

NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (“SEQRA”)
FINDINGS OF THE PLANNING BOARD OF THE TOWN OF NORTH CASTLE
RESPECTING: (1) PARK PLACE AT WESTCHESTER COUNTY AIRPORT; AND (2)
ZONING TEXT AMENDMENT TO IND-AA DISTRICT TO PERMIT A PARKING
STRUCTURE AS A PRINCIPAL USE SUBJECT TO SPECIAL PERMIT

Name of Action: Park Place at Westchester County Airport

Lead Agency: North Castle Planning Board

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I. PROJECT DESCRIPTION

A. LOCATION

The subject site (the “Site” or “Project Site”) is located at 11 New King Street in the Town of North Castle, New York. The Site totals approximately 3.34 acres and fronts on the west side of New King Street. The Site comprises two contiguous tax map parcels located at 11 New King Street and 7 New King Street. All of the 2.47-acre 11 New King Street parcel and approximately 0.87 acres of the 4.20-acre parcel at 7 New King Street is included within the Project Site. The Site is located in the Industrial AA (IND-AA) Zoning District.

Each parcel would accommodate a different component of the proposed project, as described below:

- Lot 14B (11 New King Street): The proposed parking structure would be located on a 2.47-acre parcel designated on the North Castle tax map as Section 3, Block 4, Lot 14B. Lot 14B is owned by the applicant (i.e., 11 New King Street, LLC) and currently houses an approximately 9,700-square-foot one-story office building and accessory 35-space parking area
- Lot 13A (portion) (7 New King Street): Stormwater management practices would be located on an approximately 0.87-acre portion of the approximately 4.20-acre parcel designated as Section 3, Block 4, Lot 13A. Lot 13A is owned by JAM Airport, LLC. This area is undeveloped and is primarily wooded. An easement agreement to use this portion of Lot 13A for stormwater management practices has been entered into by both property owners and recorded in the Office of the Westchester County Clerk on May 3, 2013.

B. DESCRIPTION OF PROPOSED ACTION

11 New King Street, LLC (the “applicant”) proposes to construct a multi-level automated parking structure (the “proposed project”) at 11 New King Street (the “project site”) in the Town of North Castle, Westchester County to provide additional parking capacity at Westchester County Airport for users of both commercial and private air carriers. The proposed parking facility would be called Park Place at Westchester Airport (“Park Place”). In conjunction with the site plan application, the applicant has submitted a zoning petition to amend the Town of North Castle zoning code to allow parking structures in the Industrial AA (IND-AA) zoning district as a principal use subject to issuance of a special permit. Currently, the IND-AA zoning district permits parking structures as an accessory use (rather than a principal use).

In response to comments made on the DEIS, FEIS, and DSEIS, the Applicant proposed a final modified site plan, as illustrated in the FSEIS declared complete by the Town on April 24, 2017. **Table 1** presents the changes to the proposed project over the course of the SEQRA review.

In consideration of comments received, the applicant has made modifications to the proposed project in an effort to reduce impacts. The most significant modification is that the size of the parking structure itself has been reduced and this reconfiguration of the footprint, in the Applicant’s opinion, complies with NYCDEP regulations and avoids the need for variances from NYCDEP. The footprint of the building has been reduced to 31,493 square feet, and the total impervious coverage has been

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reduced to 41,509 square feet, a 23.1% *net* increase from the existing impervious coverage.¹ The NYCDEP has advised that the calculation of new impervious area may not be offset by crediting the amount of any current impervious surface that would be restored to a pervious condition, as is proposed with the current plan. Only areas of ‘expanded’ impervious surface beyond the existing impervious footprint are considered. Therefore, the applicant has added an approximately 4,000 sf green roof to offset impervious surface resulting in a percent *expansion* of 24.98 percent, meeting the NYCDEP requirement in accordance with the Watershed Rules and Regulations Section 18-39 (a) (4) (iii). In addition, the parking capacity of the project has been reduced from 1,450 spaces in the DEIS to 850 spaces in the FSEIS. These modifications have enabled the total amount of impervious areas to be reduced from 68,579 square feet as presented in the DEIS, to 41,509 square feet as presented in this FSEIS, a 39 percent reduction from the DEIS. The total area of site disturbance was reduced from 122,038 square feet in the DEIS to 106,484 square feet, a 13 percent reduction. The design components of the building have also been modified such that the building would be able to achieve LEED certification. Project modifications are summarized in **Table 1**.

Table 1
Summary of Project Modifications

	Existing Conditions	Original Project (2011 DEIS)	Modified Project (2015 FEIS)	Modified Project (2016 DSEIS)	Current Project for FSEIS	Difference from original project (2011 DEIS)	% Difference from original project (2011 DEIS)
Number of Parking Spaces	35	1,450	1,380	980	850	-600	- 41%
Building Footprint	9,700 sf	50,915 sf	44,812 sf	37,444 sf	31,493 sf	-19,422 sf	-38%
Building Height***	10 ft	56 ft	59 ft	53 ft	53 ft	-3 ft	-5%
Limit of Disturbance Area	n/a	122,038 sf	117,081 sf	106,540 sf	106,484 sf	-15,554 sf	-13%
Excavated Material	n/a	25,075 cy	19,949 cy	**	**	-5,126 cy	-20%
Wetland Disturbance	n/a	5,699 sf	0 sf	0 sf	0 sf	-5,699 sf	-100%
Impervious Surface Area (Total)*	33,716 sf	68,579 sf	62,767 sf	47,272 sf	41,509 sf	-27,070 sf	-39%
Impervious Surface Area within 100-ft	12,316 sf	40,722 sf	36,514 sf	27,466 sf	18,040 sf	-22,682 sf	-56%

¹ NYCDEP permits a maximum of 25% expansion in impervious coverage from existing conditions. Expanding impervious coverage in excess of 25% requires an applicant to obtain a variance from NYCDEP Watershed Rules and Regulations Section 18-39.a.4.iii.

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Town Wetland Buffer							
Impervious Surface Area within 100-ft NYCDEP Watercourse Buffer	7,704 sf	23,642 sf	18,662 sf	13,697 sf	11,494 sf ****	-12,148 sf	-69%
Enhancement Planting (Mitigation) in Town Wetland	n/a	0 sf	14,600 sf	14,600 sf	14,600 sf	+14,600 sf	+100%
Enhancement Planting (Mitigation) in Town Wetland Buffer	n/a	0 sf	5,067 sf	5,067 sf	5,067 sf	+5,067 sf	+100%
Notes: * The percentage expansion in impervious surface as compared to existing conditions is now 24.98% with the FSEIS site plan, and therefore complies with the NYCDEP Watershed Rules and Regulations Section 18-39.a.4.iii. ** A cut/fill balance was not completed for the FSEIS building footprint. However, owing to the substantial reduction in building footprint, the current FSEIS site plan should realize a similar reduction in excavated material as was seen in the reduction between the DEIS and FSEIS site plans. *** Building height is averaged for the 4 building sides. The original DEIS building proposed a height of 56 ft. Current FSEIS building is 6 levels and 53 ft. Building height has also varied due to the building's shrinking footprint which has reduced the height of the western façade. The front façade/entrance of the current building plan is in height measured from the proposed finished first floor. The elevation of the building roof is 454' above mean sea level (msl), which has been approved by the FAA for air navigation. **** The plan proposes a total of 69,777 square feet (sf) of disturbance to portions of the 100-foot wetland buffer in order to redevelop the site.							

Modified Project

The proposed parking facility will require the deconstruction of the existing 9,700 square foot office building and the construction of an enclosed fully-automated, multi-level parking structure. The recyclable material, such as glass, steel, and concrete, will be separated out of the 'waste' material and will be reused on site where possible. The parking facility will use an automated parking system that will stack the vehicles using conveyors and pallets to transport cars to their 'parking space.' By eliminating the vehicular circulation used in a conventional garage, the interior space can be used more efficiently and economically with reduced vehicle-generated air emissions. Customers will drop off their vehicles in loading bays, after which automated machinery will transport the vehicle to a storage space within the facility.

The automated nature of the proposed parking facility will allow a more compact vehicle storage facility, thereby reducing overall building volume and building footprint. A greater number of vehicles can be accommodated in a smaller amount of space than a conventional parking garage. This efficiency is achieved through interior design elements, which require minimal space for circulation purposes and for storing vehicles.

Site access would be achieved via the existing two-way driveway off New King Street, which would be improved from 20 feet to 24 feet. The new access drive would be resurfaced and restriped. A designated bus lane and bus turn-around loop will lead to the bus drop-off/pick-up

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area within the structure. Separate lanes for private vehicles and shuttle buses will provide an additional measure of traffic safety. The proposed structure will be a composite concrete and steel framed building. On the exterior of the building from grade to the second floor will be a metal framed green-screen which will allow vegetation to grow up the lattice and natural light to penetrate the main level drop-off/pick up zones. The upper levels of the building are planned to be clad in a combination of insulated metal and translucent panels which balances an energy efficient building enclosure with allowing natural daylight to penetrate into the storage levels. The applicant will be designing the building to LEED certification standards.

On the main level will be the loading/unloading and customer waiting area. Above the main (entry) level will be five levels of vehicle storage areas – unoccupied except for occasional maintenance; and one below grade level – a total of six (6) levels. The proposed building height, at 53-feet, remains below the 60-foot height limit included in the proposed zoning text amendment. No customer access will be permitted outside of the loading/unloading area on the main level.

Drivers will approach the facility after entering the site at the existing access point on New King Street. The driver will enter the structure at the far right (north) in one of three lanes. The three entry lanes will lead to five entry cabins and one drive-thru lane. The driver wishing to drop off a car will pull into an entry cabin, leave the car and walk to the waiting room to board an airport shuttle bus. Similarly, there will be five pick-up bays where the driver will pick up the car. A widened lane adjacent to a curb side pick-up area will allow the driver to pick up passengers and luggage, and then proceed to exit the structure to the driveway leading to New King Street.

Water Quality

The proposed project would re-develop a site already disturbed with an existing office use and parking area. Under current conditions the project site provides no stormwater quantity or quality treatment to runoff discharging from the project site to the Kensico Reservoir. Stormwater runoff would be collected from the project site and from a portion of the adjacent site (Lot 13A). The stormwater management system would consist of a stormwater planter, a bioretention basin, a pre-treatment basin, a surface sand filter, and a stormwater wetland. In addition, a green roof has been added to the structure of the building.

