



TOWN OF NEW CASTLE

200 S. Greeley Avenue, Chappaqua, New York 10514 • Ph. (914) 238-4723 • Fax (914) 238-5177 •
Email: building@town.new-castle.ny.us

Development Department

Planning

Sabrina Charney Hull, AICP
Janice Friend (Planning Board)

Engineering

Robert J. Cioli, P.E.,

Building

William Maskiell
Richard Polcari (Assistant)
Steven Coleman, Env. Coordinator
Arlene Costagliola (Building)
Daisy Hernandez (ARB)
Lori Anderson (Zoning Board)

To: Town Board

From: Sabrina D. Charney Hull, AICP, Town Planner

Re: Chappaqua Crossing Revised Retail PDCP

Date: October 27, 2014

On October 29, 2013 the New Castle Town Board adopted a Supplemental Findings Statement regarding introduction of retail uses in the B-RO-20 Zoning District. The project as referenced in the 2013 Supplemental Findings Statement included the following components:

- The retail area would include the existing and adaptively reused 200 Building and a rebuilt 100 building, new buildings and parking to be constructed within and extending east of the existing south parking area, and a relocated south driveway connecting to Roaring Brook Road.
- The retail area would be anchored by a full-service grocery store (between 36,000 and 66,000 square feet) and also include 10 to 14 retail stores.
- The grocery and retail stores would total approximately 120,000 square feet in size.
- The proposed retail floor area would be offset by removal of 120,000 square feet of existing office space. Approximately 542,000 square feet of office space would remain.
- Approximately 600 parking spaces would be provided within the retail area (a ratio of 5 spaces per 1,000 square foot of retail use.)
- Two of the existing single-family lots along Roaring Brook Road that are owned by the Applicant would be incorporated into the site to provide a landscaped buffer for the retail areas. These two single family lots would remain within the R1-A Zoning District.
- The residential component of the project remains substantively the same as discussed in the 2011 Findings Statement, with no proposed increase in the number of residential units or bedrooms.

The Supplemental Findings Statement (SFS) considered the potential impacts of the project in the following areas: Land Use and Zoning; Socioeconomic and Fiscal Conditions; Land, Water, and Ecological Resources; Community Facilities and Services; Historic and Archaeological Resources; Visual Resources; Utilities; Traffic, Transportation, and Parking; Air Quality and Noise; Community Character; and Construction.

The Town Board's SFS determined that the project would result in significant adverse traffic impacts, but it would not be expected to result in significant adverse impacts related to Land Use and Zoning; Socioeconomic and Fiscal Conditions; Land, Water, and Ecological Resources; Community Facilities and Services; Historic and Archaeological Resources; Visual Resources; Utilities; Air Quality and Noise; Community Character; or Construction.

The SFS presented an analysis of the traffic impacts of the retail project as compared to the traffic impacts as identified in the 2011 Findings Statement which approved a Commercial Rezoning (multiple tenants) and East Village Project (111 units of residential housing). The retail traffic assessment analyzed traffic at 19 intersections over the same five peak periods that were studied in the 2011 FEIS. The results of the traffic study demonstrated that the retail project would result in significant impacts at seven (7) locations. The SFS set forth information indicating that with the incorporation of certain traffic mitigation (e.g. addition of turning lanes, signals, and crosswalks), the significant adverse impacts at four (4) of the seven (7) intersections could be adequately mitigated. In addition to mitigation at four (4) of the intersections, it was determined that mitigation at an eighth intersection, the intersection of Roaring Brook Road and the Horace Greeley High School driveway, would assist in alleviating impacts at all seven intersections during the morning peak and the afternoon school hour. The information provided by the Applicant in regards to the remaining three intersections indicated that the significant impacts could not be mitigated. However the Town, based on information from the Town's traffic consultant, believed it may be possible to avoid or further reduce the impacts at these intersections by instituting signal timing refinements.

It is important to note that the 2011 Findings Statement determined that the traffic impacts of the Commercial Rezoning Project primarily resulted from the commercial uses proposed as part of that project. The same is true for the retail project which was the subject of the 2013 SFS. Ultimately, the Town Board determined in the SFS that the economic benefits to the Town of facilitating increased commercial use at the Project Site by permitting retail uses outweighed the negative impacts caused by increased traffic. In addition, the Town Board believed that the identified traffic mitigation, including the improvements to the Horace Greeley High School driveway, will improve traffic circulation in the area of the Project Site. The SFS was adopted by the Town Board on October 29, 2013.

