

**SPECIAL MEETING AGENDA  
OF THE BOARD OF TRUSTEES  
VILLAGE OF IRVINGTON, NY  
TUESDAY, MARCH 31, 2015 - 7:00 P.M.  
IRVINGTON VILLAGE HALL – TRUSTEES’ MEETING ROOM**

1. Call to order by Deputy Mayor Constance Kehoe
2. Pledge of Allegiance to the Flag of the United States of America
3. Public hearing on the Scoping Document for the Brightview Senior Living Irvington Draft Environmental Impact Statement (DEIS).
4. Adjournment

**DRAFT  
SCOPING DOCUMENT**

**BRIGHTVIEW SENIOR LIVING IRVINGTON**

**DRAFT ENVIRONMENTAL IMPACT STATEMENT  
(DEIS)**

**Name of Project:** Brightview Senior Living Irvington

**Applicant:** Shelter Development, LLC

**Project Location:** 88-94 North Broadway  
Village of Irvington  
Westchester County, NY

**SEQRA Classification:** Unlisted

**Lead Agency:** Village of Irvington Board of Trustees  
85 Main Street  
Irvington, NY 10533

**Lead Agency Contact:** Mr. Larry Schopfer, Village Administrator  
(914) 591-4356

**Date of Scoping Meeting:**

**Date of Final Scope Adoption:**

## **DESCRIPTION OF THE PROPOSED ACTION**

The project sponsor, Shelter Development, LLC, proposes to construct a residential assisted and independent living facility at 88-94 North Broadway (U.S. Route 9) (“Subject Property”) consisting of one hundred fifty (150) units with an internal courtyard entrance area, as well as associated amenities such as recreational space, dining areas, a library, theater, craft room, fitness area and beauty salon. The building would consist of four (4) residential stories measuring a total of approximately forty-eight (48) feet. It would accommodate a projected mix of eighty-five (85) independent living units, thirty-nine (39) assisted living units and twenty-six (26) memory care units, as well as all indoor and outdoor amenities for these residents. This building would be located approximately three hundred (300) feet from the property line adjacent to North Broadway.

Egress/ingress will be maintained from North Broadway along the existing driveway utilizing the existing curb cut. One hundred and ten (110) on-site parking spaces would be provided to service the Brightview Facility, its residents and staff. Approximately sixty (60) of these spaces would be located on the first floor of the building.

As currently proposed, the three (3) stone outbuildings on the subject property would be preserved. Two of these outbuildings would be available to provide five (5) units of traditional affordable housing consistent with Westchester County’s Fair and Affordable Housing Implementation Plan. The small, western-most building could be used for other community purposes.

At this time, assisted living facilities are not permitted in the IF-40 zoning district, nor more broadly within the entire Village. Accordingly, the project sponsor proposes a Zoning Text Amendment to create a new Special Permit that would allow assisted living facilities in the Village's One-Family Residence District (“Zoning Text Amendment”). The Zoning Text Amendment specifies minimum lot area and bulk criteria that must be met, and includes provisions limiting applicability to lots along the east side of North Broadway large enough to provide expansive front yards and sufficient screening between adjacent properties. It also includes incentives to encourage siting the facility an appropriate distance away from the road frontage so as to preserve existing viewsheds and community character. The Zoning Text Amendment would also require that a portion of the facility residents pay housing costs at a reduced level consistent with Westchester County’s Fair and Affordable Housing Implementation Plan.

The following approvals are requested from the Village:

- An amendment to the Village Zoning Code empowering the Village Board to allow, by Special Permit, a modern independent and/or assisted living facility on properties six (6) acres or larger in the Village’s 1F-40 District, provided that such properties contain at least 400 feet of frontage along the east side of North Broadway (“Special Permit”);
- Updating the Village Comprehensive Plan, to the extent deemed necessary, to provide for the proposed Special Permit in the Village’s 1F-40 District;
- Issuing Petitioner a Special Permit allowing it to redevelop the Subject Property with a 150 unit senior independent/assisted living facility;
- Site Plan approval by the Village Planning Board for the proposed redevelopment of the Subject Property with a 150 unit residential assisted and independent living facility;
- Approval by the Board of Architectural Review (ARB); and
- Building permits from the Village Building Department.

