

17 Bedford Road
Armonk, New York 10504

To: Town Board

Cc: Planning Board
Director of Planning

From: Conservation Board
Open Space Committee

Date: May 12, 2021

Re: Eagle Ridge - Revised Proposal and Draft Environmental Findings Statement

The Conservation Board and Open Space Committee are writing to convey our unanimous disagreement with the Town Board's findings in the following sections of the Draft Environmental Findings Statement: Section 5.4 (p.30) Vegetation and Wildlife, Section 5.9 (p.40) Visual Resources and Community Character, and Section 5.13 Open Space (p.45), each of which will be discussed in detail below. We are also writing to express our shared concerns about the new development proposal consisting of a 115 room hotel and 72 townhouses on 32.5 acres. We are deeply disturbed by the vast proportion of tree removal required for this development, as such destruction runs directly counter to Westchester County's initiative to fight climate change by protecting trees, and it also destroys the wooded character of Armonk which is a vital part of who we are. We are unanimous in our concern with the density of the proposed project and the loss of open space that will result. Finally, we believe that the height of the project and the proposed placement of the hotel and townhouses will change the skyline of Armonk forever.

I. Visual Resources and Community Character

Open space plays a vital role in creating and protecting community character. It is therefore within the mandate of the Open Space Committee to comment on proposals that negatively impact the town's community character and visual resources.

A. Protection of Ridgelines and Vistas

The woods, ridgelines and vistas of our town create a special sense of place that sets North Castle apart. For this reason, Section 355-18 of the Town Code states that development on hilltops and ridgelines must be prevented to protect important scenic vistas and preserve the Town's "attractive semi rural character and property values." Our beautiful, natural environment is such a part of the look and feel of North Castle that we as residents often take for granted

looking up at the natural vista of the hillside adjacent to Route 22. Likewise, we take for granted the bucolic look of IBM park as we walk on the track or play baseball surrounded by quiet, wooded hills. We assume these things will always be there, until they are gone.

As shown by the Eagle Ridge Feasibility Study conducted by Urbanomics, Inc., a 115 room hotel is not viable. In fact, the study concluded that there was no “working stand-alone hotel option for the site.” In July 2020, the Applicant told the Town Board that they wanted to abandon the hotel and residential plan because they would be unable to obtain financing for the project as the hotel industry has been among the hardest hit during the COVID-19 pandemic. Yet, now the Applicant is asking the Town Board to place that same hotel on top of our town’s iconic hillside. The magnitude of bartering the questionable viability of this project in exchange for losing an irreplaceable resource is inexcusable. The impact to the environment could never be rectified in our lifetime.

We want to bring to the Town Board’s attention the definition of a Green Vista which is an unbroken view of greenery viewed by the observer. Please note that just one building will forever change the view of a green vista, in this case analogous to placing a white elephant on a previously pristine hillside. If the Town Board decides that a hotel is what they want to be built on this site, then we urge you to carefully consider the placement of that hotel given the topography of the site. We do not want to fall into the category of common American development where hotels are built to be visible to drivers coming off of highway exit ramps. We can all agree that those structures are nothing less than an eyesore and have no place in our town. Rather, this development must mirror the idyllic nature of North Castle. Any hotel should be nestled in the woods, not perched on top of an iconic vista that defines our town.

i. Inaccuracy of Balloon Test

The recent balloon test did not accurately convey the magnitude of the hotel on the Route 22 hillside or the townhouses looking down on IBM Park. Red balloons bobbing at the marked corners in the wind are simply not representative of a solid, bulky, three story, 72,800 square foot building looming over Route 22 and the entrance to Armonk. With respect, the balloon test is deceptive and implausible to give a proper representation of the impact to the view from town or IBM Park. As can be seen in the attached pictures, there is a world of difference between seeing trees, a tiny balloon, and nothing else, versus seeing solid buildings that are clearly visible from the Main Street / Route 22 intersection, and from the baseball fields and track at IBM Park.

ii. 3D Visualization

On a similar note, the 3D graphic visualization of the development is far from an accurate picture of how the development will look, presenting a view where slopes appear flatter and the perspective is skewed. The Applicant even deemed it fit to color green every portion of the development not covered by a building. No question that the perceived greenery in the artist’s rendering will only be obtainable by years of rehabilitating disturbed natural fauna and flora. (A good example of the inaccuracy of 3D visualizations can be seen by comparing the one presented by the same Applicant for the Age-Restricted Development on Route 128 to the

actual building now standing. The presentation that was made at the November 18, 2015 Town Board meeting can be viewed at https://northcastleny.granicus.com/MediaPlayer.php?view_id=2&clip_id=1522 and starts at 2 hours and 19 minutes into the recording.)