On November 12, 2013 the applicant submitted a revised Preliminary Development Concept Plan (PDCP) which called for the following:

- Renovation of the 200 building and reconstruction of the 100 building to house 33,000 square feet of retail use;
- Location of a 40,000 square foot grocery store and 16,500 square feet of retail use along the southern portion of the parking area (near Roaring Brook Road);
- Location of a 5,500 square foot bank and a 25,500 square foot retail building along the perimeter of a large parking field to the south of the main access driveway.

- In addition, a market square and a community garden were proposed in front of the 200 Building and along the north side of the main access driveway.

This PDCP did not include use of the 100 and 200 buildings for the grocery tenant and was a plan that the Town Planning Board did not support. As such, Town representatives began to work with the applicant in an attempt to implement “traditional neighborhood design” concepts.

On April 4, 2014, the Applicant, SG Chappaqua B, LLC, submitted a further revised Retail Preliminary Development Concept Plan (Revised Retail PDCP) and a revised Residential Preliminary Development Concept Plan (Revised Residential PDCP).

The Revised Retail PDCP included the following:

- Reconfiguration of 70,000 SF of retail stores in a “traditional neighborhood design” along the north and south sides of the property’s main entry drive leading to the 200 Building;
- Demolition of the 100 building and restoration of the 200 Building for office use;
- Location of a 40,000 SF grocer in a freestanding building in the southern portion of the retail area;
- An additional 10,000 SF retail building adjacent to the proposed grocery store located in the southern area of the parking lot;
- A 25,000 square foot gym with 7,500 square feet of retail use adjacent to it along the southern side of the access drive;
- A 4,000 square foot bank located at the western most point of the southern side of the main access drive;
- An 18,000 square foot retail building and a 15,500 square foot retail building along the northern side of the access drive;
- A “farm garden” as an accessory use to the grocer, rather than a “community garden,” which was later removed from the Revised Retail PDCP (per a September 10, 2014 letter from the applicant).

The Revised Residential PDCP includes:

- Reorientation of the large residential buildings to form anchors for the northern side of the main access road;
- Reconfiguration of the proposed townhouses to have parking around the back, front doors facing the streets;
- Preservation of the auditorium to be fully within the Town’s control, which was proposed to be demolished. (Per the Applicant’s September 10, 2014 letter, if further analysis is required due to the auditorium the applicant will eliminate it from its proposal.)

Below you will find a review of the Revised Retail PDCP and the Revised Residential PDCP submission in relation to “Traditional Neighborhood Design,” as well as a review of the environmental impacts of such revisions in relation to the 2013 SFS.

Traditional Neighborhood Design

1. Given the above changes, the applicant states that the new configuration of 70,000 square feet of retail stores are arranged in a “traditional neighborhood design” configuration along the north and south sides of the main entry drive. While the layout may lead to a belief that all of the buildings are arranged in a traditional neighborhood design, a closer examination of the plans and the elevations tell a different story. The elevations for the gym and associated retail buildings show main entryways from the parking area, not the main access drive. The provided residential building elevations reinforce this finding in that access to the residential buildings along the main access drive occurs from the courtyard as there are no doorways for those units which front the main access drive. In regards to the 15,500 square foot and 18,000 square foot retail buildings, it is difficult to ascertain from the elevations which elevation is front, rear, and side in relation to the main access drive. The applicant should reorient the main entrance points of all buildings fronting the main access drive to be primarily accessed from the main access drive.
2. The proposed grocery building and associated retail space face the parking lot. The elevations depict wide expanses of blank walls facing Roaring Brook Road and on the right and left elevations. These blank walls should not be blank. In keeping with traditional neighborhood designs, the applicant should create faux building divisions and carry the colonial architecture, color variation and other details depicted on the front of the building to the rear and sides of the buildings.
3. The Applicant should be commended for the new layout of the residential component of the project. Specifically, the three large apartment buildings as previously depicted have been reduced into two large apartment buildings. In addition, the town house units have been clustered with front doors facing sidewalks and open areas with garage access behind each of the buildings. Front entryways/doorways to the two large apartment buildings should be placed along the main access drive.

