

PROJECT DESCRIPTION

Chapter One

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A. Introduction

The Crossroads 312 project is a Zone Change, Site Plan, Special Permit and Wetland Permit proposal made to the Town Board of the Town of Southeast. The applicant, Crossroads 312, LLC and JPH Development Corp. seeks a zone change from RC to HC-1, Site Plan, Special Permit and Wetland Permit approvals to construct a mixed use commercial proposal on a 51.88± acre site adjacent to Interchange 19 at the I-84/NYS Route 312 intersection, see Map #1 Regional Location Map and Map #2 Highway Location Map. A Zone Change Petition, see Appendix A in the DEIS, together with Site Plans and an application for Special Permit and Site Development Plan approvals have been filed with the Town Board, see Appendix B in the DEIS, The Existing Zoning is shown on Map #3 and Proposed new zone limits are shown on Map #4. The Proposed Local Law is included in Volume Two, Tab 1.

The Town Board of the Town of Southeast declared itself Lead Agency for SEQRA review on September 24, 2009, The Town Board determined the project to be a Type I action and issued a positive declaration on September 24, 2009. A Scoping Session was held on October 8, 2009. The Draft Environmental Impact Statement (DEIS) was determined to be complete on August 22, 2013. The DEIS was circulated on September 20, 2013 and posted on the project website on September 24, 2013. The Public Hearing was noticed for and held on October 24, 2013. The Public Comment Period was held open until November 13, 2013. Comments were received at the Public Hearing as well as in written form during the comment period. Copies of the Public Hearing transcript and written correspondence are included in Volume 2.

The last major retail/commercial project constructed in the Town of Southeast was the “Highlands” of approximately 380,000 SF± located at the Eastbound, ramp at the I-84 and NYS Route 312 intersection in 2001. Some smaller retail buildings and a few light industrial/warehouse buildings and/or additions have been constructed in the past 10 years but little recently. Simultaneously, businesses have been leaving the region including: Watson Pharmaceutical and Guideposts and Dynacept.

For the applicant, in this difficult economic environment, it is important to present a plan which will be competitive in the market place and be financially responsible to construct and maintain. This means the applicant must find tenants who have a very strong credit rating and balance construction costs with potential rental income. Banks will not finance projects unless the projects are backed by impeccable financial statements, have owner equity committed and will produce revenue above construction costs sufficient to cover a mortgages, taxes and expenses.

The purpose of the proposed project is to develop an economically viable and successful mixed use retail/commercial development at a highway intersection identified in the Town Comprehensive Plans as a node for economic activity, thereby bringing increased tax revenues and employment opportunities to the Town. Other HC-1 zoned projects in the vicinity have resulted in tax revenue for the Town, Schools and County as well as generating significant sales tax revenue for the county. Uses allowed under the RC zoning would not generate a similar level of sales or income due to lack of retail sales.

A zone change to the existing HC-1 Zone, a zone formerly designated on this property, will allow retail use. Presently hotels are not included as permitted or special permit uses in the HC-1 Zone. The proposed Zone Change would add hotels to the Special Permit Uses in the HC-1 Zone. The primary proposal stated in the DEIS will consider the use of the site under existing HC-1 allowed uses: restaurant (permitted), office (permitted), personal services (permitted), professional services (permitted), retail (special permit), "Large Retail" (Special Permit) and hotels (Special Permit).

B. Project Description

The site is 51.88± acres in size and is located in a RC (Rural Commercial) Zone in the Town of Southeast. The southeast quadrant of the intersection of Route I-84 and NYS Route 312 is occupied by the property, see Map #2, Highway Location Plan.

It is known as:

Tax Lot 45.2-52 295 Route 312, Brewster, NY, 21.20 acres±
Tax Lot 45.2-53 265 Route 312, Brewster, NY, 1.00 acres±
Tax Lot 45.2-54 257 Route 312, Brewster, NY, 1.15 acres±
Tax Lot 45.2-55 247 Route 312, Brewster, NY, 20.15 acres±
Tax Lot 45.2-56 237 Route 312, Brewster, NY, 8.40 acres±

These tax lots are shown on attached Map #6, Neighborhood Context.