## **PURPOSE OF SCOPING**

This draft Scoping Document is intended to serve as the foundation for the identification and evaluation of all potentially significant adverse impacts that are pertinent to the proposed action, and to identify appropriate mitigation measures. It is also intended to eliminate consideration of any impacts that are irrelevant or non-significant.

## **GENERAL SCOPING GUIDELINES**

The Applicant will prepare a Draft Environmental Impact Statement (DEIS) addressing all items identified in the Scoping Document. The Applicant will incorporate information from other developments underway or proposed in the local area and include, where appropriate, discussions on cumulative adverse impacts.

The Applicant will follow the SEQR regulations (6 NYCRR 617) for direction on the required content of a DEIS. The DEIS will assemble relevant and material facts and evaluate reasonable alternatives. It will be clearly and concisely written in plain language that can be easily read and understood by the public. Highly technical material will be summarized and, if it must be included in its entirety, it will be referenced in the DEIS and included as an appendix.

Narrative discussions will be accompanied to the greatest extent possible by illustrative tables and graphics. All graphics will clearly identify the project area. The DEIS will identify each impact topic, describing existing conditions, anticipated impacts, and proposed mitigation to permit more efficient review.

The full DEIS will be made available to the Lead Agency in both hard copy and electronic formats. The electronic format will be in Adobe Acrobat (.pdf) file on CD-ROM. When the DEIS is accepted for public review by the lead agency, sufficient hard copies will be provided to allow placement of a copy at the local library and Village Hall for public review during normal business hours. In addition, the full DEIS will be posted on the Village website for public review in accordance with the SEQR law.

# ENVIRONMENTAL IMPACT STATEMENT CONTENT

## I. Introduction Material

### A. Cover Sheet

The DEIS will be preceded by a cover sheet that identifies the following:

1. Title of the document: Draft Environmental Impact Statement
2. Title of the Proposed Action: Brightview Senior Living Irvington
3. Location: 88-94 North Broadway, Village of Irvington, Westchester County, New York
4. Name, address and phone number of the lead agency, and name of contact person:  
  
    Lead Agency: Village of Irvington Village Board  
  
    Contact Person: Lawrence S. Schopfer  
                    Village Administrator  
                    85 Main Street  
                    Irvington, NY 10533  
                    Telephone (914) 591-4356
5. The name and address of the Project Sponsor (a/k/a “the Applicant”) and the name and telephone number of a contact person representing the Applicant: Shelter Development, LLC, Mr. Michael Glynn, (917) 596-9291
6. The name and address of the primary preparer(s) of the DEIS, and the name and telephone number of a contact person representing the preparer(s): Diego Villareale, PE, JMC, (914) 273-5225
7. Date of acceptance of the DEIS: [Note: Specific calendar date to be inserted later]
8. Deadline by which comments on the DEIS are due: [Note: Specific calendar date to be inserted later]

### B. List of Consultants Involved With the Project

The names, addresses and project responsibilities of all consultants involved with the project will be listed

### C. Table of Contents

All headings appearing in the text will be presented in the Table of Contents, along with appropriate page numbers. In addition, the Table of Contents will include a list of figures, a list of tables, a list of appendices and a list of additional DEIS volumes, if any.