As documented in the Stormwater Pollution Prevention Plan (SWPPP, December 2016) prepared for the currently proposed revised site plan, runoff rates for all storm events will be reduced as compared to existing conditions. Using the Simple Method, four pollutants (total phosphorus (TP), soluble phosphorus (SP), total suspended solids (TSS) and total nitrogen (TN)) were analyzed for the modified proposed project. All four pollutants are currently projected to be reduced in runoff as compared to the current condition through capture and treatment within the proposed stormwater management system.

Under the proposed condition, automobiles will be parked within an enclosed structure and the oils, hydrocarbons, and other pollutants that typically emanate from these automobiles will be intercepted, collected and discharged into the proposed sanitary collection system designed within the building. The pollutants collected within this system will ultimately be conveyed and treated at the wastewater treatment plant and will not enter the Kensico Reservoir.

The SWPPP document and the project's Drawings include a detailed Erosion and Sediment Control Plan to avoid discharge of sediment or turbid runoff during the construction period.

Traffic

The Applicant believes the Proposed Project will improve traffic flow at several area intersections (Airport Road/NYS Route 120, Airport Road/Interstate 684 northbound ramps, and Airport Road/Interstate 684 southbound ramps) through mitigation measures.

To mitigate potential traffic impacts the Applicant will implement and fund the following improvements:

- Airport Road at I-684 Northbound Entrance Ramp – install a traffic signal at this intersection and interconnect with the signal at Airport Road and NYS Route 120 by using a double cycle length. Channelize westbound right turn with striping and yield control.
- Airport Road at NYS Route 120 – coordinate with new signal at Airport Road/I-684, change cycle length from 120 to 100 seconds, and implement new phasing plan.
- Eastbound Airport Road receiving lanes– restripe departure to include two travel lanes
- I-684 SB Ramp to Airport Road – install “Force-Out” detector on Airport Road
- I-684 NB Exit Ramp to Airport Road – install “Force-Out” detector on I-684 ramp.

A monument sign will be located at the driveway entrance on New King Street to direct customers into the Park Place and a building mounted sign will be located at the entrance to the building. Lighting used throughout the site will be dark sky compliant. A down-light will be incorporated into the ground mounted entry sign. Along the driveway will be dark-sky compliant bollards directing customers towards the Park Place structure. At the entrance to the building will be ceiling mounted LED fixtures to provide illumination for a customer dropping-off/picking up their vehicle. Internally, there will be minimal LED lighting for security purposes only.

Lighting

Because the facility will be operated by automated machinery, minimal lighting would be required in the vehicle storage areas. There will be a series of rooftop skylight monitors along the central aisle which will naturally illuminate the storage area during daylight hours. Exterior lighting would be limited primarily to the entrance drive. Full-cut-off fixtures would be used to minimize off-site glare.

Plumbing

Plumbing requirements for this facility will be limited. Low flow plumbing fixtures that will reduce up to 30 percent of water usage are proposed for the waiting room area.

The set of schematic site plan drawings that reflect the final project revisions presented with the FSEIS that are the subject of this Findings Statement include:

- C-1 NOTES PLAN
- C-2 EXISTING CONDITIONS PLAN
- C-3 EXISTING STEEP SLOPE ANALYSIS
- C-4 DEMOLITION PLAN
- C-5 SITE PLAN
- C-6 PAVING, GRADING AND DRAINAGE PLAN
- C-7 COMPOSITE UTILITY PLAN
- C-8A EROSION AND SEDIMENT CONTROL PLAN – SEQUENCE I

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- C-8B EROSION AND SEDIMENT CONTROL PLAN – SEQUENCE II
- C-8C EROSION AND SEDIMENT CONTROL PLAN – SEQUENCE III
- C-9 LANDSCAPE PLAN
- C-10 STANDARD DETAILS I
- C-11 STANDARD DETAILS II
- C-12 STANDARD DETAILS III
- C-13 STANDARD DETAILS IV
- C-14 STANDARD DETAILS V
- C-15 LAYOUT COMPARISON
- A 100 FLOOR PLANS AND ELEVATIONS

C. PUBLIC PURPOSE, NEED AND BENEFITS

Parking Demand

The primary purpose of the Park Place at Westchester Airport project is to meet an existing and growing parking need experienced by many who work and use Westchester County Airport. Today, the Airport is served by a single 3-level, 1,051 space parking structure. An overflow uncovered at-grade lot on Airport Road (formerly a cell phone lot) with approximately 150 spaces is also available to those in need of parking when the parking structure is at capacity. Industry standards suggest that the activity at Westchester County Airport would justify a demand for 2,500-3,000 parking spaces.

The Applicant commissioned a study to estimate the level of unmet parking demand that could support a proposed private parking structure to serve the Westchester County Airport. The study, “Estimate of Potential Parking Demand for Prospective New Garage to Serve: Westchester County Airport,” (“Demand Study”, October 24, 2011) prepared by Carl Walker Associates concluded that there is significant need for a convenient and moderately priced parking option at the Airport, a need that the proposed parking facility would meet if priced at a rate comparable to rates offered at other airports in the region. The study found that 46% of commercial airport travelers were dropped-off/picked up by a family/friend or car service, as compared to 25% at comparable airports, suggesting an uncertainty of there being a predictable place to park at the airport. The Applicant believes that this results in travelers seeking alternatives to self-driven trips to the airport, which increases vehicle trips and air emissions.

The Applicant has presented to the Planning Board information from the Westchester County Airport website that the parking demand for those traveling on one of the four commercial airlines that fly out of Westchester County Airport represents twenty-five percent (25%) of the aviation activity, with seventy-five percent (75%) of the airport serving the general aviation market, including private and corporate aircraft. Forty-six percent (46%) of general aviation at Westchester County Airport is corporate aviation. Based on the above, there appears to be a need for parking for employees and customers associated with corporate aviation. The National Business Aircraft Association estimates that a typical corporate flight will require on average, six to seven employees per flight, i.e. pilots, maintenance workers, in-flight service attendants, administration, etc. Regardless, the parking demand study prepared by the Applicant demonstrates that existing commercial aviation operation parking demand is greater than the existing number of parking spaces at the airport.

In addition to the principal parking benefits, community benefits of the proposed Modified Project to the Town of North Castle will also include:

- Collection and treatment of stormwater runoff from the site, currently untreated, prior to being released into the Kensico Reservoir
- Minimal burden on Town resources, i.e. no negative school, sewer, police or traffic impacts
- Redevelop a vacant and blighted commercial site
- Set example within Westchester for a sustainably designed and operated, LEED certified (or similar accreditation), and state-of-the-art parking facility
- Increased real estate tax for Town
- Revenue from building permit fees

D. REQUIRED APPROVALS

The required project approvals are listed in the **Table 2** below.

Table 2
Required Approvals and Involved Agencies

Approval/Permit/Review	Involved Agency
Town of North Castle	
Site Plan Approval	Planning Board
Wetland Permit	Planning Board
Tree Removal Permit	Planning Board
Zoning Text Amendment and Special Permit	Town Board
Steep Slope Permit	Planning Board
Sanitary Sewer Connection	Building Department
Westchester County	
Sanitary Sewer Connection	Department of Health (WCDOH)
Water Supply Well	WCDOH
Roadway/Signal Improvements	Department of Public Works (WCDPW)
New York City	
Stormwater Pollution Prevention Plan (SWPPP)	Department of Environmental Protection (NYCDEP)
Sanitary Sewer Connection	NYCDEP
New York State	
Roadway/Signal Improvements (NYS Route 120)	Department of Transportation (NYSDOT)
SPDES Permit No. GP-0-15-002	Department of Environmental Conservation (NYSDEC)
Federal	
Height Limitation	Federal Aviation Administration (FAA)
Notice of Proposed Construction or Alteration	FAA
Nationwide Permit, if applicable	U.S. Army Corps of Engineers (USACE)

II. SEQRA REVIEW HISTORY

TOWN OF NORTH CASTLE

The Applicant, 11 New King Street, LLC, acquired the Site (formerly known as Aerotech, Inc.) in 2008.

June, 2009 - In conjunction with a site plan application, the Applicant submitted a zoning petition to amend the Town of North Castle zoning code to allow parking structures in the Industrial AA (IND-AA) zoning district subject to issuance of a Special Permit. The Applicant also submitted a site plan and images for the Proposed Project, a Town of North Castle Clearance Form together with a Full EAF, and applications for Site Development Plan Approval, Tree Removal Permit, and a Wetland Permit.

September, 2009 - Without objection from other involved agencies, including the Town Board, the Planning Board declared itself to be lead agency and issued a Positive Declaration. In addition to having the authority to grant site plan approval, the Planning Board is the approving authority for wetland permit applications for projects that also involve site plan approval from the Planning Board (See Section 340-5(a) of the Town Code).

March, 2011 - A DEIS for Park Place was accepted as complete by the Town of North Castle Planning Board for purposes of commencing public review. The proposed building was 50,915 square feet, to accommodate parking for 1,450 vehicles. The DEIS was circulated to involved and interested agencies, posted on the Town's website, and distributed to any other parties requesting a copy.

May, 2011- A public hearing was held at the H.C. Crittenden Middle School in Armonk, NY with the public comment period extending until June 1, 2011 for written comments.

Note: The pDSEIS review process was placed on hold pending the filing of a drainage easement for the proposed project. The preparation of a pDSEIS resumed in March 2014.

June, 2014 - A draft Final Environmental Impact Statement (dFEIS) was submitted. In response to comments, the dFEIS reduced the size of the project to 44,812 square feet, to accommodate parking for 1,380 vehicles.

January, 2015- The FEIS was accepted as complete and circulated to involved and interested agencies. Comments on the FEIS were received from the NYS Watershed Inspector General, Westchester County Department of Planning, NYCDEP, and the Town of North Castle, and the Planning Board.

March, 2015 - The Planning Board directed the Applicant to respond to FEIS comments in a Supplemental Draft Environmental Impact Statement. The Planning Board directed the Applicant to address the following issues:

- Obtain a new Federal Aviation Administration (FAA) “Determination of No Hazard” for the project
- Address project elements and airport safety with respect to bird attraction associated with stormwater mitigation practices and sun glare from proposed rooftop-mounted solar panels
- Correctly identify the ‘limiting distance’ to the NYCDEP-mapped intermittent stream as 100 feet and potential adverse impacts from construction within this distance
- Respond to issues from Westchester County, NYCDEP, and the Watershed Inspector General
- Prepare a new alternative for review where no portion, or a reduced portion, of the proposed garage building is located within the 100-foot limiting distance to the NYCDEP intermittent stream

The DSEIS further reduced the size of the project to 37,444 square feet, to accommodate 980 vehicles.

