

VILLAGE OF BUCHANAN RESOLUTION
DECLARING NOTICE OF INTENT TO ACT AS
LEAD AGENCY FOR PROPOSED ZONING TEXT AND MAP
AMENDMENTS TO CREATE NEW ZONING DESIGNATIONS -WD -
WATERFRONT DEVELOPMENT AND WD INDUSTRIAL OVERLAY
FOR THE PROPERTIES LOCATED ON THE WEST SIDE OF
BROADWAY (AND ALSO KNOWN AND DESIGNATED ON THE TAX
MAP OF THE TOWN OF CORTLANDT AS SECTION 43.10, BLOCK 2,
LOTS 1 AND 2 AND SECTION 43.10, BLOCK 1, LOTS 1 AND 2 AND
SECTION 43.7 BLOCK 1 LOT 1)

Introduced by: _____

Seconded by: _____

Dated: _____

WHEREAS, the Village of Buchanan is a duly incorporated Village in the State of New York and under New York State Village Law the Village Board of Trustees (the “Village Board”) is the responsible entity for amending the Village Code and Zoning Map; and

WHEREAS, given the recent closing and decommissioning of the former Indian Point Energy Center (IPEC) the Village is desirous of providing the opportunity for redevelopment that is in keeping with recent development trends for similar Hudson River waterfronts located within the Hudson River Valley; and

WHEREAS, the Village Board has commissioned the drafting of proposed zoning text and map amendments that would allow for a reimagined waterfront or would otherwise permit an existing industrial use to continue to operate for the properties located west of Broadway (the “Proposed Action) (the “Proposed Zoning Amendments”); and

WHEREAS, the Village Board has discussed the Proposed Zoning Amendments during regularly scheduled meetings; and

WHEREAS, Article XII, Section 211-53 of the Code of the Village of Buchanan provides for the process and procedures for amendments to the Village's Zoning Code, and a draft of the Proposed Zoning Amendments along with other supporting documentation has been prepared for public review and comment; and

WHEREAS, the Village Board, under Section 7-700 of New York State Village Law and Article XII §211-53 of the Code of the Village of Buchanan, is the only duly authorized legislative body that has the authority to approve the Proposed Zoning Amendments; and

WHEREAS, after a review of the Proposed Action, the Village Board acknowledges that there are other interested and involved agencies, as those terms are defined under the State Environmental Quality Review Act (“SEQRA” or Part 617 of the NYS CRR), that should be notified of the Village Board’s Intent to Act as Lead Agency; and

NOW, THEREFORE, BE IT RESOLVED, the Village Board pursuant to Part 617.6 of the NYS CRR, and §83-11 of the Village Code hereby determines that the Proposed Action is subject to SEQRA and is a Type I Action; and

BE IT FURTHER RESOLVED, that the following agencies identified by the EAF and using all due diligence, are Interested or Involved agencies for the Proposed Action and should be provided a copy of this Notice of Intent to Act as Lead Agency:

- Village of Buchanan Planning Board
- Town of Cortlandt
- City of Peekskill
- Buchanan Fire District
- Verplank Fire District
- Westchester County Department of Health
- Westchester County Department of Planning
- New York State Department of Environmental Conservation
- New York State Department of State; and
- United States Nuclear Regulatory Commission; and

BE IT FURTHER RESOLVED, that the Village Board hereby directs that a Lead Agency Coordination Notice be circulated among the Interested and Involved agencies together with a copy of this resolution, the Proposed Zoning Amendments, the EAF, and such other information as is appropriate, indicating the Village Board’s intent to assume the role of Lead Agency for the Proposed Action under SEQRA, and that a minimum of 30 days from the circulation of Lead Agency Coordination Notice to comment on the Board’s Intent to Act as Lead Agency and that any correspondence on this matter be directed to the Village Administrator’s Office, 236 Tate Avenue, Buchanan, NY 10511.

Upon Roll Call Vote:

- Mayor Theresa Knickerbocker _____
- Trustee Awilda Baez _____
- Trustee Anthony Capicotti _____
- Trustee Dan Stewart _____
- Trustee Robert Wheeler _____

Vote: Resolution carried by a vote of ____ to ____.

STATE OF NEW YORK)
)SS.:
COUNTY OF WESTCHESTER)

I, CYNTHIA KEMPTER, Village Clerk of the Village of Buchanan, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Village Board of the Village of Buchanan at a meeting of said Board held July 2, 2024.

Cynthia Kempter, Village Clerk

ARTICLE XV
Waterfront Development District

§ 211-103. Authority.

This article is enacted under the authority of § 10 of the Municipal Home Rule Law and Article 42 of the Executive Law of New York State in order to protect and enhance the physical and visual environment of the Village of Buchanan and for the protection, control, order, safety, health and well-being of people and property with the Village of Buchanan.

§ 211-104. Purpose.

- A. The land and water area of the Village of Buchanan's Hudson River waterfront represent a unique mix of natural and man-made resources. These resources have historically played an important role in the development, economy and cultural heritage of the Village and the region. The general quality of the water bodies within and adjacent to the Village, the visual, scenic, natural resources and are some of the primary elements comprising and documenting these important natural and man-made resources.
- B. The overall purpose of this district is to including positive development and revitalization of the waterfront area, while ensuring that such revitalization takes place in a manner which is sensitive to the Village's coastal and community resources.
- C. It is also the purpose of this district to encourage an economic stimulus and revitalization of the Village and its Hudson River waterfront area by establishing a well-designed, comprehensively planned focus for the Village's waterfront area. It is also the purpose of the district to afford a priority to waterfront-compatible well-designed uses, achieve public access to the Hudson River waterfront area and provide standards for development in such a fashion so as to create a distinct waterfront district. Further, it is the purpose of the district to provide opportunities for permanent public views and visual and physical access to the Hudson River and to encourage the phasing out of land uses which are incompatible with and detract from the Village's Hudson River waterfront area. It is also the purpose of this district to protect, preserve and enhance sensitive environmental areas; prevent soil erosion, sedimentation and slope failure; prevent, to the maximum extent possible, the loss, alteration or diminution of public views of the Hudson River and opposite shore; prevent activities which will cause water and air pollution; and ensure that the benefits provided by implementation of this article will provide future generations with a continuation of those elements and resources of the Village that serve to create a distinct community character and strong sense of place for its residents.
- D. Further, it is the purpose of this district to provide for and increase pedestrian public access to and the potential for enjoyment of the waterfront and to integrate that access with existing and anticipated pedestrian public access opportunities on adjacent public lands.

