

VILLAGE OF IRVINGTON COMPREHENSIVE PLAN UPDATE

DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

Prepared for:
VILLAGE OF IRVINGTON VILLAGE BOARD OF TRUSTEES
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I Introduction

I.1 Proposed Action

The proposed action is the adoption of the Village of Irvington Comprehensive Plan Update by the Village of Irvington Board of Trustees pursuant to the State Environmental Quality Review Act (SEQRA) and New York State Village Law.

I.2 Location

The Village of Irvington is located in the County of Westchester, New York. It is bordered by the Hudson River to the west, the Village of Tarrytown to the north, a portion of the unincorporated portion of the Town of Greenburgh to the east and the Village of Dobbs Ferry to the south.

I.3 SEQRA

This Draft Generic Environmental Impact Statement (DGEIS) is prepared pursuant to 6 NYCRR 617.10 (a)(4) [State Environmental Quality Review Act or “SEQRA”] and New York Village Law section 7-722. The proposed action, adoption of the Village of Irvington Comprehensive Plan Update, is classified a Type I action as it involves the adoption of a municipal land use plan.

The purpose of the DGEIS is to assess the environmental impacts of “an entire program or plan having wide application or restricting the range of future alternative policies or projects, including new or significant changes to existing land use plans, development plans, zoning regulations or agency comprehensive resource management plans.” SEQRA states that: “Impacts of individual actions proposed to be carried out in conformance with these adopted plans and regulations and the thresholds or conditions identified in the generic EIS may require no or limited SEQR review as described in subdivisions (c) and (d) of this section. It specifies:

“(c) Generic EISs and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQR compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site-specific impacts, that were not adequately addressed or analyzed in the generic EIS.

(d) When a final generic EIS has been filed under this part:

- (1) No further SEQRA compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS or its findings statement;
- (2) An amended findings statement must be prepared if the subsequent proposed action was adequately addressed in the generic EIS but was not addressed or was not adequately addressed in the findings statement for the generic EIS;
- (3) A negative declaration must be prepared if a subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action

will not result in any significant environmental impacts;

(4) A supplement to the final generic EIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts.

(e) In connection with projects that are to be developed in phases or stages, agencies should address not only the site specific impacts of the individual project under consideration, but also, in more general or conceptual terms, the cumulative impacts on the environment and the existing natural resource base of subsequent phases of a larger project or series of projects that may be developed in the future. In these cases, this part of the generic EIS must discuss the important elements and constraints present in the natural and cultural environment that may bear on the conditions of an agency decision on the immediate project.”

1.4 Village Law

New York State Village Law § 722.4 establishes that a Village Board adopts a comprehensive plan or any amendment thereto. Pursuant to the Village Law regarding a Village comprehensive plan, the State Legislature has found that:

- Significant decisions and actions affecting the immediate and long-range protection, enhancement, growth and development of the state and its communities are made by local governments.
- Among the most important powers and duties granted by the legislature to a village government is the authority and responsibility to undertake village comprehensive planning and to regulate land use for the purpose of protecting the public health, safety and general welfare of its citizens.
- The development and enactment by the village government of a village comprehensive plan, which can be readily identified, and is available for use by the public, is in the best interest of the people of each village.
- The great diversity of resources and conditions that exist within and among the villages of the state compels the consideration of such diversity in the development of each village comprehensive plan.
- The participation of citizens in an open, responsible and flexible planning process is essential to the designing of the optimum comprehensive plan.
- The village comprehensive plan is a means to promote the health, safety and general welfare of the people of the village and to give due consideration to the needs of the people of the region of which the village is a part.
- The comprehensive plan fosters cooperation among governmental agencies planning and implementing capital projects and municipalities that may be directly affected thereby.
- It is the intent of the legislature to encourage, but not to require, the preparation and adoption of a comprehensive plan pursuant to this section.

