

**COMPREHENSIVE PLAN UPDATE (CPU):  
CPU GOALS, OBJECTIVES AND STRATEGIES  
TOWN OF NORTH SALEM TOWN BOARD**

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**Introduction**

The Comprehensive Plan Update provides a prioritized, description of the implementation strategies and actions that will guide the growth and development of the Town of North Salem, New York, through the year 2018. In addition to identifying general strategies and specific actions, the Comprehensive Plan Update (hereinafter referred to as the "Plan") provides guidance about the necessary focused studies, assessments and analyses anticipated to further develop actual, specific strategies and actions for each area of concern identified herein. Each section contains a subsection that addresses "Development Objectives and Strategies" or implementation strategies and a related description of the necessary assessment or analysis.

Many of the specific issues, concerns, recommendations, strategies and actions in this plan are the result of the ideas and input of the participants at the Open Forum and Focus Groups Sessions which were held in November, 1995 as part of the Comprehensive Plan Update by the Town of North Salem. The comments from these sessions were recorded in the Draft Letter Report, dated August 1, 1996. The Draft Letter Report has been significantly revised to create the Draft Comprehensive Plan Update (hereinafter "Draft CPU" or "CPU") as a result of work by the Planning Board, a committee that worked with the Planning Board, public input and discussions at joint Town Board and Planning Board meetings, which is discussed in more detail below.

The implementation strategies and actions contained in each section of this CPU will be the subject of a Recommended Study focused on the topic in each section (studies and analyses identified herein) and public and environmental review and adoption or authorization processes by the Town of North Salem in order of priority.

During the period from 1997 through June, 2000 the Planning Board and their appointed Comprehensive Plan Committee (hereinafter the CPC) refined the report from the Open Forum and Focus Groups Sessions, the Draft Letter Report, to create the Implementation Plan in an outline format. The Implementation Plan was later converted by the Planning Board's CPC into a more readable text format through a series of committee meetings. The resulting Comprehensive Plan Update (CPU) was further refined to more clearly describe the intent and specific objectives of the Town.

Additionally the Planning Board's CPC developed a Comprehensive Plan Questionnaire to focus on two primary areas of concern with regard to the Town's zoning and land use, non-residential (business, office, institutional, etc.) and residential (housing) issues. A copy of the informational

letter sent to residents, the questionnaire form and the results of the tabulated responses are included herein as Appendix 1. The questionnaire form was drafted and refined over several sessions with the CPC and was then mailed to all property owners of record in the Town of North Salem in December, 1999.

Notices were published prior to and after the mailing of the questionnaires to alert residents and to extend the time line in which responses could be returned. Of approximately 2,400 forms sent out, 646 responses were returned and tabulated (an approximately 27% response rate). The intent of the Comprehensive Plan Questionnaire was to reach and obtain input from a broad spectrum of property owners and residents, including those that would not normally attend public hearings or meetings, or are otherwise unable to attend.

Although the Planning Board and the CPC made significant progress in forwarding the plan and obtaining additional input from residents, the Comprehensive Plan Update temporarily became a lower priority effort while the Town finalized its review and adoption of the residential Zoning Amendments proposed to address the Continental Decision in 2000 and 2001. The zoning amendments included the rezoning of four (4) parcels of land for medium to high-density residential development (4-6 dwelling units per acre), which is summarized herein in Section 2. Documentation of the review and adoption of these residential zoning amendments is available in the Final Generic Environmental Impact Statement (FGEIS) and the Draft Generic Environmental Impact Statement (DGEIS), which are on file at the Town of North Salem Town Hall at the offices of the Town Clerk and the Planning Board. Additional documents on file with these offices include a Draft Supplemental Generic Environmental Impact Statement (DSGEIS) and a Final Supplemental Generic Environmental Impact Statement (FSGEIS) regarding the rezoning of a parcel of land on Field's Lane for high-density residential development (6 dwelling units per acre).

In February of 2001, the Planning Board discussed the Comprehensive Plan Update with the Town Board at a joint meeting. Throughout the end of the year 2001 and the beginning of 2002, the Planning Board refined their Draft Comprehensive Plan Update (CPU) in preparation for a Public Information Session, which was held on June 20, 2002. A Concept Map was created to illustrate recently rezoned lands, parcels under consideration for proposed zoning amendments and, based on the CPU text, parcels of land that were recommended for potential future rezoning. The Public Information Session was an opportunity for the Planning Board to present and discuss their Draft CPU and Concept Map with the community, prior to sending their Recommended CPU to the Town Board. Many public comment letters were received as a result of the discussion at the June 20<sup>th</sup> Public Information Session.

A joint Town Board and Planning Board meeting was held on October 16, 2002, during which the two Boards discussed the Planning Board's Draft CPU, the Concept Map and public commentary. The Planning Board later referred the CPU to the Town Board in August, 2002 with specific recommendations based on public input during and after the June 20, 2002 Public Information Session. The Planning Board and Town Board continued their consideration of the CPU in a consultative process.

The Town Board further revised the CPU text and Concept Map. The Town Board held a Public Information Session on September 23, 2003 to present their August 20, 2003 Draft CPU to the public and to obtain additional commentary. This was followed by a joint Town Board meeting with the Planning Board on November 19, 2003. During this time, it was determined that the Comprehensive Plan public hearing process must be formalized by the Planning Board and the Planning Board's Draft CPU must be officially referred back to the Town Board for continued public review.

The Planning Board then discussed and prepared a revised CPU text. After the Planning Board held a public hearing on the CPU on April 21, 2004, it was later officially referred to the Town Board on July 27, 2004. The Town Board held a public hearing on the CPU on October 26, 2004. The Town Board conducted further review of the CPU and prepared the Town Board's Draft Comprehensive Plan Update (CPU), which was dated April 22, 2005, containing cumulative revisions based on the Planning Board's draft revised March 22, 2004 and previous version of the Town Board's Draft CPU text. Revisions in the April 22, 2005 version were highlighted. The Town Board held a public hearing on this revised CPU on June 7, 2005 followed by a two-week public comment period ending on June 21, 2005.

The Town Board has further revised this text as a result of ongoing public, planning and environmental review. Additionally, a Basic Studies Update Report (BSUR) was prepared to provide a review of existing conditions such as the natural environment, population, housing, land use and other aspects of the Town of North Salem. The Town Board held concurrent public hearings on June 13, 2006 on the Draft Generic Environmental Impact Statement (DGEIS) and the CPU, as required, as part of their environmental, planning and public review of the CPU. The Town Board conducted further review of the CPU, including appropriate refinements, and final environmental (SEQR) review involving a Final GEIS, and then considered the CPU for adoption.

As adopted, and as prioritized by the Town, the planning studies described herein should be conducted and the strategies and actions that are proposed herein should be developed and implemented in the next ten to twelve years. Implementation will necessitate additional environmental (SEQR), planning and public review in most cases and will be conducted as required. The CPU should be reviewed and updated in ten to twelve years.

### **Purposes and Development Goals**

The Comprehensive Plan Update provides a succinct statement of the planning strategies and actions that are proposed for implementation throughout the next ten to twelve years of development in the Town of North Salem. The format of the Comprehensive Plan Update (hereinafter referred to as the "CPU" or "the Plan") is intended for ease of reference for the Town's elected, appointed and volunteer decision-making Boards, Commissions and Committees and the Town's professional and administrative staff.

This Plan is intended to be an update to the Town of North Salem Master Plan, adopted in 1985 (hereinafter referred to as the "1985 Plan"). The general purposes and specific implementation

strategies of this Plan are generally consistent with the purposes of the 1985 Plan. However, the specific strategies are updated in response to the changing conditions and needs of the Town and the development trends affecting the community and the surrounding region.

The general purposes and goals of the Comprehensive Plan Update, which are consistent with the stated purposes of the current Zoning Ordinance of the Town of North Salem, are set forth below. The specific topical sections of the Plan provide elaboration upon these general purposes in the form of specific objectives, studies, strategies and actions to be taken to fulfill the general purposes which include:

- A. Town residents overwhelmingly treasure the Town's rural character. Therefore, population growth, development and all policies about planning, zoning and infrastructure in North Salem should be guided so as to preserve the town's rural character and open, scenic landscape.
- B. Adequate land use planning policies and development standards should be established to ensure a balanced and orderly pattern of future growth and economic stability.
- C. Town land use development policies should be formulated to ensure that the future growth is coordinated with the town's ability to provide adequate community facilities and services.
- D. North Salem's present and future population should be accommodated by encouraging the development of an appropriate variety and quantity of sound housing which will serve various age groups, in accordance with local, county and regional considerations.
- E. The orderly but limited expansion and addition of non-residential land uses to complement the predominantly rural, residential character of the community should be encouraged.
- F. A safe, adequate and an efficient roadway network should be provided and maintained that will serve the various types and intensities of traffic generated by the proposed pattern of land use within the town.
- G. The historical features and sites of North Salem, as well as the open space areas and the visual and cultural resources, should be preserved and protected. These features and resources contribute significantly to the pleasant rural setting which serves to enhance the appearance of the town and the quality of life for residents and visitors.
- H. The Town recognizes the economic viability of the agricultural operations located within its boundaries. Farms of all varieties and the associated environmental and landscape preservation values of agricultural uses should be encouraged and protected.
- I. The natural features of North Salem, its parks, fields and meadows, lakes, ponds and wetlands, waterways and wooded hills, should be preserved. These features contribute significantly to the pleasant, open setting of the town and serve as an attractive

background for the more developed areas of the town and the region.

- J. Environmental degradation should be avoided and prevented, whenever possible, and should be remedied when discovered. High standards of environmental quality in public and private development should be established.
- K. The pleasant quality of the community should be maintained in which people can live, work and pursue leisure activities.
- L. Surface and subsurface water should be protected and preserved so as to ensure an adequate supply of potable water for current and future generations.

### **Development Objectives and Strategies**

The development objectives and strategies of the Comprehensive Plan Update, which are consistent with the stated general purposes and goals above and the purposes of the current Zoning Ordinance of the Town of North Salem, are set forth below. These are more specific than the purposes and goals and identify key strategies for implementation of the Comprehensive Plan Update. The specific topical sections of the Plan provide elaboration upon these general purposes in the form of specific objectives, studies, strategies and actions to be taken to fulfill the general purposes which include:

- A. As a result of discussion of the CPU during the review of earlier drafts, the Zoning Ordinance provisions governing the requirement for and processing of site development plans, Article X, have been amended to give the Planning Board the authority to waive the requirement for full site development plan review in appropriate circumstances.
- B. The complement of uses permitted in all non-residential zoning districts will be evaluated to see if a broader, but more inclusive set of uses can be implemented. An expanded list of permitted uses will improve the feasibility of development and redevelopment of properties in hamlet areas and on Fields Lane. A more varied assortment of uses in each district will invigorate existing hamlet centers and will result in the creation of local-scale goods and services for current and future residents of the Town of North Salem.
- C. A zoning text amendment will be considered to permit the use “conference center” in the Rural Density Residential (the R-4) Zoning District on large parcels that meet certain locational criteria.
- D. Certain non-conforming business properties will be considered to determine whether rezoning is necessary to allow their continued use and development.
- E. Zoning requirements for area, bulk and parking in the business zoning districts will be modified to provide more flexibility for development particularly with regard to small properties and conversion of existing structures. These modifications will be reviewed

with full consideration of the preservation of the rural character and historic areas of the Town.

- F. Minor expansion of the RO (Research-Office) Zoning District in the Fields Lane area will provide more depth for development of an access road or roads to create a campus-style business park. The permitted uses in the RO ( research-office) Zoning District will be modified to incorporate complementary small-scale retail and service businesses within office development as uses that are secondary to office uses.
- G. The sign regulations in the Town's Zoning Ordinance will be evaluated and amended, as necessary, to address the needs of local businesses for appropriate signs and off-site, directional signs. Amendments to the zoning provisions related to signs will permit businesses to attract customers with aesthetically-designed signs that are consistent with the Town's scenic character.
- H. The development of a variety of types of housing will be facilitated within a broad price-range in and around the hamlet areas and on the sites rezoned for medium to high-density residential development. The creation of affordable housing will be monitored to address the number allocated by the Westchester County Housing Opportunity Commission and to address the local and regional need for affordable housing.
- I. The zoning provisions for agricultural uses will be re-evaluated and amended, as necessary, to support continued and expanded farm development. Horse farms, orchards, nurseries and other agricultural operations contribute significantly to the Town's rural character, which makes North Salem a desirable place to live.
- J. The Town's Zoning Ordinance and other land development regulations will be reviewed and amended, as deemed necessary, to enhance the protection of community character and the preservation of scenic and visual resources. Consideration should be given to such issues as roads, land disturbance, subdivision design, non-residential development and communication tower facilities.
- K. The Town will continue its efforts to obtain and maintain open space lands and conservation easements to preserve key environmental features, to enhance the Town's rural character and to provide areas for active and passive recreational activities. Efforts to acquire and preserve open space lands will be done in collaboration with local land trusts and private land owners.
- L. The Town's Code Chapter 189, Sand and Gravel Excavation and Tree Removal, will be amended to create a set of land disturbance regulations for clearing, site preparation and construction of access on properties to more broadly address development on steeply sloped areas, excavation and tree removal. The revision of Code Chapter 189 will provide specific standards for development on hilly and mountainous areas, continued preservation of wooded areas and prevention of erosion and sedimentation effects related to land clearing and earthmoving activities.

- M. The Town will implement the measures identified in the Notice of Intent and the Initial Stormwater Management Plan prepared in accordance with the NYSDEC SPDES General Permit for Municipal Separate Stormwater Sewer Systems (MS4s). Similarly, the Town will implement the actions recommended and required in accordance with the Comprehensive Croton Watershed Quality Protection Plan as the Town's role in protecting the surface water quality of the New York City Watershed.
- N. The protection of groundwater resources is a high priority for the Town. A townwide hydrogeological study should be conducted as soon as possible.



## LAND USE & DEVELOPMENT

### 1.1 Non-Residential Uses: Business, Agriculture, Office, Institutional, etc.

#### Development Objectives and Strategies

The determination of appropriate non-residential uses in the Town of North Salem considers sound community planning and zoning principles and an analysis of the built and natural environment. The Town and its residents take pride in the historic and rural characteristics of its community, its hamlet areas, as well as the open spaces and natural beauty that surrounds them. Future development will be limited to non-residential uses which preserve and complement this character.

The Town's primary goal for non-residential development is to identify suitable locations for and desirable types of low to medium-intensity non-residential land uses which will provide for diversified and viable development and compatibility with the Town's character. The term "non-residential" simply means any kind of land use or development that is not residential and encompasses a broad range of land uses. Nearly all of the Town's existing zoning districts, even the residential zoning districts, include non-residential uses. Non-residential uses can include retail stores, many kinds of offices and services, restaurants, institutional uses, farms, religious facilities and places of worship, educational, institutional, health-related, cultural or recreational facilities or community organizations, utilities, government uses, home occupations and home offices.

The Town recognizes the need for limited viable business uses to provide products and services for residents. The Town also recognizes that a moderate amount of tourism activity supports many of the local businesses and creates business and job opportunities for its residents. While expansion and diversification of non-residential uses in certain areas is desired, the mix of businesses should be compatible and complementary, both with each other and the neighboring environment.

General development objectives for the Town include the preservation, rehabilitation and strengthening of existing commercial centers and local business areas in Croton Falls, Purdys, Peach Lake and Salem Center. The variety of uses permitted within the non-residential zoning districts (GB [General Business], NB [Neighborhood Business] and PO [Professional Office]) in each hamlet area will be evaluated and modified in order to improve the viability and compatibility of development in each existing zone. The creation of a new business zoning district such as a Rural Business (RB) district will be considered to permit low-intensity businesses and certain types of offices in one of the Town's hamlets, Salem Center. This is discussed in more detail in Section 4 of this CPU. Expansion of or creation of new zoning is not anticipated in the other hamlet areas (Croton Falls, Purdys and Peach Lake).

Another aspect of strengthening existing commercial centers will involve examining the viability of the Research-Office zoning district on Fields Lane. Minor expansion of the

research and office uses in the area of Fields Lane, within the I-684 corridor, should include diversification of the uses permitted in the Research-Office (RO) Zoning District to enhance the potential for development in this area. Any expansion of the RO district should include amendment of the zoning standards to create an increased setback from Field's Lane to diminish the visibility of any development. The resulting campus-style design should be built up and back from the road frontage and should incorporate some open space.

All proposed non-residential growth must balance the benefits to the Town and its residents with the potential impacts on transportation, traffic patterns, the Town's rural character, as well as the level of services and facilities that will be required from the Town. The following are specific development objectives pertaining to Zoning Ordinance provisions:

- The list of uses permitted in each non-residential zoning district will be further evaluated and modified in order to improve the viability and compatibility of development in each zone.
- The regulations pertaining to bed and breakfast development will be re-evaluated to determine whether amendments would make such development more feasible in appropriate locations.

### **Appropriateness of Specific Uses**

The potential social and economic benefits of suitable non-residential uses for the Town will be balanced (that is partially offset) by minimized or mitigated adverse effects on the community, on the Town's transportation system and on the environment. With this in mind, the following are recommendations regarding desirable and unsuitable non-residential uses based upon initial assessment of current conditions and opportunities, and the vision for the Town's future expressed by residents and officials.

### ***Desirable Non-Residential Uses***

Desirable non-residential uses are small-scale (serving primarily local residents) to medium-scale (serving local residents, residents of adjoining communities and seasonal tourists) or are low to medium-coverage uses (low [5-10%] to medium [10-20%] building coverage and correspondingly low to medium development coverage) that require few public or community services. These low to medium-coverage uses are differentiated from intensive regional-scale uses that require much higher building coverage such as large department stores or supermarkets or other retail operations that attract large volumes of customers on a daily basis. Intensive retail operations are considered to be unsuitable non-residential uses as discussed below. The uses that the Town will consider are those which will not add significantly to the existing school population, and result in little or no increased demand for services. Some non-residential uses which meet these criteria are indicated below. However, these uses could be expanded to include additional uses that provide needed and desirable goods and services. The tabulated results of the Comprehensive Plan Questionnaire will be reviewed to discern uses that are desired by Town residents.

In terms of the existing research-office (RO) Zoning District, it is intended that an increased diversity of uses is allowed. This would include limited-scale development of complementary retail, business and service uses that would be required to be associated with and secondary to predominantly office uses. The following uses will be considered in further development within the RO Zoning District:

- Local-scale retail uses such as convenience stores, deli, drugstore, stationery and notions;
- Business and service uses such as printing, barbershop, beauty parlor, tailoring, insurance, real estate and daycare;
- Mixed commercial/residential use, such as ground floor commercial with second floor residential, particularly affordable apartments; and
- Restaurants may be considered, and would be required to be associated with and secondary to predominantly office uses, but with an additional level of scrutiny such as the requirement to obtain a Town Board Special Permit.

Other uses which are deemed desirable but not limited to a particular existing commercially zoned area, include alternate care facilities (for example, senior care and housing facilities), and health club, spa or health-related facilities (for example, physical therapy, holistic care and stress-reduction services). Tourism businesses are also encouraged. These could include a spa or resort, a farmers market, a crafts village, art galleries and antique stores. Although a larger scale use in terms of the land area involved, a conference center with an associated golf course is considered to be a desirable use as it is a low building coverage use (based on the areas of the footprints of all buildings) that has the potential to be designed with a significant proportion of undisturbed and open or landscaped area.

Indoor or outdoor commercial recreation or entertainment facilities will be considered in the RO Zoning District, provided that the facilities are of small to medium-scale, and that they do not possess extensive domes or other visually obtrusive architectural features.

Restaurants may be desirable uses in the NB (Neighborhood Business) and PO (Professional Office) Zoning districts, but with an additional level of scrutiny such as the requirement to obtain a Town Board Special Permit.

Methods to encourage other potentially desirable non-residential uses should be considered. Allowing more flexibility for appropriate home occupations and offices, with provisions for small business signs, is one method of attracting such uses. Depending upon the location and impact upon existing residential areas, bed and breakfast establishments and inns in existing buildings and residences will be encouraged.

Certain agricultural operations, such as “the horse industry” (equestrian operations [farms,] businesses and facilities) and related uses, are compatible with existing uses and contribute significantly to the character of the Town. The Town’s agricultural operations provide local employment and employment of local tradespeople. As part of the Agricultural District, established in Westchester County in accordance with the New

York State Agriculture and Markets law, more than 150 parcels of land in the Town of North Salem became part of the Agricultural District.

The following actions will be pursued to preserve and encourage agricultural uses:

- Revise the Zoning Ordinance to address specific standards for limited, temporary signage for farm stands existing in the Town, including limited off-site directional signs.
- Review existing regulations and consider creation of a Farm Preservation Law.
- Distinguish agricultural business uses such as nurseries and sod farms from other types of agricultural uses, which may be considered in appropriate areas.
- Consider other protection and preservation techniques such as Purchase of Development Rights (PDR), Transfer of Development Rights (TDR) and conservation and agricultural easements.

In pursuing these actions, the Town will consider the recommendations of the *Westchester County Agriculture and Farmland Protection Plan* and will coordinate these efforts with the Westchester County Department of Planning. Also, North Salem will participate in activities initiated under the Agriculture Plan.

In new construction or facade alteration to a non-residential structure, the Planning Board will be involved in approval of any site development plans and ensure that the buildings, grounds, signage, etc. are aesthetically compatible with their surroundings and consistent with the character of the Town. Consultation with the Architectural Review Board (ARB) is an essential part of the Planning Board's review of site development plans. Additionally, the Zoning Ordinance provisions governing the requirement for and processing of site development plans, Article X, have been amended to give the Planning Board the authority to waive the requirement for full site development plan review in appropriate circumstances.

### ***Unsuitable Non-Residential Uses***

Unsuitable non-residential uses such as those described below are uses which are inconsistent or incompatible with any or all of the following: Town character; the Town's current pattern of development, including the size, scale or type of existing land uses; or sufficient protection of the natural environment. The Code of the Town of North Salem, Chapter 250, the Zoning Ordinance contains a section that specifically describes many such uses and they are set forth as prohibited uses (see Section 250-13). These prohibited uses include intensive manufacturing, processing, refining and milling operations, slaughterhouses and the storage of explosives or other hazardous materials.

Furthermore, unsuitable non-residential uses are likely to create potential service demands that are beyond the capacity of the town's public and community services and may result in the creation of traffic volumes that exceed the capacity of the existing transportation system. The tabulated results of the Comprehensive Plan Questionnaire will be reviewed to discern uses that are generally not desired by Town residents.

The uses identified below are generally considered to be unsuitable and are not encouraged. The following uses are deemed to result in negative impacts on the Town and the natural environment that outweigh the potential benefits to the community:

- Manufacturing, processing or industrial uses that involve potential nuisance effects such as smoke, pollution, noise, odor, vibration, excessive traffic and truck traffic. This category of uses also includes small and medium-scale uses such as on-site dry cleaning.
- Large shopping centers and regional-scale (“big box”) retail operations.
- Multiplex and drive-in theaters.
- Adult uses, bars, and tattoo parlors.
- Industrial warehouses and commercial or rental storage facilities.

The above uses are not permitted under the current Zoning Ordinance.

### **Criteria for Non-Residential Development**

The Town’s future decisions about the selection of desirable uses, the need for increased diversity of permitted non-residential uses, and the location or potential future expansion of any non-residential zoning district will be guided by the section above regarding desirable and unsuitable uses and also the criteria and objectives discussed below.

Minor expansion of the Research-Office (RO) zoning district located along Fields Lane near the Interstate Route 684 (I-684) entrance and exit ramps (Exit 8) will be explored. Any such expansion proposal should incorporate provisions for a new road or internal site access via a loop road or multiple cul-de-sac design that will keep non-residential traffic on Field's Lane and preclude any through traffic to Hardscrabble Road. Additionally, design standards should direct development to be located up and back from the frontage on Field’s Lane to diminish visibility.

Suitable sites for diversification of non-residential development should be located in or near existing developed areas such as in hamlet areas, along major roads where they intersect with I-684 or other major roads, and near other compatible uses. An examination of the variety of uses permitted in the existing zoning districts in the hamlet areas is recommended, as outlined below.

The environmental, infrastructural and socioeconomic impacts, benefits and costs of various non-residential uses to the community should be considered to assess the desirability or unsuitability of a given use. All development must be considered in light of the New York City Watershed regulations, the Town’s stormwater management practices (under NYS SPDES General Permit for MS4s) and the general desire of the Town to protect its surface water and groundwater resources from degradation and pollution.

The compatibility, the comparative desirability or suitability of each non-residential use will be assessed as part of the review of existing non-residential zoning districts being

considered for diversification. This assessment should address such factors as the preferred type, scale, size and intensity of non-residential development, the appropriate size or area of development sites or buildings, the potential number of employees or club members, beds or rooms, as appropriate to the use.

Additionally, the potential related traffic volume and the necessary roadway, driveway and parking and loading area requirements of various uses should be key factors in determining the suitability of uses in terms of intensity within a given area of the community or overall compatibility with the character of the town.

### **Zoning Ordinance Revisions**

Specific revisions to pertinent Zoning Ordinance sections are necessary to achieve the goals, objectives and recommendations described above for non-residential development. In addition to amendments to diversify and expand permitted uses and selected zoning districts, the following provisions will be considered:

- The list of uses permitted in each non-residential zoning district will be further evaluated and modified in order to improve the viability and compatibility of development in each zone;
- Limited expansion of the RO zoning district in the vicinity of Fields Lane is encouraged;
- Creation of a new RB (Rural Business) Zoning District that would permit low-intensity, low-traffic business and office uses, for example, art galleries, antique stores and professional offices, but not medical or dental clinics or the general types of retail uses permitted in a NB zoning district. Appropriate design standards should be included to address community character and historical features in hamlet areas;
- Revisions to conditional use and special permit procedures and standards to allow for minor alterations to existing non-residential uses;
- Revision of regulations for non-conforming uses and lots and structures with non-complying bulk to allow for minor alterations to existing non-residential uses;
- Rezoning of certain non-conforming business properties will be considered to allow their continued use and development;
- Zoning requirements for area, bulk and parking in the business zoning districts will be modified to provide more flexibility for development particularly with regard to small properties and conversion of existing structures;
- The Zoning Ordinance requirements regarding communication towers and facilities (cellular towers) should be reviewed and updated to address changing

technologies and designs and to reexamine the emphasis on collocation;

- Specific properties may be considered for zoning that will permit primarily recreational type uses;
- Other revisions to allow existing businesses to make minor changes to land uses, structures, signs, or other related accessory structures or improvements;
- Provision of more flexible requirements for off-premises signs for rural business such as, farm stands, restaurants, and galleries through revision of the Town's Ordinances that address signs;
- The zoning ordinance requirements regarding site development plan and Architectural Review Board reviews should be revised to encourage "green", sustainable building methods and environmentally protective design standards. The related regulations for subdivision (Code Chapter 200) and site development plan (Chapter A267) should be similarly revised; and
- The regulations pertaining to bed and breakfast development will be re-evaluated to determine whether amendments would make such development more feasible in appropriate locations.