Project Evaluation Environmental Impacts

- A. **Land Use and Zoning**-There are three changes which have been made in relation to Land Use and Zoning. The changes consist of (1) demolishing the 100 Building and utilizing the 200 Building for office use; (2) locating the grocery store and 10,000 square feet of retail use in the southern parking area (outside of the 100 and 200 Buildings), and (3) the applicant’s request to remove the small store restriction as proposed in the draft retail legislation.
1. The Revised Retail PDCP proposes to demolish the 100 Building and use the location of this building as an area for stormwater management. The 200 Building (Cupola) is proposed to remain as office use. This change does not raise any additional significant environmental impacts related to land use and zoning that were not assessed in the 2013 Supplemental Draft Environmental Impact Statement or 2013 SFS.

2. The location of the proposed grocery store has been removed from the 100 and 200 Buildings. The grocer is proposed to be located alongside a 10,000 square foot retail building in the southern parking area. In this location, the grocer and associated retail buildings are closer to the residential neighborhood along Roaring Brook Road than previously depicted. This does not necessarily raise additional concerns which would impact land use and zoning, but reference should be made to the later sections regarding visual impact and noise impact.
3. Given the attempt to incorporate Traditional Neighborhood Design concepts into the Revised Retail PDCP, the applicant is requesting that the Town Board consider lifting the restriction regarding the number of small store tenants (no more than four between 1,500 square feet and 5,000 square feet) due to the desire to obtain a retail tenant mix found within traditional neighborhood developments as compared to junior “box” tenants. The restriction was placed within the proposed legislation in an attempt to balance competition from Chappaqua Crossing with the Millwood and Chappaqua Hamlets. The Town requested AKRF to revisit their competitive effects analysis in relation to this change. AKRF has produced an updated report (October 17, 2014) which has been previously submitted and AKRF will be presenting this report at the Town Board’s October 28, 2014 meeting.

B. Socioeconomic and Fiscal Conditions- The proposed changes do not impact the socioeconomic and fiscal conditions as explored through the 2013 SFS. As part of the October 17, 2014 Competitive Effects Analysis, AKRF examined the property tax implications of the Revised Retail PDCP which is included in their report.

C. Land, Water and Ecological Resources- The applicant has provided a “Preliminary Development Concept Plan DSEIS Plan Overlay” (Figure No. 4) which compares the Revised Retail PDCP with the 2013 SEIS proposed project. This overlay places the commercial and residential development under the Revised Retail PDCP within similar proximity of the commercial and residential development as explored through the 2013 SEIS proposed project which called for approximately 49 acres of disturbance.

The Town’s stormwater consultant (AKRF) reviewed the Revised Retail PDCP and determined that the location of the stormwater practice in the location of the 100 Building is an overall improvement of the stormwater management design as compared to the stormwater design under the 2013 SEIS proposed project. Runoff rates and runoff volumes are proposed to be increased in association with the Revised Retail PDCP, however these increased volumes are able to be addressed through a thoughtfully planned stormwater management program. Additional information such as water quality volumes, use of green infrastructure practices, and confirmation of proposed treatment practices will need to be provided as is typical through the site plan approval process with the New Castle Planning Board to ensure the on-site control of stormwater.

Per the Town's wetland consultant, the Revised Retail PDCP does not produce any further direct wetland impacts as compared to the 2013 SEIS proposed project.

The Revised Retail PDCP is proposed to remove an additional 16 trees as compared to the 2013 SEIS proposed project. In total the Revised Retail PDCP will now include the removal of 888 trees. This will require an increase in the minimum required tree replacement as per Chapter 121 of the Town Code which requires replacement of 50% of the total diameter of trees to be removed. The applicant will need to provide the total diameter in inches for the 16 additional trees.

Based on this review, this aspect of the Revised Retail PDCP will not create additional significant adverse environmental impacts beyond that which were studied in the 2013 SFS.

- D. Community Facilities & Services-** The Revised Retail PDCP and the 2013 SEIS proposed project both include 120,000 square feet of retail floor area, which were found to have no significant impacts on emergency services. Given that there has been no change, this finding remains relevant.

Solid waste and recycling as approached in the 2013 SFS will continue to be handled by a private carter under the Revised Retail PDCP. All refuse and recyclable materials would be stored within enclosed dumpsters or compactors until they are collected. Those buildings served by enclosed loading areas will store the dumpster and compactor in the enclosed area.