March, 2016 - The Planning Board declared the DSEIS to be complete and circulated the document to interested and involved agencies.

April 4, 2016 - A public hearing was held on the DSEIS on April 11, 2016.

April 24, 2017 - A Final Supplemental Environmental Impact Statement (FSEIS) was prepared and accepted as complete. The FSEIS presented a further reduced building footprint of 31,493 square feet, to accommodate parking for 850 vehicles. Through reduction in building size, modification to drives, and incorporation of a green roof, the site plan that is the subject of the current FSEIS proposes an expansion of impervious surfaces of 24.98%. As such, in the Applicant’s opinion, a variance from the NYCDEP Watershed Rules and Regulations is no longer necessary as this increase is less than the 25% threshold for NYCDEP.

This further revised and reduced development program has the following benefits:

- The reduction in size, in the Applicant’s opinion, avoids the need for NYCDEP variance coupled with implementation of a green roof of approximately 4,000 square feet
- Treat Stormwater runoff from the Project Site and a portion of an adjacent developed site, where none is currently provided

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- Avoids creating any new impervious surfaces within the NYCDEP reservoir stem limiting distance (buffers)
- Develops a previously developed and vacant site, thereby minimizing new ground disturbance as compared to an undeveloped site
- Reduces traffic within a congested traffic network
- Reduces air emissions as a result of a more efficient traffic flow due to the enclosed automated facility whereby vehicles do not idle or circulate within the structure
- Designs a project to US Green Building Council – LEED Certification (or similar) standards; and
- Increases tax revenues to the Town and County.

FEDERAL AVIATION ADMINISTRATION (FAA) REVIEW

In 2011, the proposed project received a “Determination of No Hazard” from the FAA, pursuant to its FAA 7460-1 Form or Aeronautical Review – Aeronautical Study Number (ASN): 2011-AEA-2792-OE. The ‘Determination’ expired on August 14, 2014 and the Applicant conducted an updated technical analysis regarding the potential effects of the parking garage using the modified site plan presented herein.

The Applicant submitted an updated “Off Airport Parking Garage Height Limitation Study” to the FAA that was accompanied by an FAA Part 77 Imaginary Surfaces evaluation to identify restrictions over the subject parcel, and a revised FAA Form 7460-1 reflecting updated land coordinates and elevation proposed for the parking garage (Aeronautical Study No. 2015-AEA-4118-OE). In correspondence dated August 18, 2015, the FAA issued a “Determination of No Hazard to Air Navigation” for the proposed current Park Place project building and plan (DSEIS plan), which was consistent with the prior determination. In this determination, the FAA indicated that its aeronautical study revealed that the proposed project does not exceed obstruction standards and would not be a hazard to air navigation. The determination included one Advisory Recommendation—that, while the structure does not constitute a hazard to air navigation, because it would be located within the RPZ of the Westchester County Airport (HPN) Runway 16/34, “structures which will result in the congregation of people within an RPZ are strongly discouraged in the interest of protecting people and property on the ground.”

In cases where the airport owner neither owns nor controls the use of a property (as is the case with the proposed project), FAA advisory recommendations are issued to inform the airport owner from the standpoint of safety of personnel and property on the ground. The FAA’s AIP Sponsor Guide (Central Region), which serves to assist airport owners with administering Airport Improvement Program (AIP) grants, provides the following guidance with respect to parking structures within a Runway Protection Zones:

“The following land use criteria apply within the RPZ: (a) While it is desirable to clear all objects from the RPZ, some uses are permitted, provided they do not attract wildlife, are outside the Runway OFA, and do not interfere with navigational aids. Automobile parking facilities, although discouraged, may be permitted, provided the parking facilities and any associated appurtenances, in addition to meeting all of the preceding conditions, are located outside of the object free area extension. (B) Land uses prohibited from the RPZ are: residences and places of public assembly. (Churches, schools, hospitals, office buildings, shopping centers, and other uses with similar concentrations of persons typify places of public assembly.)” (FAA Airport Improvement Program Sponsor Guide, §550).

Accordingly, in the case of the proposed parking garage, the use will not cause the congregation of people because it will have minimal staff and low numbers of people at the facility at any given time dropping off or picking up vehicles. The intent of this parking garage is not to support a venue that congregates people, such as a sports arena, church, or shopping center, thus eliminating the chance that the garage will fill and empty at the same time.

The project site is outside of the Object Free Area [Central portion of the RPZ]. Therefore, the FAA's Advisory Recommendation does not prohibit the proposed project.

On March 14, 2017 the FAA issued an extension of its determination effective until September 14, 2018 (Aeronautical Study Number 2015-AEA-4114-OE, FAA to Kim Frank, 3/14/17).

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NYCDEP) REVIEW

On July 1, 2015, the Applicant submitted an application to NYCDEP seeking an interpretation, or alternatively an area variance, from NYCDEP to permit the construction of a multi-level automated parking structure. At that time, the applicant's proposed site plan constituted an expansion of impervious surface greater than 25 percent when considered for the 11 New King Street parcel (Lot 14B) alone but when combined with impervious surface on the adjacent parcel at 7 New King Street (Lot 13A) to be used for the project's stormwater facilities the provisions of the NYCDEP's Watershed Rules and Regulations (WRR) §18-39(a)(4)(iii) were met.

On August 3, 2015 NYCDEP denied the requested interpretation and advised that there would need to be a variance issued, as the adjacent lot at 7 New King Street could not be considered part of the "existing facility" at 11 New King Street.

In light of this interpretation, the applicant further modified the proposed building and site plan so that it constitutes only a 23% increase in impervious surface over existing conditions on the 11 New King Street parcel (14B) alone. However, in correspondence from NYCDEP dated March 27, 2017, the applicant was informed that the calculation of the impervious area may not be offset by crediting the amount of any current impervious surface that would be restored to a pervious condition (planted/landscaped). The NYCDEP did confirm that the calculation of the 25% expansion in impervious surfaces may be offset by use of a green roof, which would be "credited" against any new impervious area. The attached figure (D-7 FSEIS) depicts an approximately 4,000 sf portion of the building in which a green roof will be provided to comply with the 25% impervious surface limit set forth in the DEP regulations. As the building program is refined throughout the site plan approval and DEP SWPPP review processes, the exact location of, and size of, the green roof may be adjusted, while maintaining adherence to the DEP exemption requirements. Through reduction in building size, modification to drives, and incorporation of a green roof, the final revised site plan presented in the FSEIS proposes an expansion of impervious surfaces of 24.98%. As such, in the Applicant's opinion, a variance from the NYCDEP Watershed Rules and Regulations is no longer necessary. This increase is less than the 25% threshold for NYCDEP. Therefore, the Applicant has withdrawn the NYCDEP interpretation and variance requests.

The project continues to propose no new impervious surfaces within the 300-foot limiting distance to a reservoir stem, as has been the case since the site plan proposed in the DEIS.

The project will require NYCDEP review and approval of the Stormwater Pollution Prevention Plan (SWPPP) in accordance with WRR §18-39(b)(3).

III. DETERMINATIONS AND FINDINGS

The Planning Board notes that the original project proposed in the DEIS, and the three subsequent alternatives presented in the FEIS, DSEIS, and FSEIS, all would have resulted in greater site disturbance, runoff and a larger building footprint than the building and site plan currently proposed by the Applicant in the FSEIS.

A. LAND USE, ZONING AND PUBLIC POLICY

The EIS considered potential impacts with respect to land use, zoning, and public policy. The Town Board considered comments received on the DEIS regarding land use, zoning, and public policy, and further considered them in the FEIS, DSEIS, and FSEIS.

Zoning

The project site is located within the Industrial AA (IND-AA) zoning district. Permitted principal uses in the IND-AA district include business and professional offices, light industrial uses, motels, airport uses at Westchester County Airport, and non-residential uses permitted in the R-1A district (such as government uses, religious facilities, and educational institutions). In addition, parking structures are permitted accessory uses in the IND-AA district. To permit the proposed parking facility, the Applicant is requesting an amendment to the Town Zoning Code to allow parking structures in the IND-AA district as principal permitted uses subject to issuance of a Special Permit. Proposed bulk and dimensional standards for the proposed special permit use are shown in Table 3.

Table 3
Proposed IND-AA Zoning District Special Permit
Bulk and Dimensional Regulations

Zoning Regulation	Existing Requirement	Proposed Special Use Requirement	Provided by Proposed Project
Minimum Lot Size	2 acres	2 acres	2.47 acres*
Maximum Lot Coverage	N/A	60%	56%
Maximum Building Coverage	30%	N/A	N/A
Maximum Height	2 stories / 30 feet	60 feet	53 feet
Minimum Setbacks:			
Front	50 feet	50 feet	50 feet
Side	50 feet	10 feet	10 feet
Rear	50 feet	50 feet	59 feet
Notes: * Also included as part of the project is an additional 0.87-acre portion of the adjacent parcel utilized for a stormwater easement.			

The proposed bulk and dimensional standards (Table 3) would be in place to minimize visual impacts related to the size of any parking structures. In addition, the proposed zoning amendment incorporates restrictive locational requirements to ensure that any additional parking structures would only be located in appropriate areas that do not compromise the residential character of the Town. These include requirements that such parking structures must:

- have frontage and access must be on state or county highway, or nonresidential collector road;
- be >50 feet from residential zoning districts, and;
- be <1,500 feet from intersection with state or county highway.

Town of North Castle Comprehensive Plan

The Proposed Project would conform to the goals and objectives of the Town Comprehensive Plan Update of 1996. The proposed project would be located in an area dominated by office and transportation uses and would therefore be a compatible land use. It would be separated from residential areas, thereby having minimal adverse impact on the residential character of the Town. The proposed project would also be proximate to Westchester County Airport and major highways, such as I-684 and NYS Route 120, further supporting goals of the Plan. Development would be located within the IND-AA zoning district and Sewer District #3, an area identified by the Plan with potential to accommodate more intensive development. The proposed project would result in new development on a site that is currently developed, thereby minimizing disturbance to preserved natural areas. Disturbance to important environmental features would be avoided during construction and operation of the proposed facility.