### **Recommended Study: Non-residential Use Analysis**

In the first year after the adoption of the CPU, the Town of North Salem will evaluate its current and ongoing non-residential development to assess how changes in the Town's community development efforts and zoning provisions will encourage desired types of development.

Existing zoning and land use patterns will be analyzed to identify specific types of desired uses for designated locations and possible new locations for non-residential uses.

This analysis will address:

- Existing permitted and non-conforming non-residential land uses;
- Patterns of development;
- Current zoning map designations; and
- Pertinent zoning provisions.

The analysis will also assess the compatibility of potential new permitted uses with existing development and outline specific implementation strategies and actions for the realization of the Town's goals and objectives described in this section. This study will involve detailed consideration of the "Criteria for Non-Residential Development" set forth above. The Town may opt to conduct another survey of residents' opinions, desires and needs regarding non-residential uses and other issues using a questionnaire or other means.

The Town should examine another aspect of non-residential uses in addition to a land use and zoning analysis, which is the study of the potential fiscal implications of various uses. A fiscal analysis should be conducted to assess the varying property tax revenue effects of potential non-residential uses as compared to potential residential uses. The analysis should address the potential revenues from and the potential costs of certain types of land uses.

In the second year after adoption of the CPU, the Town will begin implementation of the strategies and actions that were described in CPU Section 1.1 as a result of the analysis conducted in the first year.

Additionally, the Town should consider undertaking an analysis of siting for communication tower facility development. Appropriate expert advice will be needed and the Town should seek funding to cover the costs of such an analysis.



## 1.2 Non-Residential Uses: Major Non-Residential Projects Under Consideration

### Description of Major Non-Residential Projects Under Consideration

In response to Petitions for zoning amendments from two petitioner's, the Town of North Salem is considering the merits of two types of non-residential uses in the context of its ongoing work on the Comprehensive Plan Update (CPU). The two non-residential projects currently under consideration include a conference center, lodging and golf course development (hereinafter conference center/lodge) and a building contractor's business.

The conference center/lodge development involves a petition to amend the Code of the Town of North Salem Chapter 250, Zoning (hereinafter the "Zoning Ordinance"), to add certain uses to the R-4 Zoning District. The amendment would add two uses by Special Permit of the Town Board, specifically, "conference, lodging and recreation facilities" and "golf and country clubs associated with conference, lodging and recreation facilities". Although golf courses and golf clubs are already permitted in the R-4 (Rural Density Residential) Zoning district, the amendment involves linking a golf course development with the conference, lodging and recreation facilities under a special site size requirement of 200 acres. The development that will be proposed as a result of the proposed zoning amendment includes conference, lodging and dining facilities and a golf course and other recreational facilities and preservation of certain areas of the site containing sensitive features such as wetlands, streams and wooded areas on a 300-plus-acre site of which approximately 255 acres is located in the Town of North Salem. The review of the project will involve consideration of a zoning amendment, preparation and review of Draft and Final Environmental Impact Statements (DEIS and FEIS), including generic SEQR review of the zoning amendment, and review of detailed site development plans.

The building contractor's business project involves a petition to amend the Zoning Ordinance to create a new CB (Contractor's Business) Zoning District to permit certain uses therein such as Building Contractor's Business. The amendment would create a zoning district in which the Building Contractor's Business use would be allowed by Conditional Use approval and the approximately 18-acre site would be rezoned to the proposed CB district. Other uses would be allowed in the proposed CB district by Conditional Use approval such as landscape, nursery and garden centers and wholesaling of trees, shrubs and other plants and nursery product. The uses permitted by right in the proposed CB district will include agricultural and residential uses comparable to the rural to low-density residential zoning districts (the R-4 and R-2), except that most of the uses in the CB district are required to be on sites of 10 or more acres. The other permitted conditional use and special permit uses are also comparable to the rural to low-density residential zoning districts, however, fewer uses are permitted.

The use proposed on the site of the proposed zoning amendment includes pre-existing site development and expansion of a Building Contractor's Business and mitigation of disturbance in and preservation of wetland areas. The review of the project will involve

consideration of a zoning amendment, review of an expanded Full Environmental Assessment Form (Full EAF), including a related wetland investigation and other studies, and review of detailed site development plans. The Town had previously considered a more extensive zoning amendment including three other sites in the Croton Falls area with similar types of businesses, as described in more detail below. The other sites that were included and their anticipated land uses were as follows:

- The Hardscrabble Farms site on Hardscrabble Road, which includes an existing wholesale nursery business;
- The Outhouse Orchards site in Hardscrabble Road, which includes an existing orchard and agricultural business; and
- A site on the end of Reed Road that was proposed for use as a landscape, nursery and garden center business.

There are no other sites under consideration for the conference center/lodge use and the proposed zoning amendment includes specific, restrictive criteria for the location of such a use on another site. The currently proposed zoning requires that any other site that would be considered for such a use must obtain a Town Board special permit and must address the following site criteria:

- It must be a single lot with a minimum size of 200 acres within the Town of North Salem;
- It must be located within one mile of an interchange from Interstate-684, measured along existing roadways, from access point to access point; and
- It must have frontage on a State or County road; frontage on at least two separate roads; and primary access to the conference center located on the road frontage most closely associated with adjacent business uses.

Both of the above zoning petitions, the conference center/lodge and the building contractor's business, are undergoing extensive and detailed environmental and planning review involving the submittal of professionally prepared reports on specific areas of concern and intensive review by the Town's Planning Consultant, Wetlands Inspector and Consulting Engineer. In the case of the conference center/lodge development, additional experts will assist the Town in the review of the EIS's including traffic and groundwater specialists.

These projects were not specifically identified in the earlier versions of the CPU, however, they must be considered in comparison to the general and specific statements in the Town's CPU, the existing Master Plan, adopted in 1985, and regional plans and planning and economic studies that include the Town of North Salem as part of the overall view of regional development. The pertinent statements and sections in these documents are described below to identify how the two proposed developments are consistent with local and regional planning goals, objectives and strategies.

### **CPU Purposes and Development Goals**

The Purposes and Development Goals in the introductory section of the CPU indicate that there is a need for guided economic development including non-residential uses to

balance the predominantly residential uses in the Town of North Salem. Specifically, these purposes and goals state that:

“... population growth, development and all policies about planning zoning and infrastructure in North Salem should be guided so as to preserve the town’s rural character and open, scenic landscape...” (see subsection A)

Land use policies and standards should “... ensure a balanced and orderly pattern of future growth and economic stability.” (see subsection B)

“The orderly but limited expansion and addition of non-residential land uses to complement the predominantly rural, residential character of the community should be encouraged.” (see subsection E)

“The pleasant quality of the community should be maintained in which people can live, work and pursue leisure activities.” (see subsection K)

### **CPU Development Objectives and Strategies**

The Development Objectives and Strategies in the introductory section of CPU indicate that there is a desire to foster some level of non-residential development that is consistent with low-coverage type uses on larger parcels of land.

The zoning text amendment to permit the use “conference center” in the Rural Density Residential (the R-4) Zoning District has been mentioned in previous versions of the CPU, subsection C., in relation to location on large parcels of land. The dilemma of whether certain non-conforming business properties should be rezoned to allow their continued use and development has been mentioned in many versions of the Draft CPU (subsection D.) since the adoption of the Zoning Ordinance in 1987 created several situations where existing business uses became non-conforming. The building contractor’s business site is one site that was rezoned to a residential zoning district (the R-1, Medium-Density Residential) and thus became a non-conforming use.

A formerly proposed Agricultural Business (AgB) zoning district was considered in previous versions of the Draft CPU (subsection F.), which was the subject of a detailed environmental and planning review involving the Contractor’s Business rezoning site and other properties. The intention of the partially Town-sponsored zoning amendment , in 2002 through 2003, was to encourage the continued viability of low-intensity, agricultural type businesses along Hardscrabble and Reed Roads. The new zoning district would have permitted low building coverage and would have allowed a variety of uses that would complement existing agricultural, landscaping and nursery uses in that area of Town. The zoning amendment was supported by the Town of North Salem Planning Board and was reviewed by the Town Board. However, the zoning amendment of all the parcels was not continued by the Town Board and a petition is now being pursued independently as the proposed CB zoning district.

## **CPU Section 1.1 Non-Residential Uses**

Section 1.1 of the CPU includes a statement that the determination of appropriate non-residential uses should address the following objectives:

“... The Town and its residents take pride in the historic and rural characteristics of its community, its hamlet areas, as well as the open spaces and natural beauty that surrounds them. Future development will be limited to non-residential uses which preserve and complement this character.”

“The Town also recognizes that a moderate amount of tourism activity supports many of the local businesses and creates business and job opportunities for its residents.”

“All proposed non-residential growth must balance the benefits to the Town and its residents with the potential impacts on transportation, traffic patterns, the Town’s rural character, as well as the level of services and facilities that will be required from the Town.”

In the subsections of CPU, Section 1.1 about “Appropriateness of Specific Uses” and “*Desirable Non-Residential Uses*”, there is a description of uses that are desirable, but are not specifically related to any existing area or any certain business zoning district. These desirable uses include larger scale uses such as a health club or a spa and tourism oriented businesses such as a resort.

In the subsection about “Criteria for Non-Residential Development”, the formerly proposed AgB (Agricultural Business) zoning district was supported by the idea of promoting the continued viability of existing, low-intensity, open-space (low coverage) type uses that are found along Hardscrabble Road. Additionally, in reference to the possible expansion of the RO (Research Office) zoning district, the discussion of suggested design standards indicated that development should be directed to be up and back from the frontage on Field’s Lane to diminish visibility. The same design idea should be applied to uses being considered along Hardscrabble Road, which is flanked by agricultural and related business uses, open, vacant land and homes. Any zoning amendment that would affect lands along Hardscrabble Road should provide for ample setbacks and visual buffering.

## **Adopted Master Plan of 1985**

The Town of North Salem Master Plan, adopted in September, 1985 made a number of observations about non-residential development, including the limited employment opportunities in the Town. The Development Goals in the Master Plan are intended to “convey the values and preferences of the community” make the following statements about the growth of the Town:

“Establish adequate land use planning policies and development standards to ensure a balanced and orderly pattern of future growth and economic stability.”

“Encourage the orderly but limited expansion and addition of land uses consistent with the predominant character of the community.”

“Provide a pleasant community in which people can live, work and pursue leisure activities.”

In the Master Plan section about Open Space and Recreation, the subsection on Recreation recognizes that sites for active and passive recreation use are related to the desire to preserve open space. The Master Plan Map shows the two golf courses in the Town as “Existing Recreation” uses, in the same land use category as the Mountain Lakes park and other parks.

The Master Plan anticipates growth and calls for a “balanced and orderly pattern” and an “orderly but limited expansion and addition of land uses”. The two Petitions for zoning amendments, related to the conference center/lodge development and the building contractor’s business project, are compatible with these objectives as they propose recreational and business uses near an area of Town where businesses are located and near appropriate access for the potential volume of traffic that they will generate.

The uses that will result from the conference center/lodge zoning petition, if adopted, will add tourist-oriented uses, conference and lodging, to a zoning district that already includes recreational uses. Tourist-type business are consistent with the rural, scenic qualities of the Town, as long as the development preserves the natural, scenic aspects of the site.

The uses that will result from the Contractor’s Business zoning petition, if adopted, will create a zoning district that will add a service-oriented use, building contractor’s business and other similar uses, to a community that creates demand for these types of services. Since North Salem is a primarily residential community with many estate homes, horse farms and other agricultural operations, there is an ongoing demand from existing property owners for site improvement services and materials. The availability of a building contractor’s business in the community is consistent with the residential and agricultural character of the Town, as long as the development preserves the natural, scenic aspects of the site.

The bulk provisions for both zoning amendments that are under consideration are designed to produce low-density, low-coverage development that is consistent with the rural, open quality of the Town. For example, the proposed zoning for the conference center/lodge limits building coverage for this use to 2.5% and the proposed zoning for the building contractor’s business limits building coverage to 5%. By comparison, under existing zoning, agricultural uses are permitted 5% building coverage and single-family residential lots are permitted 10% building coverage.

Moreover, these developments will result in the creation and retention of jobs in the service, hospitality and construction sectors, that require certain skills and may provide livable incomes for residents.

### **Purposes of the Zoning Ordinance**

The Zoning Ordinance, adopted in March, 1987, includes a statement of purposes (Section 250-3) similar to those included in the Master Plan. The purposes of the Zoning Ordinance are a reiteration of those in the Master Plan as the ordinance “implements the policies for land use” from the plan. The following purposes are more specifically related to non-residential development in the Town:

“Adequate land use planning policies and development standards to ensure a balanced and orderly pattern of future growth and economic stability.” (see subsection B)

“The orderly but limited expansion and addition of land uses consistent with the predominant character of the community.” (see subsection E)

“A pleasant community should be provided in which people can live, work and pursue leisure activities.” (see subsection J)

The two Petitions for zoning amendments, related to the conference center/lodge development and the building contractor’s business project, are compatible with these purposes for the same reasons that are outlined above in the section about the Master Plan.

### **Patterns for Westchester**

The Town of North Salem can be guided in its comprehensive planning efforts in part by considering the policies, guidelines and strategies offered in ***Patterns for Westchester: The Land and the People*** (hereinafter ***Patterns***) prepared by the Westchester County Planning Board. Below is an overview of points raised in ***Patterns*** that pertain to North Salem’s consideration of appropriate directions to pursue in encouraging some level of non-residential development in the community.

Through the northwestern area of North Salem runs Interstate 684 (I-684), considered by ***Patterns*** to be a “Principal Corridor”, which serves as a major transportation route, a scenic corridor and an avenue for development. The ***Patterns*** map similarly identifies lands alongside I-684 as having “Open space Character”. The description of “Areas of Open Space Character” includes private golf courses and recreational facilities as well as low density areas.

The recommended development density ranges, as shown on the ***Patterns*** map, for the area north of Hardscrabble Road and east of Fields Lane include “Medium Density Suburban” (MDA) to “Low Density Rural” (LDR) and provide for Floor Area Ratios

(FAR, or Floor Area per Lot Area) as follows:

**0.1-0.4 FAR/MDS** - This density is recommended immediately adjacent to Fields Lane and is equivalent to 5% to 20% building coverage (building footprint) assuming 2-story development.

**0.05-0.2 FAR/MDS** - This density is recommended a little further east of lands immediately adjacent to Fields Lane and is equivalent to 2.5% to 10% building coverage (building footprint) assuming 2-story development.

**0.025-0.1 FAR/MDS** - This density is recommended even further east of lands immediately adjacent to Fields Lane, but just north of Hardscrabble and is equivalent to 1.25% to 5% building coverage (building footprint) assuming 2-story development.

**0.0125-0.05 FAR/LDR** - This density is recommended further east of lands immediately adjacent to Fields Lane, and comprising most of the area north of Hardscrabble Road and is equivalent to 0.6% to 2.5% building coverage (building footprint) assuming 2-story development.

The densities being considered for the Contractor's Business and conference center/lodge zoning petitions are consistent with the recommended development densities on the *Patterns* map. The densities in the proposed zoning amendments are designed to produce low-density, low-coverage development in this area of Town.

The "north county" area and its corridors are identified as parts of the county where there are opportunities for development. *Patterns* recommends that zoning and design techniques must be used to address the potential for development of privately-owned lands to retain open space character.

### **Greenprint: The Westchester County Compact Plan**

*The Greenprint For a Sustainable Future... the Westchester Way* (hereinafter *Greenprint*) is the Westchester County Greenway Compact Plan, which provides guidance for municipalities participating as Greenway Compact communities. Westchester County is included in the Hudson River Valley Greenway Area in accordance with New York State legislation known as the Greenway Act of 1991. The Greenway Act involves voluntary regional cooperation among the 13 counties alongside the Hudson river and the communities that are part of the Hudson River Valley region. The *Greenprint* is based on and incorporates by reference *Patterns for Westchester* to "create an approach to regional economic development that promotes tourism while incorporating natural, cultural and historic resource protection and increasing Hudson River access opportunities."

North Salem's ongoing comprehensive planning and other land use and environmental planning efforts, local laws and regulations and policies for review of land development

are generally consistent with three of “The Five Greenway Criteria”, which address:

- Natural and cultural resource protection;
- Regional planning; and
- Economic development.

It will be necessary for the Town to build on existing resources and regulations to take a more deliberate approach to the Greenway Criteria of Public Access and Heritage and Environmental Education.

The two Petitions for zoning amendments, related to the conference center/lodge development and the building contractor’s business project, are compatible with the Greenway Criteria regarding economic development, which reads as follows:

“Encourage economic development that is compatible with the preservation and enhancement of natural and cultural resources with emphasis on agriculture, tourism and the revitalization of existing community centers and waterfronts.”

Both zoning amendments will permit low building coverage and will encourage high proportions of land area that are open, landscaped or covered with natural and pervious materials. Extensive areas of impervious surfaces will not be allowed and appropriate buffering will protect the open scenic character of Hardscrabble Road and adjacent lands. The conference center, lodging and golf course development is oriented towards tourism and its operation should result in increased business (multiplier effects) for the local economy, especially for businesses in Croton Falls. The building contractor’s business project, including the zoning amendment and site enhancements, will improve the quality of an existing business and will retain jobs in the Croton Falls area.

### **Low Coverage Development**

Given all of the above local and regional recommendations regarding the type and intensity of development in North Salem and particularly in this area of North Salem, the permitted coverage in the proposed zoning amendments is consistent with the rural, residential character of development. Single-family residential development in the Town of North Salem is permitted to have ten percent (10%) building coverage (based on the areas of the footprints of all buildings) and twenty percent (20%) development coverage. Building coverage is a measure of the ground floor area of all buildings on a lot (but does not include the area of any other building floor areas). Development coverage is a measure of all the driveways, walkways, parking areas and all of the impervious areas on a lot, including the ground floor area of all buildings on a lot. Most farms are permitted lower coverages, five percent (5%) building coverage and ten percent (10%) development coverage. However, for the keeping of horses, ten percent (10%) building coverage and twenty percent (20%) development coverage is permitted.

In keeping with the residential and rural, farm-type coverages in the Town, the two proposed zoning amendments will allow uses with similar and much lower building and development coverages. For example, the proposed Contractor’s Business zoning district



would permit coverages that are less than those permitted for single-family dwellings, five percent (5%) building coverage and fifteen percent (15%) development coverage. The supplemental requirements for the proposed Contractor's Business zoning district would permit additional coverage for the storage of natural materials on a building contractor's business site. However, this is related to the strict definition of impervious materials in the existing Zoning Ordinance, which include natural impervious areas and will only be permitted as part of Conditional Use and Site Development Plan review. Conversely, single-family homes and most farms and properties where horses are kept are not required to obtain site development plan approval.

The proposed zoning amendment for the conference, lodging and recreational facility use would permit this use on a large tract of land (200-acre minimum lot size) and would require building coverage that is lower than that required for farm development and the same development coverage. The maximum permitted building coverage would be two-and-a-half percent (2.5%) and the permitted development coverage is ten percent (10%).

### **Existing Zoning and Land Use**

A review of North Salem's existing zoning map and land use information, as compiled in the Croton Watershed Plan, clearly shows that an extremely small proportion of the Town's land area (1% [one percent]) is either located in business zoning districts (NB, GB, PO and RO districts) or actually in use as businesses. Please refer to the two tables at the end of this section entitled "Zoning District Analysis" and "Land Use Analysis". Although there are certain non-residential uses permitted in residential zoning districts, these are generally agricultural, institutional or educational uses and would not be characterized as business uses. The tables provide a complete profile of all of the Town's zoning districts and many land use categories.

It is clear that the Town is predominantly residential in character as 88% of the land area is located in residential zoning districts and 93% is actually in use as residential or other non-business uses (open space and parks, undeveloped land, agriculture, etc.). Private recreational golf courses, which comprise 225 acres (1.6%) of the Town's land area, are located and permitted in residential zoning districts and are generally considered to be recreational uses, rather than business uses. The Croton Watershed Plan information categorizes private recreational golf courses under the general heading of Parks and Open Space (see Croton Plan, Figure 2-25).

Although approximately 130 acres of land are located in business zoning districts, 95 acres are actually in use as businesses. The remaining lands are either vacant, undeveloped or in use as residences. A parcel of land in one of the Town's business zoning districts, the RO (Research-Office) zone was rezoned in 2001 to a residential zoning district, R-MF/6 (the NYSEG parcel, 24 acres), which is reflected in the attached tables prepared using Croton Plan information.

## **Changing Local/Regional Trends and Needs**

In the Town of North Salem there are very few notable parcels of land that are in non-residential zoning districts that remain to be developed. There is currently a proposal to develop a hotel on a property in the Croton Falls hamlet area. Under existing zoning, a hotel is permitted only in GB (General Business) zoning district. The current proposal involves the only parcel that is available for hotel development in the GB district as the use requires a 2-acre lot. Most of the other parcels in the GB zone are much smaller than one acre. Larger parcels exist in the GB zone, but are already developed. Additionally, the site's constraints (slopes, wetlands, and a watershed stem) present challenges to hotel development. The Applicant has worked with agencies to try to address these development constraints in pursuing a development application for a 60+-room hotel.

As is illustrated above, a very small proportion (1%) of the Town's land area is located in business zoning districts and in most of these zoning districts, nearly all of the land therein is already developed with a mixture of uses. The exception is that of the land in the RO zoning district, most of the parcels remain vacant or in use as residences. In 1987, as part of Townwide rezoning, a significant area of land on the southeast side of Interstate 684 and Fields Lane was rezoned to the RO zoning district. Only four of the properties in the RO zone are developed for office or warehouse uses. All of these uses were established before the adoption of the Zoning Ordinance that created the RO zoning district. The remaining ten parcels in the RO zone are single-family residences, agricultural uses or they remained undeveloped. This may reflect long term limitations in the demand for office space in North Salem and in the region.

As part of the zoning adopted by the Town of North Salem to address the Continental Decision, a 24-acre parcel of land in the RO zone was rezoned to create a new high-density residential (R-MF/6) zoning district. The property owner, New York State Electric and Gas (NYSEG), petitioned the Town for the residential zoning as they felt that their ability to market the site for office uses was very limited. The rezoning of this property was addressed in a generic SEQR review conducted by the Town during 2000 and concluded in 2001. The environmental review documents are on file with the Town.

Another example of changing needs in the Town and in the surrounding region is that the Petitioner for the formerly office and residential development on Reed Road has amended the related zoning amendment from a proposal to rezone to a RO (Research-Office) to a new proposal for medium-density residential zoning. An approximately 50-acre portion of the project site, located on Reed Road, was to be rezoned to the RO zoning district in accordance with a petition initiated in 1994. The project representatives have amended the rezoning aspect of the project to eliminate the proposed RO zone noting that there is not enough demand for office space in the area to make the continued zoning proposal feasible. Instead a 40-acre portion of the site will now be rezoned for medium-density residential development.

Information prepared by the Westchester County Planning Department also indicates that demand for office space is weak in the northern part of the county and in the region. In

the discussion of the “*Patterns* Program” (Section VII of *Patterns*), the loss of jobs in Westchester in the 1980's and the increased vacancy rates for office and business space are acknowledged. There is the potential for growth in service type businesses. The aspects of the county that make it an attractive place to work and live, and are thus economic strong points, are the natural resources and the character of the region. This is especially true in the northern areas of the County and in North Salem. The *Patterns* Program addresses the need to nurture Westchester’s economy with a focus on sustainable growth, which allows economic development with attention to appropriate environmental management. Tourism is encouraged in municipalities with historic, cultural or scenic character.

The Town is experiencing ongoing residential lot, estate, horse farm and subdivision activity. Residential lot, estate and horse farm construction may involve new construction, expansion of buildings or grounds as well as rehabilitation and general upkeep. All of these activities require materials such as sand, soil, aggregate and other materials available at a contractor’s business such as are provided by the existing building contractor’s business.

#### **Consistency of Non-Residential Projects with CPU**

The two significant non-residential projects currently being reviewed by the Town, the conference center/lodge development and the building contractor’s business project, are effectively being considered in the context of the Town’s ongoing work on the Comprehensive Plan Update (CPU). The two proposed developments are consistent with local and regional planning goals, objectives and strategies as per the above overview of the pertinent general and specific statements in the Town’s CPU, the existing Master Plan, adopted in 1985, and regional plans and planning and economic studies that include the Town of North Salem as part of the overall view of regional development.

The two proposed zoning amendments will allow some adjustment to balance the proportion of non-residential to residential uses permitted in the Town as they will increase the land area in business type zoning by approximately two percent (2%) or perhaps another one percent (1%) more depending on the results of the generic SEQR review of the conference center/lodge project. As a result the proportion of non-residential land uses in the Town will increase to a total of three percent (3%) or possibly four percent (4%), again depending on the results of the generic SEQR review of the conference center/lodge project. If the Town allows a total of three to four percent (3-4%) of its land area to be non-residential in terms of zoning or actual land use, this small proportion is still consistent with the predominantly rural, residential character of the community.

#### **Ongoing Environmental and Planning Review of Major Non-Residential Projects**

The Town of North Salem is currently evaluating the two major non-residential developments in separate environmental and planning review processes as described above.