- E. Historical & Archaeological Resources-** Under the 2013 SEIS proposed project, the retail use was intended to affect two existing portions of the existing main office building on the site. The 100 Building is the southern-most structure on the Project Site and attached to it to the north is the existing Georgian-style 200 Building (also known as the Cupola Building). The lower level of the 100 Building was constructed in 1953 with the second level of the 100-Building being added in 1980. The 200 (Cupola) Building was constructed in 1939 and has been identified as being eligible for nomination to the National Register of Historic Places. Even though it is not formally listed in the National Register, the 2013 SFS identified the Rotunda Building as a locally important historic building

The 2013 SEIS proposed project was to retain and renovate the 200 (Cupola) Building and incorporate it into the proposed retail component at Chappaqua Crossing. This is no longer the case under the Revised Retail PDCP. Rather, the 200 (Cupola) Building would remain as part of the commercial office use. The Revised Retail PDCP includes removing the two-story, flat roofed, unadorned brick 100 Building and restoring the southern façade of the 200 Cupola Building using materials consistent with the other façades of the building. The Revised Retail PDCP freestanding buildings are intended to include architectural elements that would complement and unify them with the 200 Cupola Building as well as integrate with the more residential version of the style within the proposed

residential East Village. As such, the historic and archaeological resources-related impacts and mitigation measures under the Revised Retail PDCP would be similar to those identified in the 2013 SFS. Further, the Applicant has indicated that the final store sizes and façade designs within each grouping of stores would be provided during site plan review.

- F. **Visual Impact-** The Revised Retail PDCP includes location of the grocer and associated retail (Buildings A&B) in proximity to the southern property boundary. This places the proposed structure closer to the residential neighborhood along Roaring Brook Road as compared to the SEIS project which located the grocer in the existing 100 and 200 Buildings. To assess the visual impact of Buildings A & B, the applicant has provided additional visual views of the southern portion of the property. The views indicate that, similar to the visual analysis of the 2013 SFS, there will be partial views of the retail buildings, particularly during the winter months. The applicant has proposed additional plantings to serve as mitigation for these impacts. The 2013 SFS called for vegetative screening as mitigation for the visual impacts. Additional plantings may be warranted given the shift in the buildings. As such, this aspect of the Revised Retail PDCP will not create additional significant adverse environmental impacts beyond that which were studied in the 2013 SFS.

The Revised Residential PDCP includes a reorientation of the residential apartment buildings closer to the main access drive which generate views of these buildings into the site from Route 117. In addition, the town house layout positions townhouses facing the residential neighborhood adjacent to the west-side of Route 117. The Applicant has provided additional vegetative screening to ensure mitigation of these views during the winter months. As such, the information regarding screening as provided for in the 2011 Findings Statement remains relevant. A monitoring and maintenance plan can be put in place after site plan review which would enable future planting to occur if it was determined that once the buildings were in place additional vegetative screening would be needed to screen the project from the surrounding residential neighborhoods. As such, this aspect of the Revised Residential PDCP will not create additional significant adverse environmental impacts beyond that which were studied in the 2011 Findings Statement.

- G. **Utilities-** The 2013 SFS considered the impacts of the 2013 SEIS Proposed Project in relation to the existing utility infrastructure (water supply, sanitary sewer, electric, gas, telephone and cable service systems) and found that there would be no significant impact to existing utility systems with the implementation of a number of mitigation measures. The introduction of new retail buildings resulted in re-routing of on-site utility systems to more efficiently service all on-site development. Proposed utilities are routed through the central and southern portions of the Project Site. Underground utilities would remain to be grouped in common trenches where possible and approved by the respective utility companies.

The mitigation measures for the retail component include testing and inspection of on-site utilities to be dedicated to the Town of New Castle, use of high-efficiency energy star rated appliances, light fixtures, and building mechanicals; site-wide distribution of security, life safety, energy management and CCTV signals; the use of building system controls and operating strategies designed to minimize consumption of gas and electricity; construction of the new buildings to include upgrades to improve energy efficiency and/or be certifiable as LEED Basic for New Construction; use of drip landscape irrigation systems; and the limitation on the use of diesel power generators for back-up power supply will also apply to the Petition Proposed Action. In addition, the buildings must be designed to comply with the New York State Energy Conservation Code and the New York State Building Code. Additionally any new structure exceeding 5,000 square feet of floor space would need to be designed to be at least LEED Silver certifiable in accordance with the New Castle Town Code. In addition, the Town Board supports the establishment of a sewer district and the extension of sewer service throughout the Project Site and finds that the sewer piping should be extended into the Roaring Brook Road right-of-way (located at the relocated southern driveway) at the Horace Greeley High School entrance or other appropriate location so that the public sewer service can be extended to adjacent developed properties at some later date without encroachment onto the Applicant's private property. As such, the utility-related impacts and mitigation measures under the Revised Retail PDCP would be similar to those identified under the 2013 SEIS Proposed Action.