The automated nature of the proposed facility would minimize vehicle exhaust emissions, which are a large contributor to air pollutants in the County.

The Comprehensive Plan Update encourages office and industrial growth to support its tax base. The proposed project would increase the Town's economic base and provide substantial tax revenue to the Town while having minimal impact on municipal services. Restricted public access to vehicle storage areas and adequate fire suppression systems throughout the facility would minimize the burden on emergency service providers. Further, the proposed project would contribute significant tax revenue to the Byram Hills Central School District without generating schoolchildren.

As indicated by the Town Comprehensive Plan Update, residents of the Town of North Castle have actively opposed the expansion of the airport because of its potential impacts on local residential neighborhoods, especially those in flight paths, due to aviation noise. Page IV-41 of the Plan states that "due to the importance of preserving the residential character of the Town and minimizing the impact of airport disturbance on neighboring residential communities, any expansion of the airport facilities and services leading to increased commercial flights and related noise is not recommended." By virtue of the Stipulation agreement between Westchester County and the FAA and the U.S. Attorney (TCA – Terminal Capacity Agreement), the proposed project would have no impact on the TCA. Flight schedules would continue to be regulated by the FAA and would be outside the purview of the Town or the applicant. For these reasons, the Planning Board finds that the final revised project is not anticipated to have any significant adverse impacts to land use, zoning and public policy that have not been mitigated to the maximum extent practicable or inconsistent with the Comprehensive Plan.

B. VISUAL RESOURCES

The EIS considered potential impacts to visual resources and the Planning Board carefully considered all comments received on the DEIS and responded to in the FEIS. Building size was reduced and visual impacts presented in the DSEIS and FSEIS were also analyzed by the Planning Board.

In the winter/leaves-off condition, the proposed project may be visible from a few vantage points on nearby properties located on the east side of King Street in Greenwich CT. However, the visibility would be minimal due to the varied topography and dense layers of deciduous tree branches. The proposed project would be in context with existing views, consisting of office buildings and associated parking areas.

Reductions in the building size since the original proposal presented in the DEIS have moved the western and southern borders of the garage structure further from the property boundaries. As shown in photos documenting the Balloon Test conducted on October 4, 2016 and presented in the FSEIS, the heights of trees surrounding the project site are significantly higher than the balloon (at proposed maximum building height) and the trees obscure visibility from most locations.

It can be assumed that during the winter months when the leaves are off the trees, the proposed building will be more visible from some vantage points including Route 120. However, a buffer of trees at least 50 feet wide would remain. From the other vantage points, from New King Street and from the open parcel to the south, little tree clearing is proposed; therefore views of the proposed project site are expected to be similar to those that occur at present.

The views of the building will include a vertical wall of landscaping, also known as a green-screen, which will be affixed to the external wall of the proposed building with climbing vines and ivy. This feature will be in addition to the landscaping that will be added to the site.

For these reasons, the Planning Board finds that the final revised site plan would reduce visual impacts as compared to site plans submitted in the previous DEIS, FEIS, and DSEIS and the project is not anticipated to have any significant adverse visual resource impacts that have not been mitigated to the maximum extent practicable.

C. CULTURAL RESOURCES

The EIS considered potential impacts with respect to cultural resources at the site. The Planning Board considered comments received on the DEIS regarding cultural resources, and further considered them in the FEIS, DSEIS, and FSEIS.

The Phase 1 Archaeological Survey conducted for the project site determined, with OPRHP concurrence, that the Proposed Project would not adversely affect any significant historic, architectural, or archaeological resources; the modified proposed project would also have no significant adverse impact on any of these resources.

In a letter dated April 22, 2010, the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) concurred that there are “no concerns regarding historic buildings/structures/districts” for the proposed project.

The Phase I archaeological survey was submitted to OPRHP and in a letter dated March 1, 2011 OPRHP concurred that there are no further archaeological concerns for the project site.

For the reasons described above, the Planning Board finds that the proposed project will have no significant adverse impacts to cultural resources that have not been mitigated to the maximum extent practicable.

D. NATURAL RESOURCES

The EIS considered potential impacts with respect to vegetation and wildlife at the Site. The Planning Board considered comments received on the DEIS regarding vegetation and wildlife, and further considered them in the FEIS, DSEIS, and FSEIS.

The Applicant conducted vegetation and wildlife surveys of the project site and investigated the potential for threatened or endangered species to occur onsite. A tree survey, wetland delineation, and watercourse delineation were conducted in accordance with Town Code and the NYCDEP watershed rules and regulations (WRR). It was determined that the Project Site does not harbor

any sensitive or unique wildlife or vegetative habitats. The proposed landscape and stormwater management plans would improve floral diversity onsite by planting native species throughout and by selectively removing invasive plants as described in the Wetland and Wetland Buffer Enhancement Plan.

The Proposed Project would remove 103 trees equal to or greater than 8 inches diameter but would be fully revegetated after construction as shown in the Landscape Plan Sheet C-9 (FSEIS). The proposed project has a limit of disturbance area of 2.44 acres which would result in a net increase in impervious built area (buildings/drives) of 23% as compared to the existing building and parking areas. The development would remove all areas of existing lawn and would replace 0.80 acres of wooded land for the development's grading areas and stormwater structures which would be restored with native plantings as illustrated in the Applicant's Landscape Plan Sheet C-9 (FSEIS).

For the reasons described above, the Planning Board finds that the final modified project is not anticipated to have significant adverse impacts to vegetation or wildlife that have not been mitigated to the maximum extent practicable.

E. GEOLOGY, SOILS, TOPOGRAPHY AND SLOPES

The Planning Board carefully considered impacts related to geology and soils, including grading, cut and fill, erosion control, and blasting.

The FEIS estimated that the amount of soil material to be excavated for the proposed project would be 19,949 cubic yards, most of which (19,912 cubic yards) is excess material to be transported offsite. It is expected that the final revised plan presented in the FSEIS would require somewhat less soil excavation owing to its reduced footprint (44,812 sf previously versus 31,493 square feet currently).

The FEIS determined that the proposed project would disturb approximately 9,957 square feet of steep slopes (>25 percent) on the project site, which is approximately eight percent of the total area of disturbance. It is expected that the final revised plan presented in the FSEIS would require somewhat less steep slope disturbance owing to its reduced overall footprint of disturbance (117,081 sf versus 106,484 sf). A steep slopes permit is required in accordance with Town zoning code §355-18 *Hilltops, ridgelines and steep slopes*.

Subsurface conditions were characterized by conducting borings to a depth of 30-51 feet and test pits up to 11 feet in depth (Melick-Tully and Associates, P.C., 2008). Due to the depth to bedrock it is not expected that rock removal would be required to implement the proposed project. Therefore, blasting is not proposed and rock hammering or chipping would not be necessary.

The Stormwater Pollution Prevention Plan (SWPPP) prepared for the proposed project includes sediment and erosion control sequence plans C-8A, C-8B, and C-8C (FSEIS) and detail sheets that will be employed to prevent the discharge of sediment during construction. Soil will be stabilized and the site re-planted with native vegetation as shown in the Landscape Plan Sheet C-9 (FSEIS). Any groundwater encountered from dewatering during foundation excavation will be conveyed to temporary sedimentation basins to prevent discharge of sediment-laden waters offsite. Sequencing of construction activities and frequent site inspections throughout, as described in the SWPPP, will prevent the discharge of polluted runoff from the project site.

Based on review of the EIS, the Planning Board finds that the design of the final modified project minimizes impacts to steep slopes to the maximum extent practicable and that with

implementation of the mitigation measures set forth in the preliminary SWPPP and Erosion and Sediment Control Plans, the project is not anticipated to have significant adverse impacts to geology, soils, topography and slopes.

F. WATER RESOURCES

The EIS considered potential impacts with respect to wetlands and surface water resources at the Site. The Planning Board considered comments received on the DEIS regarding wetlands and surface water resources, and further considered them in the FEIS, DSEIS, and FSEIS.

The project site contains Town-regulated and Federally-regulated wetlands and NYSDEC-regulated and NYCDEP-regulated watercourses.

Watercourses

The New York City Department of Environmental Protection (NYCDEP) regulates watercourses within its watershed pursuant to the NYC Watershed Rules and Regulations (WRR). In October 2008, NYCDEP visited the project site and flagged the perennial stream that wraps around the east and north boundaries of the project site. Subsequent to publication of the DEIS, NYCDEP revisited the project site on December 16, 2011 and took jurisdiction of the lower reaches of the drainageway running along the project site's southern boundary. As such, this segment of the drainageway is regulated as an "intermittent stream." Both of these stream segments flagged by NYCDEP are shown on project plans and are designated "watercourses" in accordance with the NYCDEP WRR's. The NYCDEP regulates the construction of new impervious surfaces within the 100-foot "limiting distance" from these watercourses.

Both of the NYCDEP-regulated watercourses onsite discharge to the Kensico Reservoir. As such, the lower reaches of these streams are considered "reservoir stems" in accordance with the NYC Watershed Rules and Regulations (WRR). A portion of the 300-foot limiting distance to these two reservoir stems occupies the lower elevations of the project site as shown on the project plans.

In accordance with the NYC Watershed Rules and Regulations (WRR), an expansion of impervious surfaces up to 25% within the 100-foot limiting distance of a regulated watercourse is allowed with an approved SWPPP. The proposed project has been reduced in size such that it now constitutes a 23% net increase of impervious surface. Additionally, the proposed parking structure and all impervious surfaces are located outside of the 300-foot limiting distance to both reservoir stems.

In correspondence from NYCDEP dated March 27, 2017, the applicant was informed that the calculation of the impervious area may not be offset by crediting the amount of any current impervious surface that would be restored to a pervious condition. The NYCDEP did confirm that the calculation of the 25% expansion in impervious surfaces may be offset by use of a green roof, which would be "credited" against any new impervious area. The attached figure (D-7) depicts a portion of the building in which a green roof will be provided to comply with 25% limit set forth in the DEP regulations (§18-39.a.4.iii). Through a reduction in building size, modification to drives, and incorporation of a green roof, the final revised site plan presented in the FSEIS proposes an expansion of impervious surfaces of 24.98%. As such, in the Applicant's opinion, a variance from the NYCDEP Watershed Rules and Regulations is no longer necessary. As the building program is refined throughout the site plan approval and DEP SWPPP review processes, the exact location of, and size of, the green roof may be adjusted, while maintaining adherence to the DEP exemption requirements. Additionally, the Planning Board shall require that the plans not exceed the 25% expansion of impervious surface threshold.