Route I-84 has 1,800± feet of frontage on the southern side of the site; NYS Route 312 has 2,200± feet of frontage on the northwest side of the site. Metro North has a rail line extending 3,000± feet fronting on the east side of the site. The site abuts a single family residence Zoned ED - Economic Development on the north side of the site, see Map#8. On the opposite side of the rail line, to the east, NYSDEC Wetland BR-18 exists which includes a small finger of wetland on the site, see Map #13.

The site is sloped in all directions from an elevation of 660'± in the northwest portion of the site, the high point. The lowest elevation of the site is in the range of 450' ± along the property border adjacent to the Metro North Rail Line, see Map #8, Existing Conditions.

The site is primarily wooded with the third or fourth growth vegetation, a mixture of oak, birch,

and maple. The site is the home of a wood processing business which occupies a three± acre area for the business activities. The site has been harvested for timber continually over many years.

Small areas of town wetlands have been identified on the property in close proximity to the rail line and BR-18. Wetland boundaries were confirmed with the Town Staff, NYSDEC Staff and the Army Corps of Engineers. Staff of the New York City Department of Environmental Protection (NYCDEP) confirmed the lack of watercourses on the site. No direct wetland disturbances are proposed. A small portion of the site, adjacent to the railroad track is within a 100 year floodplain.

The project has been conceived as a mixed use retail and hotel complex. Access is proposed from NYS Route 312, an arterial road connecting NYS Route 22, on the east, with Route 6 near the Town Line with Carmel on the west. The area of the intersection I-84 and NYS Route 312 is developed with commercial and retail properties. Brewster Highlands, a 380,000 SF± mixed use retail/commercial development is located in the southwest quadrant of the intersection along with a medical office building called Southeast Executive Park. Terravest Corporate Park (Terravest) sits opposite the proposed site with access to NYS Route 312 via International Boulevard and Zimmer Road. Terravest Corporate Park (Terravest) has over 540,000 SF± of existing buildings and is master planned for an additional 150,000 SF± of space.

The proposed project is a mixed use retail complex consisting of 143,000+/- sf of retail and restaurant use and a 100 room hotel in a total of five (5) buildings as shown on Map #5. The retail buildings will be one story high as shown on Illustrations 1 through 7. The hotel will include 4 stories of rooms, a lobby area and limited below building parking, as shown on Illustrations 8 and 9. The buildings have been designed to meet the Town of Southeast Architectural standards as defined in Section 138-63.4 of the Zoning Regulations. A total of 721+/- parking spaces are proposed. Access to the property will be from two locations along NYS Route 312, the first entrance is at the existing signalized intersection of the I-84 Exit 19 eastbound ramp and Route 312 and the second entrance will be at the existing signalized intersection of International Boulevard and Route 312. Improvements to the existing roadway system and the traffic signals are proposed and discussed in detail in Chapter 15 of the FEIS. Roadway improvements, including new and modified traffic signals, are proposed to be privately funded. Since many of the proposed improvements will benefit the public at large, should roadway improvement grants become available, the sponsor may file for such funding.

Concept building design studies for the facility have been prepared. The buildings will be sensitively designed to meet the architectural requirements of the Large retail zoning section 138-63.4. Roof lines, horizontal planes and materials will vary as shown on the Illustrations.

All heating and cooling equipment (HVAC) equipment will be screened. Building and insulation systems will be energy efficient. Some portions of the development may incorporate a form of green roof. LEED elements will be defined at final design and coordinated with stormwater improvements. The parking lots and buildings will be connected via sidewalks. Parking areas will be broken by planted strips and 1/4 of the parking will be on porous paving.

Parking for the site is based on the Zoning Regulations which require a specific number of parking spaces per square foot of use. The project may include 3,750+/- sf of restaurant space, requiring 70 parking spaces. The 136,000+/- sf retail buildings will require 544 parking spaces and a 100 room hotel will require 100 parking spaces as per the Town requirements. The total town required parking is 714 +/- parking spaces; 721 +/- parking spaces are shown on the FEIS plans.

Parking is proposed below the 100 +/- room hotel building footprint. The DEIS did not include the hotel in the primary plan because hotel use is not presently allowed in an HC-1 zone either as a Permitted or Special Permit use. The hotel is proposed in response to numerous comments received in the public comment period suggesting that there was a need for this use in the community. Due to the fact that hotel uses are not currently allowed in the HC-1 zone, the Town Board would need to revise the HC-1 zone to allow hotels at four(4) stories in height. The zone modification would also need to address parking under the hotel. Parking below a hotel will not be counted toward either FAR or building height.