**SUPPLEMENT TO COMPREHENSIVE PLAN UPDATE  
TOWN OF NORTH SALEM TOWN BOARD**

**Zoning District Analysis: Land Area and Proportion of Town Land Area in  
All Existing Zoning Districts**

Zoning District Symbol (Name of District)	Area in Zoning District (in acres)	Proportion of Town In District (in %)
<b>Business Zoning Districts</b>		
NB (Neighborhood Business)	12.03	0%
GB (General Business)	21.14	0%
PO (Professional Office)	24.87	0%
RO (Research-Office)	71.88	0%
<b>Subtotal of land in Business Districts</b>	<b>129.92</b>	<b>1%</b>
<b>Residential Zoning Districts</b>		
R-4 (Rural Density Residential)	9627.22	65%
R-2 (Low Density Residential)	1640.24	11%
R-1 (Medium Density Residential)	1410.11	10%
R-1/2 (Medium Density Residential)	250.77	2%
R-1/4 (Med-High Density Resident.)	20.97	0%
R-MF/6 (Res-Multi-Family/High Density)	24.57	0%
R-MF/4 (Res-Multi-Family/Med. Density)	61.80	0%
PD-CCRC (Plan. Dev-Cont Care Retirem't)	28.02	0%
<b>Subtotal of land in Residential Districts</b>	<b>13063.70</b>	<b>88%</b>
Subtotal of area in all Zoning Districts*	13193.62	
Titicus Reservoir area (not incl in zon dist)	905.00	6%
Right of Way area (not incl in zon dist)	735.00	5%
<b>Total Town Land area</b>	<b>14833.62</b>	<b>100%</b>

\*Subtotal of area in all zoning districts included in Croton Watershed Plan Zoning District tables, Figures 2-5 and 2-6. Areas of reservoir and right of way added to address areas missing from Croton Plan tables.

Sources: - Comprehensive Croton Watershed Water Quality Protection Plan, Westchester County Department of Planning, Draft March, 2003; - Parcel Based Zoning map, WCGIS, June, 2002; and - Tax Maps, Town of North Salem, June, 2003

**SUPPLEMENT TO COMPREHENSIVE PLAN UPDATE  
TOWN OF NORTH SALEM TOWN BOARD**

**Land Use Analysis: Land Area and Proportion of Town Land Area in  
All Existing Land Use Categories**

Land Use (LU) Category Name	Area in Land Use Category (in acres)	Proportion of Town In LU Category (in %)
<b>Business Land Use Categories</b>		
Office/Research Campus	5	0%
Retail/Service/Entertainment/Mixed Use	63	0%
Automotive/Manufacturing/Industrial	27	0%
<b>Subtotal of land in Business Land Use</b>	<b>95</b>	<b>1%</b>
<b>Non-Business Land Use Categories</b>		
Residential	4316	30%
Public/Semi-Public Facility	299	2%
Parks and Open Space*	3330	23%
Agriculture	2320	16%
Undeveloped Land	3099	22%
<b>Subtotal of land in Non-Business LU</b>	<b>13364</b>	<b>93%</b>
Subtotal of area in all LU Categories**	13459	
Town Land Area Outside of Watershed	168.00	1%
Right of Way area (not incl. in zoning dist.)	734.00	5%
<b>Total Town Land area**</b>	<b>14361.00</b>	<b>100%</b>

\*Includes private recreational golf courses which comprise 225 acres or 1.6% of the Town.

\*\*Subtotal of area in all land use categories included in Croton Watershed Plan, Land Use Summary table, Figure 2-25. The areas of Town Land Area Outside of Watershed and Right of Way are presented separately. There are 492 acres of the Town's total land area unaccounted for in this Croton Plan table, which are believed to be attributed to the area of Peach Lake and other small water bodies.

Sources: - Comprehensive Croton Watershed Water Quality Protection Plan, Westchester County Department of Planning, Draft March, 2003; - Parcel Based Zoning map, WCGIS, June, 2002; and - Tax Maps, Town of North Salem, June, 2003

## **2.1 Residential Zoning, Development and Related Land Uses**

The Town of North Salem Zoning Ordinance permits residential development throughout most of the Town. It is estimated that approximately 1% of the Town's land area is currently zoned for non-residential (business, office and institutional) development. Rural and Low-Density (the R-4 and R-2) zoning districts occupy a significant proportion of the Town's land area, which is consistent with the Town's desire to remain rural, to protect rugged, steeply sloped and rocky terrain, wetlands and streams and wooded hillsides from inappropriately intensive land development. Additionally, these zoning districts permit many agricultural uses and other low-intensity types of development that are consistent with residential and agricultural uses and the Town's desire to retain as much open land as possible.

The Town's medium to high-density residential zoning districts (the R-1, R-1/2, R-1/4, R-MF/6, R-MF/4 and PD-CCRC) permit higher density development in or near existing neighborhoods and hamlet areas. The Town's existing complement of residential zoning districts provides a properly balanced range of densities and opportunities for a variety of types of housing development. The results of the Town's Comprehensive Plan Questionnaire revealed that residents have a desire or a need for more single-family homes as well as apartments or condominiums, including rental housing. The majority of the residents that responded to the Questionnaire indicated a need for housing for senior citizens. A Westchester County demographic study, entitled "Senior Population Changes, 1990-2000", describes a regional need for housing for an aging population.

The Town of North Salem has recently adopted Zoning Ordinance amendments regarding its residential zoning provisions to address a court decision. These recent zoning actions addressed medium to high-density residential development and inclusionary measures to encourage the development of affordable (moderate-income) housing.

There are other aspects of residential land use, and the development of other compatible uses in residential zoning districts, that must also be addressed in the future to accommodate higher-density residential uses while preserving the rural, agricultural character of the Town that makes it an attractive place to live. The Zoning Ordinance and other regulations need to be reviewed and may need some refinement with regard to provisions that control residential development.

A summary of the adopted zoning ordinance amendments is provided below.

### **Zoning Amendments Adopted to Address the Continental Decision**

The Town of North Salem has adopted zoning amendments and has rezoned four specific properties to address the Opinion and Order of the Supreme Court, State of New York, Westchester County, affirmed by the Third Judicial Department of the Appellate Division of the State of New York in the case of Continental Building Company, Inc. versus the Town of North Salem. This set of adopted zoning actions dealt solely with the residential aspects of the Town's Zoning Ordinance.

The primary objective of the adopted zoning was to create the opportunity for the creation of

affordable housing and to provide for the development of a variety of housing types in the Town of North Salem. The amendments to the Zoning Ordinance are generally described as follows:

1. The creation of zoning designations for high and medium-density residential development (R-MF/6 and R-MF/4 districts) and for planned development, including assisted and independent-living dwelling units (PD-CCRC district) and the corresponding rezoning of properties referred to as Sites 1, 2, 3 and Supplemental Site 4 to these new zoning districts; and
2. The revisions to existing zoning provisions, related to the determination of development density in all residential zoning districts and the requirement for the creation of affordable housing in subdivisions of 10 or more lots (Section 250-18).

The two general objectives of the adopted zoning, which were derived from the Court's Opinion and Order and related decisions, were guiding principles during the review of the zoning amendments:

- Creation of opportunities for feasible development of affordable housing; and
- Encourage and provide for the development of a variety of housing types.

The rezoning of the four (4) sites permits higher residential development densities than those permitted in accordance with the previous zoning of these sites. Therefore, the actual development of the rezoned sites will result in long-term impacts such as an increased number of potential dwelling units, potentially significant increases in the population of the Town of North Salem and related increased demands on the schools and other public services.

The creation of the R-MF/6, R-MF/4, and PD-CCRC Zoning Districts, the related supplemental requirements and the rezoning of Sites 1, 2, 3 and Supplemental Site 4 will result in a number of potentially beneficial effects on the Town of North Salem as described below:

- Expanded or increased variety of residential development density;
- Enhanced variety of types of residential development; and
- Distribution of medium to high-density residential development.

The locations and descriptions of the sites rezoned in response to the Continental Decision are as follows:

- Site 1, known as the "Nob Hill/Hamlet" site, is an approximately 20-acre property on the west side of NYS Route 22, south of Purdys;
- Site 2, known as "Seven Springs Farm", is an approximately 28-acre property on the east side of NYS Route 22, south of Croton Falls and north of Purdys;
- Site 3, formerly referred to as the "Kingsley" property, is an approximately 42-acre property near Volunteers Park and the Town of Southeast, on June Road; and
- Site 4 (aka Supplemental Site 4), which is the NYSEG property on Fields Lane, is an approximately 24-acre property on the on the eastern side of Croton Falls.

The rezoning of Sites 1, 2, 3 and 4 distributes the opportunity for medium to high-density housing development throughout the Town of North Salem with relation to existing areas of development. These sites were rezoned for future development of high- and medium-density multi-family and single-family homes because they are located near established hamlet areas

such as Croton Falls, Purdys and Peach Lake and proximity to existing neighborhoods.

Many other factors were considered in the rezoning of these sites including location along major roads and connector routes, such as the Route 22 corridor. Environmental features of each site were also evaluated and these and many other issues are discussed in detail in the Draft and Final Generic Environmental Impact Statements (DGEIS and FGEIS) and SEQR Findings prepared by the Town of North Salem in their consideration of the rezoning actions. The Draft and Final Supplemental Generic Environmental Impact Statements (DSGEIS and FSGEIS) prepared by a petitioner and the SEQR Findings prepared by the Town of North Salem detail the many factors considered in the rezoning of Supplemental Site 4.

The recently adopted revision of Zoning Ordinance Section 250-18, which addresses density in all residential districts, may result in minor increases in permitted densities in residential districts and related increases in the population upon actual development. However, this is not the result of the rezoning of any given site, but rather a change in how density is determined in all existing residential districts in accordance with the supplemental regulations contained in Section 250-18. The newly adopted requirement for affordable housing in subdivisions of 10 or more lots in all existing residential districts will not result in any increase in density or development.

The adopted amendment to Zoning Ordinance Section 250-18 will have a broad generic effect on development in all residential zoning districts. A more flexible calculation of permitted density will be provided as a result, which will enhance opportunities for the creation of affordable housing and the development of a variety of housing types by simplifying the determination of density.

Although Section 250-18 will no longer deduct from density calculations land in environmentally sensitive areas, there are other existing local regulations which serve to protect these same environmentally sensitive features. The Code of the Town of North Salem currently includes regulations to address development in or near freshwater wetlands (Code Chapter 107), and tree removal and excavation (Code Chapter 189). Additionally, the Town of North Salem Planning Board will resume its review of an amendment to Code Chapter 189 to address development on steeply sloped lands subsequent to the Town's Comprehensive Plan Update. The Town's site development plan and subdivision regulations (Code Chapters A267 and 200, respectively) also include provisions for identification of environmentally sensitive areas and for appropriate development design, grading, drainage, landscaping and erosion/sedimentation control measures to address potential adverse effects of development.

### **Future Implementation Strategies and Actions**

The Town must now provide strong guiding policies and, as required, consider amendments to the zoning ordinance and other regulations to preserve the rural, agricultural character of its landscape. Now that four high to medium-density zoning districts are located near the Town's hamlet areas, the development of the low and rural-density residential zoning districts and the sanctity of agricultural areas of the Town must be carefully watched and guided. The quality and value of the Town's existing and future residential properties are in part due to the scenic,



wooded and agricultural surroundings.

Certain areas of Town with severe development constraints (steep slopes, exposed rock or rock at shallow depths, and wetlands) and where there are large areas of undeveloped land, may be considered for overlay zoning that will make clustering mandatory. Cluster design will concentrate the developed area on a property, thus leaving a significant proportion of the land area as open space. Lower density zoning may also be considered in some areas.

The nature in which agricultural uses are permitted in residential districts has been simplified to encourage the development of new agricultural uses and the continuation and expansion of existing farms. Zoning Ordinance amendments were recently enacted which eliminated the need for extensive site development plan review and approval of certain agricultural uses.

The sparse, farm landscape of the Town is interspersed with the more highly-concentrated hamlet areas, which is consistent with a rural pattern of development. The hamlets consist of a settlement of many homes located in close proximity with other low-intensity non-residential uses nearby. Section 4 of the Comprehensive Plan Update describes the nature of these hamlet areas in more detail.

Consistent with hamlet area and rural, agricultural development is the need for many types of accessory dwellings. An accessory dwelling unit may be an accessory apartment, grooms quarters, a caretaker's cottage or a dwelling for an aging parent or another member of a family or household. The development of accessory units can be a form of affordable housing since it allows senior citizens and older couples to live in a smaller dwelling unit while renting the larger remaining portion of their residence. Or similarly, owning a home may be more affordable to a young person or couple if they are allowed to rent an accessory apartment.

The Town's existing Zoning Ordinance already provides for accessory apartment development, including mixed-use structures (commercial and residential). The existing provisions for accessory apartment development in the Zoning Ordinance provide for broad-based accessory apartment development in hamlet areas and in more sparsely developed areas. Accessory apartments are permitted in almost all of the established residential and non-residential Zoning Districts throughout the Town, allowing accessory apartments in attached and detached structures, including conversion of a primary dwelling to include a portion of the structure as an accessory apartment. Accessory apartments are also permitted above commercial establishments and two accessory apartments may be developed on single-family lots that meet certain requirements. The pertinent supplemental requirements are reasonable and the method of approval, ZBA Special Permit and no requirement for Site Development Plan Approval (only a building permit is required) is relatively simple.

The Town should consider whether there are methods for providing some relief from property taxes for properties or portions thereof that provide affordable housing units. Some possible examples of affordable housing as part of a property might include an accessory apartment attached to or located on a lot with a single-family dwelling; or apartments over a store or an office. Affordable dwelling units would have to be regulated under the Town's Moderate Income Housing (MIH) regulations to be considered eligible in any tax relief program.

Additional types of accessory dwellings will be needed and must be clearly permitted to properly facilitate the continuation or expansion of existing farms and to encourage the creation of new agricultural uses. The rural, agricultural landscape of the community plays a key role in its desirability as a place to live. The Zoning Ordinance provisions should be closely examined to eliminate any barriers to the needs of agricultural uses in the Town.

One way to prevent sprawl-type development in the Town of North Salem is to provide zoning in the hamlet centers that will allow them to thrive. For example, a zoning ordinance amendment that will permit multi-family dwellings in the NB (Neighborhood Business) zoning districts would permit renovation of homes or conversion of failed or vacant commercial structures to provide a few apartment units. The Town may wish to evaluate the provisions in the zoning districts in all of the hamlet areas (NB [Neighborhood Business], PO [Professional Office], RO [Research-Office], R-1/2 and R-1 [Medium-Density Residential]) in regard to whether they permit multi-family dwellings. Some adjustments to the provisions in these districts to improve their flexibility might encourage the creation of affordable rental apartments. As an adjunct to these types of zoning ordinance refinements, the Town should consider a new suitable minimum square footage per dwelling unit which may improve the ability of private, public and nonprofit developers to create affordable units.

In the future, the Town will have to implement more focused measures to create the opportunity for additional affordable housing to address the objectives of the *Affordable Housing Allocation Plan* (hereinafter Allocation Plan) prepared by the Westchester County Housing Opportunity Commission (WCHOC) in November 2005. The *Allocation Plan* is a plan that allocates “to each municipality the share of the County’s total affordable housing need that can be reasonably expected of it”. It provides an updated allocation for the period from 2000 to 2015, including the allocation stated in a previous allocation plan that addressed the period from 1990 to 1999. Each municipality is expected to address the number of housing units allocated to it in the *Allocation Plan* by encouraging the development of affordable housing or by causing such housing to be developed. In accordance with the *Allocation Plan*, the Town of North Salem’s new affordable housing allocation plus its unmet obligation for the earlier *Allocation Plan* (1990-1999) is 152 affordable dwelling units (du or du’s). This may require the Town to identify additional strategies and possible sites for medium to high-density residential development to provide opportunities for the development of affordable housing.

The Town’s Moderate Income Housing (MIH) regulations, contained in the zoning ordinance, will be reviewed to see whether the Town should consider amendments to make them more consistent with the affordability standards used by the Westchester Housing Opportunity Commission (WCHOC) for rent and sales of affordable housing. Additionally, North Salem will work with non-profit housing organizations operating in and around Westchester County to provide homebuyer counseling and education for developments that result in affordable units intended for ownership.

Two adjustments to the Town’s Zoning should be considered to make it more consistent with the recent zoning amendments enacted to address the Continental Decision:

- The R-1/4 district located on Hardscrabble Road should be considered for rezoning to the new R-MF/4 zoning, which would provide the same permitted density with more flexible

- design standards; and
- A small parcel near the R-MF/4 zone to the south of Purdys (near the Nob Hill site) should be rezoned to be consistent with the larger surrounding zoning district (the R-1).

Some aspects of the Zoning Ordinance, such as definitions regarding lots and ownership and provisions regarding noncomplying lots, have resulted in property owner concerns about lot mergers. These provisions require reexamination and possible revision to provide clear guidelines about the fate of noncomplying lots.

Additionally, zoning provisions should be created to address the appropriate regulation of lighting on residences, accessory residential structures and residential driveways. Lighting on residential properties has the potential to create glare on adjacent properties and roads and can be addressed by a few basic zoning requirements.

### **Site-Specific Review of Residential Development**

All residential development in the Town of North Salem is already required to and will continue to comply with pertinent chapters and sections of the Code of the Town of North Salem, including three primary Code chapters:

- Chapter 250, the Zoning Ordinance; and
- Chapter 200, Subdivision of Land; OR
- Chapter A267, Site Development Plan Regulations.

The Zoning Ordinance includes general provisions regarding uses, density, area and bulk and specific requirements about such amenities as parking, landscaping, signs and lighting that may pertain to residential development depending on the type of development proposed. The Zoning Ordinance also includes supplemental requirements for specific types of development.

All residential development, with the exception of the construction of a single-family detached residence and certain alterations and additions thereto, must comply with Chapter 200, Subdivision of Land or Chapter A267, Site Development Plan Regulations. Both the regulations for the Subdivision of Land (Chapter 200) and Site Development Plan (Chapter A267) incorporate consideration of roads, individual site access and parking, grading, drainage, erosion and sedimentation control, landscaping and identification of existing natural and manmade site features in development applications. The existing subdivision regulations and the supplemental zoning requirements for the R-MF/6, R-MF/4 and PD-CCRC zoning districts require consideration of the development of private, central water supply and sewage treatment systems and recreational land and amenities.

Residential development, in either the newly adopted zoning districts or in existing residential districts throughout the Town of North Salem, is subject to review by numerous other agencies. Several of the Town, County, State and Federal agencies are involved in the review of residential development in the Town depending on the characteristics of each development site and the type of development proposed. The agencies that may be involved in the review of each application for an approval, a permit or for a referral or commentary may include the Town's Wetland

Inspector, Westchester County Department of Health (WCDOH), the New York State Department of Health (NYSDOH) and the New York City Department of Environmental Protection (NYCDEP), Westchester County Planning Board (WCPB), Westchester County Soil and Water Conservation District (WCSWCD), New York State Department of Environmental Conservation (NYSDEC), Westchester County Department of Public Works (WCDPW), New York State Department of Transportation (NYSDOT) and the United States Army Corps of Engineers (ACOE).

The Town will facilitate the review of development applications that will result in the creation of affordable dwelling units to the extent practicable within the framework of a proper review under the Town's Zoning Ordinance, all other pertinent local, regional and state regulations, and the requirements of New York State SEQR review. Naturally, compliance with the *Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and its Sources*, also known as the NYCDEP Regulations, will be a concern where any residential development occurs in the Town of North Salem and particularly where higher-density residential development is permitted. In this manner, the Town of North Salem is committed to the creation of the affordable housing units allocated by the current Westchester County *Allocation Plan*.

Many of the subdivisions that are brought before the Town's Planning Board will be for a small number of lots, for example 2 to 6 lots. Although a small number of lots may make a proposed development seem minor in scale, this may be the pattern of development for much of the remaining vacant or nearly vacant land in the Town. These seemingly small-scale subdivisions, however, require careful attention with regard to design and land disturbance issues to maintain the Town's scenic, rural atmosphere and extensive wooded landscape. To avoid sprawl-type development and to preserve the Town's open, rural appearance, attention should be given to disturbance limits and restrictions on the removal of trees and other vegetation, the efficient layout of roads, lots and dwellings and the sharing of driveways.

### **Residential Zoning and Land Use Study**

The study of the town's residential zoning districts should address housing needs as well as the encouragement of agricultural uses that in part make the Town of North Salem a desirable place to live. A review of the results of the recent Comprehensive Plan survey will be done to assess the types of housing desires and needs that require further attention. The Town may opt to conduct another survey of residents opinions, desires and needs on this and other issues using a questionnaire or other means. The study will identify possible areas for refinement in the Town's residential zoning district tables and other aspects of the zoning ordinance that address residential and agricultural uses.

The Town should examine another aspect of residential uses in addition to a land use and zoning analysis, which is the study of the potential fiscal implications of various uses. A fiscal analysis should be conducted to assess the varying property tax revenue effects of potential residential uses as compared to potential non-residential uses. The analysis should address the potential revenues from and the potential costs of certain types of land uses.

Additionally, the Town should re-evaluate the number of dwelling units and corresponding affordable dwelling units that will be created by the high to medium-density residential (multi-family) zoning districts adopted to address the Continental decision. The Town should assess whether additional sites are needed to create the opportunity for development of affordable housing.

The study of the Town's residential zoning and land uses should begin in the 3<sup>rd</sup> or 4<sup>th</sup> year after the CPU is adopted.

## 2.2 Residential Uses: Major Residential Project Under Consideration

### Description of Major Residential Project Under Consideration

In response to a petition for a zoning amendment, the Town of North Salem is considering the merits of a proposed residential use in the context of its ongoing work on the Comprehensive Plan Update (CPU). The project currently under consideration is an active adult townhouse development.

An active adult, multi-family townhouse development located on Reed Road in Croton Falls involves a petition to amend the Code of the Town of North Salem Chapter 250, Zoning (hereinafter the “Zoning Ordinance”), to create a new Zoning district, the R-AMF/2 (Residential-Adult Multi-Family/Medium Density) District and to rezone an approximately 40-acre portion of a 160-acre site from the R-1 (Medium Density Residential) District to the R-AMF/2 District. The amendment would create a new zoning district modeled after and generally consistent with the R-MF/6 and R-MF/4 (Residential-Multi-Family/High-Density and R-MF/Medium-Density, respectively) Zoning Districts. The R-MF/6 and R-MF/4 Districts were created and certain parcels were rezoned to these zoning designations as part of the Town’s response to the Continental Decision as discussed in Section 2.1. The proposed R-AMF/2 zoning district is designed to address the development of an active adult community for adults 55 years or older.

The development that is proposed, and may later be approved as a result of the proposed zoning amendment, includes 76 townhouse-style dwelling units and related central water, sewer and recreational facilities. The development of the remainder of the 160-acre site will consist of a subdivision to create lots for 47 single-family homes in accordance with the existing R-1 (Medium Density Residential) zoning of the site. The proposed 76 townhouse units will be located in the central area of the site surrounded by the 47-lot subdivision. Additionally, as part of the amended Stipulation of Settlement related to the project site, up to 5 affordable (moderate-income housing [MIH]) apartments will be constructed in the Croton Falls hamlet on a site known as Dino & Artie’s.

Before the townhouse and single-family project, the previous proposal consisted of rezoning of approximately 55 acres to the RO (Research Office) Zoning District and the resulting development of up to 250,000 square feet of office space in the central portion of the site. The office project would also have been surrounded by a subdivision for single-family homes (then 49 lots). The former proposal had been under review for several years in accordance with a Stipulation of Settlement with the Town and has involved detailed plan review and an EIS process as described below.

As a result of a lack of demand for office space in the area, the Petitioner for the previous project asked the Town to consider a change in the nature of the proposed rezoning to create the opportunity for townhouse development as a community for “active adults” (persons 55 years of age or older, who live independently and do not require any special services). As a result of discussions with the Town Board and Planning Board, the

Stipulation of Settlement was amended to address the new direction of the project to develop active adult townhouses and single-family homes.

The continued review of the newly revised project will involve consideration of a zoning amendment, preparation and review of Draft Supplemental and Final Supplemental Environmental Impact Statements (DSEIS and FSEIS), including generic SEQR review of the zoning amendment, and review of detailed revised subdivision and site development plans. The project has already been subject to the initial stages of DEIS and FEIS review for the previously proposed project involving the office development. It is anticipated that the FSEIS for the revised aspect of the project (the R-AMF/2 zoning and townhouses) will be reviewed alongside the FEIS for the entire project.

The active adult townhouse project is undergoing extensive and detailed environmental and planning review involving the submittal of professionally prepared reports on specific areas of concern and intensive review by the Town's Director of Planning, Planning Consultant, Wetlands Inspector, Consulting Engineer, Traffic Engineer and Hydrogeologist. The project will involve additional permitting to address wetlands, stormwater and the formation of central water and sewer services and other aspects of the project.

The ongoing review of this project relative to the proposed RO rezoning aspect, was only briefly identified in the earlier versions of the CPU to indicate that an additional area was being considered by the Town for rezoning to a non-residential district. The recent project change, where the non-residential (RO) rezoning is being replaced by a residential (R-AMF/2) rezoning proposal must be considered in comparison to the general and specific statements in the Town's CPU, the existing Master Plan, adopted in 1985, and regional plans and planning and economic studies that include the Town of North Salem as part of the overall view of regional development. The pertinent statements and sections in these documents are described below to identify how the proposed development is consistent with local and regional planning goals, objectives and strategies.

### **CPU Purposes and Development Goals**

The Purposes and Development Goals in the introductory section of the CPU indicate that there is an ongoing need to guide the types of residential land uses to be consistent with the predominantly residential character of the Town of North Salem. For example, these purposes and goals state that:

Land use policies and standards should "... ensure a balanced and orderly pattern of future growth and economic stability." (see subsection B)

"North Salem's present and future population should be accommodated by encouraging the development of an appropriate variety and quantity of sound housing which will serve various age groups, in accordance with local, county and regional considerations." (see subsection D)

“The pleasant quality of the community should be maintained in which people can live, work and pursue leisure activities.” (see subsection K)

The proposed R-AMF/2 rezoning adds to the variety of residential zoning districts in North Salem and increases the density on a site as part of an appropriate progression from the Croton Falls hamlet area to nearby medium-density residential districts. This is discussed in more detail below in the subsection on “Existing Zoning and Land Use”. The progression from higher density zoning districts in hamlet areas to medium-density uses in the outer areas of the hamlet is part of an orderly pattern of land development. Continuing in that pattern, areas beyond the hamlets are usually low to rural-density districts.