**D. List of Full-Sized Drawings**

**II. Executive Summary**

The DEIS will include an executive summary. The executive summary will include information found elsewhere in the main body of the DEIS and will be organized as follows:

- A. Brief description of the Proposed Action
- B. Summary of the anticipated impacts and proposed mitigation measures for each impact issue discussed in the DEIS
- C. Summary description of the project alternatives considered in the DEIS
- D. List of Involved Agencies and required approvals and/or permits

At this time it is anticipated that the following approvals and permits will be required:

<b>Type of Approval</b>	<b>Agency</b>
Zoning Code Amendment	Village of Irvington Board of Trustees
Special Permit Approval	Village of Irvington Board of Trustees
Site Plan Approval	Village of Irvington Planning Board
Building Design Approval	Village of Irvington ARB
Building Permits	Village of Irvington Building Department
Water and Sewer	Westchester County Health Department
Highway work permits	NYSDOT
Stormwater SPDES Permit	NYSDEC
GML 239 Review	Westchester County Planning Department

- E. List of Interested Agencies:

The following Interested Agencies will be identified:

- Village of Irvington Environmental Conservation Board
- Village of Irvington Tree Commission

**III. Description Of The Proposed Action**

**A. Project Overview and Description of the Proposed Action**

**B. Site Description**

This section will include a description of the following:

1. Describe the site location, including acreage; zoning and tax map designations; frontage and access along Broadway; existing buildings and uses on the site; and existing landscaping
2. Describe the site in the context of the surrounding neighborhood

3. Identify and describe the pedestrian easement over the site

**C. Project Development Data**

This section should include the following data:

1. Proposed zoning amendment with special permit use permitted in one-family residence districts and area requirements
2. Proposed use
  - a. Describe the proposed use of the property including all existing buildings
  - b. Provide the number of dwelling units by type
  - c. Provide the estimated number of residents
  - d. Provide the estimated number of employees and staff. Describe planned shifts and hours of operation
  - e. Describe anticipated deliveries and schedules and solid waste removal
3. Proposed site plan
  - a. Site layout, access and parking
  - b. Access for fire trucks and service vehicles
  - c. Utilities and stormwater management
  - d. Use of green building techniques and impact on energy usage
  - e. Retaining walls
  - f. Reuse of existing buildings
  - g. Sample floor plans showing layout and services
  - h. Affordable housing component

**IV. PURPOSE AND NEED FOR THE PROPOSED ACTION**

- A. Description of the Applicant and existing facilities it operates
- B. Purpose and need for the project; demographic trends and identified housing demand for such population; description of modern senior independent living / assisted living models to accommodate demand, including typical density; target audience
- C. Benefits of the Proposed Action

Environmental Analyses

The DEIS will include a discussion of the existing environmental conditions, potentially significant adverse or beneficial long or short term impacts of the proposed action and proposed mitigation measures:

Each environmental impact category will be treated as a separate chapter within the DEIS.

**V. Land Use and Zoning**

**A. Land Use**

1. Existing conditions within a ¼ mile study area including photographs
2. Land use compatibility with other uses within a ¼ mile study area
3. Land use compatibility with adjoining uses
4. Consistency or inconsistency with Village Comprehensive Plan
5. Consistency or inconsistency with Patterns for Westchester
6. Consistency with local and regional senior housing policies
7. Impacts on existing pedestrian easement

**B. Zoning**

1. Identify all existing zoning districts and uses permitted within a ¼ mile study area
2. Describe the permitted uses within the One-Family Residence District
3. Impact of proposed Special Permit on One-Family Residence District zoned areas in the Village
4. Describe the Site development potential (e.g., lot coverage, height, setbacks) under existing zoning
5. Describe the Site development potential under the proposed zoning amendment
6. Impact on affordable housing

**VI. Soils, Topography and Geology**

- A. Existing site topography and analysis of existing steep slopes
- B. Soils on site
- C. Proposed site grading; impact and use of retaining walls
- D. Cut and fill calculations; disposal of excess material; number and route of trucks
- E. Rock removal and blasting, if necessary, and use of rock. Describe all plans and protocols to be employed during rock removal or blasting, if necessary.