Wetlands

The final revised site plan presented in the FSEIS eliminates all wetland disturbance.

The plan proposes a total of 69,777 square feet (sf) of disturbance to portions of the 100-foot wetland buffer in order to redevelop the site. The buffer area currently includes the existing building, parking areas, maintained lawn, and wooded land on the peripheries of the site, as shown in Table 1 below.

As detailed in Table 1, the proposed project would result in a net increase of 5,724 sf of impervious surface within the 100-foot wetland buffer as compared to the existing condition. All other areas of buffer disturbance within the project's limit-of-disturbance not consisting of new impervious surface would be re-vegetated with grass pavers or native plants upon project completion including, among other things, approximately 1,647 sf of existing impervious area that will be restored to pervious area. This replanting will include wetland plant species (within the pocket wetland and stormwater basins) and upland plant species (within upland areas to be replanted). In the applicant's opinion, this revegetation will restore most wetland buffer functions after construction within those portions of the limit-of-disturbance area not dedicated to the proposed parking garage and driveway surfaces. Of the total 69,777 sf of land to be developed (disturbed) within the 100-foot wetland buffer area, approximately 45,580 sf will be revegetated with native woody and herbaceous plants in accordance with Landscape Plan Sheet C-9 (FSEIS).

In addition, the Applicant has developed a separate "Wetland and Wetland Buffer Enhancement Plan" that proposes to remove invasive species and replant native species outside of (beyond the bounds of) the project's limit-of-disturbance area. Roughly 50% of this area contains non-native species and in the applicant's opinion would benefit from invasive species removal and supplemental planting with more ecologically beneficial native species. As shown in Table 1 below and on Landscape Plan Sheet C-9 (FSEIS), approximately 19,500 sf of wetland/buffer enhancement planting is proposed.

It is the Applicant's position that mitigation for "unavoidable wetland buffer losses", as conceived by the Town Code §340-9, should be required only for the additional (net increase) of 5,724 sf in impervious surface proposed within the buffer. This added amount of impervious surface within the buffer would lose all buffer functions with development and is therefore the most appropriate quantity to consider when calculating mitigation. Alternatively, the Town may also consider in its definition of buffer "loss" the additional 35,244 sf of wooded land within the buffer to be cleared, regraded and then restored after construction to functional buffer with the re-planting of native wetland and upland species. Lastly, the Town may consider the entire 69,777 sf of disturbance within the wetland buffer worthy of mitigation, despite the fact that much of this area currently consists of the existing building and parking area and most of it will be restored/replanted post-construction.

Mathematically the 19,500 sf of formal wetland mitigation proposed outside of the project's limit-of-disturbance envelope represents a 3.4:1 mitigation ratio considering only the 5,724 sf of added impervious surface proposed within the buffer. This is well in excess of the Town Code's 2:1 mitigation ratio goal for wetland buffer "loss". If the 35,244 sf of disturbance to existing wooded areas to be replanted after construction is also considered in the buffer "loss" equation, the Applicant's proposed mitigation represents a 0.5:1 mitigation ratio. If the total disturbance of 69,777 sf within the buffer is considered (as defined by the Town Code), the 19,500 sf of mitigation would only provide a 0.28:1 mitigation ratio. However, the total area of disturbance within the 100-foot buffer of 69,777 sf includes the existing building, parking and lawns which

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offer little or no buffer functions at present. In the Applicant's opinion, the Planning Board should consider both the invasive species removal proposed on 19,500 sf of the site and the restoration/replanting of 45,580 sf of the site to be disturbed temporarily during construction as mitigation for redevelopment of these buffer areas. Both forms of mitigation will serve to restore much of the buffer and allow it to retain many buffer functions.

In addition, the Applicant has offered to explore off-site mitigation should the Town determine that the proposed amount of on-site mitigation is not adequate and the Applicant has agreed to limit the use of herbicides on the property.

The Planning Board in consultation with the Conservation Board, will decide the adequacy of the proposed project's wetland buffer mitigation in accordance with Town Code §340-9.

The Armonk Fire Department (AFD) has not yet commented on the suitability of the proposed fire access drive. Potential additional grass-paver area for the fire access drive may be required to satisfy comments from the Fire Department. Alternatively, the AFD may require a paved surface or modified layout for the fire access road. Should this become necessary, additional wetland buffer impacts may become necessary and require further review and consideration by the Town as to the environmental significance of the required improvements.

Table 1 below presents the existing and proposed wetland buffer disturbance amounts.

Table 1

Existing vs Proposed Conditions within Town Wetland Buffer

Areas Within Limit of Disturbance (LOD) Line	Existing	Proposed
Impervious Surface in Town Buffer	12,316 sf	18,040 sf
Grass Pavers in Town Buffer (fire and sw maintenance drives)	0 sf	6,157 sf
Lawn and/or Maintained Landscaped in Town Buffer (includes proposed stormwater basins)	22,217 sf	45,580 sf
Forested/Undisturbed in Town Buffer (within tree-line shown on existing conditions survey)	35,244 sf	0 sf
<i>TOTAL (LOD in Town Buffer)</i>	<i>69,777 sf</i>	<i>69,777 sf</i>
Mitigation- Invasive Plant Removal in Town Wetland (Outside of LOD)	0 sf	14,600 sf (0.50 x 29,201 sf)
Mitigation - Invasive Plant Removal in Town Buffer (Outside of LOD)	0 sf	5,067 sf (0.50 x 10,134 sf)

For the reasons described above, the Planning Board finds that the final modified project is not anticipated to have any significant adverse impacts to the environment that have not been mitigated to the maximum extent practicable from wetlands and surface water resources provided the Applicant implements the onsite and potentially offsite wetland mitigation to the satisfaction of the Board.

G. STORMWATER MANAGEMENT

The EIS considered potential impacts with respect to stormwater management at the site. The Planning Board considered comments received on the DEIS regarding stormwater management, and further considered them in the FEIS, DSEIS, and FSEIS.

The Stormwater Pollution Prevention Plan (SWPPP) and the Site Engineering Plans have been revised to reflect the changes from the reduced impervious coverage with the final modified

project reflecting the reduced building size. The hydrologic model demonstrates that the post-development runoff rates will be below pre-existing rates for all storm events.

The stormwater management plan will collect stormwater via overland flow and roof drains from the project site as well as a portion of the adjacent site (Lot 13A). The stormwater will then be conveyed to multiple treatment mechanisms in a series, consisting of a stormwater planter, a bioretention basin, a pre-treatment basin, a surface sand filter, and a stormwater wetland.

The SWPPP has been prepared to minimize erosion and sedimentation during and after construction. A Paving, Grading, and Drainage Plan (Sheet C-6 in the FSEIS); an Erosion and Sediment Control Plan (Sheets C-8a, C-8b, C-8c in the FSEIS); and a Demolition Plan (Sheet C-4 in the FSEIS) have been prepared to ensure appropriate measures are taken during construction and after the proposed facility would be in operation to limit effects on water resources and natural habitat on or near the project.

In support of the stormwater management system design, infiltration tests and a deep soil pit were conducted on December 15, 2015. The tests were witnessed by Mr. Giannetta of NYCDEP and Mr. Grau of Kellard Sessions Consulting, P.C., as representative for the Town of North Castle. The deep soil pit was conducted within the vicinity of the proposed pretreatment basin and the two infiltration tests were conducted in the region of the proposed porous paver fire lane. The soil conditions meet the requirements of the NYSDEC Stormwater Management Design Manual because seasonal high groundwater is deeper than two feet below the proposed bottom elevation of the pretreatment basin. The infiltration tests provided adequate infiltration rates to accommodate the use of porous pavers.

In addition, the Applicant has agreed not to place sand/salt or other de-icing measures within the Drainage Easement. Furthermore, all on-site deicing will be required to follow guidance established by NYS Office of the Attorney General by using deicers that contain 50 parts per million total phosphorus or less.

For the reasons described above, the Planning Board finds that the final modified project is not anticipated to have any significant adverse impacts to the environment from stormwater runoff that have not been mitigated to the maximum extent practicable.

H. COMMUNITY FACILITIES AND SERVICES

The EIS considered potential impacts to community facilities and services from the proposed project. The Planning Board considered comments received on the DEIS regarding community facilities and services, and further considered them in the FEIS, DSEIS, and FSEIS.

Schools

The proposed project is a commercial use and would not generate any school-age children, nor would it induce any significant residential growth in the surrounding area that would generate school-age children. However, the proposed project would have a significant fiscal contribution to the Town's tax reserves. Annual school tax revenue generated by the proposed project would be estimated at approximately \$148,207, an increase of approximately \$120,525 (or 435 percent) from existing tax revenue. Therefore, the proposed project would have a beneficial impact to the local school system.

Police

The structural nature of the proposed facility would provide security to vehicles in the storage area by virtue of its design as an enclosed structure. There would be no exterior openings other than for ventilation. Emergency exit doorways would be located along the perimeter of the facility, but would remain locked when not in use. The proposed facilities would be equipped with a motion activated alarm system that would be able to differentiate between robotic equipment and humans. Surveillance cameras would be installed throughout the proposed parking facility, including the office and waiting area, the vehicle storage area, and the vehicle loading bays. A license recognition system would also be installed in each vehicle loading bay to record customers' license plates. Surveillance videos would be internet-based and have DVR features, allowing both real-time surveillance and replay capabilities. All systems would be viewable and operable remotely. These features are in line with recommendations provided by the North Castle Police Department (NCPD) in a letter dated June 9, 2010. The proposed parking facility would be staffed 24/7 to accommodate customers at all times, reduced staffing would be provided overnight. Staffing would be primarily needed for security purposes. The increased activity on the project site would have minimal impact to the local police force; increased demand on and incurred cost for the department would therefore be negligible. The security features outlined above would deter criminal activity and would be consistent with suggestions from the NCPD.

Fire Protection Services and EMS

The project site is located within the North Castle Fire District #2, which is served by the Armonk Fire Department (AFD).

The parking facility would be constructed with inflammable materials, such as concrete, steel, and glass and there would be limited risk for vehicle fires within the vehicle storage area as automobiles would be turned off in the vehicle loading bays prior to being stowed.