§ 211-105. Definitions.

As used in this article, the following terms shall have the meanings indicated:

GROSS DEVELOPMENT AREA — All land and landfill areas inland of the Hudson River shoreline, including all easement areas.

PROPERTIES THAT HAVE DIRECT FRONTAGE ON THE HUDSON RIVER — Any lot, parcel, property, waterfront development or special permit use project which adjoins the Hudson River.

WATER-DEPENDENT USE — Any use that requires for its primary purpose location on submerged lands or that requires direct access to or location in coastal waters and which therefore cannot be located away from these waters.

§ 211-106. Permitted principal uses.

A building may be erected, reconstructed, altered, arranged, designed or used, and a lot or premises may be used for any of the following purposes and for no other purpose, subject to site plan review and conformance with the waterfront development design standards listed in § 211-12herein:

- A. Charter/Excursion boat and fishing guide operations.
- B. Mariculture and aquaculture activities.
- C. Fishing/Marine supply stores (not to include marinas).
- D. Wholesale and retail fish/seafood stores.
- E. Community centers when part of coastal public access or other public recreational access.
- F. Municipal parks, playgrounds, trails and beaches.
- G. Scientific, historic, artistic and educational activities and uses which, by their nature, require or are enhanced by a location on coastal waters, including museums, construction of historic boat replicas or other river-related educational facilities or activities.
- H. Recreational activities which depend on or are enhanced by access to coastal waters, such as swimming, fishing, boating/kayaking, wildlife viewing, walking, sitting, jogging, bicycling and other forms of passive appreciation of scenic resources.
- I. Boat/kayak rental facilities.
- J. Specialty boat uses/facilities, such as tour, cruise and dinner boats.
- K. Boat launch facilities.
- L. Municipal public safety uses and facilities associated with other uses in this district.
- M. Support facilities necessary for successful functioning of the above uses (for example, parking areas, snack bars, first aid stations, information stations/services and short-term storage facilities). To the extent possible, such facilities should be sited inland of the principal use.

§ 211-107. Special permit uses.

A. Special permit uses for properties that have direct frontage on the Hudson River waterfront. A building may be erected, reconstructed, altered, arranged, designed or used and a lot or premises may be used for any of the following purposes and for no other purpose in the Waterfront Development District (WD), subject to the issuance of a special permit by the Mayor and Board of Trustees. In addition, the following uses will be subject to site plan review and the requirements of other applicable portions of the WD District:

- (1) Waterfront development projects for properties that have direct frontage on the Hudson River.
 - (a) In order to recognize that the Buchanan waterfront area is attractive for a variety of uses which are not water-dependent, while at the same time achieving the goals of enhance waterfront access, the following uses, when proposed as part of a waterfront development, are allowed in the WD Development District subject to the issuance of a special permit by the Mayor and Board of Trustees whenever the owner dedicates meaningful, permanent public access (such determination shall be made by the Mayor and Board of Trustees as part of concept or site plan approval.) along and, where appropriate, across the property to the dry shore area. Further, any of the uses listed in § 211-4 above may be allowed in conjunction with any of the uses listed below. In addition, the following uses shall be subject to site plan review. "Meaningful, permanent public access" is defined as safe and unobstructed access to and along the dry, nontidal or submerged shore areas of the Hudson River for all members of the public in order to provide a public access system to and along the waterfront and/or public rights-of-way. Such access shall be, at the option of the applicant, in the form of a permanent easement or the granting of fee title to the Village of Buchanan. Access may be regulated by reasonable conditions in a management plan submitted by the applicant and approved by the Mayor and Board of Trustees as part of the final site plan approval. The access shall be at least 50 feet wide from a street to the shoreline and at least 75 feet wide along the shoreline for the entire width of the property in the WD District. A surface or material suitable for pedestrian use at least 10 feet wide shall be provided for the entire length of the access easement and to a standard approved by the Buchanan Village Engineer.
 - (b) A waterfront development is a mixed-use project which incorporates various permitted land use elements as part of a comprehensively planned development. The Village of Buchanan is looking for an attractive, well-planned waterfront development. Waterfront development plans should include traditional patterns and layout including provision for village squares, walking areas and alleyways.
 - (c) The uses permitted in a waterfront development are as follows:
 - [1] All uses listed in § 211-4.
 - [2] Marinas and related uses such as sale of marine supplies, services, fuel, equipment, etc.; marine-related retail and service businesses, including boat and marine engine sale and repair and boat rental. here;
 - [3] Multifamily residential uses;

- [4] Commercial retail shops, designed primarily to serve the needs of pedestrian and marine visitors to the riverfront;
 - [5] Retail and personal service shops with a maximum floor area per building of no greater than 50,000 square feet which are designed to serve the needs of area residents, commuters and visitors, such as neighborhood grocery stores or delicatessens; pharmacies; audio/ video, newspaper, candy and sundries; barber/beauty shops; retail cleaners; and other similar uses;
 - [6] Restaurants, entertainment and bar facilities;
 - [7] Inns, hotels, bed-and-breakfast inns, boatels, conference centers, resort-type facilities, fitness centers, spas;
 - [8] Public or semipublic uses such as live theaters, aquariums, concert halls, museums or meeting rooms suitable for social, civic, cultural or educational activities;
 - [9] Galleries, workshops or retail shops associated with arts, crafts or fine arts;
 - [10] Professional, medical, health care, or business offices (but excluding, amongst other things, hospitals, detoxification facilities, specialty hospitals, psychiatric hospitals or other types of medical uses involving overnight stays);
 - [11] Banks and other personal service establishments;
 - [12] Commercial recreational facilities, including interactive video, bowling and theaters;
 - [13] Nursing homes, senior citizen housing and assisted-care facilities;
 - [14] Child or elderly day-care facilities;
 - [15] Catering establishments, offering catering services on or off the premises, and retail sales;
 - [16] Consumer service establishments such as florists, photographers and formal wear clothing sales and rentals.
- B. Permitted uses for properties without direct frontage on Hudson River. A building may be erected, reconstructed, altered, arranged, designed or used and a lot or premises may be used for any of the following purposes and for no other purpose, subject to site plan review and issuance of a special permit, if applicable. (Issuance of a special permit by the Mayor and Board of Trustees is necessary for those uses listed above in Subsection A.):
- (1) All of the uses listed above in § 211-4 and 5 and Subsection A. For those uses listed above in Subsection A(1) under "waterfront developments," all of the standards and procedures applicable to a waterfront development shall also apply here, except the provisions for public access to and along the Hudson River waterfront.