F. Soil erosion and slope stabilization practices (i.e., Erosion & Sediment Control Plan) to be employed during construction and after completion of the project

G. Increases in impervious surface, pervious pavement

**VII. Vegetation, Wildlife and Wetlands**

A. On site vegetation and tree survey, including health of existing trees

B. Identify any rare, threatened and endangered species through consultation with NYSDEC Natural Heritage Program

C. Loss of vegetation and specimen trees

D. Preservation of open space and lawn area

E. Mitigation, including proposed landscaping plan

**VIII. Surface Water Resources**

A. Existing surface water drainage patterns within the site

B. Discharge points of existing stormwater runoff

C. Analysis of off-site/downstream stormwater systems and the final stormwater destination location

D. Stormwater runoff quantity and quality in conformance with all requirements of the NYSDEC

E. Impacts on off-site/downstream stormwater systems and final stormwater destination location

F. Stormwater management plan and permanent improvements

G. Maintenance of the permanent stormwater management controls

H. Sediment and erosion control during construction

**IX. Utilities**

A. Water service: Existing capacity, projected water consumption, and ability to service proposed redevelopment

B. Sanitary service: Existing capacity, projected sewage generation, and ability to service proposed redevelopment

- C. Electric and gas, telecommunications: Existing capacity, projected consumption, and ability to service proposed redevelopment

## **X. Traffic & Parking**

### **A. Existing Conditions**

1. Roadway Network – Describe Roadway characteristics including classifications, number of lanes by direction, pavement markings, on-street parking, bus stops, percent heavy vehicles, traffic control, and pedestrian conditions, including sidewalk conditions along US Route 9/Broadway from Main Street to Sunnyside Lane. Also describe characteristics of side streets intersecting US Route 9/Broadway in this area.
2. Intersections - Based on a preliminary analysis of existing volumes, trip generation, trip assignment, and anticipated volumes of new traffic, the following intersections (together comprising the “Study Area”) would potentially experience an increase in traffic associated with the Proposed Project and would be included in the traffic impact study.
  - a. US Route 9/Broadway & Project Site Driveway (unsignalized)
  - b. US Route 9/Broadway & Sunnyside Lane (signalized)\*
  - c. US Route 9/Broadway & Heritage Hill Road (signalized)
  - d. US Route 9/Broadway & Main Street (signalized)
  - e. Minor Streets & Driveways between Main Street & Sunnyside Lane (unsignalized)

Note: \* -- Identify vehicular traffic entering and exiting the private driveway serving the apartment complex on the east side of US Route 9/Broadway immediately south of the intersection of Sunnyside Lane to characterize frequency of traffic and any conditions that may affect northbound queuing or overall intersection operations.

3. Traffic Data Collection - The traffic data collection program will encompass manual traffic counts, an automatic traffic recorder count, and 3 years of accident history to assess current operating conditions.
  - a. Automatic Traffic Recorder

An Automatic Traffic Recorder (ATR) will be placed along US Route 9/Broadway in the vicinity of the Project Site driveway for a period not less than seven (7) contiguous days, free of any public or school holidays. ATR data will be used to identify the Weekday AM, Weekday PM, and Weekday Midday (corresponding to the afternoon dismissal at Irvington Middle/High School) peak hours. Identify the Weekend Midday peak hour volumes.
  - b. Manual Traffic Counts

Manual traffic counts (15 minute segments) will be counted at each of the intersections during the Weekday AM, Weekday Midday, and Weekday PM peak periods as identified by the ATR data

c. Traffic Safety

The most recent three (3) years of available accident data records from the New York State Department of Transportation (NYSDOT) for intersections in the Study Area and for US Route 9/Broadway between Main Street and Sunnyside Lane will be obtained and summarized in tabular form to determine general vehicular safety conditions in the study area. Consult with the Village of Irvington Police Department for any records of bicycle/pedestrian accidents along US Route 9/Broadway between Main Street and Sunnyside Lane.

d. Public Transportation, Bicycles, and Pedestrians

Qualitatively describe conditions and approximate utilization of US Route 9/Broadway between Main Street and Sunnyside Lane by public transportation riders, bicyclists, and pedestrians

e. Traffic Operating Conditions

Perform a vehicular capacity analysis at the following intersections using the latest version of Synchro traffic modeling and optimization software. Present Level of Service, average vehicle delay, average and 95% queue lengths for each approach at each of the following intersections in a tabular and/or graphic format for each intersection for the Weekday AM, Weekday Midday (school peak), and Weekday PM peak periods. If Weekend Midday peak hour volumes are greater than any of the Weekday peak hours, conduct a Weekend Midday peak hour analysis at each of the intersections.