B. Project Density

On the other hand, what is clear in the 3D rendering for Eagle Ridge is the sheer density of the 72 townhomes arrayed like 21st century, uniform row houses lacking any of the community character that North Castle represents. We find this density objectionable and completely misplaced given its location. The Town's Comprehensive Plan clearly states that multi-family housing should be placed in those areas of town that are the "most walkable." This site is not walkable given the slope of the hill and the danger of traffic on Route 22. It is completely implausible to think that people over the age of 55 will want to walk up a steep embankment with groceries or at night after dining downtown. Furthermore, it will take a particularly athletic resident to even consider riding up the hill with a bicycle. At a recent Planning Board meeting, the Applicant said that people interested in living in the development have specifically told him "they would never walk into town from there" or let their grandchildren walk into town. Even if a pedestrian crosswalk is installed to allow residents to safely cross Route 22, the reality is that the vast majority of residents will use their cars to go to town. This completely defeats the purpose of placing a multi-family development on this parcel and is contrary to the Comprehensive Plan.

C. Town Board Finding

In Section 5.9, page 40, of the Draft Environmental Findings Statement, the Town Board, as Lead Agency, states its finding that "The new buildings will be well-designed and contextually appropriate and will not block, interrupt or interfere with any scenic views. ...The Town Board finds that no significant adverse visual or community character impacts will result from the Proposed Action." For the reasons outlined above, we believe this finding is incorrect. The proposed action will have a significant adverse impact on the visual and community character of the town. We urge the Town Board to amend its finding accordingly.

II. Open Space

A. Town Code Section 355-24.F

Section 355-24 of the Town Code is entitled Additional Multifamily Residence District Regulations. Paragraph F requires that "as least 50% of the gross area of the site shall be preserved as permanent open space, free of buildings and parking area..." The Eagle Ridge project site consists of the residential lot which is 21.89 acres and the hotel lot which is 10.56 acres. Under Section 355-24.F, at a minimum 11 acres of land must be preserved as open space on Lot 1. However, under the current proposal, open space is only 5.84 acres, or 26%. Furthermore, the open space on Lot 1 is all located at the southeast portion of the lot and has been left open simply because, as the Applicant and Town Planner both note, it is so steep it is not buildable. In fact, the space is so steep it is also not usable by the residents of the development. The density of the residential lot must be reduced to provide for a significant

parcel of contiguous open space that can serve as both a wildlife corridor and a green space that can be enjoyed by the residents of the development.

B. Town Board Finding

In Section 5.13 (p. 45) of the Draft Environmental Findings Statement, the Town Board states its finding that “any development of the Site would result in the loss of open space. However, this open space is private owned and not publicly available. An extensive landscaping plan has been developed that will maximize the use of the 76% of the Site that will remain as usable open space. No significant adverse impacts resulting from the loss of open space are anticipated.” We believe this finding is incorrect. Under the current proposal, 5.84 acres of the residential lot will be open space, a mere 26%, and 5.13 of the 11 acres hotel lot will remain open space, 46%. It is inaccurate for the Town Board to find that 76% of the site will remain as usable open space. The preserved open space is neither 76% nor is it usable. While the land is privately owned, the parcel’s current zoning as Office Business Hotel (OBH) protects it from the density that is proposed if it is rezoned to Residential Multifamily Senior Housing. However, if it is rezoned, then at least 50% of the residential lot should be set aside as open space in accordance with Town Code Section 355-24.F.

III. Vegetation and Wildlife

The Applicant states that the number of trees that will need to be removed for the new proposal has not been determined yet. In his March 3, 2021 letter to the Town Board, the Applicant’s attorney attached a chart comparing the new proposal to that in the FEIS. The chart shows the area of disturbance as 19.6 acres compared to the 19.1 acres in the FEIS. For the FEIS and the Draft Environmental Findings Statement the Applicant placed the tree removal number as approximately 658 trees of the 1,524 trees on the site.

A. Town Board Finding

In Section 5.4 (p. 30) of the Draft Environmental Findings Statement, the Town Board states that “While the Proposed Action will disturb approximately 19.1 acres of the 32.5-acre Site (58.8%), and require the removal of approximately 658 trees of the 1,524 trees present on the Site in excess of 8” dbh few predate the previous orchard use. The balance were planted or have grown as pioneering species after the 1960’s. The Town Board finds that tree removal is reasonably necessary to accommodate the Proposed Action and that the proposed Landscaping Plan, consisting primarily of native species, will result in the development of a beneficial, robust and diverse ecological landscape. No significant adverse vegetation or wildlife impacts are anticipated.” We strenuously disagree with the Town Board’s conclusion that the tree removal is reasonably necessary and that no significant impacts are anticipated. We urge the Town Board to amend its findings for the reasons outlined below.