§ 211-108. Accessory uses.

The following shall be accessory uses:

- A. Any accessory use customarily incidental to permitted uses, and support facilities necessary to serve permitted uses.
- B. Off-street parking in accordance with the requirements of the WD Development Zoning District. No parking shall be located within 100 feet of the Hudson River waterfront (mean high water line).
- C. Retail sales of products fabricated or assembled on the premises.
- D. Living quarters for owners, caretakers or watchmen and their families.
- E. Public or semipublic accessory uses, such as bandshells, kiosks and gazebos.
- F. Signs in accordance with the requirements of Chapter 211-20, Signs, of the Village Code.
- G. Fences, hedges or walls in accordance with the requirements of § 211-5 of this chapter.

§ 211-109. Procedure for review and approval of special permit uses.

- A. Each special permit use, including waterfront development project proposals, shall require the following two sequential review and approval phases:
 - (1) Phase I: special permit and waterfront development concept plan approval by the Village Board; and
 - (2) Phase II: site plan approval by the Village Planning Board.
- B. The Village Board's review of a special permit use application, including a waterfront development, shall also include review of a waterfront development concept plan which contains a proposed designation of the appropriate land uses, or a range of land uses, for the overall development of the subject site and its relationship to other lands within the WD District. The purpose of this review is to assure that the lands within the WD District will be developed in accordance with an overall comprehensive plan, even though a total waterfront development may consist of several separate waterfront development projects which might be constructed at different times. The Village of Buchanan shall comply with all requirements contained herein, including submission of a waterfront development concept plan, for all Village-owned property within the WD District, except that an application for subdivision approval may be granted prior to the submission of a waterfront development concept plan.

§ 211-110. Application fees.

Applications to the Village Board and Planning Board as provided herein shall be accompanied by the appropriate fees which may be set from time to time by the Village Board for such applications. Pursuant to the requirements of Chapter 90, Fees, of the Village Code, the applicant shall also be required to pay such additional fees as may be necessary for the reasonable expenses associated with provision of technical assistance to the Village in reviewing the technical aspects of the application/project.

§ 211-111. Phase I: Procedure for special permit and waterfront development concept plan review.

- A. The application for a waterfront development project for one or more waterfront development projects or a special use project shall be submitted to the Mayor and Board of Trustees. The application shall consist of narrative text, drawings and/or illustrations describing the proposed waterfront development or special use project. Drawings shall be submitted approximately to scale, but need not be to the precision of a finished engineering drawing or a final site plan. The application shall include the following:
- (1) A written description of the waterfront development or special use project and a description of the manner in which such proposal meets the purposes of the WD Zoning District; and a description of the manner in which the public interest would be served by the proposed waterfront development or special use project, including a description of the benefits to the Village as a whole and the waterfront neighborhood in particular.
 - (2) A waterfront development concept plan showing the various proposed land uses and their spatial arrangement, including the proposed general location of buildings, parking areas, public, community and/or recreational facilities, utility and maintenance facilities and open space. The waterfront development concept plan shall include and provide all of the information required herein for all of the lands owned by the applicant within the WD District. The concept plan shall also show the relationship of the proposed project uses to existing and proposed land uses adjacent to the site, particularly those on the adjacent and nearby Village-owned parcels, and any other lands within the WD Development Zoning District that are not part of the application. If no such uses have been proposed for adjoining any nearby parcels, the application shall describe and generally show potential uses for such other parcels.
 - (3) An indication of the approximate square footage of buildings and the approximate number of dwelling units (if applicable) of each housing type and size.
 - (4) An indication of the appropriate number of parking and loading spaces in relationship to their intended use, accompanied by a description of any alternative means of parking to be utilized, such as below-building parking or parking incorporated into one or more floors of the building.
 - (5) An indication of the need for phasing of construction of the project.
 - (6) The configuration of any interior road system and connection/access to the adjoining Village road systems.
 - (7) The general configuration of pedestrian circulation systems, including the general location of any public access to or along the waterfront, and the connection of such pedestrian passageways to adjoining properties.
 - (8) The proposed overall design treatments of views and viewing points from the site to the Hudson River; and to the site from the Hudson.
 - (9) Descriptions, sketches and elevations, if available during the concept plan review and approval process, showing the general architectural treatment and design scheme contemplated for the entire development and specifically for any public spaces or major elements of the site plan.
 - (10) Incentives offered and bulk increases sought.

- B. Such additional information as the Mayor and Board of Trustees may deem necessary in order to properly evaluate the application. Village Board review of special permit and waterfront development concept plan application for environmental compliance.
- (1) The approval of a special permit or waterfront development project is an action under the State Environmental Quality Review Act (SEQRA), and all proceedings to such project shall comply with applicable requirements of SEQRA.
 - (2) Because any waterfront development will constitute an important element in the implementation of the Village's planning goals and objectives, the preparation of a draft environmental impact statement (DEIS) shall be required by the lead agency. Such DEIS shall comply with all requirements of law. To the extent possible, in accordance with law, the DEIS submitted in connection with the special permit and waterfront development concept plan approval shall be sufficiently specific as to eliminate the need for additional and/or supplemental DEISs during the site plan review stage of the approval process.
 - (3) To the extent possible in accordance with law, the preparation of the DEIS shall be integrated into the existing agency review processes and shall occur at the same time as the other agency reviews, including the special permit and waterfront development concept plan review. When a SEQRA hearing is to be held, it shall be conducted jointly with other public hearings on the proposed action, whenever practical.
- C. Village Board referrals. The Village Board shall comply with the applicable provisions of General Municipal Law §§ 239-l and 239-m. Where the Mayor and Board of Trustees are serving as lead agency under SEQRA, they shall also circulate the DEIS and final environmental impact statement (FEIS) as provided by law. In addition to the referrals required by law, the Mayor and Board of Trustees may refer the application to any other Village board, department, organization, consultant or professional they deem appropriate.
- D. Village Board public hearing. The Village Board shall hold at least one public hearing, with the same notice required by law for zoning amendments, on the application for a special permit and waterfront development concept plan approval. Where the Mayor and Village Board of Trustees are serving as lead agency under SEQRA and determine to hold a SEQRA hearing, the SEQRA hearing shall be conducted jointly with this public hearing if practical.
- E. Village Board decision on special permit and waterfront development concept plan.
- (1) Concept plan approval process. Prior to granting any special permit for a waterfront development project, the Mayor and Board of Trustees shall review a waterfront development concept plan which contains a proposed designation of appropriate land uses or a range of land uses for the overall development of the area within the WD District. The Mayor and Board of Trustees shall render a decision on the application for waterfront development concept plan approval and for a special permit after they have held the required public hearing, completed the SEQRA process and made the requisite SEQRA findings.
 - (2) Concept plan approval. The Mayor and Village Board of Trustees shall approve the concept plan upon a finding that it:
 - (a) Will substantially fulfill all of the purposes of the WD District;
 - (b) Will be in harmony with the appropriate and orderly development of the Village's waterfront area; and