- i. US Route 9/Broadway & Project Site Driveway (unsignalized)
- ii. US Route 9/Broadway & Sunnyside Lane (signalized)
- iii. US Route 9/Broadway & Heritage Hill Road (signalized)
- iv. US Route 9/Broadway & Main Street (signalized)
- v. US Route 9/Broadway and the one unsignalized intersection with the highest peak hour side street volume

Identify any changes to vehicular traffic entering and exiting the private driveway serving the apartment complex on the east side of US Route 9/Broadway immediately south of the intersection of Sunnyside Lane to characterize frequency of traffic that may affect northbound queuing or overall intersection operations

B. Future Without the Project

1. Background Traffic Growth - Estimate traffic volumes in the study area in the

future without the Proposed Project (No Build) by projecting any trends in NYSDOT annual volume data for US Route 9/Broadway and any pending development projects in the Village of Irvington

2. Planned or Proposed Improvements - Identify any physical or operational conditions along US Route 9/Broadway between Main Street and Sunnyside Lane that may change in the future without the Proposed Project either by NYSDOT or by private applicants through permits with NYSDOT
3. Traffic Operating Conditions - Perform a vehicular capacity analysis at each of the intersections analyzed for Existing Conditions for:
  - a. The future without the Proposed Project including background traffic growth
  - b. Potential re-occupancy of the Project Site with office use

For each scenario, present Level of Service, average vehicle delay, average and 95% queue lengths for each approach at each of the intersections in a tabular and/or graphic format for each intersection for the Weekday AM, Weekday Midday (school peak), and Weekday PM peak periods

#### C. Potential Impacts of the Proposed Project

1. Trip Generation - Develop anticipated trip generation rates for the Weekday AM, Weekday Midday, and Weekday PM peak hours based upon the latest edition of the Institute for Transportation Engineers (ITE) Trip Generation Handbook. Develop survey data from comparable senior-living facilities. For comparable facilities identify the approximate mix of independent living and assisted living units. Describe whether any private shuttle service would be provided to residents and potential destinations for the shuttle service.
2. Trip Distribution - Overlay the Proposed Project-generated traffic and routes to the Project Site on the future No Build network (see Section X.C.1, above) to determine future build traffic volumes. Compare traffic volumes with the Proposed Project to No Build volumes and potential traffic volumes with reoccupancy by office use
3. Capacity Analysis - Perform a vehicular capacity analysis at each of the intersections analyzed for Existing Conditions to assess potential impacts of the Proposed Project. Present Level of Service, average vehicle delay, average and 95% queue lengths for each approach at each of the intersections in a tabular and/or graphic format for each intersection for the Weekday AM, Weekday Midday (school peak), and Weekday PM peak periods. If a lane group under the future condition with the project has a Level of Service A, B, C or mid-D (average vehicle delay less than or equal to 45.0 seconds/veh), no mitigation measures are required. For a lane group with a Level of Service D under the future conditions without the project, the permitted increase in delay is less than 5 seconds for future conditions with the project. For a lane group with a Level of Service E under the future conditions without the project, the permitted increase in delay is less than 4

seconds for future conditions with the project. For a lane group with a Level of Service F under the future conditions without the project, the permitted increase in delay is less than 3 seconds for future conditions with the project. If the level of service is not within the thresholds mentioned above, project-related traffic mitigation measures shall be identified. Potential mitigation measures at locations where Project-related traffic impacts are identified might include for example signal retiming, lane restriping, geometric changes to roadways, traffic calming measures. Compare projected operating conditions with both future without the Proposed Project scenarios (background growth rate only; re-occupancy by office use). Identify any changes to vehicular traffic entering and exiting the private driveway serving the apartment complex on the east side of US Route 9/Broadway immediately south of the intersection of Sunnyside Lane to characterize frequency of traffic and any conditions associated with the Proposed Project that may affect northbound queuing or overall intersection operations.