The proposed parking facility would be designed in accordance with all applicable fire and building codes and National Fire Protection Association (NFPA) standards. An automatic sprinkler system would be installed throughout the facility, including the office and waiting area, the vehicle loading bays, and all levels of the vehicle storage area. Two 20,000-gallon water storage units would be located on the lower level adjacent to a fire pump station to provide adequate water volume and water pressure in compliance with fire and building codes. (See I. Infrastructure for further details on the fire suppression system). A 300 kW emergency generator would be located on-site to ensure continued functionality of the fire protection system in the event of a power failure. Two emergency exits to the exterior of the building, in addition to the regular ingress and egress points, would be provided.

The applicant and its consultants met with the Town of North Castle building inspector throughout the design process to address emergency site access concerns. The proposed site plan incorporates several emergency site access features based on consultation with the building inspector, including an additional fire emergency access lane along the south side of the proposed facility. Because the fire access lane would be limited to emergency vehicle traffic, it would be constructed with grass pavers to reduce impervious surface coverage and stormwater runoff. The 20-foot wide existing site access driveway would also be improved to 24 feet wide, which is consistent with typical design requirements of local roadways and would be sufficient to accommodate emergency response vehicles on the project site.

The proposed project would not be expected to significantly increase demand on the AFD and therefore incurred costs for the department would be negligible. Demand for EMS services from

the proposed project is also expected to be minimal. The parking facility would be completely automated with minimal need for human activity within the storage area limiting the risk for physical injury.

For the reasons described above, the Planning Board finds that the final modified project is not anticipated to have any significant adverse impacts to community facilities and services that have not been mitigated to the maximum extent practicable.

I. INFRASTRUCTURE AND UTILITIES

The EIS considered potential impacts to infrastructure and utilities from the proposed project. The Planning Board considered comments received on the DEIS regarding infrastructure and utilities and further considered them in the FEIS, DSEIS, and FSEIS.

Water Supply

Daily water demand for the proposed facility would be approximately 820 gpd as a result of the two single-use toilet facilities in the office and waiting area. This is a reduction from the 970-gpd water usage estimated for the existing office building on the project site. To conserve water, lavatories will incorporate low-flow plumbing fixtures.

Water would be supplied to the project site by a new well. The existing well would be abandoned and removed. Well decommissioning would be done in compliance with NYSDOH and WCDOH regulations. Prior to installation of the new well, a pump test would be conducted by a qualified engineer and certified driller to ensure the new well would have sufficient capacity for the proposed project and would not adversely affect surrounding wells or groundwater resources. A permit from WCDOH would be required to operate the new well. Based on conditions of the existing well, which has a capacity of approximately 28,800 gpd, the new well would be expected to adequately accommodate the proposed project, which is anticipated to have a daily water demand of 820 gpd.

As a public water supply, storage for one day of use would be required by WCDOH. A minimum of 100 feet of well casing would be required to be installed during drilling and a GWUDI (groundwater under the influence of surface water) treatment (UV treatment system) would be required because of the proximity of surface water (i.e., within 200 feet) to the proposed well. A 72-hour pumping (yield) test of the new well demonstrating stabilized yield which meets the projected water demand, and water-quality sampling for all parameters listed in the NYS Sanitary Code Part V, Subpart 5-1 would be completed.

Two 20,000-gallon water storage tanks would be provided on the lower level of the proposed parking facility to supply fire suppression systems. The following National Fire Protection Association standards were used to design the fire suppression system:

- NFPA 13 for sprinkler system, Ordinary Group 1 Hazard.
- NFPA 20 for Standpipe.

The hydraulic requirements for the fire suppression system are governed by the sprinkler system as that has a more demanding hydraulic requirement. The requirement would be 600 gpm. Storage for 60 minutes is required for Ordinary Group 1 hazard, which equates to 36,000 gallons. As the building system design advances for site plan review, more detailed hydraulic calculations will be completed, and pressure requirement calculations will be performed as well and provided to the Building Inspector and Town Engineer.

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An automatic sprinkler system would be installed throughout the proposed facility. Standpipes would be located in each stairwell with auxiliary hose connections. A fire pump would distribute water to the fire protection systems and ensure adequate volume and pressure is provided in compliance with applicable fire and building codes.

The proposed project would have minimal daily water demands, which would have negligible effects on groundwater resources and therefore negligible effects on the pressure and volume of water in nearby wells. Fire suppression systems would be engaged only during emergency situations, and would not have an adverse impact on water supply.

For the reasons described above, the Planning Board finds that the final modified project is not anticipated to have any significant adverse impacts to water supply that have not been mitigated to the maximum extent practicable.

Sanitary Sewer

The project site is located within the Town of North Castle Sewer District #3, maintained by the Town's Sewer and Water Department. Daily sanitary flow from the proposed project would be generated by two single-use toilet facilities in the office and waiting area. Sewage would then be pumped via a two inch force main connecting to the existing sanitary manhole at the southeastern property boundary near New King Street. The existing sanitary connection from the sanitary manhole to the eight inch gravity line in New King Street would remain.

Sanitary flow is expected to be approximately 820 gpd, as compared to 970 gpd for the existing office use. The existing municipal sewer infrastructure would be able to adequately accommodate the proposed project. No system upgrades or modifications would be required. Approval would be required from the Town's Water and Sewer Department to ensure existing sewer facilities could accommodate the demands of the proposed project. NYCDEP would be notified of the proposed sewer modifications as the proposed project is within the New York City watershed.

For the reasons described above, the Planning Board finds that the final modified project is not anticipated to have any significant adverse impacts to sanitary sewer services that have not been mitigated to the maximum extent practicable.

Solid Waste

Based on an estimated 25 to 29 employees generating 13 pounds per employee per week, solid waste generated by staff would range from 325 to 377 pounds per week. A conservative estimate for waste generated by patrons of an additional 25 percent brings the total solid waste generated to 406 to 471 pounds per week.

Refuse from the proposed facility would be stored in a dumpster similar to the existing dumpster on-site. The dumpster would be screened by a fence to reduce impacts from appearance and odors. The project site would continue to be served by a private carting service. Solid waste would continue to be transported to transfer facilities in Rockland County and Peekskill.

For the reasons described above, the Planning Board finds that the final modified project is not anticipated to have any significant adverse impacts to solid waste that have not been mitigated to the maximum extent practicable.

Energy and Telecommunications

The proposed project would increase annual electricity consumption on the project site by approximately 1.67 million kWh. The existing transformer on the project site would be upgraded

to a larger transformer to accommodate this increased load. Primary electric service provided by Con Edison along New King Street would be adequate to accommodate the proposed project and would not require modification.

All electrical work would comply with current Con Edison, National Electric Code, New York State, and National Fire Protection Association (NFPA) requirements.

The proposed project would include a 300 kW emergency diesel generator onsite to ensure uninterrupted electrical service during power outages for a period up to 24 hours. This would allow security systems, fire protection systems, and automated robotic equipment to remain functional until further measures can be taken. The generator would be located outside the proposed structure within a sound attenuated enclosure. It is anticipated that the generator would use diesel fuel. Fuel for the generator would be stored in an aboveground sub-base storage tank (AST) located under the generator. The fuel storage and delivery system would include spill prevention measures such as double walled tank design, spill containment and drainage control structures.

The project site is supplied with telephone service that originates at New King Street and is routed underground to the existing building. An underground cable line also serves the existing office building. Cablevision is the cable service provider in the study area. New underground telephone and cable conduits would be installed with the proposed project and would connect to existing services along New King Street. All electrical, telephone, and cable conduits would be located in the one trench, thereby minimizing site disturbance and excavation. A new utility pole would be installed on the project site to route underground telephone and cable conduits via overhead wires to existing services on the opposite side of New King Street. Telephone and cable service would be expected to be provided by existing service providers.

For the reasons described above, the Planning Board finds that the final modified project is not anticipated to have any significant adverse impacts to infrastructure and utilities that have not been mitigated to the maximum extent practicable.

J. ECONOMIC CONDITIONS

The EIS considered potential impacts to economic conditions from the proposed project. The Planning Board considered comments received on the DEIS regarding economic conditions, and further considered them in the FEIS, DSEIS, and FSEIS.

As indicated in the DEIS completed for the proposed project, based on the U.S. Bureau of Economic Analysis' RIMS II model for the region, the total economic activity, including indirect expenditures (those generated by the direct expenditures), that would result from construction of the project is estimated at \$32.49 million in the region, of which \$17 million would occur in Westchester County.

Based on the U.S. Bureau of Economic Analysis' RIMS II model for Westchester County, the total economic activity, including indirect expenditures (those generated by the direct expenditures), that would result from operation of the development is estimated at \$6.4 million annually in the county.

It is estimated that the proposed project would generate approximately \$250,160 in real property tax revenues, more than five times higher than the existing property taxes. Of the total property taxes generated by the project, approximately 59 percent of these taxes (or an estimated \$148,200) would be directed to the Byram Hills Central School District. The proposed project would generate an estimated \$39,000 in county taxes and \$36,400 in town taxes. In addition, the proposed project

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would generate \$26,460 in taxes for Sewer District #3, Blind Brook Sewer District, Fire District #2, Light District #3, and Ambulance District #2.

For the reasons described above, the Planning Board finds that the final modified project is not anticipated to have any significant adverse impacts to economic conditions that have not been mitigated to the maximum extent practicable.

K. TRAFFIC AND TRANSPORTATION

The EIS considered potential impacts to traffic and transportation from the proposed project. The Planning Board considered comments received on the DEIS regarding traffic and transportation, and further considered them in the FEIS, DSEIS, and FSEIS.

Based on traffic studies prepared for the EIS, the project is projected to improve traffic flow at several area intersections (Airport Road/NYS Route 120, Airport Road/Interstate 684 northbound ramps, and Airport Road/Interstate 684 southbound ramps) through mitigation measures.

To mitigate potential traffic impacts the Applicant would be responsible for implementing and funding the following improvements:

- Airport Road at I-684 Northbound Entrance Ramp – install a traffic signal at this intersection and interconnect with the signal at Airport Road and NYS Route 120 by using a double cycle length. Channelize westbound right turn with striping and yield control.
- Airport Road at NYS Route 120 – coordinate with new signal at Airport Road/I-684, change cycle length from 120 to 100 seconds, and implement new phasing plan.
- Eastbound Airport Road receiving lanes– restripe departure to include two travel lanes
- I-684 SB Ramp to Airport Road – install “Force-Out” detector on Airport Road
- I-684 NB Exit Ramp to Airport Road – install “Force-Out” detector on I-684 ramp.