The R-AMF/2 zoning district is modeled after the R-MF/6 and R-MF/4 districts, as noted above. As with the R-MF/6 and R-MF/4 districts, the R-AMF/2 district will permit a variety of housing configurations (multi-family, single-family attached, single-family with accessory apartments and single-family detached dwelling units). Also, as discussed below, the proposed R-AMF/2 zoning district, will require the inclusion of twenty percent (20%) affordable (MIH) units on any site that is rezoned to the R-AMF/2 district in the future. The inclusionary aspect of the proposed zoning district is consistent with the other R-MF zones and has the potential to result in the development of affordable housing in the community.

### **CPU Development Objectives and Strategies**

Similarly, the Development Objectives and Strategies in the introductory section of the CPU indicate that there is a desire to foster a range of types of residential development:

“H. The development of a variety of types of housing will be facilitated within a broad price range in and around the hamlet areas and on the sites rezoned for medium to high-density residential development. The creation of affordable housing will be monitored to address the number allocated by the Westchester County Housing Opportunity Commission and to address the local and regional need for affordable housing.”

The proposed rezoning for the active adult townhouse project would permit multi-family dwellings at a density of two dwelling units per acre (2 du/acre), which is a higher density than that permitted in the existing R-1 zoning of the site (1 du/acre). If rezoned, the proposed development will involve the construction of 76 townhouses for active adult residents. Additionally, as noted above, up to 5 affordable (MIH) apartments will be constructed in the Croton Falls hamlet on a site known as Dino & Artie’s. Therefore, the rezoning proposed for the R-AMF/2 site presents the potential for development of market rate and affordable housing.

Moreover, the proposed R-AMF/2 zoning district, will required the inclusion of twenty percent (20%) affordable (MIH) units on any site that is rezoned to the R-AMF/2 district in the future. This inclusionary provision is consistent with the other multi-family zoning



districts created in North Salem to address the Continental decision (see Section 2.1, above). The inclusionary aspect of the proposed zoning district has the potential to result in the development of affordable housing in the community. The Town has incorporated this inclusionary approach in its new residential zoning districts (R-MF/6, R-MF/4 and PD-CCRC) as well as requiring affordable housing in subdivisions of 10 or more lots in all other residential zoning districts (the R-4, R-2, R-1, etc.).

### **CPU Section 2.1 Residential Uses**

Section 2.1 of the CPU regarding residential uses includes discussion of the recent zoning changes to address the Continental Decision. While the Town believes that the zoning actions were adequate, the actual development of the rezoned sites is uncertain. The proposed R-AMF/2 rezoning proposal presents an opportunity to create a zoning district and rezone a site that is likely to be developed. As noted above, the amended Stipulation of Settlement for the active adult townhouse project also provides for the creation of up to 5 affordable (MIH) apartment units. In accordance with the provisions of the proposed zoning district, the creation of affordable dwelling units will be required for any future sites rezoned to the R-AMF/2 district.

Additionally, the proposed rezoning is consistent with other observations made in Section 2.1:

“The Town’s medium to high-density residential zoning districts (the R-1, R-1/2, R-1/4, R-MF/6, R-MF/4 and PD-CCRC) permit higher density development in or near existing neighborhoods and hamlet areas. The Town’s existing complement of residential zoning districts provides a properly balanced range of densities and opportunities for a variety of types of housing development. The results of the Town’s Comprehensive Plan Questionnaire revealed that residents have a desire or a need for more single-family homes as well as apartments or condominiums, including rental housing. The majority of the residents that responded to the Questionnaire indicated a need for housing for senior citizens. A Westchester County demographic study, entitled “Senior Population Changes, 1990-2000”, describes a regional need for housing for an aging population.

The Town of North Salem has recently adopted Zoning Ordinance amendments regarding its residential zoning provisions to address a court decision. These recent zoning actions addressed medium to high-density residential development and inclusionary measures to encourage the development of affordable (moderate-income) housing.”

“The creation of the R-MF/6, R-MF/4, and PD-CCRC Zoning Districts, the related supplemental requirements and the rezoning of Sites 1, 2, 3 and Supplemental Site 4 will result in a number of potentially beneficial effects on the Town of North Salem as described below:

- Expanded or increased variety of residential development density;
- Enhanced variety of types of residential development; and

- Distribution of medium to high-density residential development.

The rezoning of Sites 1, 2, 3 and Supplemental Site 4 distributes the opportunity for medium to high-density housing development throughout the Town of North Salem with relation to existing areas of development. These sites were rezoned for future development of high- and medium-density multi-family and single-family homes because they are located near established hamlet areas such as Croton Falls, Purdys and Peach Lake and proximity to existing neighborhoods.”

The proposed R-AMF/2 zoning adds to the balanced range of densities and types of housing permitted in the North Salem. Additionally, it addresses the need for housing for senior citizens in the town and in the region.

### **Adopted Master Plan of 1985**

The Town of North Salem Master Plan, adopted in September, 1985 made a number of observations about residential development. The Development Goals in the Master Plan are intended to “convey the values and preferences of the community” make the following statements about the growth of the Town:

“Accommodate North Salem’s present and future population by encouraging the development of an appropriate variety and quantity of sound housing which will serve various age groups, in accordance with local, county and regional considerations.”

“Provide a pleasant community in which people can live, work and pursue leisure activities.”

The proposed rezoning will result in changes to the types of dwellings permitted and an increase in the permitted residential development density on a portion of the active adult townhouse site and will thus add to the variety of housing that is permitted in the Town. The proposed zoning and anticipated development is focused on the need for senior housing. As noted above, the proposed inclusionary zoning will require any future site that is rezoned to the R-AMF/2 to provide a proportion of the dwellings constructed to be affordable (MIH) housing units.

Three of the Master Plan’s Development Objectives also pertain to the proposed residential rezoning on the active adult townhouse site:

“Preserve, rehabilitate and strengthen existing activity centers such as the Croton Falls Central Business District (CBD).”

“Encourage higher density development to locate in or adjacent to existing activity centers. As a corollary, concentrate higher density uses predominantly within the I-684 corridor.”

“Provide adequate areas to house the anticipated Town population with a variety of housing types and densities.”

The site proposed for rezoning to the R-AMF/2 zoning district is located on Reed Road on the outskirts of the Croton Falls hamlet and will thus add population to this community. This will result in the potential for increased use of the businesses and services located in the hamlet. The R-AMF/2 district is thus located near an “existing activity center” and is also adjacent to the I-684 corridor.

The proposed zoning and intended development will house a portion of the area’s senior population that desire to live in an all-adult community, who desire to live independently or do not need services associated with an assisted living facility or other similar types of housing.

The 1985 Master Plan Map and the related text identify the site and the surrounding area as being suitable for medium density residential development, to “provide a greater variety of housing types, particularly for the Town’s mature households”. The intended density for medium density development is 1 unit per acre or 1 unit per half acre.

### **Purposes of the Zoning Ordinance**

The Zoning Ordinance, adopted in March, 1987, includes a statement of purposes (Section 250-3) similar to those included in the 1985 Master Plan. The purposes of the Zoning Ordinance are a reiteration of those in the Master Plan as the ordinance “implements the policies for land use” from the plan. The following purposes are more specifically related to residential development in the Town:

“North Salem’s present and future population should be accommodated by encouraging the development of an appropriate variety and quantity of sound housing which will serve various age groups, in accordance with local, county and regional considerations.” (see subsection D)

“The orderly but limited expansion and addition of land uses consistent with the predominant character of the community.” (see subsection E)

“A pleasant community should be provided in which people can live, work and pursue leisure activities.” (see subsection J)

As per the discussion of the 1985 Master Plan, above, the proposed rezoning will increase the variety of housing permitted in the Town as it will result in an increase in the permitted residential development density on a portion of the townhouse site. Additionally, the proposed zoning will serve the age groups of the Town’s population that are 55 years of age and older. These effects are consistent with the Zoning Ordinance’s purpose of accommodating North Salem’s “present and future population” and residential development is also consistent with the “predominant character of the community”. Moreover, the Zoning Map indicates that the active adult townhouse site is

a possible area for a PD (Planned Development) zoning district, which would have permitted multi-family development.

### **Patterns for Westchester**

The Town of North Salem can be guided in its comprehensive planning efforts in part by considering the policies, guidelines and strategies offered in *Patterns for Westchester: The Land and the People* (hereinafter *Patterns*) adopted by the Westchester County Planning Board. Below is an overview of points raised in *Patterns* that pertain to North Salem's consideration of appropriate directions to pursue in encouraging additional medium-density residential development in the community.

Through the northwestern area of North Salem runs Interstate 684 (I-684), considered by *Patterns* to be a "Principal Corridor", which serves as a major transportation route, a scenic corridor and an avenue for development. The *Patterns* map similarly identifies lands alongside I-684 as having "Open space Character". The "Areas of Open Space Character" are lands that add to open space character but are not specifically protected and may include low density areas.

The recommended development density ranges, as shown on the *Patterns* map, for the active adult townhouse site and nearby include two categories of "Medium Density Suburban" (MDS) and provide for Floor Area Ratios (FAR, or Floor Area per Lot Area) and densities (GRD or Gross Residential Density) as follows:

**0.05-0.2 FAR/MDS 2-4** - This density is recommended immediately adjacent to Reed Road and I-684 and constitutes a small part of the front portion of the active adult townhouse site. This category is equivalent to 2-7 dwelling units per acre (du/acre) or 2.5% to 10% building coverage (building footprint) assuming 2-story development.

**0.025-0.1 FAR/MDS 1-3** - This density is recommended for most of the active adult townhouse site, including the northern areas of the site and is equivalent to 1-3 du/acre or 1.25% to 5% building coverage (building footprint) assuming 2-story development.

The density being considered for the active adult townhouse site zoning petition (R-AMF/2 zoning permitting 2 du/acre) is consistent with the recommended development densities on the *Patterns* map. The density in the proposed zoning amendment is designed to produce medium-density residential development in this area of Town.

The "north county" area and its corridors are identified as parts of the county where there are opportunities for development. *Patterns* recommends that zoning and design techniques must be used to address the potential for development of privately-owned lands to retain open space character. The R-MF and PD-CCRC zoning districts include significant setbacks to define the outer boundary of the sites and the Zoning Ordinance

requires buffering and landscaping for these and other types of site development.

### **Greenprint: The Westchester County Compact Plan**

As noted in Section 1.2, *The Greenprint For a Sustainable Future... the Westchester Way* (hereinafter *Greenprint*) is the Westchester County Greenway Compact Plan, which provides guidance for municipalities participating as Greenway Compact communities. North Salem is a Greenway Compact community. The New York State legislation known as the Hudson River Valley Greenway Act involves voluntary regional cooperation among the 13 counties alongside the Hudson river and the communities that are part of the Hudson River Valley region. Westchester County's *Greenprint* is based on and incorporates by reference *Patterns for Westchester* to "create an approach to regional economic development that promotes tourism while incorporating natural, cultural and historic resource protection and increasing Hudson River access opportunities."

North Salem's ongoing comprehensive planning and other land use and environmental planning efforts, local laws and regulations and policies for review of land development are generally consistent with three of "The Five Greenway Criteria", which address:

- Natural and cultural resource protection;
- Regional planning; and
- Economic development.

The petition for the R-AMF/2 zoning amendment, and related residential development, is compatible with certain aspects of the Greenway Criteria regarding economic development, which reads as follows:

"Encourage economic development that is compatible with the preservation and enhancement of natural and cultural resources with emphasis on agriculture, tourism and the revitalization of existing community centers and waterfronts."

The zoning amendment will permit various types of medium-density residential development on a site located within 1 mile of the Croton Falls downtown area and ½ mile from other businesses in the outer area of the hamlet. The active adult townhouse project site is within 1/3 to ½ mile of commuter routes I-684 and NYS 22 and 1 mile from the train station in Croton Falls. The new residents that will inhabit the proposed single-family and townhouse development, including a mix of families and older adults, will add to the population participating in the local economy, particularly by frequenting the businesses in Croton Falls. The project will thus contribute to the revitalization of an existing community center (Croton Falls). This is consistent with the *Patterns* policy as referenced in *Greenprint*:

"Channel development whenever possible to centers where infrastructure can support growth, where public transportation can be provided efficiently and where redevelopment can enhance economic vitality."

Although all proposed dwelling units to be constructed on the active adult townhouse (R-AMF/2) site will be market rate single-family and multi-family (townhouse) units, the project also involves the development of up to 5 affordable (MIH) dwelling units on a site in Croton Falls known as the Dino & Artie's site. This is consistent with *Greenprint's* and *Patterns'* objective to:

“Encourage a range of housing types that are affordable to renters and home buyers, with each municipality addressing its needs for affordable housing as well as a share of the regional need.”

The development of the affordable units on a remediated brownfields site in Croton Falls also contributes to the revitalization of the hamlet area by cleaning up and redeveloping a vacant and previously unsightly property.

### **Existing Zoning and Land Use**

From a review of North Salem's existing zoning map and land use information, as compiled in the Croton Watershed Plan, it is clear that the Town is predominantly residential in character as 88% of the land area is located in residential zoning districts and 93% is actually in use as residential or other non-business uses (open space and parks, undeveloped land, agriculture, etc.). Therefore, the proposed zoning amendment for residential zoning is consistent with the predominantly residential character of the Town. This petition also provides balance to current proposals for non-residential development discussed in this CPU, Section 1.2. Please refer to the two tables at the end of section 1.2 of this CPU entitled “Zoning District Analysis” and “Land Use Analysis”.

The concentration of high-density, mixed non-residential and residential development in the GB (General Business) zoning district, in the center of Croton Falls, naturally progresses to office uses in the PO (Professional Office) district and medium-density residential uses in the R-1/2 and R-1 zones on the outskirts of the hamlet. The density of the proposed R-AMF/2 zoning district (2 du/acre) is also consistent with the nearby R-1/2 (medium-density residential) districts adjacent to and near the active adult townhouse site (Sun Valley Drive and Sunset Drive/Alice Road areas, respectively). The northern (rear) portion of the site will remain in the R-1 zoning district (medium-density residential [1 du/acre]), which is consistent with outlying areas to the north and south of Croton Falls.

### **Changing Local/Regional Trends and Needs**

In its overview of the population in the county, the Westchester County Data Book (Westchester County Planning Department, 2001), it is noted that the population of persons aged 65 years and over will increase by 34% from 1990 to 2020. In 2000 in the Town of North Salem, the total population was 5,173. The people who were 65 years or older made up 14% of the population, while 24.5% of the population was 55 or older. More significantly, the proportion of the population heading towards their senior years (ages 35 to 54) made up over 1/3 (34.9%) of North Salem's population in 2000.

In Westchester County, the three older age groups (55-59, 60-64 and 65+) made up a similar proportion of the population (23%) as occurred in North Salem for these age groups. The proportion of the population in the North County towns for the same age groups is slightly less than (21.9%) but generally consistent with the numbers for North Salem and Westchester County. In the same vein, the age group heading towards their senior years (35-54) in Westchester County and the North County towns (31% and 34 %, respectively) is similar to the proportion of persons in this age group in North Salem. The Westchester County study entitled, "Senior Population Changes, 1990-2000", illustrates the magnitude of this age group, known as the baby boomers, as they age on the demand for housing and social services, medical care and other services.

In any case, there is clearly a consistent pattern in the proportion of people in the older age groups on a local and regional basis, and North Salem must address this significant aspect of the changing population in its CPU. Of all of the persons considered to be senior citizens by age alone (55+), some of them may be seeking housing in a primarily adult community or a senior housing development.

In the Town of North Salem there are a few parcels of land that are in medium to high-density residential zoning districts that are available for development. Four were rezoned to the R-MF/6, R-MF/4 and PD-CCRC districts as part of the Town's response to the Continental decision (see Section 2.1). The Town's Zoning Ordinance now includes a spectrum of residential districts from rural to high densities including zones where multi-family development is permitted "as of right" (permitted without any additional approval related to the use, such as a conditional or special permit approval). The R-AMF/2 district will provide the opportunity for development of various types of medium density housing with an emphasis on the adult and senior population of the community and the region who are considered to be "active adults" (persons 55 years of age or older, who live independently and do not require any special services).

Another aspect of the changing needs in the Town and in the surrounding region is that the Petitioner for the active adult townhouse development amended the related zoning amendment from a proposal to rezone to RO (Research-Office) to a new proposal for residential zoning in response to a lack of market demand for office space. As discussed in Section 1.2, an approximately 50-acre portion of the project site was to be rezoned to the RO zoning district in accordance with a petition initiated in 1994.

The results of the Town's Comprehensive Plan Questionnaire revealed that residents have a desire or a need for many types of housing, including more single-family homes as well as apartments or condominiums for all age groups. Residents indicated the need for housing for senior citizens in general commentary that was added by respondents in spaces provided for additional comments on housing questions. When specifically asked, "Do you think there is a need for housing for senior citizens?", the majority of the residents that responded to the Questionnaire (55.8%) indicated a need for senior citizen housing.

### **Consistency of Residential Project with CPU**

The active adult residential project, currently being reviewed by the Town, is effectively being considered in the context of the Town's ongoing work on the Comprehensive Plan Update (CPU). The proposed development is consistent with local and regional planning goals, objectives, strategies and needs as per the above overview of the pertinent general and specific statements in the Town's CPU, the existing Master Plan, adopted in 1985, and regional plans and planning and economic studies that include the Town of North Salem as part of the overall view of regional development.

The proposed zoning amendment, even though it adds to the land in North Salem that is zoned for medium-density residential development, is still consistent with the predominantly rural, residential character of the community, because the location of the proposed zone is near an existing area of high to medium-density land use, the hamlet of Croton Falls.

Moreover, when the Town of North Salem, in response to the Continental decision (see Section 2.1), created zoning districts and rezoned land for multi-family development, it considered the need for housing for the Town's aging population by permitting dwelling units for senior citizens in the R-MF/6 and R-MF/4 districts. Senior housing is permitted at slightly higher densities in each zone in recognition that these dwellings generally need fewer bedrooms than regular family-type units. Similarly, the PD-CCRC (Planned Development-Continuing Care Retirement Community) zoning district, also created in response to the Continental decision, provides a spectrum of housing opportunities, which include independent senior dwellings, with the option to add the use of on-site services, through various levels of assisted living. The R-AMF/2 zoning, proposed for the active adult townhouse site expands the spectrum of housing types created by North Salem's zoning.

### **Ongoing Environmental and Planning Review of the Active Adult Townhouse Project**

The Town of North Salem is currently evaluating this significant residential development in separate environmental and planning review processes as described above.



### **3. Economic and Community Development**

#### **General Development Strategies and Actions**

The Town supports limited economic development which is complementary to its current rural, residential character. Viable new development that diversifies the Town's non-residential land uses and provides goods and services to the residents (refer to Section 1 above regarding non-residential uses) will be encouraged.

The Town wishes to focus on rejuvenation of the village-like areas and town centers (see Section 4 below regarding Hamlet Enhancement for more specific objectives). Policies and ordinances will facilitate the continuation of existing non-residential and mixed uses (combined residential and non-residential uses) in these core areas. Improvements that support and facilitate the creation and retention of desired local-scale businesses in the hamlet centers will be considered favorably.

In addition to enhancement of the hamlet centers, the area where development is most likely, because of the existing RO Zoning District, is in the vicinity of Fields Lane near Croton Falls, as discussed in Section 1.

The horse industry is also recognized as an important industry in the Town of North Salem. It employs farriers, plumbers, electricians, carpenters, attorneys, etc., and is thus a source of local job creation and retention. The Town encourages the sustainability of the horse industry, which is dependent on the preservation of open space, interconnected riding trails, low traffic volumes in riding areas, the feasible expansion of existing equestrian facilities and the creation of new facilities. The Town's land preservation and development strategies should support those needs. Agricultural uses of all types, such as orchards, nurseries and vineyards should be encouraged as these uses contribute significantly to the rural character of the Town.

The location of supportive infrastructure development (improvements related to utilities/services such as roads, water and sewer) should be focused on existing developed areas, and in parts of Town with the potential for expanded non-residential development such as the Field's Lane area. The need for improvements to or new or expanded central water or sewer services in areas of concentrated residential and non-residential development will be monitored, particularly in Croton Falls and Purdys.

The North Salem Town Board has begun the formation of a sewer district to serve the communities surrounding Peach Lake due to the failing septic systems which have caused health threats for the residents and largely contributed to the deterioration of the lake's water quality. As discussed in the Basic Studies Update Report (BSUR), the Town Board has held meetings with the lake communities residents from North Salem and the Town of Southeast, including joint meetings with the Town of Southeast Supervisor. Both Towns are working with Putnam and Westchester County officials and regulatory agencies about the formation of the proposed sewer district. Project capital funding is being sought from several sources. The next step for both Towns is to complete and accept a Map, Plan and Report being prepared by an engineer, and then petition the residents concerning the formation of the district. The creation of a sewer

district for the construction of a wastewater treatment plant will eliminate the primary source of pollution and improve the water quality in Peach Lake.

General strategies and actions recommended to be undertaken to retain and to attract desired businesses, services and other suitable types of development (see Section 4 below regarding specific Hamlet Enhancement) include the following:

- Examine possible uses for vacant structures and business space and related zoning restrictions;
- Consider possible zoning amendments, if needed, to facilitate filling vacancies or attract potential development of desired uses;
- Evaluate whether categorizing uses by intensity will provide increased flexibility in the conversion of uses and facilitation of the site development plan process;
- Identify suitable mixed-use development scenarios and examine related zoning restrictions to such development;
- Reexamine the local building code with regard to its interpretation of agricultural buildings as commercial structures;
- Initiate and continue promotional efforts such as appropriate informational/directional signs and events to create awareness of existing businesses, services, and places of interest in the Town and in hamlet areas;
- Support appropriate uses that have the potential to create jobs and provide necessary goods and services;
- Assess the availability of Federal and State funding for certain projects and identify funds for small business loans;
- Identify opportunities for public-private partnerships in economic and community development efforts; and
- Create historic districts, as needed, and encourage desired development through the adaptive reuse of existing historic buildings.

### **Recommended Study: Economic and Community Development Needs Assessment**

A detailed assessment should be made of the completed, ongoing and planned economic and community development efforts and identification of future development needs and funding availability. The assessment would identify aspects of community development that require attention to balance the Town's overall development, such as job creation, infrastructure needs, housing supply and mix, and related facilities and services. The timing of this study and implementation of related strategies should be coordinated with the non-residential analysis described in Section 1.

#### **4. Hamlet Enhancement**

##### **Introduction to Hamlet Areas - Development Objectives and Strategies**

The Westchester County Regional Land Use Plan, *Patterns for Westchester*, identifies four types of activity centers located in Westchester County: Hamlets, Local Centers, Intermediate Centers, and Major Centers. Hamlets are the smallest centers. As defined by *Patterns*, hamlets are often located at or near the crossroads of historic travel routes, they offer such basic facilities as a post office, municipal buildings, houses of worship and local retail stores. Few have in place the infrastructure necessary to support substantial additional development. *Patterns* recognizes two hamlet areas in the Town of North Salem: Croton Falls and Purdys.

The Town of North Salem recognizes Croton Falls and Purdys and three additional local hamlet areas including Peach Lake, Salem Center and North Salem. The general locations of these hamlet areas described in the subsections below. In the town of North Salem, a hamlet is a settled area, typically near the intersection of state, county or other connector roads, and may consist of one or two retail stores or small businesses and a cluster of private homes. The sections below address the development objectives and strategies for the enhancement of each hamlet area, which are tailored to the existing scale of development in each hamlet.

There are non-residential zoning districts in all of the hamlet areas except for North Salem. The zoning districts found in the hamlet areas include GB (General Business), NB (Neighborhood Business) and PO (Professional Office).

Section 1 above, regarding non-residential uses, also describes development objectives and strategies that are pertinent to the enhancement of the hamlet areas. A few examples are repeated below:

- The variety of uses permitted within each non-residential zoning district (GB, NB and PO) will be evaluated and modified in order to improve the viability and compatibility of development in each zone.
- Restaurants may be desirable uses in the NB (Neighborhood Business) and PO (Professional Office) Zoning districts, but with an additional level of scrutiny such as the requirement to obtain a Town Board Special Permit.
- The boundaries of business zoning districts in four of the Town's hamlet areas (Croton Falls, Purdys, Salem Center and Peach Lake) will only be amended to permit minor expansion or will not be expanded at all.

##### **Hamlet Enhancement -- Croton Falls**

Croton Falls, located on the westernmost boundary of the Town, adjacent to Somers, is the largest and most developed hamlet area in North Salem. The non-residential zoning districts

found in the Croton Falls hamlet area include GB (General Business) and PO (Professional Office). Diversification of businesses and uses in non-residential districts in and around Croton Falls will be considered to encourage the location of uses that will provide needed goods and services to the community. The Town will consider the tabulated results of the Comprehensive Plan Questionnaire, which is in part a survey of residents' business, service and retail needs. A specific focus will be placed on sustainable job creation and the needs of residents and commuters. The collocation of various businesses on a property or within a structure will also be encouraged.

Some examples of strategies and actions which will be considered to support desired development in and enhance the Croton Falls hamlet area include:

- Develop a gateway to the hamlet area, including enhanced welcome and business directory signs, with landscaping.
- Consider sidewalks on additional streets to make Croton Falls more accessible to pedestrians.
- Consider and facilitate the creation of a small-scale public transportation service.

### **Hamlet Enhancement -- Purdys**

Improvements and some new amenities will be encouraged to enhance the hamlet of Purdys, located south of Croton Falls. The non-residential zoning districts found in the Purdys hamlet area include NB (Neighborhood Business) and PO (Professional Office).