- (3) Special permit approval. The Mayor and Board of Trustees may authorize the issuance of a special permit for a waterfront development project or special use project, provided that they shall find that the following conditions and standards have been met:
 - (a) The proposed waterfront development or special use project will fulfill all of the purposes of the WD Zoning District.
 - (b) The proposed waterfront development or special use project meets the waterfront development design standards set forth in § 211-128, to the extent applicable at the special permit stage.
 - (c) The proposed waterfront development or special use project will be in harmony with the appropriate and orderly development of the Village's waterfront area.
 - (d) The proposed waterfront development or special use project will not hinder or discourage the appropriate development and use of adjacent lands.
 - (e) The proposed land uses of the project will be in accordance with the approved waterfront development concept plan.
 - (f) The proposed project is otherwise in the public interest.
- (4) Conditions. In approving any waterfront development concept plan and special permit, the Mayor and Village Board of Trustees may attach such conditions, safeguards and mitigation measures as they deem necessary or appropriate to assure continual conformance to all applicable standards and requirements and to fulfill the intent and purposes of the WD District.
- F. Time periods for concept plan and special permit approval. The approval of a waterfront development concept plan or special permit shall remain valid for a time period specified by the Village Board. In addition, at the time of approving a special permit, the Village Board may, in its discretion, extend any time period it has previously set where it finds that changing market conditions or other circumstances have acted to prevent the timely commencement or completion of work and that the developer has proceeded with reasonable diligence in an effort to assure completion of the work within the permitted time period. The extension of these time periods shall not require the holding of a new public hearing.
- G. Revisions to waterfront development concept plan and special permit. After approval of the waterfront development concept plan or special permit, any proposed revisions shall be submitted to the Mayor and Board of Trustees. The Mayor and Board of Trustees, in their discretion, shall determine the appropriate procedures for consideration of the proposed revisions and whether such revision is material enough to require further environmental analysis, further project review and/or a further hearing, as they may deem appropriate.

§ 211-112. Phase II: Site plan review.

- A. In general.
 - (1) After approval of the waterfront development concept plan or special permit by

the Village Board, the Village Planning Board may grant site plan approval to a waterfront development project or any portion thereof.

- (2) Application for site plan approval. The application for site plan approval shall contain all the material set forth in Article VII, Site Development Plan Approval, of this chapter. In addition, the applicant shall submit the following, where deemed applicable by the Planning Board:
 - (a) Information to establish that the proposed site plan meets the waterfront development design standards set forth in § 211-12;
 - (b) Information to establish that the proposed site plan is in substantial conformance with the approved waterfront development concept plan and special permit;
 - (c) Elevations showing the architectural and design treatment of all buildings, public and open spaces and other site plan elements;
 - (d) Information to establish the relationship of the proposed project to later elements of the development of the other applicable portions of the land area within the WD Zoning District, including any other adjacent and nearby lands that are not part of the applicant's planned waterfront development project(s);
 - (e) Such other information as the Planning Board may reasonably require in order to evaluate the site plan application; and
 - (f) Application fees as may be required pursuant to Chapter 90, Fees, of the Village Code.
- B. Planning Board review of site plan.
- (1) The Planning Board shall conduct a detailed review of the adequacy, location, arrangement, design and appearance of each aspect of the proposed development. While the scope of the Planning Board's review of the site plan will generally relate to the waterfront project at issue, the Planning Board shall have the authority to assure that aspects of the overall development of the land within the WD Zoning District (e.g., stormwater management, fire and police protection, sanitary sewers, all other utilities, streets, etc.) shall be adequate to suit the purposes and needs of the WD Zoning District, as it is finally developed.
 - (2) In acting on any site plan application, the Planning Board shall take into consideration any approved or pending waterfront development concept plans and the proposed design and layout of the entire waterfront area, including the proposed location, height and buffer of buildings, traffic circulation within and outside of the site, provision for off-street parking, exterior lighting, display of signs, landscaping, buffer areas and open spaces and architecture and design so that any development will have a harmonious relationship with the existing or permitted development of contiguous land and of adjacent neighborhoods and so that pedestrian and vehicular traffic will be handled adequately and safely within the site and in relation to the adjoining street systems. In particular, the Planning Board shall assure that the proposed site plan meets all of the waterfront development design standards set forth in § 211-12.

