

**Final Generic Environmental Impact Statement (GEIS)
for the
Town of Putnam Valley
Comprehensive Plan
and the Future Adoption of
Zoning and Subdivision Amendments to Implement the Plan**

Title of Action: Adoption of the Town of Putnam Valley Comprehensive Plan and the Future Adoption of Zoning and Subdivision Amendments to Implement the Plan

Project Location: Town of Putnam Valley, Putnam County, New York

Lead Agency: Town of Putnam Valley Town Board
265 Oscawana Lake Road
Putnam Valley, New York 10579

Contact Person: Supervisor Sam Davis
265 Oscawana Lake Road
Putnam Valley, New York 10579
845-526-2121

Prepared by: Putnam Valley Comprehensive Plan Review Committee with assistance from The Chazen Companies

Acceptance Date: The DGEIS was accepted by the Town Board on October 17, 2007
The FGEIS was accepted by the Town Board on November 28, 2007.

Public Hearing Date: The Public Hearing on the DGEIS was open and closed on November 7, 2007.

Close of Comment Period: Comments were accepted by the Town Board until the close of business on November 19, 2007.

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Attached by Reference:

- **Town of Putnam Valley Draft Comprehensive Plan and Draft Generic Environmental Impact Statement (GEIS), 2007**

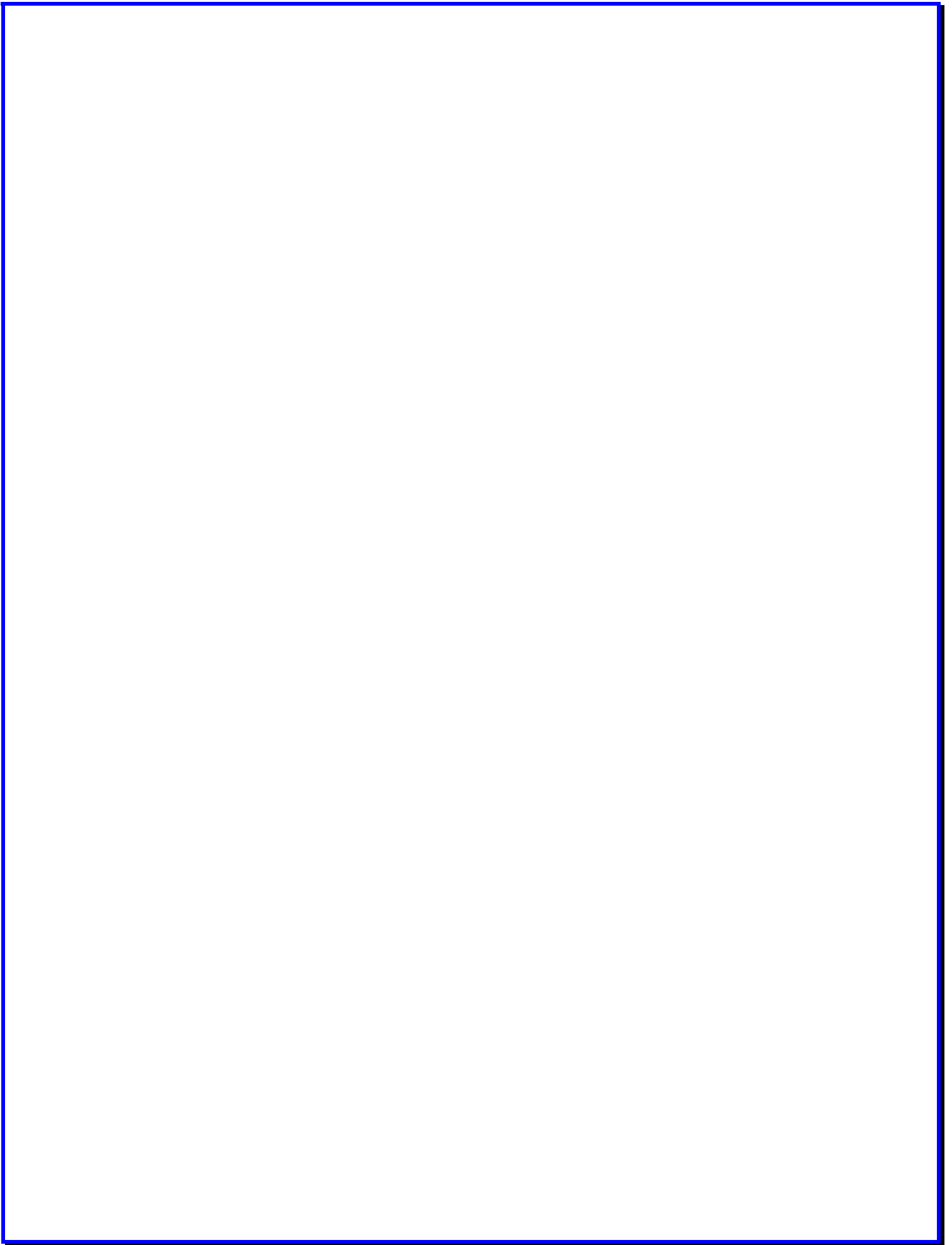


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Attached by Reference:

- **Town of Putnam Valley Draft Comprehensive Plan and Draft Generic Environmental Impact Statement (GEIS), 2007**

Section 1: Introduction

This Final Generic Environmental Impact Statement (GEIS) has been prepared on behalf of the Town of Putnam Valley Town Board for the adoption and implementation of the Town of Putnam Valley Comprehensive Plan.

In accordance with the New York State Environmental Quality Review Act (6 NYCRR Part 617), the following elements of the SEQRA process have been undertaken:

- The Town of Putnam Valley Town Board, as Lead Agency, accepted the Draft Generic Environmental Impact Statement (DGEIS) as complete on October 17, 2007. A Notice of Completion was prepared and filed as required by law.
- A public hearing was held by the Town Board on the DGEIS and was opened and closed on November 7, 2007. A 10-day written comment period was established and ended on November 19, 2007.

This purpose of this FGEIS is to respond to comments received at the public hearing and to written comments received during the comment period. As noted above, a public hearing was held by the Town Board on November 7, 2007; however, no formal comments were made and the public hearing was therefore closed (See Public Hearing Transcript in Appendix A). The Town Board received one written comment letter, which is responded to in Section 2 below.

Section 2: Response to Comments

The following comments were made by Councilman Robert Tendy and were received by the Town Board on November 19, 2007 (see Appendix A).

Comment 1:

The Comprehensive Plan includes a recommendation to “establish a maximum development density of 1 home per 3 acres and redefine buildable area requirements.” While I agree that the R-1 and R-2 Zoning Districts should be rezoned to 1 home per 3 acres, the recommended buildable area requirements appear to be very definitive (page 31). I recommend that the language provided in this section be revised to allow for more “wiggle room” so that as we refine and finalize the zoning amendments next year, the decision about buildable area requirements is not hamstrung by the very specific recommendation provided in the Plan.

Response 1:

Comment noted. Buildable area is defined by subtracting certain environmental constraints (wetlands, steep slopes, floodplains, etc.) from a parcel’s gross lot

area. The current zoning code requires that each new lot in the R-2 and R-3 District contain at least 30,000 sq. ft. of buildable area and that lots within the R-1 District contain at least 20,000 sq. ft. of buildable area. Regarding limiting proposed development with the buildable area, the current zoning code states: “the intent of the Zoning Code is that buildings, driveways, and site amenities be located primarily within the buildable area.”

The recommendation in Comprehensive Plan pertaining to buildable area is very specific and will restrict future zoning amendments regarding buildable area. As currently written, the Comprehensive Plan recommendation will require the Town to implement buildable area laws that require each lot to have 1.5 acres (65,340 sq. ft.) of buildable area and that mandate that 90% of proposed development be located within that buildable area. The Town Board should determine whether the language pertaining to buildable area is too definitive and whether the language should be made to allow for more flexibility.

Regardless of whether the recommendation pertaining to buildable area is modified to allow for more flexibility, there is an error within this same paragraph that should be changed prior to the Plan’s adoption. The first sentence of this paragraph states: “a review of recently approved subdivision in Town reveals an average of 1.5 acres of disturbed area per building lot.” Although a review of recent subdivisions was conducted, the average disturbed area is less than 1 acre. The first sentence of the first full paragraph on Page 31 should be revised to read: “a review of recently approved subdivision in Town reveals an average disturbed area of less than 1 acre per building lot.”

Comment 2:

Though the final version of the plan does now include some positive recommendations about economic development (pages 20-22), there are still additional suggestions that could be added to balance the plan’s treatment of conservation and sound business growth. For example, though the plan does not prohibit the Town from pre-planning for commercial development, it also does not recommend this type of pro-active effort. The Town could select properties that are conducive to commercial activity and prepare these sites for development by pre-approving plans for the specific types of uses and sizes of buildings that are desired and consistent with our goals. We can initiate the environmental review or address infrastructure needs to make such sites ready for development. By reducing the time it takes for a developer to go through the Planning Board review process, the Town will create an incentive for appropriate businesses to locate in the Town.

