

**TOWN BOARD
TOWN OF POUND RIDGE, NEW YORK**

**RE: RESOLUTION ADOPTING LOCAL LAW ___ OF THE YEAR 2014
PERTAINING TO THE INCLUSION OF MULTI-FAMILY HOUSING IN
CHAPTER 113, ZONING, OF THE POUND RIDGE TOWN CODE, AND
AN AMENDMENT TO THE FAIR AND AFFORDABLE HOUSING
PROVISIONS OF THE ZONING CHAPTER**

WHEREAS, the Town Board is entertaining the adoption of a Local Law pertaining to the inclusion of Multi-Family Housing in Chapter 113, Zoning, of the Pound Ridge Town Code, and an amendment to the Fair and Affordable Housing provisions of the Zoning chapter (the “Proposed Action”); and

WHEREAS, in accordance with the requirements of the New York State Environmental Quality Review Act (SEQRA), the Town Board is the only Involved Agency with respect to the Proposed Action and is therefore the Lead Agency; and

WHEREAS, the Town Board has had a Full Environmental Assessment Form prepared in connection with the Proposed Action; and

WHEREAS, the Town Board referred the proposed Local Law to the Pound Ridge Planning Board in accordance with Section 113-97B of the Town’s Zoning chapter; and

WHEREAS, the Planning Board responded to the above mentioned referral by means of its memorandum dated _____, 2014, which memo contained recommended modifications to the Local Law; and

WHEREAS, the Town Board has revised the Local Law as a result of the Planning Board’s recommendations; and

WHEREAS, the Town Board referred the proposed Local Law to the Westchester County Planning Board in accordance with Sections 239-1 and m of New York State General Municipal Law and Section 277.61 of the Westchester County Administrative Code; and

WHEREAS, the Westchester County Planning Board responded to the above mentioned referral by means of its letter dated January 30, 2014, and the Town Board has given due consideration to said letter; and

WHEREAS, the Town Board has revised the proposed Local Law as a consequence of considering said letter from the Westchester County Planning Board; and

Resolution Adopting Local Law ____ of the Year 2014 Pertaining to the Inclusion of Multi-Family Housing in Chapter 113, Zoning, of the Pound Ridge Town Code, and an Amendment to the Fair and Affordable Housing Provisions of the Zoning Chapter

WHEREAS, the Town Board held a public hearing on the subject Local Law on February 6, 2014, at which time all interested persons were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. The Town Board hereby adopts and incorporates the recitations and statements set forth above as if fully set forth and resolved herein.
2. After conducting a “hard look” at the Full Environmental Assessment Form and other materials related to the Proposed Action, the Town Board hereby adopts the attached Negative Declaration for the reasons stated therein, thereby finding that the Proposed Action will have no significant adverse impact upon the environment and thereby ending the SEQRA process.
3. The Town Board hereby adopts Local Law __ of 2014; except as specifically modified by the amendments contained therein, the Town of Pound Ridge Zoning chapter, as originally adopted and amended from time to time thereafter, is to remain in full force and effect.

The question of adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Richard B. Lyman, Supervisor	Voting:_____
Jon Powers, Deputy Supervisor	Voting:_____
Peter J. Falco	Voting_____
Daniel S. Paschkes	Voting:_____
Alison Boak	Voting:_____
Bonnie Schwartz	Voting:_____

The resolution is hereby duly declared adopted.

Dated: _____, 2014
Pound Ridge, New York

TOWN BOARD
Town of Pound Ridge

Date

Richard B. Lyman, Supervisor

Attachment: Negative Declaration

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State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: _____

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Pound Ridge Town Board, as Lead Agency, has determined that the Proposed Action described below will not have a significant adverse effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Multi-Family Housing and Affordable Fair Housing Amendments to Zoning Chapter of the Pound Ridge Town Code

SEQR Status: Type I

Conditioned Negative Declaration: No

Description of Action: The Proposed Action involves the adoption of a Local Law pertaining to the inclusion of Multi-Family Housing in Chapter 113, Zoning, of the Pound Ridge Town Code, and an amendment to the Fair and Affordable Housing provisions of the Zoning chapter.

Location: Town of Pound Ridge, Westchester County

Reasons Supporting This Determination:

The purpose of this local law is to amend the Town of Pound Ridge Zoning chapter so as to allow multi-family housing in the Town, which in turn will further the goal of the development of affordable housing in the Town, as well as to amend the affordable fair housing provisions of the Zoning chapter.