With the exception of adding a hotel use to the HC-1 Zone list of allowed Permitted or Special Permit uses, the FEIS is consistent with the current Town of Southeast Zoning Regulations HC-1 zone requirements as well as the Large Retail Establishment additional regulations (Section138-63.4). The proposed zone change also includes three other modifications, as part of the zone change, to the existing zoning regulations, as noted in the DEIS. They are:

1. Modify Section 138-15.1A and B to allow a modification of the slope height requirements of up to 3' in height for cut and fill slopes and 1' in height per retaining wall to allow for greater flexibility to respond to site conditions and tenant needs;
2. Modify Section 138-12.I ridgelines to permit limited disturbance;
3. Modify the process for review of Large Retail Establishments to place review and approval authority for Site Plan, Special Permit and Wetland Permit of these types of projects with the Town Board, and as mentioned immediately above;
4. Permit hotels of 4 stories and 50' in height in an HC-1 Zone. Permit parking below the hotel with no increase in FAR or height imposed by the parking.

The proposed project will be buffered from view to the greatest amount possible. The Large Retail Establishment regulations (Section138- 63.4) require the maintenance or creation of an "Environmental Conservation Buffer" (Buffer) along NYS Route 312 and I-84 of 75' and 50' respectively. The Buffer along Route 312 will be created via grading and planting. Fill will be placed to create a visual screen berm. Plants will be installed along the road frontage with a berm, to begin to recreate a forest appearance as shown on Map #17 , Planting Plan Enlargement. Along the I-84 frontage, a 50' undisturbed zone will remain retaining the existing trees. The building will be cut into the site with the building floor elevations set no higher than elevation 606 and a roof height no higher than elevation 631. The existing grades in the southwest ridgeline area will remain and the proposed development will be set below the hilltop as shown

on Maps #7 & 12. Along the north and east sides of the site, existing vegetation will remain throughout most of the wetland buffer areas adjacent to the existing railroad line. The 2 on 1 fill slopes will be planted with a mixture of vegetation which will cover the slope and grow into a visual screen, per the regulations. The top of the slope will be planted with evergreen trees 15' to 20' +/- in height.

Water service for the both potable water and fire protection will be provided via new lines extended from Terravest Corporate Park which is located just north and west of the site. Existing wells in Terravest Corporate Park have the capacity required to service the proposal. Terravest Corporate Park has a 500,000 +/- gallon fire protection tank which will be refurbished and used to serve domestic and fire protection needs for the project.

The existing tertiary wastewater treatment plant (Terravaest WWTP) at Terravest Phase 3 will be used to collect and treat the sanitary wastes from the project. This WWTP has the capacity to handle the proposed project. The project is being designed to allow for use of recycled water known as a greywater system.

Storm water runoff will be managed through an extensive system of facilities built to meet the requirements of NYCDEP(DEP) and NYSDEC (DEC). Stormwater runoff will be collected in a piped system and delivered to a series of underground infiltration chambers established to infiltrate the one year storm as shown on Maps #7, 9 & 10. Larger storms will be treated and controlled through bioretention basins and detention basins. The project will include the required green infrastructure elements of the current NYS Stormwater Manual as well as additional measures to safely return the runoff to the natural condition. The project will also include porous paving as is required by the Zoning regulations. The project will meet the DEP and DEC requirements for stormwater quantity control and quality improvement.

Several traffic reports have been prepared for the project and the FEIS includes additional information based on comments from the public and town consultants. Specific road improvements by intersection and approach include:

1. *Route 312 at Route 22/Town Center Access Drive*
 - Eastbound approach: Add a 225-foot right-turn pocket; and,
 - Optimize traffic signal cycle length, splits & offsets.

2. *Route 312 at Farm to Market Road/Brewster Hill Road*
 - Fine Tune Traffic Signal Timing Plan.

3. *Route 312 at North Brewster Road*
 - Westbound approach: Add 100-foot westbound left-turn pocket; and,
 - Install actuated traffic signal and interconnect.