H. Traffic, Transportation and Parking- In the 2013 SFS an analysis at 19 intersections over the same five peak periods that were studied in the 2011 FEIS for the CR&EV Project was discussed. The results of the traffic study demonstrated that the 2013 SEIS Proposed Action would result in significant impacts at seven locations. In addition, the intersection at Roaring Brook Road and Horace Greeley High School driveway, while not expected to experience significant impacts under the Project Scope Criteria, would still experience impacts worth discussing due to its location and potential impacts that were forecast. Information indicating that with the incorporation of certain traffic mitigation, the significant adverse impacts at four (4) of the seven (7) intersections can be avoided. While the information provided by the Applicant in regards to the remaining three intersections indicated that the significant impacts could not be mitigated, the Town (based on information from the Town's traffic consultant) believed it may be possible to avoid or further reduce the impacts at these intersections by instituting signal timing refinements. In addition, improvements have been proposed by the Applicant at the intersection of Roaring Brook Road and the Horace Greeley High School driveway. It was determined that the traffic impacts primarily resulted from the commercial uses proposed as part of the 2013 SEIS Proposed Action. The Town Board at that time believed that the economic benefits to the Town of allowing increased commercial use at the Project Site – the only remaining major commercial site in the Town outside the hamlet areas – outweighed the negative impacts caused by increased traffic.

The Revised Retail PDCP was referred to Frederick P. Clark (FPC), the Town's Traffic Consultant, to determine if there were any additional traffic impacts that were not considered under the 2013 SEIS Proposed Project. Per an October 14, 2014 memorandum to the Town Board, FPC assessed potential changes in traffic impacts related to site traffic, site access considerations, internal site circulation, deliveries and parking and off-site traffic impacts and concluded that the previous detailed analyses provided by the Applicant and reviewed by the Town and its consultants were still relevant and no changes or additional study would be necessary. FPC further stated that the Site access considerations and proposed roadway Mitigation Plan remained unchanged. The off-site road improvements, modifications to traffic control and pavement markings would remain the same as previously presented by the Applicant, vehicular pedestrian access both external and internal to the site have not changed and that the proposed Mitigation Plan presented by the Applicant would accommodate proposed changes to the overall Site Plan as reflected in the Revised Retail PDCP.

According to FPC, the preservation of the auditorium to be fully within the Town's control, which was proposed to be demolished, could generate additional traffic to the site. FPC specifically indicated that generating this traffic during off-peak times would result in minimal impact on adjacent and nearby roadways. Given that the Applicant, per their September 10, 2014 letter has stated that the Auditorium would be under town control, the Town Board may want to consider the intended use of the auditorium, scheduling, size of events and other operational issues to ensure that use of the auditorium does not impact surrounding roadways.

Based on this review and assuming the use of the Auditorium will be limited to off-peak times, the traffic generated by the Revised Retail PDCP will not create additional significant adverse environmental impacts beyond that which were studied in the 2013 SFS.

- I. **Air Quality-** Within the Project Site, the 2013 SEIS Proposed Action generated emissions of carbon monoxide, nitrogen oxides, hydrocarbons, sulfates, and fine particulates were identified as a source of concern due to increased traffic; heating, ventilating, and air conditioning ("HVAC") systems; parking lots and on-site construction activities. Carbon monoxide ("CO") from project site-generated traffic is the primary source of potential impacts at off-site locations because emissions during peak traffic conditions can create locally high concentrations of CO at congested intersections. The Air Quality analysis for the project identified that the increases in traffic volume did not rise to the level where further CO emissions analysis would be warranted. The 2013 SEIS Proposed Action and the Revised Retail PDCP would have the same source of potential CO emissions during the Peak PM Highway Hour due to the fact that the highest number of vehicles would be exiting the commercial office parking in cold start mode. The traffic volumes are similar to those of the 2013 SEIS Proposed Action and therefore the Revised Retail PDCP would not result in any significant adverse impacts to air quality from traffic.

