, Town of Harrison's Tax Assessor. The assessed value was calculated by the Applicant based upon their experience with comparable developments. Ultimately, it is the Assessor's determination as to the set assessed value of this



project. In the interim, since there are currently no comparable developments to the Proposed Action in the Town/Village of Harrison, the Applicant calculated an assessed value based off the fair market values of comparable developments in neighboring communities with similar real estate markets and types of development. The table below highlights the comparable developments utilized in the Applicant’s calculation of the projected assessed value used in the DEIS.

Project Name	Address	Municipality	Developer/ Owner	Year Constructed	# of Units	Tax Equalized Fair Market Value	Tax Fair Market Value per Unit
15 Bank Apts	15 Bank St.	White Plains	Bozzuto	2005	245	\$46,666,000	\$ 190,476
Avalon Green	500 Town Green Dr.	Elmsford	Avalon	1995	444	\$103,560,000	\$ 233,242
Avalon Willow	746 Mamaroneck Ave	Mamaroneck	Avalon	2005	227	\$45,640,000	\$ 201,057
Avalon White Plains	27 Barker Ave	White Plains	Avalon	2007	348	\$ 68,151,000	\$ 195,837
Halstead New Rochelle	40 Memorial Highway	New Rochelle	Bozzuto	2007	588	\$187,703,000	\$ 319,221
La Gianna	10 DeKalb Ave	White Plains	Lighthouse	2014	56	\$7,515,000	\$ 134,199
The Mariner	21 Willet Ave	Port Chester	Bozzuto	2012	100	\$19,781,000	\$ 197,818
Windsor at Grammercy	2 Canfield Ave	White Plains	Windsor	2002	260	\$59,090,000	\$ 227,272

Based on the Assessed Value of \$1,428,000, and using the equalization rate of 1.60% provided by the Town of Harrison Assessor, equals to a Fair Market Value of \$89,250,000, or \$211,995 per unit across 421 units.

Comment I5:

Business vacancies in Harrison as a whole reached 18.2% in the first quarter of 2015 and 21% in the 10577 zip code.

All of this data argue for growth that will swell tax revenues and restore economic vitality in the tax cap era. But growth this time should consider the approximately 42% of the Westchester County



population earning under 80% of the Area Median Income (about \$85,000 for a family of four) that would be eligible for affordable housing. To ignore this population would be unethical and illegal.

I hope this snapshot using U.S. Census data gives you enough ammunition to recommend that the effect of the project on the affordability crisis in the town of Harrison represents an impact that should be included in the DEIS.

(Letter #10, Alexander Roberts, Westchester Workforce Housing Coalition, 6/26/15 and Alexander Roberts, Public Hearing, 6/23/15, pgs. 71-72)

Response I5:

The Applicant is supportive of an affordable housing component being included in this Project.

Comment I6:

Has the applicant met and formulated a realistic tax number or are the numbers hypothetical and if so, how can the applicant claim the Town of Harrison and the Harrison Central School District will benefit from their proposed numbers?

(Letter #12, Ted Demirjian, 7/23/15, and Ted Demirjian, Public Hearing, 7/23/15, pg. 9-10)

Response I6:

See responses to comments I2 and I4. The taxes calculated in Table 3K-3 of the DGEIS use tax rates provided by the Town's Tax Assessor, Mark Heinbockel. The projected assessed value was arrived at by using comparable developments within neighboring communities with similar real estate markets and development. In response I4, a table is provided that lists all of the comparable developments utilized in the Applicant's calculation of the projected assessed value used in the DEIS. It is projected that there will be a net positive fiscal benefit to the Town with regards to the school taxes.

As described in Chapter 3J of the DEIS, the per pupil instructional cost for the Harrison Central School District is approximately \$21,404, which is paid by local property taxes. Applying the per pupil cost to the estimated 11 to 29 new public school students results in an additional cost of between \$235,444 and \$620,716 to the Harrison Central School District. When these figures are compared with the estimated property tax revenues to the school district from the proposed development (\$1,046,129), the Harrison School District would receive an annual surplus of tax revenue with either of these scenarios, ranging from \$425,413 (29 school children) to \$810,685 (11 school children).



Comment I7:

Has the applicant applied for or will apply for any tax deferments, credits, tax abatements that will either directly or indirectly alter their proposed tax numbers?

(Letter #12, Ted Demirjian, 7/23/15, and Ted Demirjian, Public Hearing, 7/23/15, pg. 10)

Response I7:

The Applicant has not requested any tax deferments, credits, or tax abatements at this time.