4. *N.Y.S. Route 312 at International Boulevard/Proposed North Access Driveway*

- Eastbound approach: Restripe for a shared through/right-turn lane;
- Westbound approach: Proposed north access driveway;
- Southbound approach: Provide 150-foot left-turn pocket;
- Northbound approach: Restripe for 200-foot left-turn pocket;
- Northbound approach: Restripe for a shared through/right-turn lane; and,
- Upgrade traffic signal hardware and revise traffic signal timing plan.

5. *N.Y.S. Route 312 at Interstate 84 Westbound Ramps/Proposed South Access Driveway*

- Eastbound approach: Restripe for one through lane and provide a 300-foot right-turn pocket;
- Westbound approach: Proposed south access driveway;
- Northbound approach: Provide a 350-foot right-turn channelized pocket with YIELD sign;
- Southbound approach: Restripe for a 150-foot left-turn pocket;
- Southbound receiving lane: Provide a 425-foot right-turn pocket; and,
- Upgrade traffic signal hardware and revise traffic signal timing plans.

6. *Route 312 at Independent Way/ Interstate-84 Eastbound Ramps*

- Eastbound approach: Restripe for one left-turn lane, one through lane and one right-turn lane;
- Westbound approach: Restripe to two left-turn lanes, one through lane and one right-turn lane; and,
- Upgrade traffic sign hardware and revise traffic signal timing plan.

7. *Route 312 at Office Access Drive*

- Westbound approach: Provide a 350-foot left-turn pocket.

8. *Route 312 at Route 6*

- Eastbound receiving lane: Add a 625-foot receiving lane;
- Westbound approach: Lengthen pocket to 625 feet;
- Southbound approach: Restripe to double left-turn; and,
- Revise traffic signal timing plan.

Limited disturbance of town wetland buffers (0.61+/- acres) is proposed mainly for the installation of linear storm water discharge systems called level spreaders as shown on Map #15. No wetland disturbance is proposed. The storm water discharges resulting from the project will be spread throughout the length of the project to introduce non-erosive flow in a manner replicating natural conditions. The one year storm will be infiltrated over an 1,800 LF length, introducing storm water to the ground. With the introduction of stormwater to the ground, the preservation of the majority of the wetlands wooded buffer and the replanting of the disturbed areas including the introduction of habitat plantings, wetland impacts will be mitigated.

C. Summary of Approvals Required

Zone Change:	Town Board Town of Southeast
Site Plan:	Town Board Town of Southeast*
Special Permit:	Town Board Town of Southeast*
NYSDOT:	Roadway Improvements
NYSDEC:	Stormwater Management, Approval for water withdrawal for water supply
NYCDEP:	Stormwater Management, Approval of collection system and pump station associated with flow to existing Terravest Wastewater Treatment Plant
Putnam County Health Dept:	Extension of Sewage Lines
Putnam County Health Dept:	Extension of:
NY State Dept of Health:	Water lines and Provision of Water Treatment
	Water Taking Permit
SEQRA:	Town Board Town of Southeast
Town Wetland Permit:	Town Board Town of Southeast*
Architectural Review:	Town Board Town of Southeast*
Putnam County Planning Review Gen. Municipal Law (239 l&m)	

*Petition filed by the applicant requests the Town Board grant Site Plan and other approvals for all “Large Retail” projects, subject to 138-63.4.

D. Project Purpose and Need

The purpose of the proposed project is to develop an economically viable and successful mixed use retail/commercial development at a highway intersection identified in the Town Comprehensive Plans as a node for economic activity, thereby bringing increased tax revenues and employment opportunities to the Town. Adopting the zone change, requested by the sponsor, will allow the commercial development envisioned by the Town at the Interstate 84/Route 312 interchange area while maintaining design control, through the implementation of the design requirements of Section 138-63.4, all within the same development area and with the same impervious surface as that possible under the RC zone.

This property has remained under developed for many years only generating approximately \$27,423± in property tax payments to the local governmental bodies and upon which a timber harvesting company has operated which employs few people. With the requested approvals and, construction of the project, it is likely over \$1,756,268± in total property taxes will be generated annually and over \$3,000,000 in sales taxes will be generated annually for Putnam County and approximately 300+ permanent jobs will be created.