1.5 SEQRA Process

Section 617.6(a)(4) State Environmental Quality Review Act (SEQRA) regulations allows an agency to waive the requirement for the preparation of an EAF if a draft EIS is prepared or submitted. The

SEQR Handbook (page 91) notes that when a draft EIS is submitted in lieu of an EAF, it must be treated as an expanded EAF for the purposes of determining significance. It is noted that Section 617.4(b) lists Type 1 Actions under SEQRA, including the adoption of a municipality's land use plan. While Type 1 Actions are more likely to require the preparation of an EIS, the Village has opted to have a Generic EIS prepared for review and comment by the public. The DGEIS document was circulated to the Village Board as Lead Agency and a determination made that it was adequate for public review and comment. The Village Board will hold a public hearing on the DGEIS and the Comprehensive Plan Update at Irvington Village Hall on March 21, 2018. Notice of public hearing will be filed in the Environmental Notice Bulletin, published in a local newspaper 14 days in advance of the hearing, and copies of the document will be distributed to all identified involved and interested agencies, including adjoining municipalities and the Westchester County Planning Board. The public comment period for this DGEIS and its component Village of Irvington Comprehensive Plan Update will run from the date of the Village Board acceptance of the document until at least 10 days following the close of the hearing in accordance with SEQRA. This will allow a substantial comment period in which to receive written comments, in addition to those that will be presented at the public hearing.

Following the close of the public comment period, all comments will be organized by topic. They will receive response in a Final Generic Environmental Impact Statement (FGEIS) drafted by the Village's staff and consultant for Village Board consideration. SEQRA allows 45 days following a hearing on a DGEIS in which to prepare the FGEIS. Extension of this timeline to adequately prepare the document is allowed as necessary. Following its review and acceptance of the FGEIS as complete by the Village Board, the document is filed with identified involved and interested agencies and made available for public review. Not less than 10 days nor more than 30 days following the filing of the FGEIS, the Irvington Village Board, as the lead agency, must adopt a Findings Statement. The Findings Statement summarizes potential impacts, mitigation and alternatives considered and provides a reasoned elaboration for a decision on the proposed action. The FGEIS may identify certain amendments or revisions to the Comprehensive Plan Update which the Village Board could include as part of the Comprehensive Plan Update adoption process.

1.6 Comprehensive Plan History and Process

Both SEQRA and Village Law support community participation to the greatest extent at the earliest stage in the planning process. The Irvington Comprehensive Plan Update was forged entirely from community involvement. The 2003 Comprehensive Plan was prepared against a backdrop of significant development pressure within the community that raised concerns about managing growth effectively while preserving the Village's natural and scenic resources and its small-town historic character. Most of its recommendations were implemented.

Over the following 15 years, emerging trends like AirBnB and changing home occupations, the continued importance and emphasis of the provision of affordable housing, changing market forces, and a growing community concern for planning issues like the use and reuse of historic properties and buildings, prompted the Village Board to consider updating its long range planning and modernizing the Village Code.

1.6.1 Community-Led Planning

The Village crafted a bottom up approach to involve and activate the public. It was decided that the

Comprehensive Plan Committee (the “CPC”) should include the Village Board and be supplemented by the Chairs of the Planning Board, Zoning Board of Appeals and Architectural Review, given their “front line” experience with planning and development issues in the Village. Throughout the process, the CPC was assisted by the Village Administrator and the Village Attorney. The CPC formed four Working Groups to address specific topic areas (Broadway Corridor, Code Modernization, Downtown/Waterfront and Historic Irvington). The Village reached out to more than three dozen citizens and interested stakeholders in the Village to solicit their participation in the working group process. During the summer of 2017 the Village conducted on-line surveys on specific topic areas. The responses to these surveys helped to inform the Goals/Action Item process and the prioritization for implementation. During the course of the CPU process, the CPC held two publicly noticed meetings and a number of meetings that were open to the public. The public meetings and presentations as well as supporting information were posted on the Village website.

I.6.2 Interim Report and Draft Plan – Goals/Action Items

The Draft Comprehensive Plan Update represents the consensus of the CPC, which recommended it to the Village Board for adoption on March 5, 2018. The Village Board, as lead agency, has reviewed the document and determined its adequacy for the purpose of commencing public review to receive comment and input necessary to finalize the Comprehensive Plan Update.

There is a need for a Comprehensive Plan Update that is responsive to current conditions in Irvington and which provides a unified approach to land use regulation and resource preservation. A major benefit for an updated Comprehensive Plan in the Village may be potential for grant funding. Most governmental funding sources that the Village may approach for specific projects look for strength and support in local plans, particularly a Village Board-adopted Comprehensive Plan. The main benefit of the proposed Irvington CPU, will be the actualization of the long term vision – allowing Irvington to provide what the community desires and to reserve what it cherishes.