- (3) The proposed site plan shall be in general conformance with the approved waterfront development concept plan. While the waterfront development concept plan approval will constitute approval of a general layout of the land areas within the WD Zoning District, the individual site plans for particular waterfront development projects will provide detailed building envelopes, elevations and site design details regarding proposals for various projects within the WD Zoning District. The Planning Board may exercise its discretion in allowing minor variations from the waterfront development concept plan so long as the site plan is, in the Planning Board's judgment, generally in keeping with the approved waterfront development concept plan.
- C. Time period for construction. At the time of approving the site plan, the Planning Board may set forth the time period in which construction is to begin and be completed. The Planning Board may, in its discretion, extend any time period it has previously set where it finds that changing market conditions or other circumstances have acted to prevent the timely commencement or completion of work and that the developer has proceeded with reasonable diligence in an effort to assure completion of the work within the permitted time period. The extension of these time periods shall not require the holding of a new public hearing.
- D. Adjustments to site plan during construction. During the construction of an approved site plan, the Village Engineer or Building Inspector may authorize minor adjustments to the approved plans which are consistent with the overall approved site plan when such adjustments appear necessary in the light of technical or engineering considerations which develop during actual construction or when such adjustments are required in order to comply with law, rules or regulations made applicable to the subject property. The Village Engineer or Building Inspector may, in their discretion, refer any such proposed change to the Planning Board for review. The Planning Board may determine to treat the modification as a minor site plan adjustment under this section or to treat it as a site plan amendment under § 211-10 of this chapter and shall have discretion to determine the extent of further environmental analysis and project review that may be required. After appropriate review and where it deems the amendment appropriate, the Planning Board shall approve the site plan amendment by resolution.

§ 211-113. Subdivision within waterfront development.

Notwithstanding the exemption for Village-owned properties as specified in § 211-7B of this article, the Planning Board may review any proposed subdivision application within a waterfront development at any time after the approval of a special use permit and/or waterfront development concept plan. Subsequent to the approval of a special use permit and/or waterfront development concept plan, apportionment of the property solely for leasing, mortgaging, taxing or other similar purposes may occur without the benefit of subdivision approval; however, subdivision approval shall be required prior to all conveyances of property ownership. Any requests for subdivision approval shall follow the procedures set forth in Chapter 171, Subdivision of Land, where applicable. The bulk standards, setbacks and other dimensional requirements of the WD Zoning District shall apply to the gross land area of the total waterfront development project, whether or not the gross land area is or will remain in one ownership, and shall not apply to individual or subdivided parcels.

§ 211-114. Design standards.

Because of the location of the WD Zoning District, any new development or redevelopment within the district will be a central and key point of activity for the Village's waterfront and a central and integral part of revitalization of the Village. Therefore, it is essential that any development within this district meets the following standards:

A. Comprehensive design.

- (1) The WD Zoning District allows the flexibility of design to encourage innovative site planning and creative use of the district. While various land use elements (e.g., commercial, residential, recreational, water-dependent, etc.) are expected to comprise the land area within the district, the district must be planned as a cohesive unit with a comprehensive development plan for ingress, egress, circulation and utility service. Additionally, the land uses proposed must be complementary. The architectural styles must be compatible and must attain high standards of design.
- (2) Development proposed within the WD District must afford a priority to waterfront-compatible well-designed uses, achieve public access to the coastal area and create a distinct waterfront district which is in the spirit of a Hudson River waterfront community. Further, development proposed within the WD District must provide opportunities for permanent public views and visual access to the Hudson River. Development must also be designed to protect, preserve and enhance sensitive environmental areas; prevent soil erosion, sedimentation and slope failure; prevent, to the maximum extent possible, the loss, alteration or diminution of public views of the Hudson River and opposite shore; prevent activities which will cause water and air pollution; and ensure that the proposed development within this district will provide future generations with a continuation of those elements and resources of the Village that serve to create a distinct community character and strong sense of place for its residents.
- (3) Development within this district must also serve to encourage an economic stimulus and revitalization of the Village and its Hudson River waterfront by establishing a well-designed, comprehensively planned central focus for the Village's waterfront area and to provide for land uses consistent with the Village's goals and objectives, including residential and waterfront commercial uses, to serve as a catalyst for the economic and physical revitalization of the entire village core area.
- (4) Further, any proposed development within this district must provide for and increase pedestrian public access to, and the potential for enjoyment of, the waterfront and must integrate that access with existing and anticipated pedestrian public access opportunities on adjacent public lands.

B. Relationship to uses on surrounding public property. The land uses proposed in the WD District shall relate, visually and functionally, with surrounding land areas, including Lents Cove Park. Elements of the site plan, particularly those at the entrance(s), shall relate compatibly with other elements of the Village. Any future development within the district shall function as a way of linking waterfront properties and continuing the concept of a linear public waterfront trail.

C. Relationship to the Hudson River. All elements of proposed projects within the WD

Zone shall also be sensitive to the site's unique and important relationship to the Hudson River and shall be designed accordingly.

- D. Provision of view corridors and protecting views to the Hudson River. The land within the WD Zone shall be developed in such a way as to maximize views to the Hudson River, with design elements such as taller building heights further away from the Hudson River, view opportunities at the river's edge and view corridors throughout the development. Important views shall be protected and enhanced to the maximum extent practical.
- E. Architectural design standards. It is the purpose of the WD District to afford a priority to waterfront-compatible well-designed uses, achieve public access to the coastal area and provide standards for development in such a fashion as to create a distinct waterfront district which is in the spirit of a Hudson River waterfront community.
 - (1) Attractive, well-planned development is envisioned. Development plans should incorporate hamlet centers, following the traditional patterns and layout of such centers with strong provisions for pedestrian uses. This may include provision for village squares, walking areas and alleyways. Building designs should visually complement, be harmonious with and in the spirit of the architectural style that prevailed in Hudson River communities.
 - (2) Appropriate architectural scale, form and material shall be utilized to ensure that buildings and structures are compatible with and add interest to the landscape. Compatibility shall be determined by a review of proposed use of materials, scale, mass, height, color, texture and location of the structures on the site.
 - (3) The various elements of the project shall be integrated by cohesive architectural treatment and compatible design.
 - (4) Buildings shall be designed in consideration of appearance from all vantage points, both within and outside of the WD District.
 - (5) Architectural elements shall be used to provide visual interest, reduce apparent scale of the development and promote integration of the various design elements in the project.
 - (6) Groups of related buildings shall be designed to present a compatible appearance in terms of architectural style.
 - (7) Building lines shall be varied to the extent practical in order to provide an interesting interplay of buildings and open spaces.
 - (8) Appurtenances on buildings and auxiliary structures, such as mechanical equipment, water towers, carports, garages or storage buildings, shall receive architectural treatment consistent with that of principal buildings.
- F. Energy conservation and efficiency. The plan for development shall be designed in such a way as to promote energy conservation and efficiency to the maximum extent practical for all buildings.
- G. Landscaping, screening and buffering.