Having nearby and convenient parking should reduce the number of multiple trips required by airport passengers who are currently transported via family members, friends or car services. Each trip reduction will reduce fossil fuel usage and lower emissions of air pollutants. The shuttle vehicles which will transport travelers between the garage and the airport will be fuel efficient and will use alternate energy vehicles.

For the reasons described above, the Planning Board finds that the final modified project is not anticipated to have any significant adverse impacts to existing traffic and transportation conditions that have not been mitigated to the maximum extent practicable.

L. AIR QUALITY

The EIS considered potential impacts to air quality from the proposed project. The Planning Board considered comments received on the DEIS regarding air quality, and further considered them in the FEIS, DSEIS, and FSEIS.

As analyzed and presented in the DEIS, based on NYSDOT’s Environmental Procedures Manual criteria, there would be no significant adverse air quality impacts from the proposed project, and mitigation is not required. The proposed project would reduce the overall vehicle trips from the region using the airport and thereby reduce regional emissions from mobile sources. This would reduce green house gas (GHG) emissions in the study area and work toward regional air quality goals. In addition to reducing GHG emissions, the proposed project would also reduce the vehicle emissions of criteria pollutants, such as particulate matter, carbon monoxide, nitrogen dioxide,

and volatile organic compounds. Due to the automated method of moving and storing cars, there would be minimal to no emissions from vehicles within the proposed parking facility.

For the reasons described above, the Planning Board finds that the final modified project is not anticipated to have any significant adverse impacts to air quality that have not been mitigated to the maximum extent practicable.

M. NOISE

The EIS considered potential impacts from noise generated by the proposed project. The Planning Board considered comments received on the DEIS regarding noise, and further considered them in the FEIS, DSEIS, and FSEIS.

The proposed project is located within the Westchester County Airport Ldn Noise Contour CEA. However, the proposed project would not constitute a sensitive noise receptor, and would therefore not be affected by the CEA.

As described in the EIS, the proposed project would result in an overall net reduction in traffic in the study area with only a few intersections experiencing negligible increases in traffic noise due to the redistribution of vehicles travelling within the study area (i.e. instead of going directly to the airport, a portion of the vehicular traffic would go to the project site and take a shuttle to the airport). This increase in ‘redistributed’ traffic at certain intersections would be less than one percent, which would translate into less than a 0.1 dBA increase in noise levels.

Such a noise level increase would be imperceptible, and according to NYSDEC criteria, being less than 3 dBA, would have no appreciable effect on receptors and would not be considered an impact. Further, the proposed parking facility would not be a significant noise generator itself, as it would be an enclosed vehicle storage facility and would have minimal exterior HVAC equipment.

Construction of the proposed project would occur over a period of 14 months, although the period of heaviest construction would occur for only three months. The proposed parking structure would be over 600 feet from the nearest single family home (sensitive receptor). For an average hour of the construction period, during which an excavator, two tractor trailers, and a crane would be operating, the maximum expected 1-hour equivalent sound level (Leq(1)) would be 64.8 dBA. Such levels would be comparable to or less than existing noise levels and below the NYSDEC impact criteria, and below the noise level threshold in the North Castle noise ordinance. Construction activities would occur during daytime hours and would adhere to the time limits specified in the North Castle noise ordinance, which limits construction activities to between 7:30 am and 7:00 pm Monday through Friday and between 8:00 am and 5:00 pm on Saturdays. Consequently, the construction of the proposed project would not result in any significant adverse noise impacts.

For the reasons described above, the Planning Board finds that the final modified project is not anticipated to have any significant adverse impacts due to project-generated noise that have not been mitigated to the maximum extent practicable.

N. HAZARDOUS MATERIALS

The EIS considered potential impacts from hazardous materials. The Planning Board considered comments received on the DEIS regarding hazardous materials, and further considered them in the FEIS, DSEIS, and FSEIS.

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A Phase I Environmental Site Assessment (ESA) was prepared for the project site by The Chazen Companies of Poughkeepsie, New York (Chazen) dated June 6, 2002. A subsurface investigation consisting of drilling soil borings and excavating test pits was performed in October 2008 by Melick-Tully and Associates, P.C. (MTA). AKRF, Inc. performed a confirmatory site inspection on September 8, 2010.

Based on the cut and fill calculations, the majority of the fill material proposed to be excavated during construction of the proposed project would be exported off-site. Fill material constitutes a regulated waste with specific transportation and disposal requirements. Any petroleum contaminated fill material encountered during excavation would be segregated and stockpiled for off-site disposal. Proper waste characterization would be conducted on fill material and, if necessary, any petroleum contaminated fill material to determine the disposal requirements. All fill materials would be sampled, handled, and transported to an appropriate disposal facility in accordance with all applicable federal, state, and local requirements.

If contaminated groundwater is identified and dewatering is necessary, treatment and discharge of groundwater would be in accordance with all federal, state, and local requirements.

Prior to any demolition activities, a comprehensive asbestos survey would be conducted and any identified asbestos-containing materials (ACMs) would be removed from the existing building by a licensed asbestos abatement contractor in accordance with all applicable federal, state, and local requirements.

The existing building and impervious site materials will be deconstructed rather than demolished. The recyclable material, such as glass, steel, and concrete, will be separated out of the ‘waste’ material and may be reused on site where possible. For example, material such as concrete will be crushed on site and reused as structural fill within the proposed facility under slab work. Crushing operations will require site plan approval of the Planning Board. If approved, all crushing shall be in accordance with all applicable regulations. It is anticipated that up to 87 percent of all material that at one time would have automatically been placed directly into landfill will be recycled.

Any activities that involve disturbance of surfaces with lead-based paint would be conducted in accordance with applicable Occupational Safety and Health Administration (OSHA) regulations for worker protection from exposure to lead.

Any activities that involve the disturbance or removal of ballasts (or any other suspect PCB-containing electrical equipment) would be disposed of in accordance with applicable regulatory requirements.

For the reasons described above, the Planning Board finds that the final modified project is not anticipated to have any significant adverse impacts due hazardous materials that have not been mitigated to the maximum extent practicable.

O. CONSTRUCTION

The EIS considered potential impacts from construction. The Planning Board considered comments received on the DEIS regarding construction, and further considered comments on the FEIS, DSEIS, and FSEIS.

The amount of material to be excavated was reduced from 25,075 cubic yards in the DEIS site plan to 19,949 cubic yards in the FEIS site plan. The net excess material to be transported offsite was also reduced from 24,675 cubic yards to 19,912 cubic yards. With the reduced building

footprint now proposed in the FSEIS site plan, it is expected these amounts would be reduced further by a small amount. Due to the limited space on site, excess material will be trucked away immediately during excavation work. The construction staging area will be mobilized accordingly to accommodate the construction phases.

To prevent the potential negative effects of soil erosion, the proposed project would conform to the requirements of NYSDEC State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges Associated with Construction Activity Permit No. GP-0-15-002. The SWPPP prepared for the proposed project includes sediment and erosion control sequence plans C-8A, C-8B, and C-8C and detail sheets that will be employed to prevent the discharge of sediment during construction.

Workers are anticipated to work single 8-hour shifts (7:00 AM to 4:00 PM), 5 days a week. An estimated total of 50 daily workers would be at the site. By applying the estimated auto occupancy of 1.2 persons to account for carpooling, the total worker peak hour trips would be 42 trips, with all trips entering the project site during the construction AM peak hour and departing during the construction PM peak hour (construction peak hours generally fall outside of the typical commuter peak hours). All autos would park on-site. The estimated number of daily trucks required to transport the 19,912 cy of excavation material to be removed from the site would be 7 trucks. Each truck would generate 2 trips (1 entering, 1 departing). An estimated maximum of 2 trucks entering and 2 trucks departing could be processed during any given hour at the project site.

The majority of construction related traffic would utilize Interstate 684 (I-684) and NYS Route 120 as access routes to the project site. Workers and delivery drivers would be instructed to take Exit 2 off I-684 and travel east on Airport Road to New King Street. When exiting the project site, vehicles would follow the existing traffic patterns and head north on New King Street to Purchase Street (NYS Route 120). From Purchase Street, the majority of vehicles would head south to return to I-684. All parking and staging would be accommodated on site.

To limit fugitive dust during construction, truck mats, watering of exposed areas during dry periods, and maintenance of erosion control measures will be used. By controlling the amount of dust and vehicle emissions that would result from construction of the proposed project, and ensuring that nearby properties would not be greatly affected by such emissions, no significant adverse air quality impacts would be expected to occur.

Consistent with the Town Code, construction activity would only take place between the hours of 7:30 am and 7:00 pm Monday through Friday and between 8:00 am and 5:00 pm on Saturdays. Any construction activity would also comply with code requirements that prohibit noise levels exceeding 75 dB(A) when measured at a distance of 400 feet from the property line between the hours of 8:00 am and 6:00pm and 65dB(A) during all other hours.

For the reasons described above, the Planning Board finds that the final modified project is not anticipated to have any significant adverse impacts due to construction that have not been mitigated to the maximum extent practicable.

P. ADVERSE IMPACTS THAT CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

The EIS considered potential adverse impacts that cannot be avoided if the project is implemented. The Planning Board considered comments received on the DEIS regarding adverse impacts that cannot be avoided, and further considered comments on the FEIS, DSEIS, and impacts minimized with the final modified project presented in the FSEIS.

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Zoning

The proposed project would require an amendment to the Town of North Castle Zoning Code to allow parking structures subject to issuance of a Special Use Permit in the IND-AA zoning district. To avoid adverse impacts, the proposed zoning amendment incorporates restrictive locational requirements to ensure that any additional parking structures would only be located in appropriate areas that do not compromise the residential character of the Town.

The proposed maximum permitted building height (60 feet) and minimum permitted building setbacks (front: 50 feet; side: 10 feet; rear: 50 feet) may result in adverse visual impacts as the facility is viewed from surrounding streets. But due to the existing character of the study area (i.e., office buildings and heavy transportation uses such as I-684 and Westchester County Airport), visual impacts would not be expected to be significant.

Visual Resources

The proposed project would alter the appearance of the project site from a 9,700-square-foot one-story office building to a six-story, 53-foot tall parking structure. Although there would be greater building mass on the site, the project site is located in an area characteristic of office buildings and heavy transportation uses, such as I-684, NYS Route 120, and Westchester County Airport. Further, this area is zoned for office, business, light industrial, and other non-residential uses, making it an appropriate location for a parking structure (which currently is permitted as an accessory use). Vegetative screening would be provided to reduce visual impacts from surrounding roadways.