4. Project Site Driveway Analysis - Vehicular and pedestrian circulation and sight distance analyses will be performed to assess vehicular and pedestrian safety at the Project Site driveway. Assess the capacity of the site driveway for queuing of vehicles.
5. Site Circulation - Describe the overall pattern of on-site circulation and the sufficiency of site driveways to accommodate projected traffic volumes. Describe access routes for emergency service vehicles and demonstrate sufficient access for fire truck traffic by applying appropriate turning templates.
6. Parking - Describe the anticipated demand and supply for parking spaces
7. Loading -- Identify locations of proposed loading docks and solid waste collection and demonstrate sufficient access for truck traffic by applying appropriate turning templates
8. Public Transportation, Bicycles, and Pedestrians - Qualitatively describe potential impacts to public transportation riders, bicyclists, and pedestrians along US Route 9/Broadway between Main Street and Sunnyside Lane. Describe any impacts to use of the pedestrian easement on the Project Site

## **XI. Noise & Lighting**

- A. Noise -- Describe potential sources of noise (including building mechanical equipment, delivery activities, solid waste removal, and emergency vehicles) and methods to minimize impacts
- B. Lighting – Describe proposed lighting, light levels on the Project Site, and methods to minimize impacts to neighboring properties

## **XII. Visual/Aesthetics/Neighborhood Character**

- A. Document existing visual character of on-site development through photographs taken from the following locations during periods when leaves are off the trees:

1. Route 9 (East-West)
  2. 120 North Broadway (North-South)
  3. 108 North Broadway (North-South)
  4. 76 North Broadway (North-South)
  5. 20 Strawberry Lane (North-South)
- B. Document existing visual character of abutting uses, including Route 9, and the adjacent properties to the north (120 and 108 North Broadway) and south (76 North Broadway and 20 Strawberry Lane) through photographs
- C. Demonstrate visibility of the Proposed Project (using leaf off conditions) through Site sections and renderings showing proposed structures and proximate properties, buildings, roadways, from:
1. Route 9 (East-West)
  2. 120 North Broadway (North-South)
  3. 108 North Broadway (North-South)
  4. 76 North Broadway (North-South)
  5. 20 Strawberry Lane (North-South)
- D. Architectural design of proposed structures (elevations and perspectives) for each façade
- E. Mitigation including buffers and landscaping plan

### **XIII. Socioeconomic**

- A. Fiscal Impacts
1. Existing tax revenues for each taxing jurisdiction
  2. Anticipated tax revenues for each taxing jurisdiction
  3. Anticipated recreation fees
- B. Jobs
1. Existing
  2. Construction
  3. Permanent

**XIV. Community Facilities and Services**

- A. Village police, fire and Irvington Village Ambulance Corps (IVAC)
- B. Village library, recreation and Village senior programs
- C. Garbage collection and recycling; use of private carter
- D. On site senior facilities and services
- E. Likely utilization of Village facilities and services; use of private ambulance services; use of Village senior services and use of Brightview Senior services by Village
- F. Describe facility emergency evacuation plan

**XV. Construction**

- A. Phasing, time frame for project completion and hours of operation
- B. Potential impacts related to the construction phase
- C. Describe reuse of existing building materials on Site
- D. Mitigation measures as needed

**XVI. Hazardous Materials**

- A. Summary of Phase I report
- B. Recommended actions

**XVII. Alternatives**

- A. **No Action**
- B. **Single-Family Development Under Applicable Zoning (1F-20)**
- C. **Multi-Family Development Under Applicable Zoning (MF)**

**XVIII. Adverse Environmental Effects That Cannot Be Avoided If The Project Is Implemented**

- A. Short term construction impacts
- B. Long term impacts

**XIX. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

**XX. GROWTH-INDUCING IMPACTS**

**XXI. EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES**

**XXII. APPENDICES**

*F:\2014\14128\Scope 03-18-2015.doc*