The primary emission from stationary sources (retail buildings, proposed grocery generator, etc.) at the Project Site would be sulfur dioxide (“SO₂”) from the combustion of fuel oil. The minimum distance requirements between the stack and the nearest building of similar height have been accomplished and therefore no air quality impacts will occur for the Revised Retail PDCP, as compared to the 2013 SEIS Proposed Action.

The construction period and phasing for the Revised Retail PDCP would be similar to the 2013 SEIS Proposed Action. Potential impacts of the 2013 SEIS Proposed Action were evaluated in the 2013 SFS and the construction analysis demonstrated that all pollutant emissions would be within thresholds. In addition, mitigation measures to minimize emissions of fugitive dust and emissions from trucks and on site equipment and storage of materials are temporary in nature and would be mitigated through the use of best construction practices.

- J. **Noise-** Sources of noise include vehicular traffic, the Metro North rail line, and HVAC systems. Traffic noise and noise from construction activities were evaluated as part of the 2013 SEIS Proposed Action. The analysis conducted indicates that noise levels from traffic would be higher as a result of the 2013 SEIS Proposed Action, but they did not reach the 5 dBA threshold increase at which point noise increases would be considered significant. In addition, given the distances among the proposed retail structures, as well as the distance of the existing off buildings from nearby sensitive receptors, no noise impacts from mechanical units were identified. The same holds true of the Revised Retail PDCP.

Loading for the retail portion of the Project Site would be no earlier than 5:00 am. It is anticipated that the grocery store would generate approximately two large delivery trucks per day. The collection of refuse may only take place between the hours of 6:30AM and 7:00PM Monday through Saturday (except in emergency situations). Under the 2013 SEIS Proposed Project, retail loading and refuse pickup for the 200 (Cupola) Building and the reconstructed 100 Building would be within an enclosed loading area below the proposed store. For the free-standing buildings with enclosed loading areas, loading and refuse pickup would be in those enclosed loading areas. For any free-standing building without an enclosed loading area, loading will be through each tenant’s front or back door in the building, and refuse pickup will be at a dumpster or compactor enclosed inside the building or in a structure adjacent to the building. Under the Revised Retail PDCP, the grocery store will have an enclosed loading area and therefore there remains to be no additional impacts that were not studied in the 2013 SFS.

Emergency generators would be designed with insulated noise reduction enclosures to avoid producing noise levels that would result in a significant increase in ambient noise levels. The emergency generators would be in operation for approximately one hour per week for routine maintenance purposes. The emergency generators will apply with all applicable noise regulations. The final location of the proposed emergency generators would be subject to detailed review and approval during the site plan review process.

Based on this review, this aspect of the Revised Retail PDCP will not create additional significant adverse environmental impacts beyond that which were studied in the 2013 SFS.

- K. Community Character-** The Project Site is immediately surrounded by mixed institutional uses, residential areas and large, regionally significant transportation corridors. Bedford Road (NYS Route 117) and Roaring Brook Road are identified as major roadways in the Town's 1989 Development Plan. Horace Greeley High School and the Chappaqua Central School District offices are located across Roaring Brook Road from the southern end of the Project Site. These educational facilities are busy with school-related traffic during weekdays and host many events on weekends as well. The neighborhoods beyond on the southern side of the Project Site and on the northern and eastern side are characterized as residential areas with one- or two-story homes on properties of one or more acres. Crabtree's Kittle House, an existing restaurant located less than one mile from the Project Site to the east features regular restaurant service and special event catering. Like the Project Site, these areas are characterized by varying topography with existing mature vegetation and lawn areas. The Metro-North Harlem Division Rail Line right-of-way, an active rail line with peak-hour trains passing every 15 minutes, and the divided, four lane Saw Mill River Parkway border the Project Site to the west. Beyond this transportation corridor, further west, are areas of open space and residential neighborhoods characterized by heavily wooded areas and varying topography.

The Project Site also includes a number of existing office tenants. As reviewed in the 2013 SFS, the 100 Building and the Cupola Building, also known as the 200 Building were to be adaptively reused for retail use. The Applicants Revised Retail PDCP calls for the removal of the 100 Building and restoration of the adjacent façade of the Cupola/200 Building (in detail to resemble the Georgian detailing of the remaining three sides of the existing building). All retail use has been taken out of the existing buildings and has been placed in the parking lots. This change is not an adaptive reuse of the buildings, but rather reuse of the site as a whole. While this presents a different approach than that studied under the 2013 SFS, the approach does not create any additional significant adverse community character impacts beyond that which were studied in the 2013 SFS, as the Cupola/200 Building remains to be in place.