Response 2:

Comment noted. This type of pre-planning has worked well in other communities and could be implemented in Putnam Valley to create an incentive for business

to locate in Town. Although the Comprehensive Plan does not provide a specific recommendation relating to this method of pre-planning, it does not specifically recommend against it. After a review of the Draft Comprehensive Plan, it is understood that if in the future the Town desires to implement a program similar to what is described above (Comment 2), such a program would not be inconsistent with the Comprehensive Plan and therefore no modification to the Draft Comprehensive Plan is necessary.

Comment 3:

The Comprehensive Plan states that many of our existing commercial nodes are constrained by steep slopes, wetlands, and watercourses. Most of the less constrained land is proposed to be residentially zoned and will therefore not be used for commercial purposes in the future. Since we do not really need more residential development, it might make sense to provide other options for owners of developable property. I recommend that we consider including Planned Unit Development (PUD) or similar techniques in our Comprehensive Plan and Zoning Code. A PUD is a floating zoning district that is used to promote mixed use development. We can develop PUD regulations that provide flexibility in design and building placement and that promote an attractive environment that incorporates a variety of uses, densities, and unit types. Since PUD's are established as floating zones (approvable by the Town Board only after thorough review), these can be used to take advantage of some of the more developable lands in the residential zoning districts that would otherwise be developed for residential purposes only. Though the comprehensive plan does not prohibit the use of PUDs, it also does not suggest the use of this technique. Perhaps it should. The current draft of the zoning amendments does not include language about PUDs. This should definitely be added to the zoning law.

Response 3:

Comment noted. Planned Unit Development (PUD) is a planning tool that is used throughout New York State (and beyond) to encourage and regulate mixed-use development. As noted above, the Comprehensive Plan does not provide a specific recommendation regarding PUD's; however, it does not specifically recommend against it. Although PUD regulations would certainly need to be spelled out within the Town's Zoning Code, it is believed that the implementation of PUD regulations, if desired in the future by the Town Board, would not be inconsistent with the Comprehensive Plan.

Please note that the comment letter received by Councilman Tendency includes additional comments that are specific to the Draft Zoning Code. As these comments appear to be technical comments on the draft ordinance and not on the Comprehensive Plan or GEIS and as the Draft Zoning Code and Subdivision Regulations are not currently being considered for adoption, these comments are not being addressed at this time. Mr. Tendency's comments, however, should be fully responded to prior to the adoption of these laws.

Appendix A: Public Hearing Transcript and Written Comments

1 TOWN OF PUTNAM VALLEY DGEIS

2 Meeting Held on November 7, 2007 at 8:11 p.m.

3 TOWN BOARD PRESENT:

4 Samuel Davis; Supervisor
5 Friscilla Kersey
6 Daniel Ricci
7 Robert Tendy
8 Wendy Whetsel

9 COMPREHENSIVE PLAN COMMITTEE:

10 Karin Greenfield-Sanders; Chairwoman
11 Thomas Carano
12 Samuel Davis
13 David Spittal
14 Gene Yetter

15 ALSO PRESENT:

16 David Gordon, Town Attorney
17 Ed Grief, Putnam County News & Recorder
18 Patrick Boisi, North County News
19 Marlo Kovacs, Hudson Highlands Land Trust
20 Katrina R. Shindlecker, Hudson Highlands
21 Land Trust

22 PRESENT:

23 Marianne Arrien
24 John Berger
25 Robert Cinque
26 Alex Kaspar
27 Michelle LeBlanc
28 Kathleen McCaughlin
29 Ariane Orenstein
30 Dawn Powell
31 Chris Rosen
32 John Scialdone
33 Gil Stanzione34 SAM DAVIS: Good evening. Welcome to the public
35 hearing DGEIS for the Comprehensive Plan and Zoning Code.36 We're here tonight to listen to you, record the
37 comments that come from you. We're not here to comment or
38 to give our own input.

NOV-26-2007 01:59P FROM:

2

1 This is strictly a chance to register comments and for
2 us to listen to any comments with substance and answer in
3 the FGEIS which will be prepared sometime after comment
4 period which ends on the 16th of this month.

5 DANIEL RICCI: Clarify. Basically, looking for a fact
6 and give that fact back as opposed to an opinion.

7 Raise your hand if you want to speak; and state your
8 name, and give us your comments.

9 SAMUEL DAVIS: Anyone?

10 Well, if no one wants to make a comment I move that we
11 close the public hearing.

12 DANIEL RICCI: Second.

13 SAMUEL DAVIS: Vote?

14 THE BOARD: Aye.

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Via facsimile only

Town of Putnam Valley:

Town Supervisor
Town Board
Planning Department
Building and Zoning Dept.
Town Clerk

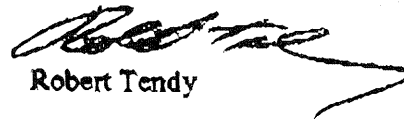
To whom it may concern:

I am faxing (and e-mailing, where possible) my comments on the Comprehensive Plan and DGEIS, and the Preliminary Code Revisions. I commend all the people who have worked and will continue to work on these documents.