Natural Resources

The proposed project would result in the removal of trees and other vegetation and wildlife habitat, thereby resulting in a potential adverse impact to natural resources. A landscape plan and wetland enhancement plan have been submitted by the applicant to offset ecological impacts by replanting the site with native species, eliminating the existing low-value existing lawn habitats, and removing invasive species in wetland and wetland buffer areas. The adequacy of these plans to offset ecological impacts will be determined by the Town, but the impacts are not significant.

Hazardous Materials

Fill material was encountered on the project site during the 2008 Preliminary Soils and Foundation Investigation conducted by Melick-Tully and Associates, P.C., which is the result of previous grading activities. Any fill material excavated during construction of the proposed project would be tested and, if found to be contaminated, would be handled and disposed of in accordance with all applicable federal, state and local regulations to ensure water resources would not be adversely affected.

Surface Water Resources

Onsite streams and wetlands would not be disturbed by the proposed modified site plan. However, NYCDEP and Town-regulated stream and wetland buffers would be affected by the addition of 5,724 sf of new impervious surfaces (garage and driveway) and conversion of 35,244 sf of wooded land which would be replanted with native vegetation, primarily for the stormwater management facilities. The adequacy of the proposed re-planting plans to offset ecological impacts in the wetland/stream buffers will be determined by the Town, but are not significant.

Construction

Construction of the proposed project would result in a number of potential short-term adverse impacts related to traffic, noise, and soil erosion. Construction activities would have a relatively short duration and would comply with the Town of North Castle noise ordinance. No queuing of construction related traffic onto the study area roadways is anticipated and the construction peak would occur outside of the commuter peak hour. The Stormwater Pollution Prevention Plan (SWPPP) would be implemented, which includes a 3-phase Erosion and Sediment Control Plan (ESCP), to minimize erosion and sedimentation.

For the reasons described above, the Planning Board finds that the final modified project has minimized, to the maximum extent practicable, potential significant adverse impacts that cannot be avoided if the project is implemented.

Q. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

The EIS considered irreversible and irretrievable commitment of resources if the project is implemented. The Planning Board considered comments received on the DEIS regarding irreversible and irretrievable commitment of resources, and further considered comments on the FEIS, DSEIS, and impacts minimized with the final modified project presented in the FSEIS.

To mitigate any potentially adverse impacts associated with the irreversible and irretrievable commitment of resources, the applicant will incorporate a series of sustainable development practices into the construction, operation, and management of Park Place, including:

1. Efficient, Low level emergency artificial lighting. The majority of the building is dedicated to automated vehicle storage. As such, the only lighting required in this area is the minimal level required for building technicians and for emergency and maintenance needs.
2. Plumbing requirements for this facility are limited. Low flow plumbing fixtures that would reduce up to 30 percent of water usage are proposed for the waiting room area.
3. Mechanical systems would be limited to make-up air and exhaust air units in the storage areas. Due to ‘no emissions’ in the storage spaces, two units are proposed with multiple fan speeds and a carbon monoxide detector to allow the system to run on the minimum amount of mechanically processed air necessary to keep the building properly ventilated.
4. Local building materials wherever possible would be incorporated to reduce transportation costs.
5. High levels of recycled building materials with no VOC’s would be listed in the project specifications.
6. On the exterior of the building from grade to the second floor will be a metal framed green-screen which will allow vegetation to grow up the lattice and natural light to penetrate the main level drop-off/pick up zones
7. The upper levels of the building are planned to be clad in a combination of insulated metal and translucent panels which balances an energy efficient building enclosure which allows natural daylight to penetrate into the storage levels.
8. White heat reflective roofing would be used to reduce the ‘heat island’ effect of traditional dark roofs.

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9. An approximately 4,000 sf portion of the roof will be a “green roof” designed and planted in compliance with the NYSDEC specification for green roofs.
10. Minimal site light fixtures with cut-off type housings would be included along the entrance drive to allow safe passage of vehicles and pedestrians.
11. A regular building maintenance plan would be incorporated which utilizes bio-degradable cleaning products.
12. The vehicle palettes would be designed to contain fuel in the case of a leaking automobile, so that a spill would sit on the palette surface until cleanup has been performed.

Since the proposed project would utilize a previously developed project site, as well as sustainable development practices, the commitment of the irreversible and irretrievable resources identified above would not be anticipated to result in any significant adverse impacts.

For the reasons described above, the Planning Board finds that the final modified project has minimized impacts related to irreversible and irretrievable commitment of resources that have not been mitigated to the maximum extent practicable.

R. IMPACTS ON THE USE AND CONSERVATION OF ENERGY

The EIS considered potential impacts on the use and conservation of energy if the project is implemented. The Planning Board considered comments received on the DEIS regarding the use and conservation of energy, and further considered comments on the FEIS, DSEIS, and impacts minimized with the final modified project presented in the FSEIS.

The applicant would implement a number of energy conservation measures as part of the proposed project, including:

1. Efficient, low level emergency artificial lighting. The majority of the building is dedicated to automated vehicle storage. As such, the only lighting required in this area is the minimal level required for building technicians for emergency and maintenance needs. The lighting for the waiting room, office and other enclosed building service spaces would be highly efficient, fluorescent fixtures connected to occupancy sensors.
2. Mechanical systems would be limited to make-up air and exhaust air units in the storage areas. Due to ‘no emissions’ being generated in the storage spaces, only two units with multiple fan speeds and a carbon monoxide detector would be needed to allow the system to run on the minimum amount of mechanically processed air necessary to keep the building properly ventilated.
3. Minimal site lighting fixtures with full cut-off type housings would be included along the entrance drive to allow safe passage of vehicles and pedestrians.

For the reasons described above, the Planning Board finds that the final modified project has minimized impacts related to the use and conservation of energy.

S. GROWTH INDUCING ASPECTS OF THE PROPOSED PROJECT

The EIS considered growth inducing aspects of the proposed project. The Planning Board considered comments received on the DEIS regarding growth inducing aspects of the proposed project, and further considered comments on the FEIS, DSEIS, and impacts minimized with the final modified project presented in the FSEIS.

Parking spaces associated with the proposed project would be anticipated to capture travelers that would otherwise utilize taxis, limousines, or friends/family to drop them off and pick them up at the airport, or that would drive themselves to existing airport parking areas. The project would be a convenience for existing travelers, and would not by itself generate new airport users.

Flight schedules are regulated by the Federal Aviation Administration (FAA), and are therefore outside the control of the project sponsor. The proposed project is not anticipated to increase the number of travelers at Westchester County Airport, nor the frequency of commercial flights which are subject to the existing agreement between the airport and the FAA and the U.S. Attorney (May 2004) regarding the operating capacity of the existing Westchester County Airport terminal.

The proposed project would generate about 35 new full and part-time jobs during the operational period, an increase of 10 to 15 over the number of individuals employed at the existing office building. However, it is not anticipated to necessitate, nor facilitate, new demands for commercial services, or create the need for new housing offsite.

The proposed project is not anticipated to result in the proliferation of similar structures within the Town of North Castle. The proposed zoning amendment would only affect parcels of land located in the IND-AA Zoning District which is limited to the area surrounding and including Westchester County Airport. This area is generally bounded by NYS Route 120, and the Town's border with Greenwich, CT; Harrison, NY; and Rye Brook, NY. Under the proposed amendment, parking structures would be a use requiring a special permit. As such, they would be required to meet certain conditions. Parking structures would be required to be located on lots or assemblages of parcels aggregating not less than two acres in area. Such parking structures would not be permitted to adjoin nor be located within 50 feet from any residentially zoned land. Access and frontage would be required to be on a state or county highway, or nonresidential collector road less than 1,500 feet from an intersection with a state or county highway. These Special Permit conditions limit the number of locations a parking structure such as the proposed project could be located. Since adjacent existing parcels that meet these development criteria are substantially developed, no significant growth-inducing aspects are anticipated from the proposed zoning amendment.

For the reasons described above, the Planning Board finds that the final modified project has minimized impacts related to the growth inducing aspects of the proposed project.

IV. ALTERNATIVES

The Planning Board considered the following project alternatives:

Alternative A: Reduced Size of Parking Facility

Alternative A1: 500 Car- Conventional Parking Facility

Alternative A2: 1,000 Car- Valet Parking Facility

Alternative B: Reduced Height Parking Facility

Alternative C: Reduced Wetland Impact Alternative

Alternative D: No Wetland Impact Alternative

Alternative E: Alternative Use

Alternative F: No Action Alternative

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In addition, in response to comments on the DEIS reduced size buildings were considered in revised site plans presented in the FEIS, DSEIS, and final modified project presented in the FSEIS.

Conventional and reduced height parking facility alternatives would require greater site disturbance and impervious surface. The FSEIS final modified site plan has now reduced the size of the project such that it now constitutes a “no wetland impact alternative” and “reduced wetland impact alternative” similar to Alternatives D and E. In addition, the garage size has been reduced to 850 cars in an automated design such that its visual, noise, and runoff impacts have been reduced to those below Alternative A2, while maximizing economic benefits to the Town via tax revenue with a higher market value building than under existing conditions, alternative commercial use or no action (Alternatives D, E, and F).

Based on the alternatives analysis presented in the DEIS, FEIS, DSEIS, and FSEIS the Planning Board finds that, at this time, the FSEIS final modified project, as compared to the other project alternatives considered, is the most viable and appropriate to achieve both the goals and objectives of the Town and Applicant.

V. CERTIFICATIONS

After due consideration of the relevant environmental impacts, facts and conclusions disclosed in the DEIS, FEIS, DSEIS, and FSEIS and after weighing and balancing the relevant environmental impacts with social, economic, and other considerations, the Planning Board of the Town of North Castle, as Lead Agency for the review of the Proposed Action discussed herein, certifies, for the reasons set forth in this Findings Statement, that:

1. The requirements of 6 NYCRR Part 617 have been met;
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives, the Proposed Action avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating those mitigation measures that are set forth herein, which have been identified as practicable;
3. The Proposed Action balances potential adverse impacts against potential beneficial impacts in the forms of creation of additional housing, including affordable housing units, long-term preservation of open space, and generation of tax and other revenues; and
4. This written Findings Statement contains the facts and conclusions utilized by the Planning Board to make its decision.