The limitations to development related to surrounding properties controlled by the New York State Department of Transportation (NYSDOT) and the NYCDEP should be addressed in consideration or review of any development proposed in the Purdys hamlet area.

In order to support the enhancement of the Purdys hamlet while maintaining its historical character, the Town will identify suitable potential uses for vacant or underutilized buildings and examine the related restrictions imposed by the existing zoning ordinance and other local regulations. Existing zoning provisions will be examined and amended as necessary to create a broader range of permitted retail and service uses (e.g., the inclusion of daycare as a permitted use).

Specifically, the Town wishes to retain existing small business uses. It also wishes to attract desired business uses as described in Section 1, with a focus on sustainable job creation and the needs of residents and commuters. In order to better determine desired and viable uses, a survey of commuters' business, service and retail needs was conducted and the tabulated results will be considered during the review of existing zoning provisions.

Any significant development will require solutions to inadequate parking capacity. Consideration will be given to the addition of more parking areas and the delineation of parking along streets within the hamlet.

Current traffic problems and roadway concerns affect the development potential of the Purdys hamlet and the safety and welfare of the hamlet's residents. Issues which need to be addressed in the consideration of any development therein, include:

- The speed limit and the capacity of the shoulders along Mills Road and the speed limit on NYS Route 116 require review and possible reduction.
- The amount of traffic along Mills Road needs to be limited and possibly diverted to Titicus River Road.
- A yield or stop sign may be needed to caution drivers coming down from the hamlet toward NYS Route 22.
- Additional traffic signs (stop or cautionary), an alternate traffic circulation plan, or installation of traffic-calming devices should be considered to address the use of the local hamlet streets as a shortcut during peak traffic hours.
- Pedestrian and bicycle circulation should be examined to see what, if any, related improvements should be considered.
- In the vicinity of the parking lot on Route 22, it may be necessary to lower the speed limit to 35 mph. Improvements are needed for safe pedestrian crossing of Route 22.
- A remedy for the traffic hazards associated with the Swan Deli parking area must be explored.

Other physical improvements to the hamlet will be considered. The Town should consider replacement of existing street lights with lighting fixtures that are more consistent with the surrounding older and historical homes. Other examples of such improvements may include: enhanced plantings, signage and a directory; sidewalks or pathways along NYS Routes 22 and 116; underground utilities; and development of a pathway along the reservoir.

### **Hamlet Enhancement -- Peach Lake**

The Peach Lake hamlet area is located in and around the intersection of Bloomer Road and Peach Lake Road. The non-residential zoning district found in the Peach Lake hamlet area is NB (Neighborhood Business). The existing NB zoning provisions will be examined to create a broader range of permitted retail and service uses, as is discussed further herein in Section 1. Mixed uses that add housing on second floors are encouraged.

The Peach Lake hamlet includes a medium to high-density residential area where two sizable neighborhoods are located on the southwestern and southeastern sides of the waterbody known as Peach Lake. The densities in these neighborhoods are generally four to six dwelling units per acre (4-6 du's/acre) with densities as high as eight to twelve dwelling units per acre (8-12 du's/acre) in certain sections.

The concerns about the environmental degradation of Peach Lake (the water body) are of prime importance in the enhancement of the Peach Lake hamlet area since the health, safety and welfare of the residents and their property values may be affected. Peach Lake must be protected to improve water quality and to enhance the area's visual and scenic resources. The

NYCDEP should be consulted with regard to the potential development of the properties around Peach Lake itself. The water quality of Peach Lake can be preserved through the following measures:

- Regular monitoring and analysis of lake water quality should be established to identify trends in water quality changes, including monitoring of biological oxygen demand (BOD), nitrates, phosphates and pH.
- An assessment should be made of the local and regional need for a water district to supply potable water.
- The Town of North Salem should consult with representatives of the following existing water companies with regard to water supply quality concerns, excess or inadequate capacity and interest in the creation of a larger water district: Bloomerside (association-owned); Pabst Water (individually-owned); Vail (association-owned); and Pietsch (association-owned).
- Potential sources of pollutants and other potential sources of contamination should be regulated, including: stormwater runoff, the use of detergents (require only non-phosphate); homeowner and business use of pesticides, fertilizers and other substances; and problems related to the feeding of geese.

The Town is conducting an analysis of stormwater runoff from surrounding land uses in this area that may contribute to the poor water quality in Peach Lake as described in the BSUR. This analysis is being conducted in cooperation with the Town of Southeast to address the problem of land uses in the larger drainage basin around Peach Lake.

The North Salem Town Board has begun the formation of a sewer district to serve the communities surrounding Peach Lake due to the failing septic systems which have caused health threats for the residents and largely contributed to the deterioration of the lake's water quality as discussed in Section 3, above, and in the BSUR. The creation of a sewer district for the construction of a wastewater treatment plant will eliminate the primary source of pollution and improve the water quality in Peach Lake.

### **Hamlet Enhancement -- Salem Center**

The Salem Center hamlet area is located in and around the intersection of Titicus Road (NYS Route 116) and June Road (Westchester County Route 310). The non-residential zoning district found in this hamlet area is NB (Neighborhood Business).

Desired development in Salem Center will allow for the enhancement of the hamlet while maintaining its historical characteristics. Suitable potential uses for vacant or underutilized buildings will be identified and the related restrictions imposed by the zoning ordinance and other local regulations examined. A broader range of permitted retail and service uses will be

considered through review of existing zoning provisions.

Consideration of appropriate land uses in the Salem Center hamlet area should address the limitations for development such as proximity to the Titicus Reservoir and tributaries to the reservoir. The expansion of non-residential zoning districts related to the Salem Center hamlet area is not generally recommended and should be very limited since this area contributes significantly to the rural character of the town.

The establishment of a new zoning district such as a Rural Business (RB) district should be considered. An RB zoning district would permit low-intensity, low-traffic business and office uses, for example, art galleries, antique stores, professional offices and residences. However, an RB district would not permit medical and dental offices or clinics or the general types of retail uses permitted in an NB zoning district. The RB zoning district should be considered for rezoning of existing and previously existing small, low-intensity businesses and possibly some additional nearby parcels as determined by the Hamlet Enhancement study for Salem Center. The RB zoning standards should be focused on the preservation of community character and include such requirements as lower building coverage (comparable to building coverages for single-family homes).

Additionally, the establishment of a historic district should be considered in Salem Center to provide additional protection of community character. As required for the review of all site development plans, development in the RB district will be referred to the ARB (Architectural Review Board) for comments and site design and landscaping will be addressed.

Physical improvements to enhance the Salem Center hamlet area should be considered and should be appropriate to the small scale of this hamlet area. Some examples include improved lighting shielded to be compatible with nearby residential uses and appropriately designed signage to improve the visibility of existing business.

### **Hamlet Enhancement -- North Salem**

The North Salem hamlet area is located along Titicus Road in the vicinity of Keeler Lane and Baxter Road. There are no non-residential zoning districts in the hamlet area. The creation of a limited non-residential zoning district related to the North Salem hamlet area is not recommended. This hamlet contains very few existing non-residential uses and the potential viability of additional businesses is limited by relatively low traffic volumes on nearby roads.

Suitable potential uses for vacant or underutilized buildings will be identified and the related restrictions imposed by the zoning ordinance and other local regulations will be examined. The enhancement of the North Salem hamlet area is desired assuming that historical characteristics will be maintained.

Physical improvements to enhance the North Salem hamlet area should be considered and should be appropriate to the small scale of this hamlet area. Examples include improved

lighting shielded to be compatible with nearby residential uses and appropriately designed signage to enhance the visibility of existing businesses.

### **Hamlet Enhancement Studies**

While general policies and strategies are outlined above, a more detailed review is necessary in order to fully develop a plan for enhancement of each of the hamlet areas in the Town of North Salem. For the hamlets where potential changes in zoning are recommended, the zoning aspect of the studies should commence in the first or second year after the adoption of the CPU to coordinate with the non-residential use analysis. The Salem Center Hamlet Enhancement Study should run concurrently with the preparation of the draft Rural Business zoning district in the 2<sup>nd</sup> year after adoption of the CPU. The examination of the need for specific improvements in the other hamlets should begin in the 3<sup>rd</sup> or 4<sup>th</sup> year after adoption of the CPU. Such a review or study would include:

- An examination of the variety of uses permitted in the existing zoning districts in all of the hamlet areas;
- Identification of suitable potential uses for vacant or underutilized buildings and review of the related restrictions imposed by the existing zoning ordinance and other local regulations;
- An assessment and determination regarding the appropriateness of expanding non-residential districts in each hamlet;
- An assessment of the conditions of pedestrian amenities, lighting, parking and other improvements; and
- Meeting with residents to obtain input about concerns and ideas for enhancement of the community.

The scope of these studies should be scaled to each hamlet area but should generally address:

- Existing land use and pattern of development;
- Locational and environmental characteristics affecting existing development; and
- Identification of the aspects of each hamlet that define character, including historical, cultural or architectural features and visual, scenic and natural resources.



## TRAFFIC AND TRANSPORTATION

### 5. Intersection and Road Improvements

#### Development Objectives and Strategies

The road network in the Town of North Salem is rural in nature, including many narrow, winding and hilly roads. With the exception of the Croton Falls area, most of these roads do not have curbing, sidewalks and street lights. Interstate Route 684 (I-684), in contrast, is a highly developed highway with a broad traveled way (wide travel lanes), paved shoulders and moderate grades and curves. I-684 runs from the northern border of Town, just east of Croton Falls, in a southwesterly direction to the west of Purdys and Route 22 and through Golden's Bridge. The Town's State and County Routes are also more highly improved than local roads, but do not necessarily have the width of traveled way or paved shoulders found on an Interstate highway.

The Town of North Salem Master Plan of 1985 provided an extensive inventory and description of nearly all of the Interstate, New York State and Westchester County highways and local roads. This Comprehensive Plan Update will not involve an extensive inventory, but rather will focus on priority areas of concern with regard to roadways and intersections.

The roads, streets, highways and intersections described below have been identified as areas needing study and possible improvements to address unsatisfactory or poor levels of service, traffic or safety hazards or other problems of roadway capacity or geometry. Since many of the intersections involve state, county and interstate roads, any related action will involve contact with outside agencies to assess plans for improvement and to identify the Town's role in facilitating improvements.

The ongoing study of the Town's traffic and transportation concerns, including roadway and intersection capacity and the continuing review of implementation strategies and improvements should be coordinated with comprehensive planning efforts and with the review of site-specific development projects such as:

- Generic consideration of roadway and intersection impacts related to Town-sponsored residential and non-residential land use planning and implementation, such as possible future rezoning actions;
- Site-specific and generic traffic study of privately-sponsored development, including but not limited to zoning petitions, subdivision, site development, conditional use or special permit applications before the Town of North Salem;

- Participation in and commentary on privately-sponsored development in adjoining communities when such development and the traffic generated therefrom may potentially impact traffic and transportation systems and intersections within the Town of North Salem;
- Use of information from the planning and environmental review of large-scale development projects to obtain needed traffic impact analyses and appropriate improvements for key intersections noted herein or otherwise identified during project review processes; and
- Identification and acquisition of desired road right-of-way parcels for road or intersection improvements or for the creation of new roadways or road connections.

### Development of Local and Private Roads

During the review of proposed subdivisions, the Town of North Salem Planning Board will continue to be diligent in considering whether development of a local public road is desired by the Town. Each subdivision is considered on a case-by-case basis taking into account many factors in determining whether to require a public road constructed to local street specifications versus a private road constructed to specifications permitted for local streets or modified specifications for private/local streets. In certain cases, a shared driveway is the most appropriate design for access to lots in a proposed small-scale subdivision. Among the factors that the Planning Board uses to determine the proper form of improved access to lots in a proposed subdivision are:

- The number of proposed lots or the combined number of existing and proposed lots;
- The length, configuration, existing topography and potential grade of a proposed road or shared access;
- The terrain and environmental characteristics of the land being subdivided, the extent of proposed land disturbance and potential stormwater runoff effects such as erosion and sedimentation;
- The watershed regulations of the New York City Department of Environmental Protection (NYCDEP); and
- The surrounding roadway network, including the street from which the proposed subdivision will have access.

Private roads are typically created in subdivisions with fewer lots (3 to 5 lots). Depending on the terrain of the proposed subdivision, the Planning Board may require that the proposed road be built to private or local road specifications. The Planning Board also has the discretion, in accordance with the Code of the Town of North Salem Chapter 200, Subdivision of Land, to modify the standards in appropriate circumstances and in situations where land disturbance can be minimized.

However, any subdivision street that is proposed for possible dedication to become a Town street must be constructed to the required specifications with few alterations. The primary concern is to create a safe and convenient system of streets that will not result in adverse effects to the Town's natural environment.

The Planning Board will review the subdivision regulations to determine whether the specifications for streets or other improvements, or other development standards require evaluation and revision. The Town's road specifications will be examined as part of the stormwater management planning related to the NYSDEC SPDES General Permit for Municipal Separate Stormwater Sewer Systems (MS4s) to expand them, or to add specific reference to related stormwater management and erosion and sedimentation control regulations.

### Local Roads and Intersections

The changing development pressures and conditions in the Town have resulted in the identification of numerous local intersections that are of critical concern. The intersections listed below are identified as having conditions that make them problematic or hazardous and primarily involve local and town roadways that should be realigned, regraded or otherwise improved. These improvements should be done to address safety hazards especially with regard to pedestrian safety. However, the straightening or widening of roads is not desired as such improvements often result in increased traffic and speeding. The following roads and intersections should be examined:

- The path of New York State (NYS) Route 116 (near the Titicus Reservoir dam) requires regrading to be properly aligned with Oak Ridge Road and to correct a difference in grade which creates sight distance problems.
- The configuration of the intersection of Titicus River Road with NYS Route 22 should be examined where it turns onto Route 22 heading to the south.
- The alignment of Daniel Road should be examined with regard to its sight distance at intersections and curves.

Reservations of additional right-of-way width for existing Town streets and roads will be required, in accordance with the subdivision regulations (Code Chapter 200), when appropriate, during the review of subdivisions with frontages on Town streets. Additionally, the Town of North Salem should develop a plan to address changing or problematic traffic patterns on the following local roads:

- Field's Lane should be upgraded to be more consistent with the specification for a connector road (a commercial street) to address anticipated non-residential and high-density residential development in the existing RO (Research-Office) and R-MF/6 Zoning Districts. Such improvements should be implemented during the planning and environmental review of individual development projects as they are proposed along Field's Lane. This will involve coordination with the New York State Department of Transportation (NYSDOT) since Fields Lane is located within the right-of-way for I-684. The Town of North Salem specifications for

improvement of this road should be coordinated with the improvements that were completed by the Town of Southeast on the northern portion of Fields Lane.

- Additional traffic (stop or caution) signs should be installed to prevent traffic from using narrow, steep local roads in the Purdys hamlet - Spur Road and Main Street - to gain access to Mills Road. Mills Road is used by eastbound commuters leaving the Purdys train station, I-684 and NYS Route 22 as an alternate route to avoid traffic on Titicus Road (NYS Route 116). The Town should consider an alternate traffic plan or the installation of traffic-calming devices as other methods to address the use of the local roads as a shortcut during peak traffic hours.

### Regional (Connector) Highways, Roads and Intersections

Improvements to the regional circulation system that affect local and regional traffic flow are recommended. These improvements should focus on upgrading existing roads and construction of new roads or new road connections, as appropriate, and as identified herein. Representatives of the Town of North Salem will consult with and will participate in meetings with the NYSDOT to discuss key concerns about state roads, related intersections and the effect of regional traffic on Town roads.

Interstate-684 (I-684) generally lacks southbound off-ramps between I-84 and I-684 Exit 6 (last exit before Saw Mill River Parkway), except for Exit 8 which does not provide adequate capacity. Factors that contribute to I-684 Exit capacity problems include:

- A significant volume of commuter and IBM employee traffic and congestion in Golden's Bridge and Katonah;
- The effect of inadequate commuter parking lot capacity at key points along the I-684 travel corridor on I-684 traffic at the peak morning hour, from I-84 down to the Sawmill River Parkway;
- The use of and increasing need for a "bypass" travel route for Connecticut drivers because of I-84 on-ramp delay to I-684 south. Drivers currently use State, County and Town roads through North Salem to and from Connecticut for commuting, shopping and other purposes; and
- Similarly, commuters traveling from and to Mahopac and other points in Putnam County add to the "bypass" traffic volume through North Salem.

The Town will work with the NYSDOT and the Towns of Lewisboro and Somers to explore possible remedies to traffic congestion on Interstate-684. As an adjunct to examining the need for improvements to the regional road network, the Town may wish to consider and facilitate the creation of a small-scale public transportation service. This might address one possible source of congestion, which is commuters traveling to local train stations.

Improvements to NYS Route 22 are needed south of Croton Falls at the I-684 underpass, at the curve near the Waterview Hills Nursing Home and near the Westchester Exceptional Children's (WEC) School. The volume of traffic on NYS Route 22 has

experienced increases related to ongoing single-family development in North Salem, the Golden's Bridge Center non-residential development in Lewisboro, and the use of Route 22 by commuters partly as a result of congestion on I-684. Additional development within and surrounding the Town of North Salem will add to the existing problems on Route 22. Increased traffic volumes and related problems on NYS Route 22 and other State, County and local roads stem from congestion on I-684.

The intersection of Peach Lake Road (NYS Route 121) with Titicus Road (NYS Route 116) is a critical intersection that requires improvement, which involve state roads. It was identified as a concern in the 1985 Master Plan. The Intersection and Road Improvements Survey discussed below should provide an update of any improvements completed and an assessment of the priority for improvements in this area.

On the regional level, a list of capacity-deficient intersections were recommended for improvements in the 1985 Master Plan. The list of intersections and road sections below, including many that are repeated from the 1985 Master Plan, is updated to include additional intersections as part of the Comprehensive Plan Update. Note that NYS Route 116 is also known as Titicus Road. The intersections and road areas listed below are considered to be in need of improvement and involve County, State and Interstate roads and highways:

- NYS Route 22 / NYS Route 116 (northeastern intersection);
- I-684 / Hardscrabble Road Interchange (northern ramps);
- NYS Route 116 / Westchester County Route 310 (June Road), at Salem Center, including consideration of the accident history. This is a high priority intersection;
- NYS Route 116 / NYS Route 121 (western intersection), at the “Y-shaped” Grant Road intersection, including consideration of the accident history. This is a high priority intersection;
- NYS Route 116 / NYS Route 121 (eastern intersection), at Peach Lake Road;
- NYS Route 116 / Hilltop Drive;
- NYS Route 22 (in the vicinity of the Westchester Exceptional Children's [WEC] School); and
- NYS Route 22 (Candlewood Park area).

Monitoring and enforcement of speed at the local level will serve to address the additional hazard imposed by speeding vehicles at these intersections. The Town should discuss a variety of traffic control measures with State and County agencies, including a reduced rate of speed in certain areas and increased posting of cautionary signs. Alternative measures should be considered for traffic control such as “traffic-calming” devices (for example roundabouts).

The need for improvement of roadways in the northeastern area of Town should be assessed because of the volume of traffic going to and from Connecticut and its impact on the local and regional road system. Additionally, the concerns regarding traffic on Route 116 in the North Salem hamlet area, which are related to the use of nearby

horseback riding trails, should be remedied to provide a safer situation for those using the trails and for drivers.

### **Recommended Study: Intersection and Road Improvements Survey**

Any recently improved intersections within the Town should be identified in descriptive form and on a map. Additionally, specific intersections and roadways that are considered to be problematic, hazardous or in poor or failing condition should be located on a map. The initial compilation of this map and descriptive report should be completed within 5 years of the adoption of this CPU. During the 6<sup>th</sup> year after adoption of the CPU, the Town Board and Planning Board should begin to review the roads and intersections to determine which ones require further study and to assign priority.

A traffic consultant may be consulted on a few crucial intersections, to review existing analyses or to conduct field studies, as deemed necessary. However, this Comprehensive Plan Update should be reviewed by the Planning Board whenever major projects are under consideration to pinpoint key intersections where further analyses or improvements are desired. Additionally, it is recommended that existing studies on file with the Town (in EIS's), and local or state police reports, or reports prepared by state, county or regional agencies, be used whenever possible in the consideration of plans for improvement of the roadways and intersections discussed herein.

## 6. Commuter Parking and Public Transportation

### **Development Objectives and Strategies**

The demand for commuter parking generally exceeds the capacity of parking areas near the train stations in Croton Falls and Purdys. Traffic congestion in these hamlet areas and parking on nearby roads creates traffic hazards, inconveniences for commuters and results in detrimental effects on the surrounding community. The degree of parking shortages and the need for expansion of these facilities should be assessed, including the effect of an ongoing development in North Salem, especially major projects, on existing commuter lots in Croton Falls and Purdys.

The location and size of areas currently utilized for overflow parking, whether authorized or not, and any related traffic problems should be identified. Potential locations for the development of expanded or additional overflow parking areas will be needed. A lot should be established for use by Town of North Salem residents. The Town will consider the feasibility of an intermunicipal effort with the Town of Lewisboro to create a municipal parking lot for local residents. The location and size of existing overflow areas may be improved, as appropriate, to increase the number and safety of parking spaces. Certain areas may require striping or signage to deter continued parking in hazardous areas.

Methods to reduce the demand for parking at the train stations should also be implemented, such as increased rates of car-pooling or a small-scale transit service (a jitney). However, the development of multi-level parking facilities is not considered to be compatible with the character of structures and existing development in the hamlets of Croton Falls and Purdys. The Town, working in concert with local community groups and the Metropolitan Transportation Authority (MTA) should encourage efforts to beautify these commuter parking areas in the Town's two largest hamlets.

### **Recommended Study: Commuter Parking and Public Transportation Assessment**

Before determining any scope of study, current information should be obtained from the Metropolitan Transportation Authority, the New York State Thruway Authority, the Westchester County Planning Department and any related Westchester County offices.

A study of local parking needs should begin in the 7<sup>th</sup> year after the adoption of the CPU. Alternatively, it could be coordinated with the study of intersections and road improvements related to CPU Section 5 beginning in the 5<sup>th</sup> year after CPU adoption.

## ENVIRONMENTAL, CULTURAL AND VISUAL RESOURCES

### 7. General Environmental Resources

#### Development Objectives and Strategies

A primary goal for the Town is the identification of significant natural resource areas which may be lost to the Town in the future, and implementation of appropriate measures for their protection. Such measures will preserve the natural and scenic rural characteristics important to the Town's identity and the physical well-being of its residents. These natural features are described in the Basic Studies Update Report (BSUR) and some resources are shown on maps attached to the BSUR. Additionally, many of these features can be viewed on the Town's website ([www.northsalemnny.org](http://www.northsalemnny.org)), or on the Westchester County website ([www.westchestergov.com](http://www.westchestergov.com)), on the link for GIS maps.

Locally significant vegetation, wetland and wildlife locations and measures for appropriate protection should be identified and mapped, based on existing available and updated inventories, maps and studies. These will reinforce and supplement existing federal, state and local listings and regulations which may not provide sufficient focus on the protection of locally-significant resources.

Agricultural lands contribute to community character and scenic quality, and their typically large size may encompass significant natural resources and expanses of open space. It is the Town's objective to encourage the continued presence of horse farms, orchards and vineyards, large and small scale agricultural operations, and interconnected bridle paths, and to protect their underlying natural and cultural resources. Protective measures should include the adoption of design standards for future development and conservation of agricultural properties, land and structures, including clustering, buffering and the use of conservation easements.

It is furthermore the Town's objective to protect scenic topographic features such as ridgelines, hilltops, open fields and meadows, and other features or areas in key viewsheds, from poorly designed development that would diminish their scenic character. Examples of such areas include the Titicus Reservoir, the Titicus Road area, the Turkey Hill area, the Titicus River and the Crook Brook Wetlands, Mills and Cat Ridge Roads, Grant Road, Nash Road, Baxter Road, Dingle Ridge Road and Hawthorne Lake. Section 10 of the Comprehensive Plan Update, entitled Visual Resources and Community Character, provides additional identification and description of scenic aspects of the Town of North Salem.

The Town of North Salem has been participating in meetings with nearby Towns to consider creation of the "Eastern Westchester Biotic Corridor" (EWBC), an Overlay District and related regulations to govern disturbance and development in the proposed EWBC Overlay District. The EWBC is a specific geographic area containing



exceptional or unique biological, ecological and environmental characteristics. North Salem and its neighboring Towns have begun review of an initial draft of a proposed local law for the EWBC Area Overlay District.

Existing local regulations (Chapters of the Code of the Town of North Salem) and other policies or measures should be reviewed or new regulations should be developed to address protection of natural resources and local sources of pollution, including the following:

- Update regulations regarding stormwater runoff and drainage improvements for consistency with Federal, State and local standards for non-point source pollution;
- The Town's land development regulations (regarding subdivision, site development plan, wetlands and tree removal and excavation) and road specifications will be examined as part of the stormwater management planning related to the NYSDEC SPDES General Permit for Municipal Separate Stormwater Sewer Systems (MS4s) to expand them, or to add specific reference within them to related stormwater management and erosion and sedimentation control regulations;
- The Town's land development regulations (regarding subdivision, site development plan, wetlands and tree removal and excavation) and road specifications will also be examined to address protection of the New York City Water Supply Watershed in accordance with the Comprehensive Croton Watershed Quality Protection Plan (the "Croton Plan");
- North Salem and its neighboring towns will continue their review of the proposed EWBC Overlay District local law and consider adoption of the law;
- Address the controlled use of pesticides in residential and commercial land uses and related runoff into surface waters; and
- Address the problem of pollution from farms and agricultural operations and specifically from paddock areas.

Additionally, the Code of the Town of North Salem, Chapter 107, Freshwater Wetlands, should be reviewed and Chapter 189, Sand and Gravel Excavation And Tree Removal, is now being reviewed to determine whether amendments are necessary for further refinement and clarification in these regulations and facilitation of small-scale applications. Since many of the applications that are filed in the Town are the result of violations, it is possible that property owners are either not aware of the regulations or are reluctant to make applications that they believe will involve a cumbersome review process for relatively minor improvements in their land.