I.6.3 Implementation of the Comprehensive Plan Update

Once the Comprehensive Plan Update is adopted, the process of implementation begins. That may include, but not be limited to: amendments to Village regulations/Code changes, potential rezoning of properties, and establishment of new programs, and additional analyses. While there is no set timetable for implementation, the key elements of a new plan will need to be implemented in harmony for best balancing effect, meaning that certain proposals, such as updating the zoning code to permit more flexibility for clustering has direct impact on the Village’s consideration for future development patterns along the Broadway Corridor.

1.0 Environmental Setting, Existing Conditions and Impacts

The Draft Village of Irvington Comprehensive Plan Update that precedes this section serves as the primary narrative component of the Draft Generic Environmental Impact Statement.

1.1 Environmental Setting, Existing Conditions and Impacts

The Comprehensive Plan Update focuses on four main topic areas that were derived through

community input, which used a Working Group process to further define and refine issue items:

- Broadway Corridor
- Downtown/waterfront
- Code Modernization
- Historic Irvington

For each of these topic areas the Irvington CPU details major issues and trends that the Village is confronting. The CPU advocates specific goals/action items to reduce potential adverse effects. In this regard, the key issues may be viewed as impacts, the objectives, recommendations, policies and strategies are mitigation, and the Comprehensive Plan Update is an evolved set of Action Items allowing change within constructive bounds. It is a blueprint to lead positive steps toward enhanced quality of life in Irvington.

While the CPU does not pose direct (primary) impacts, which are dependent on alteration of site-specific conditions, there may be indirect (secondary) impacts that result upon individual approval by the Village's boards and departments compatible with recommendation contained within the Comprehensive Plan Update. The significance of these impacts may be minor on a small scale, but the effects can be cumulative. It is clearly recognized that the CPU is an effort to grow carefully, to accommodate identified needs, and simply "do better" to implement positive changes for the benefit of the overall community environment in Irvington. Many of the recommendations contained in the CPU require additional investigation and analyses to be undertaken that may result in further potential indirect impacts and/or mitigation. Potentially important indirect benefits and costs of implementation of the CPU, include, but are not limited to those highlighted below.

1.2 Social Impacts

- Enhancement of development quality and implementation of sustainability measures;
- Retention and strengthening of unique identities of the Village's diverse neighborhoods and commercial areas through new development standards and regulations;
- Revitalization and redevelopment of undesirable and obsolete development patterns with appropriate uses;
- Creation of a more diverse housing stock affordable to all income groups, household types and special needs;
- Preservation of community character inclusive of historically-important sites; and
- Provision of ample public transportation, and recreation to support and sustain a high quality of life.

1.3 Economic Impacts

- Assignment and/or reallocation of Village staff or consulting resources and budget sufficient resources to conduct recommended studies, draft specific consequent plans, and implement new regulations;
- Management of infrastructure enhancements costs, including facility upgrades, storm water drainage and sanitary sewer systems;
- Reduction of municipal costs from integrated best management practices, green infrastructure, and energy efficiency and conservation;
- Reinforcement of nonresidential tax base to offset community facility and service costs;

- Enhancement of cost efficiencies to meet community facility needs through shared resources and joint use facilities;
- Redevelopment and reinvestment for older areas of the Village to maintain or improve property value and encourage both residents and businesses to remain;
- Direction of focused development and investment opportunities in identified nodes and corridors;
- Extension of public-private partnerships to augment Village funding opportunities;
- Leveraging of Village funds by tapping other sources (state, county, private grants);
- Implementation of cost-saving tools for open space conservation (e.g., clustering);
- Introduction of new employment and housing opportunities where such uses are best accommodated.