B. Tree Removal and Its Impact on Climate Change

Westchester County Executive George Latimer has made fighting climate change a priority and has stressed the importance of each town in Westchester doing its part to counter the impacts of climate change and lower our carbon footprint. One of the County's current initiatives is called Planting Westchester and it is a program aimed at increasing Westchester's tree population. This is because trees act as a carbon sink, soaking up CO₂ and working as an offset to greenhouse gas emissions. Trees do not function alone, but as part of a larger ecological community. The amount of natural forests in North America is very small and in Westchester County this is particularly true. Attached is an article with a map generated by the United States Department of Agriculture U.S. Forest Services, which depicts the aboveground forest biomass in live trees, stumps, branches and twigs across the country. What is evident, is that only a minuscule part of the U.S. continent has a healthy biomass compared to the vast open/arid areas. North Castle specifically falls in the center of a thin strip of natural forest canopy. This magnifies the responsibility of the Town Board to protect the natural forests in our area. It is of the utmost importance that the Town Board accept its responsibility to protect these spaces for generations to come.

i. Deforestation

We want to bring to the Town Board's attention the definition of deforestation which is the action of clearing a wide area of trees. The Applicant's current proposal to remove over 600 of the project site's 1,524 trees is nothing less than mass deforestation. The destruction of this natural resource of the town is particularly disturbing since it runs completely counter to the goals that North Castle, as part of Westchester County, is supposed to be embracing.

ii. The Vital Role of Existing Trees

Scientists now argue that preserving existing mature trees has a more profound effect on slowing global warming than young, newly planted trees, since immature trees sequester far less CO₂ than older ones. Research has found that in multi-aged forests half of the carbon is stored in the largest one-percent diameter trees. Following the Applicant's argument that the trees were planted after 1960, many of the trees could be 30, 40, or 50 years old. From a climate change perspective, the Town Board should not equate a 50 year old non-native tree with a large dbh with a 5 year old native tree that the applicant proposes replacing it with. The Applicant had a tree inventory done of the 1,524 trees on the site. It was attached as Appendix M to the Draft Environmental Impact Statement, and can be viewed at page 1818 of this link: https://www.northcastleny.com/sites/g/files/vyhlf3581/f/uploads/deis_-_final_may_2019-merged_0.pdf The Applicant refers to most of the trees on the inventory as "pioneer species" as if this is a negative thing. Just the opposite. Pioneer species are the first types of trees that grow after a site has been disturbed. The ones on this site have been growing since the 1960's and play an important role in making our community resilient to climate change.

iii. Time for a New Approach

It's time for North Castle to promote development that does not destroy our natural resources, but works to preserve them for future generations. The Applicant states that "the limits of disturbance associated with this proposal are similar to the limits of disturbance that were presented in connection with the re-zoning in 2010." However, it is 2021, not 2010. The urgency of climate change calls for a new approach. While traditionally developers in our town have cleared vast swaths of trees and then planted landscaping, it's time to acknowledge that landscaping cannot replace our natural resources once they are lost. We urge you to be consistent with tree protection throughout all aspects of town planning. The town cannot actively work to purchase and protect open space with forests, vistas, and water features in one part of town, and yet quietly concede when a developer asks to destroy 600+ trees only four miles away, and find it "reasonably necessary." We urge the Town Board to tell the Applicant that clearing 600+ trees is unacceptable and that it is time for a new approach. We stand ready to assist in reviewing the tree inventory and working to find a solution that limits the number of trees removed and ensures that for each tree removed at least one tree is replanted to replace it.

IV. The Importance of the IBM Property

In closing, we would like to emphasize that since 1974, the Conservation Board has ranked the IBM Property in its top 11 parcels recommended to be preserved, and the IBM parcel ranks 3 of 131 priority parcels for preservation on the Town's 2003 Open Space Study Committee Report. The size and location of the hotel and the density of the townhouses as currently proposed are inappropriate for North Castle and especially inappropriate for this parcel of land. We respectfully ask you as Lead Agency to scale back the density and height of the development, prohibit the placement of the hotel on the hillside overlooking Route 22, prohibit the Applicant from removing 600+ trees, and require the Applicant to permanently set aside a large, usable piece of open space on the residential portion of the development. Thank you for your serious consideration of our concerns.