More specifically, the proposed provisions rename the Senior Citizen Housing use contained in the Town's Zoning chapter to Multi-Family Housing, and then introduce definitions for the following terms, and provide regulations therefor:

1. Dwelling, Multi-Family
2. Dwelling, Two-Family
3. Multi-Family Housing

The proposed provisions state that the multi-family housing plan shall utilize creative design and development techniques to achieve the conservation and/or preservation of significant natural environmental features, including steep slopes, wetlands, watercourses, water bodies and significant rock outcroppings, on properties which are not overly environmentally constrained and which, for safety purposes, are within proximity to the Town's major roads.

The proposed provisions introduce the following new location and other criteria for multi-family housing:

1. The multi-family housing lots shall have road frontage not more than 1/4 mile in travel distance from at least one of the Town's major roads (that is, Westchester Avenue, High Ridge Road, Salem Road, Stone Hill Road, Pound Ridge Road and Long Ridge Road).
2. Notwithstanding the above, for lots which have road frontage within 1/4 mile in travel distance from the intersection of Westchester Avenue and Trinity Pass Road, the multi-family housing site shall have an area of not less than the minimum lot area required for one-family dwellings in the zoning district in which the site is located.
3. The aggregate of the slopes in excess of 25% and the wetlands, watercourses and water bodies, as defined in the Town of Pound Ridge Freshwater Wetlands Law shall constitute less than 45% of the gross lot area of the multi-family housing site.

The proposed provisions also state that so long as the total number of dwelling units in the project does not exceed 50, the Town Board may allow up to a 25% increase in the maximum number of dwelling units for such special benefits as the provision of:

- (a) at least 15% (rather than a minimum of 10%) of the dwelling units in the multi-family housing project as affordable fair housing dwelling units in accordance with § 113-100; and/or

- (b) a significant amount of environmental conservation and/or preservation which goes above and beyond that otherwise required for the approval of the special permit.

The proposed provisions also set regulations for the maximum building height, the maximum habitable floor area, the maximum building length, the minimum width of a suitably landscaped buffer, and the minimum number of parking spaces.

Because of the new location and other criteria mentioned above, the number of dwelling units that could be created by the new multi-family housing provisions will be far less than could have been created by the senior citizen housing provisions. Because of this significant reduction in dwelling units, the proposed zoning is expected to have substantially less impact upon the environment than would have been the case with the senior citizen housing.

With respect to the affordable fair housing provisions of the Zoning chapter, the provisions would additionally require that all multi-family housing projects containing four or more dwelling units shall contain at least one affordable fair housing unit.

The Proposed Action is not expected to result in any significant adverse impacts on the environment. More specifically:

1. The Proposed Action does not directly involve construction on, or physical alteration of, any properties.
2. The Proposed Action will not have a significant adverse environmental impact with respect to any unique or unusual land forms.
3. The Proposed Action will not have a significant adverse environmental impact on any wetlands or other surface water bodies.
4. The Proposed Action will not have a significant adverse environmental impact with respect to new or additional use of ground water, and will not have a significant adverse environmental impact with respect to the introduction of contaminants to ground water or an aquifer.
5. The Proposed Action will not have a significant adverse environmental impact with respect to the development of lands subject to flooding.
6. The Proposed Action will not have a significant adverse environmental impact on any State regulated air emission source.
7. The Proposed Action will not have a significant adverse environmental impact with respect to the loss of flora or fauna.
8. The Proposed Action will not have a significant adverse environmental impact on agricultural resources.
9. The Proposed Action will not have a significant adverse environmental impact on any scenic or aesthetic resources.

10. The Proposed Action will not have a significant adverse environmental impact on any historic or archaeological resources.
11. The Proposed Action will not have a significant adverse environmental impact with respect to the loss of recreational opportunities or with respect to a reduction of an open space resource as designated in any adopted municipal open space plan.
12. The Proposed Action will not have a significant adverse environmental impact on a Critical Environmental Area (CEA).
13. The Proposed Action will not have a significant adverse environmental impact on existing transportation systems.
14. The Proposed Action will not have a significant adverse environmental impact as a result of an increase in the use of any form of energy.
15. The Proposed Action will not have a significant adverse environmental impact as a result of an increase in noise, odors or outdoor lighting.
16. The Proposed Action will not have a significant adverse environmental impact on human health from exposure to new or existing sources of contaminants.
17. The Proposed Action will not have a significant adverse environmental impact as a result of being inconsistent with adopted land use plans.
18. The Proposed Action will not have a significant adverse environmental impact as a result of being inconsistent with the existing community character.
19. The Proposed Action will not have a significant adverse environmental impact on the supply of housing but rather will have a positive effect on the supply of multi-family and affordable housing in the Town.

Lead Agency: Pound Ridge Town Board
179 Westchester Avenue
Pound Ridge, New York 10576

For Further Information:

Contact Person: Supervisor Richard B. Lyman
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(914) 764-5511

This notice will be provided to the following email address for publication in the Environmental Notice Bulletin: enb@gw.dec.state.ny.us