1.4 Environmental Impacts

- Incorporation of green infrastructure as part of low-impact development techniques to achieve a more sustainable future for the Village;
- Integration of a broad program of measures that conserve energy, reduce carbon emissions, and promote a healthy environment;
- Improvement of traffic circulation and reduction in traffic congestion through selective roadway improvements, transportation systems management, corridor studies, and land use and zoning policies establishing density and design requirements;
- Continued protection of identified sensitive environmental resources (steep slopes, heritage trees);
- Loss of localized environmental quality to balance social and economic needs/impacts through redevelopment, adaptive use and new construction and implementation of site-specific mitigation;

2.0 Mitigation Measures

New York State Environmental Conservation Law [SEQRA 6 NYCRR 617.9(b)(5)(iv)] requires the body of all draft environmental impact statements to contain "a description of mitigation measures to minimize the adverse environmental impacts." There are *no direct impacts* to be incurred upon the Village Board's adoption of the Comprehensive Plan Update. The CPU is ideally a mitigation plan itself, designed to lessen negative social, economic, and environmental pressures and effects presently being experienced in and reasonably projected for the Village of Irvington. While the adoption of the CPU does not pose direct (primary) impacts, there may be minor indirect (secondary) impacts, which result upon subsequent engineered project (site plan, subdivision, building permit) approval by the Village's boards and departments.

It is anticipated that further staff and consultant effort will be required to draft revisions to the Village Code and regulations, to review re-zonings, and to advance project implementation in accordance with the recommendations set forth in the CPU. It shall remain the responsibility of each established lead agency reviewing a proposed action to fully analyze expected immediate and secondary impacts and to incorporate or require as conditions of approval mitigating measures

necessary to adequately reduce or eliminate significant social, economic or environmental impacts.

Regardless of whether individual subsequent site-specific actions are to be carried out in conformance with the policy and regulation recommendations contained in the CPU or whether such actions were fully addressed in the Final GEIS, supplemental environmental impact statements may be required for actions which involve one or more significant environmental effect in to order to assure ample mitigation.

Upon adoption of a Comprehensive Plan Update FGEIS, the final Goals/Action Items identified for each of the topic areas should be considered to be the “conditions and thresholds” against which future projects will be weighed for consistency. From among the conditions and thresholds, the following key physical impact criteria are threaded throughout the Comprehensive Plan Update as a united review need for future projects:

- 1) Community character and aesthetic issues – consistency with the character of the existing built community and scenic resources;
- 2) Transportation, traffic and pedestrian safety – capability to handle new traffic flow considering volume, roadway capacity and parking resources;
- 3) Natural areas, land conditions and open space – ability to protect steep slopes, wetlands and waterbodies, wildlife habitat, significant plant and animal occurrences;
- 4) Adequacy of facilities and infrastructure – potential to meet demands for stormwater management, sanitary wastewater disposal, public water and energy supply.

3.0 Unavoidable Adverse Impacts

There are no anticipated significant adverse environmental impacts if the proposed Village of Irvington Comprehensive Plan Update is implemented as drafted. The plan presents a balancing set of Goals/Action Items that encourages responsible sustainable development while addressing community concerns regarding future land use. Comprehensive Plan Update adoption will not invoke direct impacts. The DGEIS/Comprehensive Plan Update establishes a planning policy framework to guide future land use decisions by boards and departments in the Village of Irvington commensurate with identified community needs, goals, and limiting environmental factors. Growth will be experienced in some areas of the Village, while other areas are conserved and/or retain their existing community character. New growth is typically accompanied by unavoidable physical adverse impacts, including potential generation of new trip ends, sanitary wastewater, solid waste and effects on land, water and air quality resources. Thresholds inherent in the SEQRA regulations, noted in Section 1, will determine whether additional analysis will be required for implementation of specific projects in accordance with the CPU. Future individual actions, which require review in accordance with SEQRA, will be thoroughly analyzed for potential social, economic, environmental impacts and for compatibility with the Comprehensive Plan Update GEIS. All potential direct project-induced impacts will be mitigated as required to reduce overall environmental effects to the greatest extent practicable.

4.0 Alternatives

SEQRA requires that an Environmental Impact Statement discuss reasonable alternatives, which would be feasible considering the objectives and capabilities of the project sponsor. This section of the DGEIS discusses alternatives to adoption of the Village of Irvington Comprehensive Plan Update.

Through the initial village-wide public input process, drafting of Goals/Action Items objectives with staff and consultant participation, evaluation of the current Comprehensive Plan, and CPC and Working Groups input to develop the policy initiatives that form the backbone of the proposed CPU, the plan has been an evolving document responsive to extensive suggestions, ideas, and possibilities that have all been potential alternatives (approaches, objectives, policies) since its inception. It has been edited and revised numerous times to reflect new information, trends, and practices following discussion and input. Therefore, many alternatives have been considered already during development of the Village of Irvington Comprehensive Plan Update.