- (1) All sidewalks, open spaces, parking areas, boat storage areas and other similar service areas shall be landscaped and/or paved in a manner which will harmonize with proposed buildings. Materials for paving, walls, fences, curbs, benches, etc., will be attractive, durable, easily maintained and compatible with the exterior of adjacent buildings.
 - (2) The Planning Board may require buffer landscaping, fencing or screening to separate different types of land uses and to screen utility buildings, refuse collection areas, cooling systems and other similar installations and features.
 - (3) All plants, trees and shrubs shall be installed in accordance with a planting schedule provided by the developer and approved by the Planning Board. Landscape materials selected shall be appropriate to the growing conditions of the environment of the WD Zoning District, this climatic zone and native species.
- H. Lighting. Streets, drives, walkways and other outdoor areas shall be properly lighted to promote safety and encourage pedestrian use. All exterior lighting for the project shall be directed downward or otherwise appropriately shielded and designed to minimize excessive light. It shall have an attractive appearance, compatible with the overall project design and waterfront character. Lighting type, number and locations shall be subject to Planning Board review and approval as part of the site plan review.
- I. Signage.
- (1) All signs shall be planned and designed in accordance with an overall comprehensive signage plan which shall be subject to Planning Board review and approval as part of site plan review.
 - (2) All signs shall be of a size and scale as determined appropriate by the Planning Board to accomplish their intended purpose. At a minimum, proposed signage shall comply with the standards for different types of land uses identified in §211-20, Signs, of the Village Code.
- J. Vehicular circulation system and traffic access. The rights-of-way and pavement widths for all internal streets, drives, walks and other accessways for vehicles and/ or pedestrians shall be determined on the basis of sound current planning and engineering standards, shall be planned and built so as to promote safety and efficiency of movement, shall accommodate projected demand and shall minimize impervious surfaces and paving materials to the maximum extent possible.
- K. Public access. While a waterfront development will require certain private elements for the security and benefit of its residents and property owners, it should provide pedestrian waterfront public access in a manner which:
- (1) Enhances existing public access opportunities at the waterfront in furtherance of the Village's goals and objectives and the state's coastal policies;
 - (2) Coordinates such public access with existing or anticipated opportunities for public access on adjacent lands to facilitate future linkages in a continuous pedestrian path system; and
 - (3) Provides meaningful, permanent public access to the Hudson River in the form of safe and unobstructed access to and along the dry, nontidal or submerged shore areas of

the Hudson River for all members of the public for purposes of providing a public access system to and along the waterfront and/or public rights-of-way. Such access shall be in the form of a permanent easement or the granting to the Village of Buchanan of fee title. Access may be regulated by reasonable conditions in a management plan submitted by the applicant and approved by the Planning Board as part of the final site plan approval.

L. Off-street parking and loading. In addition to the requirements set forth in § 211-10 of this chapter, the following requirements shall apply to off-street parking and loading in the WD District:

- (1) Off-street parking and loading areas shall be designed with careful regard to their relationship to the uses served and to the objectives for other open spaces. The areas shall be coordinated with the public street system serving the project in order to avoid conflicts with through traffic or obstruction to pedestrian walks. In addition, all parking areas shall be designed to include provisions for handicapped parking.
- (2) Parking and loading facilities not enclosed in structures shall be suitably landscaped and/or screened as determined appropriate by the Planning Board.
- (3) Required parking spaces. The number of off-street parking spaces required shall be as set forth below and shall be applicable only to those uses in the WD Zoning District:

Use	Minimum Off-Street Parking Requirement
One-family, two-family, multifamily dwelling	1 space per unit plus 1/2 space per bedroom
Marina	½ space per slip of dry rack storage
Retail or service business	1 space for each 200 square feet of gross floor area, excluding basement storage utility areas
Restaurant	1 space for each 3 patron seats or 1 space for each 75 square feet of gross floor area, whichever is greater
Office for business or professional use	1 space for each 250 square feet of gross floor area
Theater, auditorium, community building, club, social hall, including boat, swim and country club	1 for each 200 square feet occupied by all principal uses
Hotel, Inn motel, bed-and-breakfast facility	1 for each guest room

- (4) With respect to any building, structure or use for which the required number of

parking spaces is not specifically set forth in the above schedule, the Planning Board, in the course of site plan review, shall determine the number of off-street parking spaces required, which number shall bear a reasonable relation to the minimum off-street parking requirements for specified uses as set forth in the above schedule. In addition, all parking areas shall be designed to include provisions for handicapped parking.

- (5) Up to 30% of the required parking may be designated for compact automobiles at the discretion of and in accordance with standards determined by the Planning Board.
- (6) Alternative methods of meeting off-street parking requirements.
 - (a) The WD Zoning District encourages a mix of land uses, wherein the cumulative parking demand is less than the sum of the peak demand values for each individual land use. This makes it possible to share parking without conflict and to avoid a large surplus of parking spaces in the waterfront area. Also, because of the special nature and value of land along the waterfront and because of the anticipated mix of land uses, alternative parking solutions, such as parking incorporated into buildings, valet parking, off-site parking, etc., may, in certain situations, also be appropriate.
 - (b) Village Board authority. The Mayor and Board of Trustees shall be authorized to find that any portion of the off-street parking requirements for a waterfront development has been satisfied when the applicant establishes to the Board's satisfaction that alternative parking solutions are appropriate and will provide adequate parking for the WD District development project. If an applicant wishes to use alternative parking methods, the applicant must submit a complete analysis to the Village Board for review. This analysis must include estimates of peak parking demands for different land uses for different hours of the day and days of the week. It shall also define strategies intended to incorporate alternative parking methods and the advantages of such strategies.
 - (c) Alternative parking methods. Acceptable alternative parking methods include the following, and such other methods as the Mayor and Village Board of Trustees deem appropriate, or any combination thereof:
 - [1] Parking shared among various use elements within the waterfront development project;
 - [2] Provision of parking off-site, in private or municipal lots, where appropriate arrangements for such parking can be made;
 - [3] Provision for parking to be incorporated within buildings; and
 - [4] Valet parking.
- (7) Off-street loading. Off-street loading shall be provided as the Village Board may find appropriate and necessary.
- M. On-site utilities and services. All development shall be served by public water supply and sewage systems, provided that adequate capacity is available.