The Town recognizes that public education regarding regulations pertaining to natural resource protection may improve knowledge of activities that require an application and thus reduce the number of violations. Moreover, if the regulations are amended to make the review process simpler for property owners, it is believed that residents are more likely to file applications, rather than risk a potential violation.

The review of local regulations and ordinances that pertain to natural resources will involve consultation with the New York City Department of Environmental Protection (NYCDEP), the Westchester County Soil and Water Conservation Service (WCSWCS), the Town's Consulting Engineer and other agencies. Prior to consultation, agencies should be provided with the existing regulations, ordinances or subsections thereof that are of concern.

The Town's development regulations, Code Chapter 250, the Zoning Ordinance, and regulations for Subdivision of Land and Site Development Plan, Code Chapters 200 and A267, respectively, should be revised to improve protection of natural resources identified as significant to the Town of North Salem. The Planning Board initiated the review and revision of the existing Code Chapter 189, Sand and Gravel Excavation and Tree Removal, to incorporate concerns about steep slopes. The proposed Code Chapter 189 has been comprehensively re-written to become a land disturbance ordinance that will regulate disturbance on land generally, and specifically disturbance and development on steep slopes, excavation and tree removal. The proposed ordinance is being considered by the Town Board and will be subject to SEQR (environmental) and public review, prior to adoption.

Additionally, regulations should be developed for other areas of concern or, as appropriate, existing regulations should be reviewed and revised, as follows:

- Examine existing Zoning Ordinance provisions and other regulations and amend them, as appropriate, to facilitate the preservation of agricultural lands, the development of new farm operations and to provide incentives for the continuation of agricultural uses and the interconnection of bridle trails;
- Review and revise, as needed, the existing Freshwater Wetlands Law (Town Code Chapter 107), including measures to:
  - Define and differentiate minor and major intrusions in controlled areas (local wetlands and their corresponding buffer areas);
  - Consider procedural steps and coordination with other permitting and approval processes;
- Incorporate reference to existing and proposed Code Chapters pertaining to the protection of natural resources in the Code Chapters that primarily regulate land development, Chapter 200, Subdivision of Land and Chapter A267, Site Development Plan. Language should be added to each Code Chapter to discourage disturbance in or near significant natural features and scenic topographic features, or existing pertinent language in each Code Chapter should

be strengthened;

- Sections in existing regulations regarding conservation easements should be amended, as appropriate, to include retention of meadows and fields, including provisions for mowing or haying;
- Consider creating zoning ordinance provisions or a separate set of regulations to address the protection of hilltops and ridgelines; and
- Provide regulations for other identified environmentally sensitive areas as deemed necessary.

### **Recommended Study: Local Natural Resource Inventory, Analysis and Regulatory Update**

There are a number of ongoing projects related to natural resources that will simply continue, and thus there is no specific time line for when to start “after the adoption of the CPU” (stormwater regulations and other management tasks, EWBC Overlay District, etc).

The Town’s Open Space Committee (OSC) or the Conservation Advisory Council (CAC), or both groups working together, will compile and update existing inventory, map and study information on identified locally significant natural resources, including:

- Significant vegetation, wetlands and wildlife areas and sightings;
- Important agricultural lands and uses;
- Existing and potential Critical Environmental Areas (CEA’s); and
- Significant topographic features.

The Town of North Salem CAC and the OSC should consult with one another with regard to available information, completed studies or any inventories initiated by the CAC or the OSC. The assistance of these committees and additional volunteers will be instrumental in compiling and updating natural resource inventories. Existing information will be updated using, whenever possible, existing studies and databases available through Westchester County and local and regional conservation groups.

It is recommended that this local natural resource inventory and analysis begin in the 1<sup>st</sup> year after adoption of the CPU since these involve the efforts of volunteer groups and may take more time to compile.

A second phase of the study will review existing and proposed regulations and ordinances pertinent to the management of these resources, and make specific recommendations to address their improved protection. This phase of the study will begin after the first phase is complete. Also, during the progress of the above noted ongoing projects, the CAC and OSC will be requested to participate in the review.

## 8. Watershed and Groundwater Protection

### Development Objectives and Strategies

It is the Town's intent to protect potable water supplies through the identification of watersheds and groundwater supplies, and the regulation of development activities to provide potable water and prevent adverse affects upon water quality. The study and protection of groundwater and watershed resources are high priorities in North Salem. During review under the New York State Environmental Quality Review Act (SEQRA), of large-scale development projects, the North Salem Town Board, Planning Board and other reviewing agencies will consider the potential effects of increased water usage on nearby properties and on identifiable groundwater resources.

Groundwater or hydrogeological studies may be required of applicant's for larger-scale development projects and projects that are likely to use significant quantities of water, including subdivisions and site development plans, to evaluate the estimated water usage of a developed site and the potential impacts on groundwater quantity and quality. These studies may involve actual pump testing of on-site wells and related testing of off-site wells to illustrate the potential effects of projected water usage after development. Hydrogeological studies that are required for large-scale developments should address an extensive study area around the development site, which should be based on appropriate geological boundaries of an aquifer and the drainage basins that both encompass and are adjacent to the site.

The following issues should be addressed by creation or amendment of appropriate development regulations within pertinent Chapters of the Code of the Town of North Salem, including standards for development density and coverage, separation distances, and stormwater runoff:

- Protection of existing public and private wells and wellhead areas;
- Development and adoption of an Aquifer Protection Law, including a determination of the approximate location of any identifiable aquifer or groundwater resources;
- Prohibition of certain uses over identified potential and actual aquifer areas and near water supply sources;
- Identification of conditions and locations that will require well-monitoring;
- Review and amendment of existing Town regulations and standards in Code Chapters pertaining to stormwater runoff and drainage improvements related to land development. Code Chapter 200, Subdivision of Land includes extensive standards for stormwater runoff control and drainage improvements which should be reviewed and updated periodically. Code Chapter A267, Site Development Plan, lacks development standards generally, and specifically lacks standards for

the control of stormwater runoff, erosion and sedimentation and the protection of groundwater;

- Create limitations on the installment and use of irrigation systems on existing and proposed residential lots and other land uses; and
- Create development standards that involve a specified setback of wells from existing and proposed roadways or encasement of wells to protect groundwater from impacts on quality related to roadway stormwater runoff.

The Town will seek coordination with the NYSDEC (New York State Department of Environmental Conservation), the NYCDEP (New York City Department of Environmental Protection), and the Westchester County Department of Planning (WCDP) regarding stormwater management and watershed protection planning. The implementation of the Initial Stormwater Management Plan required in accordance with the NYSDEC SPDES General Permit for Municipal Separate Stormwater Sewer Systems (MS4s) will be indirectly protective of groundwater resources. Similarly, the implementation of the actions recommended and required in accordance with the Comprehensive Croton Watershed Quality Protection Plan will protect the surface water quality of the New York City Watershed and will indirectly protect groundwater resources.

The Town will pursue the use of funds through NYCDEP and New York State for study and mapping of potential aquifer and groundwater supply areas and for the development of sewage treatment systems.

The private development of centralized water supply and sewage treatment services will be necessary to permit medium to high-density development and protect groundwater in some areas of the Town. The Town will continue to monitor and improve existing water districts and consider the expansion or formation of districts, as needed. A water source and a water supply delivery system will be needed for the Croton Falls area and the area east of I-684 and south of Hardscrabble Road.

The long-term effect on groundwater of densely populated areas with a large number of individual subsurface sewage disposal systems (SSDS's or "septic systems") must be considered. The Town's specific objectives include:

- Identification and mapping of areas with potable groundwater supply limitations that may be suitable for centralized water supply; and
- Encourage the use of approved alternative sewage treatment systems, such as living systems, constructed wetlands, land treatment systems or systems that involve biological treatment and wastewater reclamation and reuse.

The North Salem Town Board has begun the formation of a sewer district to serve the communities surrounding Peach Lake due to the failing septic systems which have

caused health threats for the residents and largely contributed to the deterioration of the lake's water quality as discussed in Section 3, above, and in the BSUR. The creation of a sewer district for the construction of a wastewater treatment plant will eliminate the primary source of pollution and improve the water quality in Peach Lake. Improvements in the treatment of sewage will also prevent contamination of groundwater.

The collaborative efforts of the Planning Board, the CAC and the Town Board are essential to the success of identifying groundwater resources in need of protection and the effective measures to protect aquifers and groundwater resources. Additionally, consultation with adjacent communities, including the Town of Southeast and related Putnam County agencies, will be an important part of assessing the most appropriate protection and regulation measures. The coordination of intermunicipal efforts will enhance the effectiveness of the protection of groundwater resources that go beyond municipal boundaries.

### **Recommended Study: Hydrogeologic Mapping and Water Supply Inventory and Analysis**

The scope for a Town wide hydrogeological study should be defined and funding should be sought as soon as possible. Depending on available funding, the Town of North Salem desires to conduct a comprehensive hydrogeologic and water supply resource inventory, utilizing existing Westchester County reports, information and other data whenever possible, and other research or information as needed. Identification and mapping would include the following features throughout the Town of North Salem:

- Drainage basins and sub-basins;
- Waterways and waterbodies;
- Geological formations and soil types that are correlated with possible groundwater sources;
- Known and potential aquifers; and
- Known existing and proposed groundwater supply sources (including public and private wells), wellhead areas and zones of influence.

An analysis of groundwater resources and uses should provide additional inventory information and identify locations or resource areas suitable for protection or remediation, including the following:

- Local watershed areas of concern due to potentially significant land use and development effects on surface waters;
- Areas of existing or potential septic system failure or contamination; and
- Potentially suitable locations for private or public central sewer services.

However, the Town Board and Planning Board are aware of the potential expense of conducting such a study. An alternative approach would be to gather information from

the Town's water districts, hydrogeological/groundwater studies conducted in the course of the environmental review of large-scale projects and available private well log information. The assembled information and data will be examined with available soils and geology information such as:

- Putnam and Westchester County Soil Survey;
- Westchester County Geographic Information System (GIS) mapped information and related data; and
- Mapped information and any available reports from the NYCDEP and the Croton Plan.

The assembled information will be analyzed by the Town's Director of Planning and consulting professionals. The information and analysis will be used to prepare development standards or regulations for development activities to provide potable water and prevent adverse affects upon water quality related to the Town's watershed areas and groundwater resources.

The Town of North Salem will consult with adjacent municipalities to assess the measures that are in place, or are under study, to protect surface and groundwater resources related to water supply, sewage treatment, and control of stormwater runoff, erosion and sedimentation control.

Since this is a very high priority for North Salem, the Hydrogeologic Mapping and Water Supply Inventory and Analysis will begin in the 1<sup>st</sup> year after adoption of the CPU. In the 2<sup>nd</sup> or 3<sup>rd</sup> year after CPU adoption, it may be possible to begin preparation and review of an aquifer protection law and other groundwater protection and implementation measures.

## 9. Open Space

### Development Objectives and Strategies

The visual character of the Town of North Salem is unmistakably a scenic, rural landscape interspersed with horse farms, orchards and vineyards, preserved open lands, quiet residential areas and estate homes with expanses of woods, lawns and open meadows.

A primary goal of the Town's ongoing planning and development reviews is to continue to preserve and protect the integrity of existing open space areas and to encourage the preservation of additional, desirable open lands. A primary strategy for the Town will be the identification of areas of Town where open space needs to be preserved or set aside to accomplish the following:

- To maintain the rural character of the Town;
- To preserve visual and scenic character;
- To protect environmentally sensitive lands;
- To preserve scenic topographic features;
- To provide trails for recreational uses including walking, hiking and horseback riding;
- To preserve and enhance animal and plant habitats; and
- As a secondary effect, to protect the watershed of waterways and waterbodies in the Town.

To that end, the Town of North Salem has formed an Open Space Committee (OSC), consisting of members representing all areas of the Town and groups that have interests and concerns about open space. The OSC was formed partly as a result of a bond passed by Town residents for funds to be used to identify, acquire and/or to maintain designated open space lands. The Town passed a \$2 million bond in 2000 and then in 2005 purchased 66 acres of land for passive open space in the hamlet of Purdys. The Town passed a second \$2 million bond in 2005 and has begun the process of identifying additional open space land for possible acquisition.

The Committee will continue to assist the Town with the Open Space Assessment and Inventory described below, including determining what constitutes open space, identifying existing open space resources and creating a prioritized list of lands that the Town desires to acquire or to obtain easements either for preservation or for access to such lands for a specified purpose. Additionally, the OSC will assist the Conservation Advisory Commission (CAC) in the Local Natural Resource Inventory described in Section 7 herein.



There are several sets of Town of North Salem regulations in place that directly or indirectly serve to protect open space and land areas, or encourage and preserve agricultural uses, that add to the open appearance and natural resource integrity of the Town:

- The regulation of activities in or near locally-designated freshwater wetlands seeks to prevent disturbances in controlled areas (wetlands and their corresponding 100-foot buffer area) as set forth in the Code of the Town of North Salem, Chapter 107;
- There are provisions for open space in multi-family developments in Code Chapter 157 and 250, the Zoning Ordinance;
- Code Chapter 189, regarding excavation and tree removal, in part prevents the degradation of land by unregulated and unmitigated tree removal and excavation and incorporates erosion and sedimentation controls which preserve the quality of land and prevent the degradation of drainageways, streams and waterbodies, generally;
- The regulations for the subdivision of land, in Code Chapter 200, include standards for consideration of natural features and for the reservation of suitable parkland;
- Furthermore, Code Chapter 200 recognizes the need for easements for pedestrian pathways or for horseback-riding and bicycle trails and for protection of environmentally sensitive lands; and
- Finally, Code Chapter A263 provides regulations for the implementation of conservation easements, including provisions for preservation, inspection and restoration, in the event of disturbance.

The Town's Zoning Ordinance, Code Chapter 250, more broadly provides for consideration of open space in creating low-density zoning districts, such as the R-4 and R-2 (Rural Density and Low Density) Residential Zoning Districts. However, the increased use of the zoning provisions that permit average density, or cluster development, will result in subdivisions with more efficient design, less land disturbance and the opportunity to preserve open land while creating desirable home sites.

The ongoing implementation of the above noted regulations and requirements has contributed significantly to the scenic, rural character of the Town of North Salem. As discussed in Section 1 of this Comprehensive Plan Update, the Zoning Ordinance provisions, which in part govern agricultural uses, will be examined to further encourage and preserve farm operations in the Town. For example, the sign regulations will be examined and revised to incorporate appropriate provisions for off-premises directional and temporary signs for farms and other uses and for special events.

A recently adopted zoning ordinance amendment permits certain agricultural and other uses and types of land development to be expanded or developed without full site development plan review. The exemption from or waiver of site development plan review is now in effect for certain uses, under certain circumstances.

The desire of the community to enjoy a rural setting is also implemented to a significant degree by private organizations in the Town such as the North Salem Open Land Foundation, the North Salem Open Space Alliance, the Bridle Trails Association and the Goldens Bridge Hounds. The horse industry in North Salem is dependent upon a network of trails and open space areas. Periodic consultation with these and other community groups and organizations is recommended to obtain their commentary on land development and to assess their long-term goals and land-management concerns.

The New York City Department of Environmental Protection (NYCDEP) plays a role in the preservation of open space in the Town of North Salem since the vast majority (98%) of land in the Town is located within the NYCDEP watershed area. The Town should consult with the NYCDEP regarding their ongoing land-acquisition goals and should also identify watershed lands from which the NYCDEP might consider purchasing development rights for preservation. The NYCDEP's land management policies should be examined to discern whether easements over DEP land may be obtained for trails.

The following actions should be taken to enhance the accessibility of existing open space lands to the general public:

- The creation of pedestrian or bike trails;
- The development of bridle and cross-country ski trails;
- The development and use of perimeter trails on open space lands should be encouraged to allow access and enjoyment, but minimize habitat disturbance;
- The creation of connected networks of trails;
- The preparation of a concept map of desired trail pathways for future trail development;
- The development of parking and better public access to trails and open space; and
- A map of the existing network of trails should be prepared to use for identification of areas where trail connections are needed.

The Town should encourage and permit publicly and privately-sponsored activities and events to encourage partnership between the community and stewards of open land and to increase awareness of the importance of open space lands to the quality of life in the Town. The private groups that maintain open lands in the community need general and financial support from the community. Similarly, the Town should promote the improvement and maintenance of Town-dedicated land by neighborhood associations or other private groups.

Although the Code of the Town of North Salem contains many provisions for the protection of open space and open land areas, the Code provisions should be reviewed periodically to identify where revisions are needed. During the review of applications, the Planning Board should incorporate open space in the design of new development wherever possible. Development reviews should encourage alternative design patterns, such as denser clustering of buildings, to create larger, contiguous, open space land areas in all zoning districts. The creation of open space or the donation of land to private land trusts or foundations should be encouraged, whenever it is an appropriate consideration.

### **Recommended Study: Open Space Assessment and Inventory**

A general assessment should be conducted to identify the types of open space resources currently available to the residents of the Town of North Salem. Additionally this inventory will involve the identification and mapping of the following features throughout the Town of North Salem:

- Existing and proposed parklands including Town and County parks;
- Existing open space lands and areas, including private and public lands and conservation easements;
- Existing trails, including bike, walking, hiking and horse pathways; and
- Identify private or public uses that incorporate open space such as golf courses, schools, farms and institutional uses.

Whenever possible, this inventory should use existing inventories and maps such as the Town's Recreation Master Plan, the Town's maps prepared by the Westchester County Geographic Information Systems (GIS) Department, NYCDEP mapping resources, Westchester County open space and land use studies and maps prepared by local, private organizations such as the Open Land Foundation and other community groups.

The Town may wish to conduct a survey of residents' opinions, desires and needs regarding open space using a questionnaire or other means.

The work of the OSC is ongoing as noted herein. It is recommended that the open space assessment and inventory described above begin in the 1<sup>st</sup> year after adoption of the CPU since these involve the efforts of volunteer groups and may take more time to compile. The OSC and the Town Board may wish to consider funding sources to cover the cost of consultant work on these efforts to facilitate the progress of the assessment and inventory.

## 10. Visual Resources and Community Character

### Development Objectives and Strategies

The Town of North Salem is a rural, residential community with significant expanses of open land, farms, estate homes and historical sites and areas. The character of the Town is also defined by the mixed-use nature of its hamlet areas, discussed in Section 4 of this plan, which are the more populated areas of Town with residences and local-scale businesses. While much of the Town is rural, sparsely populated and characterized by open land areas, there are areas that are considered to be more appropriate for higher-density residential and business uses such as the hamlet areas and also the Field's Lane area (east of Croton falls, near Interstate-684, Exit 8). However, as discussed in Section 1 of this Plan, only a very limited expansion of areas zoned for business or office (non-residential) uses is being contemplated.

Inherent in the open, rural character are areas of Town that are considered to be visually pleasing or scenic. The identification of key visual features and viewshed areas in the Town's Comprehensive Plan Update provides a kind of recognition of visual resources.

The list of visual resources that had been included in the Draft Implementation Plan (draft dated May 7, 1997) has already been used in the environmental and planning review of individual development applications and long-term planning projects. For example, as part of the consideration of potential alternative sites for the set of residential rezoning actions adopted in response to the Continental Decision, it was determined that the main road access to a potential high-density residential zoning district located on Field's Lane (near Interstate-684, Exit 8) should be from Field's Lane rather than from Hardscrabble Road. The reason for this determination is because Hardscrabble Road is considered to be a scenic, rural roadway in the Town since it was listed in the Draft Implementation Plan. The creation of a major access road could adversely affect the visual character of Hardscrabble Road.

When land development or a zoning action is proposed on, near or within the viewshed of one of the Town's known visual resources, the reviewing agency (i.e., Planning Board or Town Board) may then request analysis of potential impacts on scenic resources or community character. The scenic areas and visual resources in the Town of North Salem are characterized by:

- Significant expanses of open space, fields, meadows, forest or vacant land;
- Agricultural land such as farms, orchards and vineyards;
- Horse farms and riding trails;
- Waterways, waterbodies, and wetlands, for example, the Titicus River and Reservoir;
- Historic features (refer to Section 11 regarding Historical and Cultural Resources), colonial era residential areas and older estate homes;
- Residences of a certain architectural era; and

- State, County and Town roadways that pass through rural, scenic areas and by the visual resources noted below.

The following is a general list of visual features and viewshed locations that are notable in the landscape of the Town of North Salem:

- Titicus Road (NYS Route 116) and Titicus River/Mills Road which afford views of historic structures, the Titicus Reservoir and the Titicus River;
- Town Hall, including Delancey Hall, the Annex and the Lobdell House (located on Titicus Road near Salem Center), which are historic structures;
- June Road (Westchester County Route 310) which runs through the eastern side of Town from the northern Town boundary, through Salem Center to a southern intersection with Grant Road;
- Grant Road (NYS Route 121), including nearby Bogtown and Cat Ridge Roads, and the Grant Corner area (south of Salem Center), including Hawley and Post Roads;
- Baxter Road (connects June Road [Westchester County Route 310] with Titicus Road [NYS Routes 116 and 121] to the south);
- The North Salem hamlet area (near Titicus Road [New York State Routes 116 and 121]), including Keeler and Hunt Lanes;
- The Balanced Rock (located in the North Salem hamlet area);
- Keeler Lane Bridge (located in the North Salem hamlet area);
- Hardscrabble Road (connects NYS Route 22 on its western end, near Croton Falls with June Road [Westchester County Route 310] on its eastern end);
- The intersection north of Purdys at the northern intersection of New York State Route 22 and Titicus Road (New York State Route 116);
- Vail Lane and Finch Road, rural Town Roads in the northeastern corner of Town, that runs along rolling hills flanked by meadows;
- Nash Road, a partially gravel road south of Purdys (connects NYS Route 22 on its western end with Yerkes Road on its eastern end); and
- Quaker Cemetery (located in the Peach Lake hamlet area).

Depending on the proximity to visual features and viewshed areas, certain changes, land development that involves extensive land disturbance or clearing, unsightly structures, such as communication tower facilities, or other improvements may affect the Town's visual qualities. If not properly conducted, large-scale subdivisions, site development or rehabilitation, and significant areas of disturbance or clearing can result in temporary or permanent negative visual effects on the Town's scenic, rural and natural landscape.

An assessment of visual impact, or a visual impact analysis, should be required for any development that may have a significant effect on the Town's visual features and scenic areas. Any development that requires significant disturbances of a site or involves development in or near an area that is considered to be scenic should be subject to an analysis of potential visual impact.

Similarly, site development that involves buildings or structures of significant floor area (mass) or bulk (length, width and/or height) should be subject to an assessment of potential visual effects. An assessment of potential visual effects can be conducted as part of the review of a development project under the New York State Environmental Quality Review Act (NYS SEQRA, a.k.a. SEQR). The design of any development that may have adverse effects on the Town's visual resources should incorporate measures to reduce, minimize and mitigate such effects.

The Code of the Town of North Salem already contains provisions that are used to create development designed to be consistent with the Town's scenic, rural quality. The Comprehensive Plan Update acknowledges many of these existing provisions.

The need for new regulations to address protection of scenic resources, such as an overlay zone, will be considered. It is believed that review under SEQR and the existing regulations provide ample opportunity for preservation of the Town's visual character while accommodating current land uses and proposed development.

The Code of the Town of North Salem, Chapter 250, the Town's Zoning Ordinance, contains a provision for maximum building height in all of the established zoning districts of thirty-five feet (35'). This requirement would preclude site development that involves buildings or structures of significant height. However, if done properly and within the existing height requirement, increasing the height of a proposed building by adding a single floor, without changing the structure's gross floor area, may result in a structure with a less bulky or less massive appearance. Appropriate grading and landscaping can further soften the look of larger structures.

The Town Code Chapter which regulates excavation and tree removal, Chapter 189, has been revised to include regulation of land disturbance generally and specifically development on land with steep slopes. This amendment will address the potential effects of erosion, sedimentation, and unsightly land disturbance on the more visible hilly and mountainous areas of the Town.

There are many regulations that are already in place that directly or indirectly serve to protect open space and land areas that add to the scenic, rural character of the Town, as described in Section 9 of this plan. Many of the provisions that encourage open space also serve to enhance and preserve the Town's visual resources as they pertain to natural resources and provisions for open space, parklands and pedestrian trails, including the use of conservation and trail easements. All of these amenities contribute to the Town's character as a scenic, rural and primarily residential community.

The Code of the Town of North Salem, Chapter 250, the Town's Zoning Ordinance contains provisions that address community character:

- The stated purposes of the Zoning Ordinance in Section 250-3 (subsections A., E., G., and H.) promote the Town's rural and historic character and the need to preserve the Town's character and natural resources in the development of the Town;
- The Zoning Districts established in the Zoning Ordinance, Section 250-6 and the Zoning Map, include eight types of residential districts which comprise the majority of the land area in the Town, two types of business districts and two types of office districts. However, there are no industrial zoning districts and many intensive and noxious uses are specifically prohibited in the Town as per the provisions in Section 250-13;
- The requirements for development as addressed in Articles V through VII, including bulk (required lot area and setbacks), and parking include provisions for adequate distances between uses and appropriate screening or buffering;
- Article XI contains general reference to the need for landscaping and specific performance standards about noise, vibration, dust and other possible "nuisance" effects of development;
- The character of the Town is further protected by the general and specific supplemental development standards for Conditional and Special Permit standards in Article XIII; and
- Section 250-77.5 contains specific purposes, extensive application requirements and standards and requirements for development, design and removal of communication tower facilities.

The Town of North Salem has adopted Code Chapter 130, Landmark and Historic Preservation, which are regulations related to the preservation of buildings, sites and areas that are of historical, cultural and architectural significance. Code Chapter 130 has enabled the Town of North Salem to create an Historic Preservation Commission which can recommend, contingent upon a property owners' consent, the designation of landmarks and historic districts. The Commission is also authorized to "hear and decide applications for certificates of appropriateness".

The Town of North Salem has designated 21 landmarks under Code Chapter 130, which should be amended to include the list of designated landmarks. The Town should support the Historic Preservation Commission in the investigation of additional landmarks and the process of designating the potential historic sites and landmarks.