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J. Alternatives

Comment J1:

In our comments on the scoping document, we recommend that alternative sites within the control of the applicant be evaluated in the DEIS, including other underutilized office space that may be suitable for conversion to mixed use. The applicant's marketing materials indicate control over 1.5 million square feet of office space in 14 buildings in the Platinum Mile area. As shown in Attachment 1, most of these buildings were built in the 1970's and 1980's and have substantial vacant office space available. This suggests reasonable alternative sites may be available. The weakness of the Platinum Mile office market in general is recognized throughout the DEIS, including statements such as "efforts to lease the office space on this site, and on the ""Platinum Mile" in general, have been unsuccessful over the past several years." (DEIS Page 4-3). The DEIS fails to even mention these alternative sites potentially available to the applicant. At a minimum, the FEIS must explain why alternative sites were not considered. If reasonable alternative sites are available, additional impact analysis should be completed for the site or sites to provide a comparative assessment of impacts as required by SEQRA.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response J1:

The Alternatives chapter of the DEIS complies with the scoping document. They included the following alternatives:

- No Action
- Existing Zoning (SB-O): Renovating existing office buildings
- Existing Zoning (SB-O): Replacing existing office buildings with new office space
- Existing Zoning (SB-O): Other permitted use or special permit use (not office)
- Repurpose the Site with Large Scale/Big Box Retail Use
- Proposed Zoning – with modified dimensional requirements for the proposed use

The analysis can be found in Chapter 4 of the DEIS. While the Platinum Mile does exhibit the vacancies noted in the comment, the Proposed Action is restricted to a site within the very well defined "tear drop" portion of the Platinum Mile, consistent with the Comprehensive Plan. Considering sites outside of the "tear drop" is unnecessary.



Comment J2:

The alternatives analysis fails to clearly disclose key environmental differentiators between the alternatives such as the number of trees impacted. Reducing the extent of encroachment on the habitat areas surrounding the site is one of the benefits of some of the alternatives, including Alternative F. The number of trees and acreage of vegetative habitats impacted should be added to Table 4-1 and discussed in the text.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response J2:

The Alternatives chapter of the DEIS complies with the scoping document. The DEIS compares the No Action and five different alternatives (see Exhibit 2-5 in the DEIS), to a conceptual level detailed enough to draw general comparisons between the project descriptions and potential impacts. Table 4-1 in the DEIS summarizes the comparison of the Proposed Action, No Action, and Alternatives. Exhibits 4-1 through 4-5 of the DEIS visually displays the building footprints, impervious coverage, and vegetation areas for each alternative.

A wetland/intermittent stream was reviewed in the field by the Town's wetland consultant on April 23, 2015, who concurred with the characterization of the wetland by VHB and indicated that the feature is regulated by the Town. Although no significant adverse impacts to wetlands or surface waters are anticipated to result from implementation of the Proposed Action, the Proposed Action anticipates a total of 0.24 arce (10,600 sf) of disturbance in the regulated buffer area for grading, repaving of existing driveway, limited tree removal and the installation of a drainage culvert. In all of the alternatives, except for the No Action Alternative, the wetland buffer impacts remain the same at 0.24 acres.

The DEIS analyzes the woodland habitat of the site. The woodland communities are located along the perimeter of the site and in narrow, linear features that occur between development properties. These features do not support forest interior habitat. Furthermore, the DEIS states that the on-site woodlands also exhibit evidence of significant historical and ongoing disturbance. Although there are some native species, the western woodlands are also dominated by a number of non-native species. The differences in impacts to the site's vegetative habitats is relatively minor between the various alternatives. The site is today essentially fully developed.



Comment J3:

Several unsupported and conclusory statements are made regarding Alternative F “modified dimension requirements”. The DEIS states “to make this a viable project for the applicant, a certain number of units needs to be achieved, so the unit count has not changed in this alternative.” This issue requires further elaboration. As stated currently, the applicant is implying that their proposed number of units is already at the minimum necessary to make the project financially viable and they cannot go any lower. The FEIS should provide documentation and supporting facts that anything less than 421 units is not viable. Specifically, a demonstration is needed of why a development of 50, 100, 200 or 300 units would not be financially viable. If a slightly smaller number of units is in fact viable, then Alternative F should be modified accordingly to account for a smaller scale development alternative.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15, and Leo Tidd, Public Hearing, 6/23/15, pgs. 62-63)

Response J3:

The Alternatives chapter of the DEIS complies with the scoping document. See response to comments J1, and J2. The documentation included in the DEIS and this FEIS indicate that the 421 unit project will not result in any significant adverse environmental impacts. Arbitrarily reducing the unit count by some number is not necessary to mitigate adverse impacts, which have been documented to not exist.

