

**CRESCENT ASSOCIATES
SEQRA FINDINGS STATEMENT**

Name of Action: Crescent Associates Site Plan Approval

Name of Applicant: Crescent Associates, LLC

SEQR Status: Type I

Date Final EIS Filed: August 28, 2006

Lead Agency: Village of Tarrytown Planning Board
21 Wildey Street
Tarrytown, NY 10591
(914) 631-1652
Contact: Kathy D'Eufemia

WHEREAS an application for approval of a site development plan for the construction of a 60,000 gross square foot office building with associated parking, loading, drainage and landscaping, located at 155 White Plains Road, Tarrytown, New York (hereinafter referred to as the "Proposed Action") has been submitted to the Village of Tarrytown by Crescent Associates; and

WHEREAS on January 27, 2003, the Village of Tarrytown Planning Board declared itself Lead Agency under the State Environmental Quality Review Act (SEQRA) and set a public hearing; and

WHEREAS on April 15, 2003, the Lead Agency made a positive declaration requiring that a Draft Environmental Impact Statement (DEIS) be prepared; and

WHEREAS on April 28, 2003 the Lead Agency developed and adopted an EIS Scoping Document.

WHEREAS the Applicant submitted a draft EIS on June 9, 2003, and a revised draft EIS on August 9, 2004, and said DEIS was accepted by the Lead Agency on October 24, 2005, as adequate in terms of scope and content for the purpose of commencing public review; and

WHEREAS a Public Hearing was opened on February 24, 2003, and continued through and closed on October 24, 2005; and

WHEREAS the Applicant submitted a draft of the FEIS on June 12, 2006; and said FEIS was accepted by the Lead Agency on August 28, 2006, as complete.

NOW THEREFORE BE IT RESOLVED that the Village of Tarrytown Planning Board as Lead Agency finds that the procedural requirements of Article 8 of the Environmental Conservation Law of New York State, and the rules and regulations promulgated thereunder (6 NYCRR, Section 617) have been met; and

BE IT FURTHER RESOLVED that, pursuant to Part 617.9 of the rules and regulations promulgated by the Commissioner of Environmental Conservation and the State of New York (6 NYCRR 617.9), the Village of Tarrytown Planning Board as Lead Agency, certifies that all the procedural requirements of this Part have been met, and after careful consideration of the entire record of submissions following the application, and the relevant environmental impacts, facts and conclusions disclosed in the Final EIS makes the following finding as follows:

The Proposed Action is one which does, with certain modifications incorporated as mitigation measures, and considering the various alternatives for the subject area, minimize or avoid adverse environmental impacts to the maximum extent practicable;

The following statement of facts and conclusions form the basis for the Lead Agency's Findings.

I. Statement of Facts and Conclusions

A. Project Description

The Proposed Action, located in the Village of Tarrytown, Westchester County, New York, consists of the construction of a three story 60,000 square foot office building with associated parking, loading, drainage, landscaping, lighting, walkways and other amenities.

The 13.2-acre site presently supports two existing office buildings; a one story 20,000 square foot building and a two story 40,000 square foot building.

The site is located at 155 White Plains Road near the geographic center of the Village in the OB (Office Building) Zoning District, opposite the I-287 ramps.

B. Site Plan

The building will be located towards the rear of the site. Parking will be to the east, west, south and north of the building. A detention basin will be located at the northwestern end of the site as part of the stormwater management system.

The building will be rectangular in shape and approximately 210 feet long by 95 feet wide. The primary entrance into the building will be via a doorway on the western side of the building. Additional entrances would be located at the northern and eastern sides. A total of 459 parking spaces are proposed.

The footprint of the building will be 20,000+/- square feet and the gross area will be 60,000+/- square feet. The building will be three stories and 35 feet in height.

II. Findings

A. Land Use and Zoning

Land Use

The Proposed Action will be compatible with both on-site and surrounding land uses, which are mostly residential, commercial, and quasi-public. The layout of the site preserves environmentally sensitive features of the property, including steep slopes and wetlands and includes an adequate buffer between the Old Croton Aqueduct Trailway and the project site. The Proposed Action will not cause any adverse effects on the health, safety, and welfare of the existing on-site and adjacent land uses.

Zoning

The Proposed Action conforms to the OB Zoning requirements with respect to use. Variances requested by the Applicant in relation to setbacks, site coverage, loading spaces and parking allow for a site layout that better meets the concerns of the Planning Board and neighboring property owners. The Board of Appeals granted the requested variances in April 2004.

B. Natural Features

Topography

Roughly half of the project site consists of 0 to 10 percent slopes; approximately one quarter of the site consists of 10 to 20 percent grades, and the remainder of the site consists of slopes greater than 20 percent. The Proposed Action excludes development on steep slopes, greater than 20 percent. Proposed improvements will be located on the relatively flat center area of the site. No negative environmental impacts related to topography are anticipated.

Vegetation

Of the 6.67-acres to be improved as part of the Proposed Action, approximately 3.85-acres will be cleared of all existing vegetation; 2.82 acres will remain undisturbed. Within this area, approximately 127 out of 383 trees, of 8 inches or greater caliper, will remain undisturbed. Many more saplings, small trees and shrubs will remain undisturbed. A careful evaluation has been made of existing trees and those to be preserved have been identified and will be protected.

Plantings will be placed along the south, west, and north side of the project site to add screening from adjoining properties. Specific attention will be taken to provide adequate visual screening of the Proposed Action from the Old Croton Aqueduct to the west and the Marshall Cavendish property to the southwest.