- (1) Underground lines. All on-site television, power and communication lines, as well as on-site water, sewer and storm drainage lines, shall be installed underground in the manner prescribed by the regulations of the government agency or utility company having jurisdiction. Any utility equipment which will necessarily be located above ground shall be adequately screened from view in an attractive manner, but not located within proposed public open space.
- (2) Refuse collection. The waterfront development project shall be designed, and provision shall be made, for adequate means of separation and storing of refuse and recyclables between collections. Such storage systems shall be designed to minimize adverse aesthetic impact and shall comply with all applicable Village and county requirements.
- (3) Cooling systems. Cooling systems shall be designed so as to minimize adverse aesthetic impact.
- (4) Placement of underground utilities. Where possible, all utilities required to be placed underground shall be placed within the rights-of-way, and all possible steps shall be taken to avoid placement of utilities under the pavement in order to assure ease of future maintenance.

N. Floodplain requirements. The waterfront development project plans shall comply with the applicable provisions of Chapter 97, Flood Damage Prevention, of the Village Code.

§ 211-115. Development incentives.

- A. Purposes. It is recognized that the WD Zoning District encompasses a unique resource within the Village of Buchanan, containing both a significant opportunity for achievement of public amenities and a major potential for water-related development. To provide an incentive which will further encourage the most appropriate use and development of the Village's waterfront in a manner designed to achieve adopted planning objectives, the Village of Buchanan may allow, only by application for a special permit and following a public hearing held on notice duly given in the same manner as required by law for zoning amendments, an increased building bulk (i.e., floor area ratio and/ or building height), as set forth in Subsection B(3) below, upon acceptance of an incentive package under the guidelines set forth in Subsection B(1) and (2) below. Such public hearing shall be held by the Village Board. A decision on whether or not to accept or reject an offer for a development incentive shall be made by the Mayor and Village Board of Trustees following such public hearing. Village Board approval shall be in a form acceptable to the Buchanan Village Attorney.
- B. The incentive features and the general guidelines for Mayor and Village Board of Trustees consideration and action are described as follows:
 - (1) The specific public benefit feature for which an incentive bulk increase is being sought must be closely associated with the impact of the development and, to the extent possible, adjacent to or near the project site. Further, the Mayor and Village Board of Trustees shall make the decision on whether to accept any particular incentive feature being proposed and shall have the authority to impose any and all conditions on the acceptance of the incentive feature as

deemed appropriate and in the best interest of the Village of Buchanan. The specific public benefit features for which incentive bulk increases may be granted include the provision of funds, services or goods toward the following objectives:

- (a) For all uses other than a waterfront development project (in which case a broad array of uses are permitted in exchange for the provision of access along and to the Hudson River shoreline), provision of improved public access to persons other than occupants of the project, to waterfront properties along the water's edge, including pedestrian walkways, open space areas and promenades which are all designed to form a continuous public right-of-way through the entire WD Zoning District.
 - (b) New construction or restoration of deteriorated bulkheading, rip-rap or other forms of shoreline erosion protection, not associated with the project being proposed, where the need is identified by the Village of Buchanan.
 - (c) Provision of improvements to Lents Cove Park or Village Park, as identified by the Village.
 - (d) Provision of improvements, including streetlighting, plantings and reconstruction.
 - (e) Provision of public fishing areas with fully equipped fish-cleaning stations.
- (2) Funds may be provided by the applicant to a Waterfront Trust Fund. The Waterfront Trust Fund shall be administered by the Village of Buchanan. This trust fund shall be restricted to the use of such funds only for the specific purpose for which they are provided, for one or more of the following:
- (a) Improvements to Lents Cove Park and or Village Park, as identified by the Village.
 - (b) Streetscape/Landscape improvements in the form of streetlighting, plantings, sidewalk improvements, benches and other similar streetscape/landscape amenities for the Village's downtown commercial/residential areas.
 - (c) Construction of facilities associated with a riverfront aquarium, museum or similar facility.
 - (d) Construction of erosion control structures, such as bulkheading and rip-rap along the Hudson River shoreline, as needed.
 - (e) Maintenance and enhancement of existing public properties, including public access easements.
- (3) In determining the specific amount of building bulk incentive increase that may be granted, if any, the Mayor and Village Board of Trustees, in each case, shall take into consideration the following:
- (a) The maximum floor area ratio and/or building height increase shall not exceed 10% as compared to that otherwise permitted in the WD Zoning District.
 - (b) Consideration shall be given to the number, extent and combination of

incentive features to be provided.

- (c) The need for such incentive features in the Village at the time of the application.
- (d) The degree of compatibility of such incentive features with the neighborhood in which they are located, taking into consideration the potential effects of noise, traffic, fumes, vibrations or other such characteristics on surrounding streets and properties; the visual impact of the resultant building bulk increase and/or incentive feature applied for and the impact of the proposed development upon access to light, air and vistas known to be important to the Village.
- (e) The quality of design of the proposed development as determined by the Mayor and Village Board of Trustees in accordance with its review under the provisions of the WD Zoning District. In considering the quality of design of projects, the Village Board will include consideration of the following factors:
 - [1] The quality and extent of view from the adjacent streets through the property to the Hudson River.
 - [2] The design and relationship of the development to the waterfront as viewed from the water.
 - [3] The design and function of any public access easement or other access provided to the shoreline, including new bulkheading or docking facilities.
- (f) To assist the Mayor and Village Board of Trustees in determining the appropriate amount of building bulk increase, if any, to grant as an incentive for the applicant's provision of the proposed public benefit feature(s), the applicant shall submit an estimate of the cost of providing the proposed feature(s) and the value of the building bulk increase requested. The Mayor and Village Board of Trustees may also engage its own independent experts to either separately prepare such analysis or to review those prepared by the applicant. The reasonable cost of such expert assistance shall be reimbursed to the Village by the applicant.
- (g) No incentive building bulk increase will be granted for construction of any improvement or provision of funds to the Village Waterfront Trust Fund which would otherwise be provided or required by any law other than a local law enacted by the Village subsequent to the enactment of these regulations.
- (h) In addition to the foregoing guidelines, the Mayor and Village Board of Trustees may take into account other considerations bearing upon the purposes and objectives of any building bulk increase being sought.