The proposed retail uses in the Revised Retail PDCP are substantially similar to those as analyzed in the 2013 SFS and would feature a full-service grocery store, as an anchor along with other retail uses that would provide a complementary and mutually sustaining tenant mix in support of the required full service grocery store and/or other uses already permitted in the underlying Research and Office Business District. The addition of retail as a principal use in an OPROD includes potential impacts to Community Character which relate to change in campus appearance, different hours of operation, traffic generation (refer back to Section H), signage and lighting needs.

From a community character perspective, while the hours of operation, signage and lighting needs as analyzed under the 2013 SEIS Proposed Action remain substantially similar in the Revised Retail PDCP, and the focus of the Cupola building remains under both actions, the Revised Retail PDCP presents a site layout which incorporates traditional neighborhood development techniques. In the 2013 SFS, a distinction was made regarding the size of the retail buildings in relation to the size of the buildings located in the Chappaqua and Millwood Hamlets to ensure that the scale of the commercial uses on the property were proposed to ensure that the scale of the commercial enterprise (especially that of retail use) were distinguishable from the scale of commercial activity traditionally found in the Chappaqua Hamlet and the Millwood Hamlet. As such, size restrictions were included within the Proposed Redrafted for Consolidation Local Law (1,500 SF minimum floor area for a single tenant and no more than four retail tenants with a floor area under 5,000 SF) to ensure that the scale of commercial retail activity does not conflict with the existing commercial activity within the Chappaqua and Millwood Hamlets. Given the traditional neighborhood design techniques now being proposed as part of the Revised Retail PDCP, the Applicant is asking for the small store restriction to be lifted. The Town referred the Revised Retail PDCP to AKRF who produced the “Chappaqua Crossing 2014 Revised Retail PDCP Competitive Effects Analysis” (dated October 17, 2014) which further addresses whether or not there are any additional impacts of the Revised Retail PDCP that were not addressed in the 2013 SEIS Findings Statement. AKRF will be available to present their findings to you at the Town Board’s October 28th meeting.

Subject to the Town Board’s consideration of AKRF’s findings, this aspect of the Revised Retail PDCP will not create additional significant adverse environmental impacts beyond that which were studied in the 2013 SFS.

- L. **Construction**-The 2013 SFS determined that construction related to the retail component would be performed over a 1 ½ to 2 year period. The residential component would be constructed over a 2 ½ to 3 year period dependent on market demand. The north parking area would be constructed over a 6 to 9 month period depending on if the parking spaces are actually needed. The DSEIS for the 2013 SEIS Proposed Action contains a detailed description of each of the work areas and a map identifying their geographic location.

Construction-related mitigation measures for the Revised Retail PDCP are similar to those as explored through the 2013 SFS. Ordinary construction truck activity would be limited to the hours of 9:00AM and 2:30PM so as to not conflict with rush hour office or school-related operations. Specialty operations such as concrete placement could at times be scheduled during peak hours. In such circumstances a uniformed officer would control the entering and existing traffic on Bedford Road (NYS Route 117). At all times, flagmen would be available to ensure safe access for ingress and egress at the Project Site.

The average number of daily round-trip truck trips would fluctuate on a seasonal basis from approximately 12 up to 30 during the various phases of demolition and construction. Construction deliveries would enter and leave the Project Site from the Bedford Road (NYS Route 117) Chappaqua Crossing site entrance, and the construction employees would enter the Project Site from either the west entry or the Chappaqua Crossing site entrance on Bedford Road (NYS Route 117), thus reducing construction related traffic along Roaring Brook Road.

Construction impacts of Revised Retail PDCP will be mitigated through the Applicant's compliance with Town Code Chapter 108A Erosion and Sediment Control and other construction control activities, including a Stormwater Pollution Prevention Plan, which will be further developed through the Planning Board's Site Plan Approval process as details of the site development are approved.

In comparing the Revised Retail PDCP and Revised Residential PDCP with the 2013 SFS and the SEIS Proposed Project, this office finds that there are no additional significant adverse environmental impacts arising from these revisions to the Proposed Action that have not been considered or were inadequately considered through the 2013 SFS.

cc: Jill Simon-Shapiro, Town Administrator
Mary Deems, Town Clerk
Carolina Bruschi, Secretary to the Town Administrator
Nicholas Ward-Willis, Esq. Town Counsel