Comment J4:

The DEIS makes an unsupported claim that the increase in building height that would be required under the version of Alternative F developed by the applicant would greatly increase construction costs. A detailed cost estimate for Alternative F should be presented for comparison to the cost of the proposed action so that it can be fairly judged whether the cost difference is as great as is implied. The cost estimate should include the construction method assumptions. If a slightly smaller number of units is feasible, a height increase may not be required at all and it becomes difficult to argue that Alternative F is not preferable to the proposed project.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)



Response J4:

The Proposed Action includes 421 units of residential development and a 5,400 square foot restaurant. Alternative F is an alternative that analyzes the Proposed Action keeping the unit count and restaurant square footage the same but applying the setbacks for the existing SB-O zone. The Applicant is knowledgeable in the costs of construction and the financial impacts that additional stories add to construction costs. Sufficient analysis on this alternative was undertaken and is compliant with the scoping document.

Comment J5:

There is a typographical error on DEIS page 4-4, first full paragraph under Big Box/Retail Use incomplete sentence starting with "It is likely that..."

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response J5:

We agree that this is a typographical error in the DEIS. The phrase should have been omitted from the final DEIS.

Comment J6:

An alternative that decreases the density should be seriously looked at as part of the DEIS.

(Kristen Wilson, Public Hearing, 6/23/15, pg. 69)

Response J6:

See response to comments J1 and J2.

Comment J7:

The alternatives discussion in the DEIS is lacking and particularly, the dismissal of looking at the issue of alternative sites, including potential other sites controlled by the applicant is not addressed at all. Why couldn't that be feasible?

(Leo Tidd, Public Hearing, 6/23/15, pg. 73-74)



Response J7:

See response to comments J1 and J2.

Comment J8:

Then the issue of looking at a smaller scale development. We have talked a lot about this being mostly on developed land.

(Leo Tidd, Public Hearing, 6/23/15, pg. 74)

Response J8:

See response to comments J1 and J2.



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K. Miscellaneous

Comment K1:

The "market study" provided in DEIS Appendix C does not clearly support the demand for the Proposed Project. While providing information on housing demand and supply, the analysis does not systematically assess the projected rental housing demand (current renters plus population growth), the projected rental housing supply (current units plus proposed and planned units), and the Proposed Project's ability to meet demand.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response K1:

Comment noted. While the scoping document did not require a market survey, one was conducted to provide the Lead Agency with an evaluation of the proposed housing units in relationship to the market area's demand and supply. The survey provides data on whether there is a demand for the proposed number of rental housing units within the proposed price range.

The report concludes that the population of Harrison, and Westchester County, is growing and its housing market remains restrictive for rentals. This is demonstrated by the low vacancy rates and, through data collection, limited supply of rental housing in the area (refer to Market Study in Appendix J).

Comment K2:

Page 1: I. Introduction:

The study states that "This market study provides data to indicate whether there are a sufficient number of households who would occupy the proposed number of rental units in the proposed price range ...] While that is the purpose of a market study, the Market Study under review does not consider housing affordability and does not compare the proposed rents with the household incomes of potential tenants or with existing rents.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)



Response K2:

A market survey was conducted to provide Harrison with an evaluation of the proposed housing units in relationship to the market area's demand and supply. Section VI of the market survey (see Appendix C of the DEIS) highlights other rental projects within the area that target the market and rental range that this proposed development will target as well. Developments selected were newer construction and with a high level of amenities.

In performing this housing market analysis, a review of existing residential developments was conducted as well as a general search for apartment rental availability. Data was collected as to unit mix, rents, and amenities. Where possible, vacancies were tracked. Sources used included internet searches from apartments.com, apartmentfinder.com, apartmentguide.com and craigslist.com. Calls and emails were made directly to the marketing agents at the residential developments.

Comment K3:

Page 2: II. Market Area: Include map of the market area, project site. Explain basis for selecting market area.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response K3:

While the survey did not include a map, it looked at the market along the I-287 Corridor to the east of the White Plains central business district where major employment centers are located. The market area along the I-287 corridor includes the communities of Harrison, Port Chester, Rye City, and White Plains. Data was also collected and compared to Westchester County as a whole. The basis for selecting the market area centered on the geographic locality of consumers who would utilize the type and location of housing that is being proposed. A map of the market area can be found in Appendix K of the FEIS.