The planting of species, trees, and other plants of quality will be placed near publicly frequented streets and sites in the environs as determined by the Village Tree Commission and/or consulting Landscape Architect to partly mitigate the loss of 256 trees. In addition, compensation as determined by the regulations will be paid into the tree fund.

C. Stormwater Management

Existing stormwater runoff from the project site follows three general drainage patterns. The first area includes the existing office buildings which is collected and conveyed through an existing drainage system; the second drainage area includes a small portion of undeveloped area which drains towards Martling Avenue; and the third drainage pattern is located along the western property line of the project site.

The stormwater management system for the proposed project will be designed in general accordance with New York State Stormwater Design Manual and the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activities Permit No. GP-02-01.

The proposed stormwater management systems shall maintain the overall existing drainage patterns while also maintaining the peak rate of runoff of stormwater to the pre-development rates. The proposed drainage system for the site improvements will collect and convey stormwater runoff associated with the development to a stormwater basin located in the western portion of the site.

D. Erosion and Sediment Control

Erosion and Sediment Control will be accomplished using three basic principles: containment of sediment, treatment of dirty water, and stabilization of disturbed areas.

Temporary erosion and sediment control facilities will be installed and maintained as required to reduce the potential impacts to offsite properties. Temporary methods of erosion and sediment control will include but are not limited to:

- Stabilized construction entrance;
- Silt fence barriers;
- Storm drain inlet protection; and
- Temporary sediment basins.

Permanent erosion and sediment control facilities will include vegetative surface stabilization, riprap outlet protection devices and a stormwater basin which will allow the settlement of suspended sediment.

E. Traffic and Transportation

It has been determined that the Proposed Action will have no measurable negative impact on traffic operation in the Village or surrounding areas, based on a traffic study that examined this proposal as well as other proposed developments.

F. Utilities

The Proposed Action will be fully served by public water and sanitary sewer service as well as private gas, electric, cable TV and telephone service. A new water line serving the rear of the site will connect to the existing 6-inch water main located under Route 119.

Gravity sanitary sewer service will be provided to serve the Proposed Action. A new 6-inch sewer main will be connected to an existing Village sanitary sewer line on Martling Avenue which supports a 12-inch main that connects directly into Westchester County's 30-inch sanitary trunk sewer line. The 6-inch sewer trunk line will run under the site to connect to the existing main.

Electric service will be provided by Consolidated Edison via overhead utility lines located on Route 119. Electric service will be run underground and will connect to the new building. Telephone and cable TV service will be brought into the newly developed portion of the site from overhead lines located on Route 119 and will connect to the new building through individual underground connections.

G. Cultural Resources

A full 36 CFR 61 archeological survey will be performed before any construction activities take place on the project site. It has been determined that the Proposed Action will not create any negative environmental impacts to surrounding historic properties including the Marshall Cavendish Building to the west and south of the project site and the Old Croton Trailway State Park directly west of the project site.

H. Community Facilities

Police Protection

The Village of Tarrytown Police Department has jurisdiction over and will provide police protection services to the project site. It is not anticipated that the Proposed Action will heavily impact services provided by the Police Department.

Fire Protection

Fire protection for the Proposed Action will be provided by the Tarrytown Fire Department. It is not anticipated that the Proposed Action will heavily impact services provided by the Fire Department. A new firehouse is to be built to the east of the Crescent Associates office development.

Emergency Medical Services

The Tarrytown Volunteer Ambulance Corps and Westchester Ambulance Services Inc. will provide emergency medical services to the project site. It is not anticipated that the Proposed Action will heavily impact Emergency Medical Services.

Schools

The Proposed Action is located within the Tarrytowns' School District. The Proposed Action will not result in an adverse impact on the District since it will not generate any school children.

A copy of this Notice sent to:

Lead Agency

Village of Tarrytown Planning Board

21 Wildey Street, Tarrytown, NY 10591

Involved Agencies

Honorable Drew Fixell, Mayor

Village of Tarrytown Board of Trustees

21 Wildey Street, Tarrytown, NY 10591

Westchester County Planning Board

148 Martine Avenue, Room 432, White Plains, NY 10601

Westchester County Department of Health

145 Huguenot Street, New Rochelle, New York 10801

NYS Department of Environmental Conservation

Erin Crotty, Commissioner, 625 Broadway, Albany, NY 12233

Mark Moran, Region 3, 21 South Putt Corners Road, New Paltz, NY 12561

NYS Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau, Peebles Island, P.O. Box 189, Waterford, NY 12188-0189

Old Croton Aqueduct State Park, 15 Walnut Street, Dobbs Ferry, NY 10522

NYS Department of Transportation, Region 8

4 Burnett Boulevard, Poughkeepsie, NY 12603

NYS Department of State, Division of Coastal Resources

41 State Street

Albany, NY 12233

Interested Agencies

Village of Tarrytown Zoning Board of Appeals

21 Wildey Street, Tarrytown, NY 10591

Village of Tarrytown Architectural Review Board

21 Wildey Street, Tarrytown, NY 10591

Tarrytown Environmental Advisory Council

21 Wildey Street, Tarrytown, NY 10591

Based on these findings and facts, the Planning Board, as Lead Agency, concludes that consistent with social, economic and other essential considerations, virtually all significant or adverse environmental impacts revealed in the Environmental Impact Statement, will be minimized or avoided to the maximum extent practicable by those measures which have been identified.

The Planning Board Secretary is hereby directed to file a copy of these findings with the Village Clerk. These findings shall be referenced in any future site plan approvals related to "Crescent Associates".

Approved by the Planning Board of the Village of Tarrytown

Date: November 27, 2006