Similarly, the Town of North Salem Code Chapter 131, Historic Road Preservation provides a means for the preservation and enhancement of historic roads designated thereunder.

The Town's open, rural and scenic character should be preserved and protected from inappropriate development utilizing the laws, requirements and regulations that are in place, as discussed above, and incorporating the assessment of potential visual impacts

when environmental review (SEQR) is required. Although the Town of North Salem Code includes provisions to protect the Town's character, the Planning Board, the Town Board and the Zoning Board of Appeals and other reviewing agencies should, whenever possible, encourage the appropriate design of new development and rehabilitation of existing developments in consideration of the following development guidelines:

- Request a design or layout, such as a "cluster" design, wherein buildings and smaller lots can be appropriately located in closer proximity to provide larger open, undisturbed land areas;
- Discourage the placement of structures or significant clearing or disturbance on the tops or crests of hills and mountains or within visually prominent landscape features such as in open field areas;
- Permit gravel or dirt roads or roads constructed using "rural" specifications, where appropriate;
- Encourage the use of existing driveways, old farm or wood roads, or other previously disturbed or cleared areas to create access for new development;
- Recommend development design that results in the preservation of fields, meadows, stone walls, hedgerows and wooded areas and limits the alteration of existing topography to the maximum extent practicable;
- Consider individual development in the context of surrounding lands to create continuity of and connections between adjoining scenic and natural resources;
- Request easements to create a local system of connecting trails for pedestrians, biking, hiking and horseback riding; and
- Mitigate the impact of lighting on adjacent properties and on nighttime views generally by considering the height, type and shielding of lighting in proposed development.

Although landscaping and buffering and other similar aesthetic improvements are typically considered as part of the review of new development, such improvements should also be implemented to enhance the visual quality of Town in the following areas:

- As part of the revitalization of each of the hamlet areas;
- At the "gateways" or entrances to the Town, including the I-684 exit areas; and
- In historic areas, such as at the Town Hall, and in the North Salem hamlet area (along the eastern length of Route 116).

The appropriate sections of Town Code Chapter 195, Streets and Sidewalks, and Chapter 200, Subdivision of Land, should be reviewed to identify how revisions can provide for reduced disturbance for road construction. This may involve the incorporation of rural road specifications which would be appropriate in certain types of development.

Similarly, rural road specifications will permit decision-makers to preserve and maintain existing dirt or gravel roads. However, the creation and preservation of rural roads must involve appropriate consideration of the safety of roads and adequate provision for fire and emergency service vehicle access.



As discussed in CPU Section 1.1, the Zoning Ordinance requirements regarding communication towers and facilities (cellular towers) should be reviewed and updated to address changing technologies and designs and to reexamine the emphasis on collocation.

**Recommended Studies: Visual Preferences Survey and Mapping of Visual Resources**

The Town should consider conducting a visual preferences survey coordinated to address architectural design review (see Section 12), visual resources and community character. A visual preferences survey involves a review of photographs, slides or other illustrations in a public forum session. The resulting visual preferences report would then be available to the public, to property owners and to land developers.

Additionally, the visual resources and features identified in this CPU should be mapped and described in more detail in a narrative inventory. The Town should appoint a committee to begin this study in the 1<sup>st</sup> or 2<sup>nd</sup> year after adoption of the CPU. The committee should then develop a time line for conducting the mapping, inventory, the related field work and the visual preferences survey.

## 11. Historic and Cultural Resources

### Development Observations and Objectives

The character of the Town of North Salem as a rural, residential community is defined, in part by its historic sites and structures and by the cultural entities that make their home in the community. There are 21 historic landmarks which have been designated by the Town in accordance with the Code of the Town of North Salem, Chapter 130, Landmark and Historic Preservation (discussed in Section 10). The Town of North Salem is also home to the Hammond Museum, which includes an art museum and gardens in the Salem Center area. The Schoolhouse, an art gallery, performing arts and arts education center is located in Croton Falls. A few smaller art galleries are located throughout the Town.

The culture and character of the Town of North Salem is also linked with a myriad of other entities that illustrate the interests of the Town's residents such as its library, antique stores, horse farms, orchards, vineyards and farm stands. The presence of these historic and cultural amenities contribute meaningfully to the character of the community, to the desirability of North Salem as a residential community and to the Town's economy.

The hamlet areas in the Town depict a historical pattern of settlement where numerous residences cluster around the junctions of connecting roadways, former and current railway lines and near essential goods and services. Some essential goods and services are available in four of the five hamlet areas (Croton Falls, Purdys, Salem Center and Peach Lake). Two hamlet areas, Croton Falls and Purdys, have commuter rail service. The hamlet areas also define the culture of the Town.

Some degree of increased flexibility in the Zoning Ordinance should be encouraged to allow appropriate local-scale cultural, retail, business and service uses to be located in the hamlet areas. For example, the conversion of a large, older residence to a small business, such as an antique store or a small grocery store and a residence would be an appropriate use in a hamlet area. Similarly, small offices and art studios are uses that could be appropriately developed in hamlet areas as these are relatively low-intensity uses that would be consistent with residential areas. However, converted buildings should maintain a residential appearance and newly developed structures should be designed to be consistent with the residential character of the Town's hamlet areas.

The Code of the Town of North Salem, Chapter 130, Landmark and Historic Preservation, provides regulations for the preservation of buildings, sites and areas that are of historical, cultural and architectural significance. The Historic Preservation Commission, created in accordance with these regulations, is empowered to recommend designation of landmark sites and historic districts to the Town Board and to establish conservation guidelines for each landmark and district. The existing 19 of the 21 designated landmarks are fully described in "*Historic Landmarks of the Town of North Salem, New York*", a book produced by the Town of North Salem Historic Preservation

Commission. An official map and list should also be included in Code Chapter 130 as the “Town of North Salem Register of Historic Places” (see Section 130-5, H.). The creation of conservation guidelines for each landmark should be undertaken by the Historic Preservation Commission as provided for in Code Chapter 130 (see Section 130-5, I.).

The Town should consider whether establishment of historic districts in and around the Town’s hamlet areas is beneficial. Historical designations are intended to provide protection to historic areas and buildings as described above. The historic character of the hamlet areas is essential to the Town’s character. As an alternative to the establishment of historic districts, the Town may consider designating additional structures in hamlet areas as historic landmarks.

The Code of the Town of North Salem, Chapter 131, Historic Road Preservation provides a means for the preservation and enhancement of historic roads designated thereunder. Baxter Road is one of the Town’s historic landmarks designated in accordance with Chapter 131.

#### **Recommended Study: Historic Landmark Update and Assessment**

The Historic Preservation Commission and the Town Historian should combine their efforts in the preparation of an updated inventory of the Town’s potential historic sites and existing designated historic landmarks. They should seek information from other resources, agencies and private groups such as the North Salem Historical Society. The assessment aspect of this study involves consideration of:

- Whether further study of additional landmarks or potential historical districts is necessary; and
- Whether existing landmarks should be listed in Code Chapter 130, Landmark and Historic Preservation.

Additionally, The Historic Preservation Commission and the Town Historian should combine their efforts in the creation of conservation guidelines for each designated landmark, as described above. Information from other resources, agencies and groups should be sought as needed.

The Historic Landmark Update and Assessment should be initiated in the 1<sup>st</sup> or 2<sup>nd</sup> year after adoption of the CPU since these will involve primarily the efforts of volunteer groups and may take more time to compile.

## **12. Architectural and Design Review**

### **Development Objectives and Strategies**

The Architectural Review Board (consisting of five members) was created by the Town in accordance with the Code of the Town of North Salem, Chapter 250, Zoning, Article XVI, in part “to conserve the value of buildings, to encourage the most appropriate use of land and to improve the physical and visual appearance of the town” (see Zoning Ordinance, Section 250-98). The ongoing role of the Architectural Review Board (ARB) in the review of site development plans has been enhanced by including the ARB in the early stages of review.

While it is possible to provide design recommendations for individual applications on a case-by-case basis, broader guidance should be provided to applicants about what design and development styles are desirable in the Town of North Salem. The Town of North Salem should compile an illustrated inventory of appropriate and desirable development styles and design features (described in the Recommended Study, below) that will be on file for perusal by potential and current applicants. The inventory and any related narrative will be used as a set of guidelines for development applications under consideration by the Planning Board and by the ARB.

In accordance with the Zoning Ordinance, Article XVI, the ARB is involved in the review of Building Permit applications, that is, after site development plan review by the Planning Board, if required. Article XVI should be amended to provide for review by the ARB at an earlier stage in the review of a development such as during the technical review of applications before the Planning Board.

As noted in Sections 10 and 11 herein, North Salem Code Chapter 130, Landmark and Historic Preservation, provides regulations for the preservation of buildings, sites and areas that are of historical, cultural and architectural significance. The ARB should coordinate their review of applications with the Historic Preservation Commission (HPC) when an application involves construction near any of the existing 21 designated landmarks.

Similarly, the HPC should inform the ARB of the creation of conservation guidelines for any of the landmarks. Additionally, the coordination of review by both the ARB and the Historic Preservation Commission (HPC), when necessary should be addressed in an amendment of Article XVI.

### **Recommended Studies: Design Inventory/Guidelines, and Visual Preferences Survey**

The Town of North Salem Architectural Review Board (ARB) should prepare an illustrated inventory of desirable development styles and design features based on existing development in the Town of North Salem and, as appropriate, in adjoining

communities. The illustrations may take the form of photographs of existing structures, sites or even specific amenities such as signs or lighting. Actual building elevations, architectural renderings or details from development plans on file with the Town may also be used as illustrations, as long as the source of such illustrations are identified.

The Architectural Review Board may incorporate the assistance of volunteers in the compilation of the Design Inventory under the direction of the ARB. The inventory and any related narrative will be used as a set of guidelines for development applications under consideration by the Planning Board and by the ARB.

The inventory should cover building and facade styles, commercial and residential structures, parking area design, landscaping, lighting and signs. The ARB should consult with the Planning Board and the Historic Preservation Commission to obtain their input about design concerns and examples of desirable development styles as well as undesirable development features.

Upon completion of a Draft of the Design Inventory and Guidelines, the ARB will discuss the Draft with the Planning Board and Town Board and will hold a workshop to inform the public, Town agencies and officials, and applicant representatives about the available information. The Design Inventory and Guidelines will then be revised as necessary and will be available to agencies, applicants and the public.

In addition to the above study, the Town should consider conducting a visual preferences survey coordinated to address architectural design review, visual resources and community character (see Section 10). A visual preferences survey involves a review of photographs, slides or other illustrations in a public forum session. The resulting visual preferences report would then be available to the public, to property owners and to land developers.

The Design Inventory and Guidelines and the Visual Preferences Survey should be initiated in the 1<sup>st</sup> or 2<sup>nd</sup> year after adoption of the CPU since these involve the efforts of volunteer groups and may take more time to compile.

### 13. Recreation

#### Development Objectives and Strategies

The Town of North Salem Recreation Department oversees the development, use and maintenance of the Town's parks. The Recreation Department also plans and administers recreational programs for residents, including activities for children and senior citizens. The Department also runs a summer day camp for school-age children and manages the use of Town Parkland by local recreational organizations such as softball, baseball, soccer, and basketball leagues and tennis teams. The Town of North Salem Superintendent of Highways, Parks and Cemeteries oversees the maintenance of park facilities.

The staff of the Recreation Department includes the Superintendent of Recreation and a part-time assistant. The Rules and regulations for the use of town parks are contained in the Code of the Town of North Salem, Chapter 160. The Town Board and a Town Recreation Advisory Committee is responsible for working in concert with the Recreation Department to make recommendations about the following:

- The development of existing parkland;
- Whether to accept any offers of dedication of land for parks; and
- Whether to acquire new parkland that has been set aside through subdivision or otherwise becomes available.

The Recreation Advisory Committee meets as often as needed when recommendations must be made with regard to park use or development, programs or parkland acceptance or acquisition. Actual decisions about the use, development, acceptance or acquisition of parkland are made by the Town of North Salem Town Board.

The Town of North Salem completed the preparation of a ***Parks and Recreation Master Plan*** in 1994 as a continuation of the Master Plan for the Town that was adopted in 1985. The ***Parks Recreation Master Plan*** provides a detailed analysis of the recreational needs of the Town's residents. The Plan also identifies the existing public parks, school facilities, private recreational facilities and clubs, open space resources and horseback riding trails and the ongoing use of these facilities. As a result of a needs survey conducted during the preparation of the 1985 Master Plan, the need for a swimming pool, teen programs and bike riding pathways was indicated.

The ***Parks Recreation Master Plan*** generally recommends that the responsibility for providing adequate recreational opportunities should be a coordinated effort involving the Town of North Salem, the school district and private resources. The capital improvements recommended in the ***Parks and Recreation Master Plan*** should be reviewed, updated and prioritized (see Recommended Study below). Some of the projects identified in the Plan include:

- Improvement of a youth baseball field and children's play area at Joe Bohrdrum Park, which has been completed;

- Development of the June Road Park site adjacent to the High School, which was developed as Volunteer's Park;
- Consideration of a possible inter-municipal pool development project; and
- The acquisition of additional land for a future park.

Although Joe Bohrdrum Park is located near the Croton Falls area, in a large neighborhood, residents in central Croton Falls must drive to the park. The Town should consider whether there is a need for a small park in the center of and within walking distance of residents in the downtown and central areas of Croton Falls.

In the review of residential subdivisions, the Planning Board is more likely to require recreation fees than to require a set aside of land for parkland acquisition, since very little suitable land is available in most subdivision sites. A site for another park should be fairly large, for example a parcel that is 5 to 10 acres or a larger area. Numerous smaller parks would be costly to develop and more difficult to maintain than a few larger parks with consolidated facilities. The land should be fairly level to gently sloping, and should have little or no area that is wet or rocky. There are very few parcels of land or portions of subdivision sites with these characteristics that are available for a parkland set aside or for dedication to the Town.

Therefore, in most cases the Planning Board collects recreation fees which can be used to develop parklands that the Town already owns such as the Joe Bohrdrum Park and Volunteer's Park. Additionally, the Planning Board consistently requests that subdivision plans show existing trails and suggests that easements for trails should be proposed to provide for the continued use and interconnection of established trail networks. These trails may be used for horseback riding, walking or hiking depending on the location and related trail connections.

An alternative to a typical recreational "set aside" for a parcel of parkland should be considered by the Planning Board, which would involve requiring or requesting that linear areas be set aside for pedestrian trails. The areas to be set aside should be based on a concept map showing approximate pathways for desired trails and connections to parks, open space areas and roads throughout the Town. These trails could be provided as easements, rights-of-way or actual parcels for dedication depending on the property or proposed development in which the proposed trail is located.

Further coordination of recreational planning and development must include an established line of communication between the Town Board, the Planning Board and the Recreation Advisory Committee to review subdivision and residential site development plans. The Planning Board should also seek the consultation of private recreational organizations with facilities or lands adjacent to proposed development, when appropriate, to determine whether land set asides or trail easements might expand recreational opportunities for Town residents.

In June 2001, the Westchester County Planning Department prepared the *Mid-Hudson South Region Bicycle and Pedestrian Master Plan*. Working in conjunction with the

Westchester County Department of Parks, the Department of Planning seeks to expand a planned 90-mile trail system that will use existing transportation and utility rights-of-way for bicycle and pedestrian use. In the Town of North Salem, the ***Bicycle and Pedestrian Plan*** proposes to include New York State (NYS) Route 116 as an east-to-west connection between NYS Route 22 and NYS Route 121. Since Route 116 is heavily traveled and may create hazards for bicyclists and pedestrians, Mills Road should be considered as a safer east-to-west connection between Routes 22 and 121.

### **Recommended Study: Recreation Plan Status Assessment**

Additional studies are not recommended at this time since the Town has compiled a ***Parks and Recreation Master Plan***. However, a review of the progress made with regard to the goals and objectives stated therein should be done and a status report should be prepared. At the conclusion of the comprehensive plan update process, the ***Parks and Recreation Master Plan*** should be reviewed and updated to reflect the current demographic profile of the Town, the proposed changes in zoning and the related impact on potential increases in the Town's population. The projected population will dictate land requirements for active recreation facilities. Additionally, the capital improvements recommended in the ***Parks and Recreation Master Plan*** should be reviewed, updated and prioritized.

The Town may wish to conduct a survey of residents' opinions, desires and needs in regard to parks and recreational amenities using a questionnaire or other means.

The Town Board should direct the Recreation Advisory Committee to develop a time line for: deciding on the necessity of a survey and conducting it; and reviewing the ***Parks and Recreation Master Plan*** to determine the need for and scope of an update. The development of a time line for these tasks should be completed within the 1<sup>st</sup> year after the adoption of the CPU.

The Town should begin a dialogue with the Westchester County Department of Parks to determine what role the Town may have in addressing the use and development of Mountain Lakes Camp. Any improvements to the County Park should be examined with regard to the availability of this regional park for the residents of the Town and the County.



**COMPREHENSIVE PLAN UPDATE (CPU):**

**APPENDIX 1:**

**CPU QUESTIONNAIRE**

**RESULTS**  
COMPREHENSIVE PLAN QUESTIONNAIRE  
FOR THE  
TOWN OF NORTH SALEM COMPREHENSIVE PLAN UPDATE

**Total number of responses received and tallied**    646

**The tallied results of responses from all respondents are provided below in the format of the actual questionnaire form.**

Please respond to the questions below and return the completed questionnaire to Liz Axelson, Director of Planning, Town of North Salem. The focus of this questionnaire is the need to balance residential (housing) versus non-residential (commercial, service, office, institutional, etc.) development. The Comprehensive Plan Update broadly addresses many aspects of the Town's development. The draft documents created as part of the Comprehensive Plan Update are on file at the Town Hall.

Check one of the following to indicate your age category:    0 18-25    59 26-35    180 36-45  
170 46-55    111 56-65    77 66-75    34 76-85    7 85+

1. **Non-Residential Issues (Business, Office, Institutional, etc.):**

1.1 Refer to the enclosed map. In which of the four of the Town's hamlet areas listed below is your home, business or property located or closest to? (put a checkmark or an "x" in the correct area):

- 110 Croton Falls                    189 Purdys  
106 Salem Center (area near intersection of Titicus Road [NYS route 116] and June Road)  
127 Peach Lake (area near intersection of Bloomer Road and Peach Lake Road)  
106 North Salem (area along Titicus Road in the vicinity of Keeler Lane, Baxter Road and the southern part of Peach Lake Road)  
Alternatively, describe the area in which you're located: \_\_\_\_\_

1.2 Four of the Town's Hamlet areas have non-residential zoning districts such as PO (Professional Office) for local-scale office uses, GB (General Business) which is the central business area in Croton Falls and NB (Neighborhood Business) which permits local convenience-type stores. Please give your opinion about whether the non-residential zoning districts in each of these hamlet areas should be expanded (put a checkmark or an "x" in the response you choose):

1.2.1 Croton Falls:

229 A small expansion should be considered to allow a few properties on heavily traveled roads (such as Route 22) to be converted or developed for business use.

173 A moderate expansion should be considered to allow several properties on heavily traveled roads (such as Route 22) to be converted or developed for business use.

196 No expansion should be considered.

Is there any kind of business that you would like to see in Croton Falls? Small business, restaurant (family-style, café, bistro, diner), coffee/tea, take-out food (Chinese), bed and breakfast, supermarket, pharmacy, convenience store, deli, wine store, hardware, antiques, books, florist, specialty foods/gourmet, bakery, boutiques, gifts, unique clothing, pottery, art store or gallery, bank/ATM, professional/dental/medical services, hotel, movie theatre, senior residence, assisted-living or other senior housing, light industry/office

**Other comments were included in the responses regarding Croton Falls, such as:** Use existing buildings; stores should be near the train station and should be country-style; convert homes on Route 22 to small businesses and offices; remove cement truck lift building; renovate abandoned buildings; consider traffic, and specifically, slow traffic on Route 22 with a stop sign; a sidewalk is needed behind guardrail on Route 22.

1.2.2 Purdys:

227 A small expansion should be considered to allow a few properties on heavily traveled roads (such as route 22) to be converted or developed for business use.

158 A moderate expansion should be considered to allow several properties on heavily traveled roads (such as route 22) to be converted or developed for business use.

240 No expansion should be considered.

Is there any kind of business that you would like to see in Purdys? Small business, restaurant, (family-style, café, bistro), take-out food, coffee/tea, bakery or bagel shop, grocery, supermarket, pharmacy, convenience store, deli, gourmet shop, hardware, garden, antiques, pottery, art store or gallery, frame/print shop, books, florist, gifts/cards, unique clothing, video, bank, dry cleaner, tailor, shoe repair, hair salon, gas station, car repair, professional/medical office, hotel

**Other comments were included in the responses regarding Purdys, such as:** Encourage long-term uses (professional office) with small amounts of traffic, consider traffic on Route 116; senior citizen facilities are needed.

1.2.3 Salem Center (area near intersection of Titicus Road [NYS Route 116] and June Road):

183 A small expansion should be considered to allow a few properties near the intersection of June and Titicus Roads to be converted or developed for business use.

110 A moderate expansion should be considered to allow several properties near the intersection of June and Titicus Roads to be converted or developed for business use.

302 No expansion should be considered.

Is there any kind of business that you would like to see in Salem Center? Restaurant (small, family-style), pizzeria, small grocery, deli, convenience store, gourmet shop, coffee shop, full-service pharmacy, florist, stationery/cards, liquor, bookstore, news outlet, gift shop, boutique, art gallery, antiques, hardware, bank, dry cleaner, gas station, “all local needs”, “everything”, professional services, shopping centers, hotels.

**Other comments were included in the responses regarding Salem Center, such as:** Allow small businesses, service type businesses, high-end professional services; existing buildings are not fully utilized; improvements are needed to small structure across from post office; traffic and accidents are concerns; traffic light needed at intersection of Titicus and June Roads.

1.2.4 Peach Lake (area near intersection of Bloomer Road and Peach Lake Road):

229 A small expansion should be considered to allow a few properties near the intersection of Bloomer and Peach Lake Roads to be converted or developed for business use.

111 A moderate expansion should be considered to allow several properties near the intersection of Bloomer and Peach Lake Roads to be converted or developed for business use.

258 No expansion should be considered.

Is there any kind of business that you would like to see in Peach Lake? Restaurant (small), deli, bar/pub, coffee shop, full-service pharmacy, wine store, antiques, hardware/lawn care, feed store, gas station, bank, dry cleaner, “all local needs”, “everything”, movies, professional services, medical office,

**Other comments were included in the responses regarding Peach Lake, such as:** Allow small businesses, retail only, fill site of former restaurant first, high-end professional services, senior citizen housing, consider environmental and traffic concerns, especially Bloomer Road traffic, street lighting is needed at the intersection of Bloomer and Peach Lake.

- 1.3 There are no non-residential (commercial) zoning districts in the North Salem Hamlet area (area along Titicus Road in the vicinity of Keeler Lane, Baxter Road and the southern part of Peach Lake Road). However, there are existing businesses that are limited in their ability to continue or to expand because there are no non-residential zoning districts in this area. Please give your opinion about whether a non-residential zoning district, such as an NB (Neighborhood Business) district should be established in this hamlet area (put a checkmark or an “x” in the response you choose):  
293 An NB (Neighborhood Business) should not be established  
292 A small NB (Neighborhood Business) should be established to allow few properties along Titicus and Peach Lake Roads to continue or to be converted or developed for business use.  
Provide additional comments about the North Salem Hamlet area: Allow restaurants, pubs, deli, coffee shop, boutiques, gifts, crafts, sewing and antiques stores, galleries, tack shop/saddlery, repair shop, business and professional offices, bed-and-breakfast, home offices and vineyards; a few businesses are needed for all to thrive; convenient for school personnel and parents; keep the integrity of the community by spacing out business areas; small, low-key tasteful business; business with low-traffic flows, will benefit taxpayers; no strip malls;

Architectural review is essential; country design; maintain rural-residential character, open lands, farms; charming area, should have landmark-type district along with a neighborhood business district; only allow businesses that are already established; improve and fill existing empty business space (gallery and tack shop); legalize Auberge Maxime; small, limited growth; development should occur in (other) existing centers such as Salem Center; “What’s good for other hamlets is good for North Salem”; should not be the only hamlet without and NB zone; too much travel is done for basics; some major business to offset school taxes; moderate to large businesses, no more on west side of Town; since small roads and close proximity, leave as residential; area has least need for businesses; traffic is a concern; no parking on roads; improve intersection of Routes 116 and 121.

The above-noted Hamlet areas are places where local-scale businesses may provide residents with essential goods and services. Please identify below what businesses or services are “needed” or “not needed”, in your opinion in the Hamlet areas (put a checkmark or an “x” next to as many of the uses you feel are needed):

- |  |   |                                  |
|--|---|----------------------------------|
| <u>309</u> Grocery store, deli, bakery or drug store   | <u>136</u> Gift shop, boutique  |                                  |
| <u>168</u> Daycare, childcare or pre-school  | <u>273</u> Restaurants  |                                  |
| <u>123</u> Dry cleaning drop-off (no on-site cleaning)   | <u>102</u> Inn or hotel   |                                  |
| <u>43</u> Office supplies/service (printing)   | <u>130</u> Bank   |                                  |
| <u>114</u> Business/professional office  | <u>155</u> Medical/dental office  | <u>171</u> Antique shop          |
| <u>124</u> Barber, beauty salon  | <u>99</u> Tailor, shoe repair   | <u>157</u> Art gallery or studio |
| <u>42</u> Clothing or furniture store  | <u>75</u> Tack shop   | <u>92</u> Video store            |
| <u>211</u> Book or flower shop   | <u>80</u> Liquor store  | <u>191</u> Hardware store        |
| <u>175</u> Garden or farm supply store   | <u>22</u> Other retail store: <u>Diner, coffee shop, ice cream shop, bakery, bagel shop, pizzeria, bar, supermarket (chain), fruit/vegetable market, gourmet food, florist, stationery/cards, pet store, fishing tackle, hardware/plumbing supply, electronics, department store and other unspecified types of retail.</u> |                                  |
| <u>26</u> Other business or service: <u>Veterinarian, travel service, copying, taxi, gas/service station, auto repair, real estate, movie theatre, bed-and-breakfast, flea market, not-for-profit organization</u> |   |                                  |

**Other comments were included in the responses regarding businesses in the Hamlet areas, such as:** Allow a gas station back at Kingsleys.