Comment K4:

Page 3: IV. Regional Location and Access: Include map of regional location and access.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response K4:

See response to comment L3. A map of the market area can be found in Appendix K of the FEIS.

Comment K5:

Page 4: V. Demographic Trends:

The following items need to be added to Section V to provide a more complete assessment of these topics:

- Market area and Westchester County population projections are key inputs to understand future demand for housing (Potential source: New York Metropolitan Transportation Council (NYMTC))
- Current employment along the I-287 Corridor and historical, current and projected employment in market area communities and in Westchester County (Potential source: Longitudinal Employer-Household Dynamics (LEHD); Bureau of Labor Statistics (BLS))
- Place of work and commuting time of market area residents (Potential source: ACS)
- Place of residence of employees working in Harrison and along the I-287 Corridor (Potential source: LEHD)
- In Table 2 on page 6 median household income is provided for the localities in the market area. Using Public Use Microdata Sample (PUMS) data from the US Bureau of Census for the Public Use Microdata Areas (PUMAs) in Westchester County will allow estimating household income by tenure and by age group and other demographic characteristics and provide a more detailed picture of current rental unit occupants.
- Housing characteristics presented in Table 3 to 6 on page 7 to 8 are limited to total number of units, occupied units, owner-occupied units, renter-occupied units, and average household size by tenure, vacancy rates and year built from the 2008-2012 American Community Survey (ACS). More recent data are available from the 2009-2013 ACS. Additional key housing stock information is available from ACS and includes information on the type of structures, number of bedrooms and monthly rent. In addition,



as indicated above, PUMS data can be used to cross-tabulate housing type with other demographic characteristics such as household income to give a more detailed picture of the characteristics of tenants occupying units similar in size.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response K5:

See response to comment K1.

Comment K6:

Page 9: VI. Other New Construction Residential Rental Developments Existing and Proposed/Planned:

This section includes information on current housing supply as well as proposed and planned housing supply in the market area. Table 8 lists new residential units in the pipeline in developments with at least 50 units. Additional information recommended to obtain more complete picture of the future housing supply includes:

- Table of characteristics of currently available rental properties in market area. Key characteristics include rent, size, bedrooms, year of construction, amenities. (Potential source: Zillow)
- Table 8 needs to be expanded to provide a comprehensive list of pipeline rental developments. Include developments with less than 50 units.
- Table of characteristics of pipeline projects that are listed in expanded (see bullet above) Table 8. Key characteristics include rent, size, bedrooms, year of construction, amenities.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response K6:

See response to comment K1.



Comment K7:

Why did the Board not support larger units for families, what is the issue with that? I notice there are no three-bedrooms, which a market study shows are in demand.

(Alexander Roberts, Public Hearing, 6/23/15, pg. 70)

Response K7:

It is anticipated that this residential development will appeal primarily to young professionals and empty nesters working in the general area. Therefore, no three-bedroom units are proposed.

Comment K8:

The air quality discussion states that newer more efficient HVAC equipment will be used, but provides no details on the capacity or fuel type of such equipment, nor the details of the existing HVAC equipment. The emissions of the existing development and proposed development should be quantified to provide a fair comparison. The DEIS states these issues have been reviewed by the applicant's air quality consultant, but no supporting facts demonstrating such a review has taken place have been provided. For example, what specifications/plans for the stationary sources were provided to the air quality consultant for review? An expert opinion in the absence of any supporting facts does not meet the SEQRA requirement for a hard look.

(Memo #9, Niek Veraart, Louis Berger, 6/23/15)

Response K8:

Each apartment shall be individually served and metered for gas and electric. Ducted single-package, combination heating-and-cooling unit at each individual apartment unit. It is anticipated that the development will use Magic-Pak MGE4 heating and cooling system. Each apartment unit will have its own individual metering and control. All units are ducted through-wall units which have no need for chimneys/vent pipes. For maximum energy efficiency, each packaged unit is proposed to use gas for heating and electric for cooling. Specifications to the Magic-Pak MGE4 can be found in Appendix L of the FEIS.