4.1 *No Action Alternative = Retain 2003 Comprehensive Plan*

The no action alternative entails continuance of the current 2003 Comprehensive Plan and present regulations, including zoning. The Village of Irvington is in a nearly fully built-out state and is poised for redevelopment, adaptive reuse, changing transportation options, sustainable action, and potential conservation of its last remaining natural assets. There remain values and goals that the community wishes to achieve toward positive change and growth. Acceptance of this no action alternative would not allow the Village to channel growth so definitively into portions of identified corridors and nodes or meet other key criteria envisioned by the community as crucial to its future vitality as gauged by its environmental quality, commerce, cultural arts, and community services.

4.2 *Immediate vs. Long-Range Actions Alternative*

An alternative to the proposed Village of Irvington Comprehensive Plan Update might be to separate out the immediate and long-range actions and focus on one or the other for implementation. However, without a long-range perspective, incremental actions may not add up to a desired objective. Without short-term goals, a long-range planning mission may miss opportunities of a timely nature. Clearly a Village's plan requires both to insure a dynamic nature, while reaching for a particular community comfort level.

4.3 *Selective Policy/Mitigation Adoption Alternative*

As an alternative to adopting a CPU, the Village Board can consider selective implementation of Action Items that present specific mitigation. This would be tantamount to accepting an addendum or key addenda to the existing Comprehensive Plan. Any of the policy programs, drafted as separate chapters in the proposed plan, could be considered on their own. However, together they mesh well into a united approach to balance multiple resource issues, while addressing the reasonable needs of the community for change and growth.

4.4 *Potential Further Alternatives*

To facilitate further public participation, the Village Board will hold a public hearing on the Village of Irvington Comprehensive Plan Update and the Draft Generic Environmental Impact Statement in accordance with section 7-722-6 of Village Law and section 6 NYCRR 617.12(a)(2)(iv) [SEQRA]. It is anticipated that there will be public comment on the draft GEIS. Substantive comments and supplementary information received may result in amendments to the proposed CPU prior to its acceptance in final form. While this draft GEIS cannot speculate what revisions will be proposed, the

alternative consideration of other new or modified recommendations will remain a viable option of the Village Board until a Final GEIS is prepared, accepted and duly filed.

5.0 Irreversible and Irretrievable Commitment of Resources

Adoption of the proposed CPU and its implementation strategies will not cause physical manipulation or commitment of any land resource or direct impact thereto. The action identifies lands and communities that can be best served by rezoning, by application of performance standards, and by codified changes to the Village’s policies embodied in its Code and Regulations. All projects to be implemented in accordance with the Comprehensive Plan Update shall be subject to respective Village department review.

The only irretrievable commitment of resources has been expenditure of Village funds to enable consultant preparation of the draft Comprehensive Plan Update and provision of supplemental data thereto, Village interdepartmental staff participation, and staff support to enable public review of the recommended plan and policy revisions in accordance with the State Environmental Quality Review Act and Village Law.

6.0 Growth-Inducing Aspects

Adoption of the new Comprehensive Plan Update will not be directly growth inducing, nor will it be growth restraining. The plan should be considered as a mechanism to balance and achieve manageable growth where it can best be sustained (e.g., where infrastructure and environmental conditions are project-compatible) and conversely, directing it away from sensitive environmental resources.

Individual project review will be conducted by Village boards and departments in accordance with the SEQRA. Supplemental EIS’s to the (Final) Comprehensive Plan Update GEIS can be required as necessary to address and to enable complete consideration of potentially significant impacts and/or growth-inducing aspects of any specific proposed action.

7.0 Effects on Use and Conservation of Energy Resources

Adoption of the Village of Irvington Comprehensive Plan Update will not cause an increase in energy (electric, gas, fuel) use as it does not involve project components that are to be immediately implemented. Impact of energy use will be dependent on subsequent plan and site reviews. Following adoption of the CPU any development or new construction that may occur will need to conform to recommended energy saving measures and “green initiatives,” as well as conform to applicable Village and State building codes and standards derived to maximize the economic and environmental benefits of energy conservation. The supplier will determine energy availability at time of request for service.

The Comprehensive Plan Update is intended to encourage sustainable practices to positively impact the effects of climate change, resulting in a more livable community.