1.5 What, if any improvements are needed in the Purdys Hamlet area?

- 120 Lighting                      112 Sidewalks                      278 No improvements are needed.

70 Other (specify): General cleanup, improve aesthetics; more businesses and improve appearance of area near I-684 Exit 7 and existing stores (ex. Swan Deli on Route 22 and “Purdys office”); upgrade post office; redesign layout of stores, road circulation and add better signs to direct traffic and to draw people in; make Purdys a destination with stores in houses; upgrade or eliminate parking on Routes 22 and 116 near deli; proper road drainage; landscaping/preserve trees, bury power lines, add fire hydrants; public sewer; bus stops for schoolchildren; expand, upgrade train station, add lighting and add more parking near station (upgrade like Croton Falls), and parking for residents; affordable housing needed within walking distance of train station; repair fencing on Route 22;

Traffic safety and convenience concerns: at box tree, at access from Route 116 west onto 22 south (suggested “T” intersection configuration); traffic light and right turn lane at intersection of Routes 116 and 22, road repair on Route 22; regrade Mills Road near firehouse, eliminate or slow through traffic via Mills Road to Titicus Road (one-way); flashing yellow light at intersection of Mills Road and First Street; signs to slow traffic on Route 116, and add ramps at I-684 Exit 7 for southbound getting off and northbound entrance; re-open Dean’s Bridge;

Any lighting should be minimal and low-intensity; pedestrian crossing and sidewalks from train station to east side of 22 (Purdys); pedestrian bridge from ball field to train station; provide for a jogging/bike path along reservoir via Route 116 or Mills Road; a sound barrier is suggested near I-684; extend guard rail on Titicus River Road;

1.6 Please provide additional comments about businesses or services in Hamlet areas: Restrict commercial to non-chain, non-warehouse; keep as small, basic neighborhood businesses to provide for local needs; must not travel too far for goods/services; need goods/services for growing population and tax base; small businesses will add to character of the community and needed for social interaction; need at least one major shopping area; megastores are not desired; landmark districts in Hamlets to preserve existing architecture; development with “country” design, small signs; historic/traditional facades, no neon or modern buildings; avoid suburban “creep” (sprawl); sufficient parking, specifically commuter parking, is needed; parking so customers can walk between stores; need public transportation to connect to rail service; parking and traffic enforcement;

Services are already available within a 20-minute drive, without negative effects; services are not needed; will not generate enough taxes to make desirable; protect property values; business disrupts the Town’s beauty; balance concern with character of area with tax benefit; change and improvements can be positive; small, tasteful expansion; only a little expansion is needed; permit moderate expansion or hamlets will “die off”; a well-designed hamlet could increase property values; cluster to encourage development of stores; do not limit to hamlets; need an array of commercial, business professional uses and less restrictions; no gas stations or polluting businesses;

Need restaurant, grocery, coffee/dessert shop, deli’s, retail, an inn or a bed-and-breakfast, hardware and feed stores, bank/ATM; medical or home offices are OK; allow Blazer restaurant to expand, not the pub and improve safety of parking lot; permit more commercial, light manufacturing, industrial centers and supply depots; permit high-tech businesses; don’t overburden Route 22; concerns about truck traffic; Swan deli is a traffic hazard; street light needed at intersection of Route 116 and Oakridge Road; open Dean’s Bridge;

Renovation and cleanup is needed; sidewalks are needed along route 22 in Croton Falls, and in Peach Lake/Bloomerside; Peach Lake expansion should occur at the site of the former “Birds of a feather”; remove empty row of houses near Warner Drive in Croton Falls, replace with stairs to train platform and a park/parking area or small shops and parking; add a mini-mart to Shell in Croton Falls; Anderson-French may need to expand/leave Croton Falls, would be a loss;

Tax revenue is needed from non-residential development, but should be in Salem Center, not just in Croton Falls and Purdys; because of good road access, Salem Center is one of the better areas for expansion (Use back of page if necessary)

1.7 The Field’s Lane area is being considered for expansion of the existing RO (Research-Office) zoning district since it is located near an Interstate-684 exit (Exit 8) and other major transportation routes (Routes 22 and 202) and Hardscrabble Road. Additionally, land along the northern portion of the road in the Town of Southeast, in Putnam County is, or will be, developed for commercial and light industrial uses. Give us your opinion about whether the area of the RO zoning district on Field’s Lane should be expanded (put a checkmark or an “x” in the response you choose):

173 No expansion should be considered.

197 A small expansion should be considered to allow portions of a few of the nearby large properties to be developed for research-office or related uses with a separate access road.

238 A moderate expansion should be considered to allow a few of the nearby large properties to be developed for research-office or related uses with a separate access road.

1.8 The RO (Research-Office) zoning district in the Field's Lane area will be reviewed to consider including additional small-scale commercial uses to the zoning district. The inclusion of retail and business uses in the RO zoning district will complement research and office-type operations. Please identify below what businesses or services are "needed" or "not needed", in your opinion in the RO zoning district (put a checkmark or an "x" next to as many of the uses you feel are needed; and cross out the uses that you feel are not needed [see below for responses to the "second part" of this question]):

<u>274</u> Restaurants	<u>165</u> Retail stores	<u>103</u> Office supplies/service (printing)
<u>98</u> Dry cleaning drop-off (no on-site cleaning)	<u>103</u> Barbershop/beauty salon	
<u>238</u> Health club or spa	<u>202</u> Medical, dental clinic or health-related services	
<u>88</u> Warehouses	<u>79</u> Self-storage facilities	<u>156</u> Bank
<u>135</u> Feed and supply store	<u>189</u> Outdoor recreational uses	
<u>213</u> Indoor recreational uses	<u>106</u> Lumber and building supplies	

The second part of this question regarding the RO (Research-Office) zoning district in the Field's Lane area addressed retail and business uses that were identified by respondents as businesses or services that are "not needed", in the RO zoning district (the uses that were crossed out and shown as stricken text below):

<del>82</del> Restaurants	<del>119</del> Retail stores	<del>136</del> Office supplies/service (printing)
<del>134</del> Dry cleaning drop-off (no on-site cleaning)	<del>129</del> Barbershop/beauty salon	
<del>91</del> Health club or spa	<del>83</del> Medical, dental clinic or health-related services	
<del>148</del> Warehouses	<del>152</del> Self-storage facilities	<del>107</del> Bank
<del>117</del> Feed and supply store	<del>84</del> Outdoor recreational uses	
<del>89</del> Indoor recreational uses	<del>141</del> Lumber and building supplies	

1.8.1 Please provide additional comments about businesses or services in the RO zoning district: We should get some of the tax benefits that (the Town of) Southeast gets; we already have the traffic, we should get the tax revenue; need other income, commercial tax base, relief to residential taxpayers, need uses that are feasible in the long-run; need local employment; the location near I-684 and access to Route 22 makes sense; good location to concentrate retail; location near I-684 will not affect hamlet centers aesthetically; location near I-684 will have least adverse impact on traffic; expansion must address traffic effects; traffic concerns on Field's Lane, Hardscrabble Road; significant (large) expansion should be considered; good area for moderate development; keep expansion to a minimum, expand RO, but not Purdys or North Salem; limit development; keep country-like, small-scale; ease restrictions on everything; current RO zone is too limited;

There should be no change in the RO district; would destroy property values; no commercial zoning east of Outhouse Orchards; none of the businesses (listed in 1.8) should be in RO, keep them in Croton Falls, Purdys and North Salem; needed commercial is already nearby; nothing, no access on Hardscrabble; don't cut properties up for small commercial development; no warehouse, Home Depot, or Staples, no McDonald's or other fast-food restaurants; large-scale retail would bring too much traffic; no strip malls; not another Route 117, like Bedford Hills; do not permit businesses with chemicals, hazardous materials or waste; light industrial would bring environmental risks; no industrial;

Permit high-tech business; permit supermarket, grocery store or deli, full-service pharmacy, fast-food restaurant, boutique, daycare, gas station, building supply/hardware store; large-scale recreational, large-scale indoor recreational, hotel, motel or inn, movie theatre complex, Fed-Express or UPS;

Home Depot or Super Stop & Shop is needed; develop facility with indoor pool; warehouse use should not include dangerous items; permit whatever services are needed to support business; any of above uses (ref to 1.8) would be a convenient addition to an area that is sorely lacking services; consider assisted living; need opportunity for development of office space; a small-scale mall with offices (medical); keep as business/office only; development should not be visible from I-684 as it is with IBM;

Improve the surrounding road network, including paving, striping and posted speed limits, to prevent congestion and related traffic hazards; traffic lights are needed; I-684 exit ramp directly to Field's Lane north of the rest area; the "separate access road" should be adjacent to Southeast; coordinate with the Town of Southeast, look at their zoning; traffic is heavy from Putnam County; concern about illegal hunting, illegal vehicular access and related property damage; (Use back of page if necessary)

## 2. Residential (Housing) Issues:

2.1. In order to create a profile of respondents to this survey, please answer the following questions about your home in North Salem (put a checkmark or an "x" in the response you choose):

2.1.1. Do you: Own your home? 623 Rent? 2

2.1.2. What type of home (dwelling) do you live in?

571 Single-family house 20 Single-family with accessory apartment

3 Two-family house 19 Single-family house with horse farm

15 Townhouse/Condominium 3 Accessory Apartment

2 Apartment in a multi-family building (3 or more apartments)

2.1.3. Do you reside in your home in North Salem:

Year-round? 571 On weekends? 26 Seasonally? 25

2.2. In general, what types of housing do you think are needed in North Salem?

338 Single-family homes 127 Single-family homes with accessory apartments

176 Single-family homes with horse farms 137 Estate homes

85 Condominiums 92 Accessory Apartments

58 Apartments (multi-family, 3 or more apartments)

5+ Other (specify): Senior housing, affordable and low-income housing near trains/public transportation; affordable single-family; homes for young people and seniors; affordable housing for seniors, Town employees and volunteers; low-income, starter apartments for local children; affordable housing with open space; townhomes and duplexes; continuing care facility

There is already enough housing; single-family homes with horse farms are definitely not needed;

2.3. Do you think there is a need for rental housing in North Salem? 196 Yes 410 No

Provide additional comments about the need for rental housing: There's nothing in Town for split households and single parents with children; currently very limited supply; all of children left home because there are no available rentals; losing younger generation; rental housing is needed everywhere, especially near train stations/public transportation; lack of low- to moderate-income housing, or affordable rentals, these people must leave town; why discriminate against people who



cannot afford a home?; needed for long-term residents, young couples, fire and ambulance people, families with children, empty nesters, seniors and for office, personal and household employees and to diversify population; needed for people who want to live here and cannot yet afford to buy property, even “fixer uppers” are expensive; existing rentals are too costly; accessory apartments for elderly and low-income persons; limited need; locate near the RO district, on Fields Lane; convert large homes;

Brings different “element”, transient group of people; there are already enough rentals in Mt. Kisco, Brewster and Danbury, CT; develop accessory apartments, not apartment buildings;

I/we bought a home here to get away from “it” (rental apartments); condominiums and townhouses are preferred over multi-family; concern about lack of maintenance of rental homes; do not develop large-scale complexes of apartments or condos; accessory apartments are preferred over multiple-unit rental apartments; encourage accessory apartments on large properties; limit to elderly; create housing without schoolchildren; monitor to prevent deterioration and enforce upkeep;

Multi-family will balance the character of the community; affordable housing will add to the vitality of the community; a modest amount for senior and transient family needs; need smaller homes on smaller lots; balance estate housing with housing for lower-income families; no need for more “trophy” homes; no need for any more housing;

2.4. Do you think there is a need for housing for senior citizens?      326 Yes      258 No

**Other comments were included in the responses regarding senior housing, such as:** Small apartments are needed in Croton Falls, on Route 22 to be near public transportation and medical and retail services; need for safe, spacious, affordable, low-cost senior housing; need senior complex with services and facilities; seniors have a right to live here; taxes are high; a senior residence would be a good addition to the Town; develop upscale assisted living; would not add to school population.

3. Are there any issues, concerns or problems that you feel should be addressed in the Town’s Comprehensive Plan Update? Please provide your comments below:

**Please also refer to the attached copies of comments written on the questionnaire form or attached as letters.**

**Rural Character:** Limit subdivision and development in fields; keep/preserve and set aside open space, horse farms, orchards and vineyards with balanced small to moderate business expansion; retain the Town’s residential character, lovely, unique quality, quiet country roads; keep (the Town) “as is”; keep the small-town, rural character; and open land; the rural, bucolic feeling should be zealously protected; North Salem is a beautiful, peaceful island in a sea of development; preserve large tracts of land; preserve the trail system; protect green space and trees; keep trees along roads; avoid creeping development and sprawl; keep dirt roads; litter cleanup is needed on Route 116; plantings needed at Exit 7 (Interstate Route 684 exit); small businesses in residential areas ruin the quality of life;

New development and renovation (of existing buildings) should follow the general character of Town , for example, the Town Hall area; rural character can be preserved while providing Town residents with much needed services; we do not want a suburban area; preserve historic character;

**Housing/Residential Development:** Affordable housing, for example condominiums, needed for long-term residents and seniors; housing and opportunities for all levels of income and for seniors; younger people and couples, who are the most active, join the ambulance corps, fire department and service organizations, we need to keep these people; deal with the litigation with condominium development; resolve the lawsuits that are plaguing Town taxpayers; resolve the question of Town development before other agencies tell us how to (Federal, State and County); put multi-family along Routes I-684 and 22; a retirement center should be developed with independent living, affordable housing, community and social facility facilities; develop group homes for mentally and physically challenged people;

Use existing infrastructure where possible; re-use existing buildings; not too much condominium development along Route 22; do more on the eastern side of Town; keep minimum land requirements large, restrict crowding; maintain 4-acre (density) for residential; consider larger lot zoning (10-15 acres); concern about impact on schools with too much residential development; control the size, design and visual impact of oversized estates; concerns expressed about large homes, “garrish trophy homes”;

For housing on Peach Lake, to address sanitary conditions, a septic or sewage treatment system is a must; many homes in this area are in substandard condition and need protection by local ordinances; no more homes in Peach Lake;

**Community/Non-Residential Development:** Need small to moderate commercial expansion and development, and related tax revenue, to broaden Town tax base, for homeowner tax relief; increase commercial development to decrease the tax burden and create better access to low-cost housing; reduce/offset tax burden on residents, especially on young people and seniors, to offset cost of police, fire, road maintenance and school costs; a small increase in business development can offset taxes; taxable commercial services should balance residential growth; build an economic base and create local employment opportunities; beneficial to everyone to expand business;

Carefully placed and managed/appropriate new development and re-development can address lower taxes and maintenance of North Salem’s charm and character; it is okay to pay higher taxes to live in a beautiful Town; reasoned, cautious expansion can occur with preservation of rural character; keep commercial development to a bare minimum; expansion results in traffic, pollution and service demand; “just close the door in North Salem”;

We need a Town Center, to provide for needs purchased in nearby Towns; we need a village area for social purposes with indoor recreation businesses; conveniences should be provided, we spend too much money out of state, outside of Town; create businesses to serve all of Town; we want to be able to shop here rather than spend money in another Town’s economy; a community center with legitimate business districts should be provided; friendly local retail businesses are diminishing; local businesses provide common areas; development should be tastefully done, small (-scale) and slow; we have all the services we need; enough shopping already nearby; we like it (the Town) rural and don’t mind inconveniences; minimize non-residential development except in the Field’s Lane area;

Good examples of commercial centers are Katonah, Scotts Corners and New Canaan, Connecticut, a bad example is Brewster; we need moderate commercial development, not like Mount Kisco; expansion should be moderate and should address environmental concerns and sustain rural character; large business, retail, office or industry are not wanted, small businesses are welcome, with a rural look; restrict commercialization; architectural review should be required for projects that are visible from main

Town roads; do not permit hotels, warehouses or Home Depot-type stores; re-use existing buildings; use existing infrastructure where possible; with development, better roads and central water and sewer will be needed;

Best place for business/commercial or recreational development is on Field's Lane and Hardscrabble Road (opposite Outhouse Orchards) because of access to I-684; Field's Lane is a natural corridor for development, being near I-684, Route 22 and Hardscrabble Road; maximize development on Field's Lane and Route 22; expand RO on Field's Lane to expand tax base, less impact with I-684 access nearby; restrict development on Hardscrabble Road; development should occur along the Routes I-684 and 22 corridors, including supermarkets and services that are convenient for commuters to pass by; a major shopping center with a supermarket and a pharmacy is wanted on Route 22 near exits; there should be corporate development or a continuing care development on Hardscrabble Road; suggested businesses on Field's Lane include a movie theatre, a tastefully done hotel, motel or an inn with a restaurant; a hotel/conference center should be located near I-684; there are no activities or jobs for youth, an outdoor recreation development including skateboarding, rollerblading and mini-golf would address this;

Balance development with more commercial development on the eastern side of Town, for example Salem Center and Peach Lake; do more on the eastern side of Town; put business anywhere, but not Croton Falls and Purdys; no expansion of Croton Falls; no business in Purdy, put it on the other side of Town where it may be needed; put business in areas where it will not create traffic problems, such as in Salem Center and Peach Lake; sewer service/district needed in Field's Lane, Croton Falls, Purdys and Peach Lake areas for commercial and other development; sewer system (sewage disposal facility) needed in Peach Lake, especially if "Ryder" property is developed; need for, cost of and timing of infrastructure development should be identified for development; upgrade telecommunications equipment/infrastructure; retain property values; only expand RO zone; don't overdo commercial rezoning/development; rezone 43 June Road back to previous zoning as business (9/69 Zoning Map);

Spread a few small businesses across hamlets, rather than all in one place; against hamlet rezoning; don't turn hamlets into cities; keep hamlet development to a minimum, but "certainly necessary" for improvements to businesses, architecture, parking and drainage; allow existing businesses to thrive with less restrictions and design new development carefully (aesthetics, style); concerns about parking in Croton Falls and Purdys, general need and need for handicapped spaces; need parking for commuters and related commuter-oriented business such as a supermarket, restaurant, coffee shop, bank and dry cleaner; a hotel should not be built near Mona's (Croton Falls); need coffee house with music and poetry for teens or evening place for them, café, bistro, ice cream shop, local restaurant or movies; an indoor recreation business should be developed nearby with games, pool tables, music and dancing;

Strengthen architectural regulations to keep up with zoning changes; update Croton Falls facades/properties; improve appearance of Croton Falls; eastern side of Croton Falls should be renovated, Metro-North should maintain their facility; Dino's garage needs urgent attention, should be used as a police garage or demolished, it's an eyesore; clean up abandoned buildings and vehicles; no RO zone on Route 22;

Homegrown agricultural products should be available for local purchase such as fruits, vegetables, wine, cheese and hay; businesses in residential areas are a problem; some concerns and problems with horse farms in residential areas include traffic, smells and noise; backyard horse owners are a nuisance for neighbors – smells, flies and dust are not adequately addressed;

**Traffic/Transportation:** The volume and speed of traffic on Interstate Route 684 (I-684) and on Route 22 is a general concern; concern about capacity of roads to handle traffic, including trucks, from development, especially with regard to hamlet expansion; don't allow development without traffic improvements; commercial development should not result in traffic deterioration; drive-through traffic (through Town) going to/from Connecticut and Somers is a problem; traffic on I-684 is heavy and noisy; expansion will add traffic to Routes 100, 22 and 116; monitoring and enforcement needed to address speeding cars and trucks on winding roads with no shoulders and dangerous intersections; speeding problems occur on Route 116 in traffic to/from Connecticut; Titicus Road (Route 116) is busy and dangerous; Route 22 is a problem when trying to get onto 22 from (Route) 116 in the morning; regarding IBM traffic on Route 22, Somers should be responsible for their decisions; trucks from Lakeland Lumber in Croton Falls cause safety problems on Route 22; street lights needed on Routes 116 and 121;

Traffic light needed at the intersection of Routes 116 and 22, keyed to rush hour; the intersection on Route 22 near the ambulance garage is dangerous at rush hour; traffic light needed at the intersection of Routes 138 and 121; other problem areas include I-684/Exit 8, and traffic on Hardscrabble Road and Field's Lane, both of the intersections of Routes 121 (Grant/Peach Lake Road) with 116 (Titicus Road), Route 121 and Bloomer Road intersection, Route 116 and Hilltop intersection, Route 22 and Hardscrabble Road; for commercial expansion on Hardscrabble Road (Kelly Property), four lanes are needed; Outhouse (Orchards) should expand parking; fix stop sign at the intersection of Routes 116 and 121; traffic lights needed at the intersections of Hardscrabble and Daniel Roads, Route 22 and Sun Valley Drive, Routes 116 and 124 (June Road/WC Route 310), Route 22 and Route 116 or Titicus River Road (by Swan Deli); no traffic lights; there should be no left turn in Croton Falls onto Route 22 from 100/202;

Purdys needs southbound exit ramp and northbound entrance (from/to I-684); an exit should be provided further north on I-684 onto Field's Lane for Brewster residents to keep the traffic out of Town; add an exit southbound in Golden's Bridge and Somers for IBM's traffic;

Public transportation connection needed to rail service and bus lines to New York City are needed; pave dirt roads (Hunt Lane); Towns should work together on Nash Road, it's in bad condition, unpaved;

**Community Services/Recreation:** Recreational facilities will be needed to address the increased number of residents/students; need recreation facilities near the middle school, high school, salt shed; need more public recreation hiking trails; bikepaths and walkways are needed; bike paths near/around Peach Lake; easements are needed for bridle trails; open riding trails to hikers; a park is desired for kids/teens for biking and rollerblading; tennis courts and a Town pool are desired; there should be a recreation center with a pool at Joe Bohrdrum Park; Bohrdrum Park equipment is dangerous and there is not enough equipment for very young children; playground needed at the large field at the intersection of Routes 116 and 22, for residents in the western side of Town; we should have a community/recreation center for use by Senior Citizens, teenagers, American Legion and other community groups for meetings and recreation; we need senior services; we need a better recreation program and access to water sports;

**Other Improvements:** Address water supply needs; stormwater and sedimentation control should be used to prevent damage to waterways and waterbodies; Peach Lake septic problems create excessive nutrients in the lake, central water and sewer service should be provided; watch water resources, consider pollutants, including extension of or new horse farms; better lighting is needed on Route 22 in and south of Purdys; some Purdys buildings are run down; noise barrier needed in Purdys; a sound barrier is recommended on Routes I-684 and 22; sidewalks should be provided on Hardscrabble Road, near the

nursing home; in Croton Falls, put a sidewalk behind the guardrail on Route 22 (in the vicinity of the wooded hill on a steep curve); upgrade telecommunications network – phone, cable, fiber optic and modem access; cellular phone service must be usable through Town for safety and convenience; concern about the appearance of the Route 121/Hawley Road intersection;

**Other Concerns/Suggestions:** Too much water usage in Toll Brothers development; concern about water supply quantity and contamination; no more than 20 students to 1 teacher in schools and concern about Superintendent’s salary; alarming increase in school population; control tax increases; improve taxi service; stop building up Town Government; services should be available to justify taxes; move Town garage to salt shed; Open Land Foundation is unfair to middle-class and small landowners, with property off of tax rolls; wetland requirements are ridiculous; problems with deer; motorcycle riders near Field’s Lane at 324 Hardscrabble Road; derelect car enforcement;

Better services are desired such as full-time police, crime prevention and patrolling; curb-side bulk pick-up is desired; high taxes and relatively few services; the Town should hold holiday celebrations;

**COMPREHENSIVE PLAN UPDATE (CPU):**

**APPENDIX 2:**

**CPU CONCEPT MAP**

**COMPREHENSIVE PLAN UPDATE (CPU):**

**APPENDIX 3:**

**CPU TIMELINE FOR IMPLEMENTATION OF  
OBJECTIVES AND STRATEGIES**

<b>CPU Timeline for Implementation of Objectives and Strategies</b>
<b>CPU adoption</b>
<b>CPU + 1 year</b>
Conduct Non-Residential Use Analysis, including evaluation of non-residential uses in the GB, NB, PO Zoning Districts
Begin fiscal analysis of non-residential uses
Prepare an Economic Development Assessment
Initiate a Natural Resources Inventory
Begin hydrogeologic study
Initiate an Open Space Inventory
Initiate a Visual Preference Survey
Initiate an Historic Resources Inventory
Develop Design Inventory and Guidelines for use by the ARB
Review progress of parks and recreation management plan; determine the need for an update
<b>CPU + 2 years</b>
Implement zoning amendments regarding non-residential uses*
Conduct Salem Center Hamlet Enhancement Study
Create Rural Business (RB) District
Expand Rural Office (RO) District along Fields Lane and increase setbacks
Review existing and proposed regulations regarding natural resources protection**
<b>CPU + 3 years</b>
Evaluate inclusion of multi-family uses in Neighborhood Business (NB) Zoning District
Consider minimum size of dwelling units in multi-family uses
Conduct Residential Zoning and Land Use Study, including consideration of additional sites for affordable housing
Conduct Hamlet Enhancement Studies
<b>CPU + 4 years</b>
Implement Zoning amendments relating to residential uses
<b>CPU + 5 years</b>
Complete intersection and road improvement survey
<b>CPU + 6 years</b>
Town Board/Planning Board review Road survey to determine priority and need for additional studies
<b>CPU +7 years</b>
Study local commuter parking needs (or CPU + 5)
<b>Notes:</b> * This does not include project-specific zoning amendments (see table below). **A specific starting time is not indicated in the CPU.



<b>Project-Specific Zoning Amendments</b>
Create Contractor's Business (CB) district upon completion of individual project SEQR Review
Permit "Conference Center" as a Special Permit use in the R-4 Zoning District upon completion of SEQR review
Create R-AMF/2 Zoning District and rezone approximately 40 acres of a 160-acre property on Reed Road from R-1 upon completion of individual project SEQR review.
<b>Notes:</b> Timeframe for adoption is dependent upon each individual project application