The proposed HVAC equipment for the new building will be more sustainable and energy efficient than the HVAC systems in place at 103-105 Corporate Park Drive. The two existing buildings are serviced by a central plant located in building 103, which was constructed in 1967. The existing central plant chiller, boiler and pump equipment does not have the energy efficient ratings and



variable frequency drives that are found in modern HVAC equipment. Furthermore, a majority of the equipment is original and is well beyond its useful life expectancy.

Comment K9:

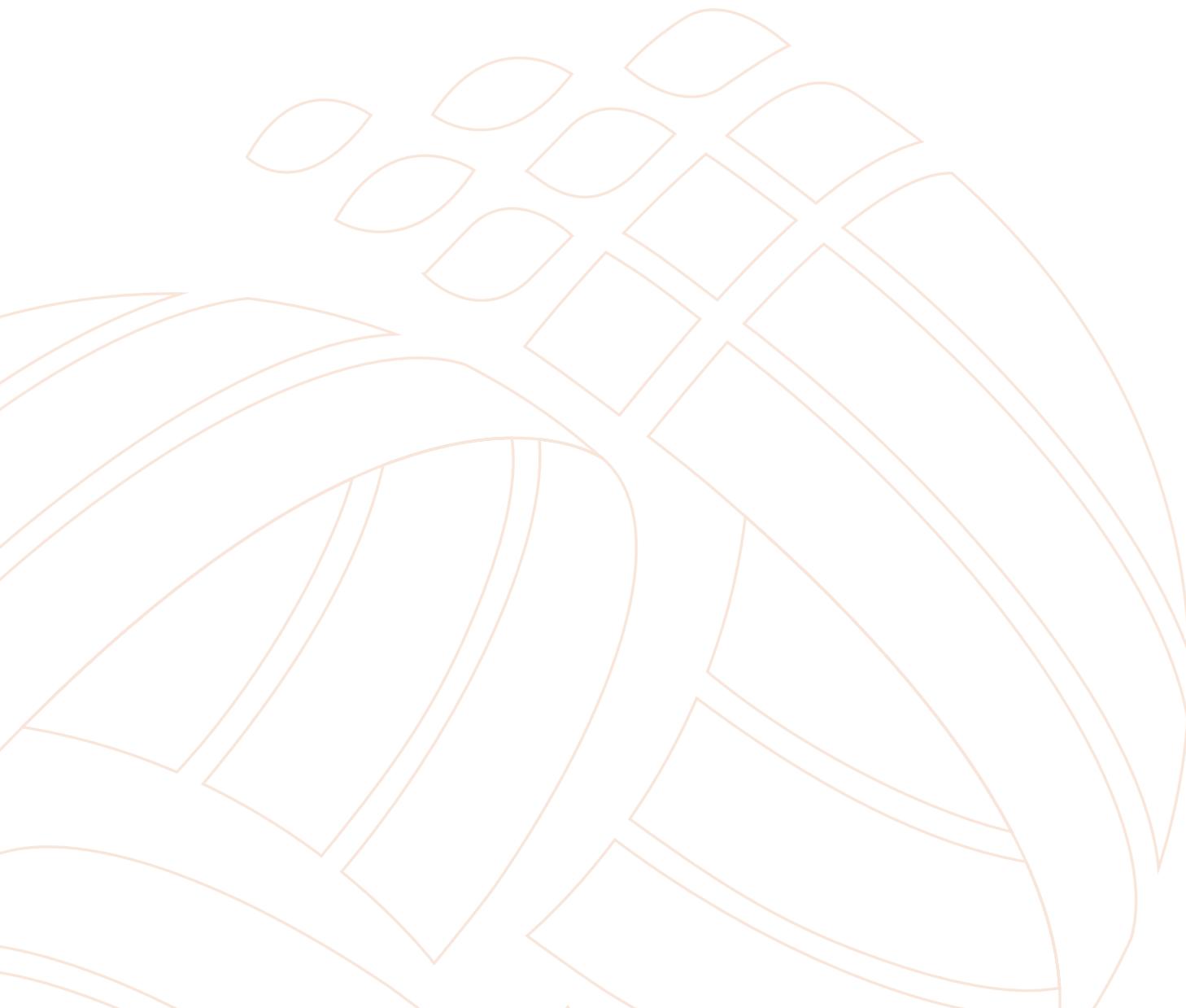
The reference to Millennials, first I'd like to say, it's a very attractive design. I very much appreciate how the planners are putting effort into building on already disturbed areas and not removing old growth trees. That point is very well taken and appreciated.

(Nada Carter, Public Hearing, 6/23/15, pg. 50)

Response K9:

Comment noted.

4 Appendices





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