I have been talking to a number of people regarding these documents, and have received a lot of input. It think it would be a good idea to continue to encourage and accept commentary.

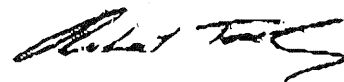
Please feel free to email me with any additional comments in this regard. My email address is BobTendy@aol.com. I can also be reached by cell phone at 914-760-2582 or at home at 845-284-2417.

Very truly yours,


Robert Tendy

Comments on Comprehensive Plan and DGEIS

1. The Comprehensive Plan includes a recommendation to "establish a maximum development density of 1 home per 3 acres and redefine buildable area requirements." While I agree that the R-1 and R-2 Zoning Districts should be rezoned to 1 home per 3 acres, the recommended buildable area requirements appear to be very definitive (page 31). I recommend that the language provided in this section be revised to allow for more "wiggle room" so that as we refine and finalize the zoning amendments next year, the decision about buildable area requirements is not hamstrung by the very specific recommendation provided in the Plan.
2. Though the final version of the plan does now include some positive recommendations about economic development (pages 20-22), there are still additional suggestions that could be added to balance the plan's treatment of conservation and sound business growth. For example, though the plan does not prohibit the Town from pre-planning for commercial development, it also does not recommend this type of pro-active effort. The Town could select properties that are conducive to commercial activity and prepare these sites for development by pre-approving plans for the specific types of uses and sizes of buildings that are desired and consistent with our goals. We can initiate the environmental review or address infrastructure needs to make such sites ready for development. By reducing the time it takes for a developer to go through the Planning Board review process, the Town will create an incentive for appropriate businesses to locate in the Town.
3. The Comprehensive Plan states that many of our existing commercial nodes are constrained by steep slopes, wetlands, and watercourses. Most of the less constrained land is proposed to be residentially zoned and will therefore not be used for commercial purposes in the future. Since we do not really need more residential development, it might make sense to provide other options for owners of developable property. I recommend that we consider including Planned Unit Development (PUD) or similar techniques in our Comprehensive Plan and Zoning Code. A PUD is a floating zoning district that is used to promote mixed use development. We can develop PUD regulations that provide flexibility in design and building placement and that promote an attractive environment that incorporates a variety of uses, densities, and unit types. Since PUD's are established as floating zones (approvable by the Town Board only after thorough review), these can be used to take advantage of some of the more developable lands in the residential zoning districts that would otherwise be developed for residential purposes only. Though the comprehensive plan does not prohibit the use of PUDs, it also does not suggest the use of this technique. Perhaps it should. The current draft of the zoning amendments does not include language about PUDs. This should definitely be added to the zoning law.



Preliminary Comments on the Draft Zoning Code

1. Although the Draft Zoning Map illustrates a new commercial zoning district at Crofts Corners and a modest expansion of the commercial zoning districts at some of the historic corners, I recommend that further expansion of these districts be examined. Additional lands can be zoned commercial along Peekskill Hollow and Oscawana Lake Roads and at our historic corners; We should do our best to insure that most of our future expansion will take place within our school district.
2. The steep slope regulations should certainly apply to the residential zoning districts; however, applying these same regulations to our limited commercial districts will reduce the possibility of future commercial development. Less restrictive steep slope regulations should apply to lands within commercial zoning districts. These are the areas where we want to encourage commercial activity.
3. Although I agree with the concept and much of the content of the Biodiversity regulations, I question whether these in-depth studies should be required for every application that results in 10,000 sq. ft. of disturbance.
4. The Conservation Subdivision regulations require that the site's "unbuildable area" plus an additional 50% of the remaining areas be protected as open space. Given the amount of land in Town that is considered unbuildable, we may want to examine whether requiring an additional 50% is necessary.
5. The regulations provided under the Nonconforming Lots and Uses section that apply to septic systems seem to supersede Putnam County Department of Health regulations. Some have questioned the legality of prohibiting additional bedrooms on lots that are less than 1.5 acres in size. I am certainly in favor of the concept of discouraging this type of expansion, given the property restraints. I am also in favor of prohibiting this type of expansion in our Lake watersheds where the environmental concerns are paramount. But we should review this with our attorneys to make sure there is a solid legal basis for the change.