§ 211-116. Height and setback restrictions.

A. Building height and setback

- (1) No portion of a building or structure shall be erected within 25 feet of the Hudson River except for a marina building, marine fuel service building or

dock, a marina service building requiring direct connection to the waterfront to service boats or other similar water-dependent uses as listed in § 211-10 and 211-11A. Such buildings shall not exceed 15 feet in height.

- (2) No portion of a building or structure shall be erected from 25 feet to 100 feet of the Hudson River except for a marina building requiring direct connection to the waterfront to service boats or other similar water-dependent uses as listed in § 211-10 and 211-11A. Such building shall not exceed 25 feet in height.
- (3) No portion of a building or structure shall be erected to a height in excess of 45 feet from 100 feet to 200 feet of the Hudson River.
- (4) No portion of a building or structure shall be erected to a height in excess of 95 feet from 200 feet of the Hudson River.
- (5) With respect to the areas to which Subsection B(4) immediately above apply, and notwithstanding the provision of said subsections, the Mayor and Village Board of Trustees, during the concept plan review process, may grant an increase in building height in excess of 95 feet where said Board finds that such increase would be consistent with the intent and purposes of this legislation and would not result in adverse impacts to view corridors, nearby landmarks or adjacent land uses.

§ 211-117. General development requirements.

The following shall be general development requirements in the RF District:¹

Type	Requirement
Minimum lot size	20 acres ²
Maximum building coverage of gross development area	35%
Maximum floor area ratio ³ (of gross development area, including residential and other uses)	0.8
Maximum impervious surface coverage of gross development area	70%
Maximum height	35 feet (except as provided in § 211-20) ⁴
Minimum gross development area per dwelling unit	3,300 square feet ⁵
Minimum frontage on public right-of-way	100 feet
Minimum perimeter buffer	75 feet ⁶
Minimum open space ⁷ of gross development area	15%

NOTES:

¹ A lot or parcel situated in the WD District existing prior to the date of the adoption of these sections and which does not meet the general development requirements set forth in this section shall be subject to the general development requirements established by the Mayor and Village Board of Trustees. As part of its review, the Mayor and Village Board of Trustees shall consider the proposed application and its

appropriateness and compatibility with surrounding land uses and neighborhood character.

- ² The owner of less than 20 acres of gross development area within the WD Zoning District may apply for approval of a waterfront development project as part of the overall waterfront development where such land is adjacent to a proposed, approved or constructed waterfront development project. Similarly, the owner of an WD Zoning District acreage which adjoins such adjacent land may also apply for approval of a waterfront development project as part of the overall waterfront development. The minimum lot size of 20 acres does not apply to waterfront development projects, but rather applies to the other permitted principal uses and special permit uses.
- ³ When a FAR applies to construction within this district, the area devoted to structured parking within a building shall not be regarded as contributing to total floor area.
- ⁴ Building height shall be measured from the final grade. All habitable stories must be elevated above the one-hundred-year floodplain level. The area below the elevated first habitable story of the building may, but need not, be used for parking.
- ⁵ This shall be calculated by dividing the gross development area by the number of residential dwelling units in the particular waterfront development project.
- ⁶ Such buffer area shall not apply to areas along Broadway and the Hudson River and shall be vegetated and/or landscaped to the satisfaction of the Planning Board, except for permanent entrances/exits, signage and, where deemed necessary, utilities.
- ⁷ Open space shall be exclusive of all areas devoted to perimeter buffer, buildings, parking, streets, utilities and wetland/watercourse areas (but not wetland or watercourse buffers) as defined by Chapter 203, Wetlands, of the Village Code.

§ 211-118 WD Industrial Overlay District

It is the intent of the WD Industrial Overlay District to allow for continued use of industrial properties as special permit uses while providing performance criteria to assure proper development and integration with the surrounding community.

Notwithstanding anything to the contrary contained herein, in the WD Industrial Overlay District, the Board of Trustees shall be the approving agency for special permits and site development plans, in which case the same requirements and procedures set forth in this chapter for the Planning Board shall be applicable to the Board of Trustees. Any application to the Board of Trustees made pursuant to this section shall be referred to the Planning Board for its recommendation to the Board of Trustees prior to the public hearing. If the Planning Board fails to report within a period of 45 days from the date of receipt of such referral, the Board of Trustees may act without such report. If the Planning Board recommends against the proposed special permit and/or site development plan, the Board of Trustees shall not act contrary to such recommendation, except by the adoption of a resolution fully setting forth the reasons for such contrary action.

§211-119 Special Permit Uses

- A. Gypsum board manufacturing.
- B. Peaceful use of atomic energy

§211-120 Dimensional Standards

Dimensional standards as outlined in §211 Attachment 2 for the M2 District shall apply.

§211-121 Development Standards

- A. Landscaping requirements.

Minimum requirement. All uses shall maintain, adjacent to all road frontages, a minimum single row of evergreen plantings seven feet high and five feet on center, or street trees with a minimum caliper of four inches adjacent to all road frontages in an amount equal to 30 feet on center.

- B. Fencing.

- (1) The site shall be completely enclosed by a good-quality, solid fence not less than six feet in height above the finished grade of the lot and of the grade of adjoining lots, with posts imbedded in concrete to a depth of not less than five feet below finished grade at intervals of not more than six feet. Every such fence shall be maintained in a safe and sightly condition, and no sign of any kind shall be placed on said fence.
- (2) All materials shall be stored within the enclosed yard.

- C. Lighting.

Lighting shall be required in conformance with the criteria set forth in §211-27.

D. Outdoor storage.

- (1) The maximum permitted height of outdoor storage shall be 15 feet.
- (2) Outdoor storage shall be limited to a specific list of materials, items or equipment to be stored, as determined by the Planning Board.
- (3) The combined total area of the principal buildings or structures, impervious areas, and the outdoor storage areas shall not exceed 65% of the lot area.
- (4) Outdoor storage shall be limited to only those goods that are generated, manufactured or utilized by the principal use on the premises.
- (5) Outdoor storage shall have all activities associated with the outdoor storage area, such as loading, delivery, pick up, traffic circulation, queuing, and parking, take place on site.
- (6) Surface areas may be paved with recycled concrete aggregate or gravel, as deemed appropriate for the outdoor storage proposed.

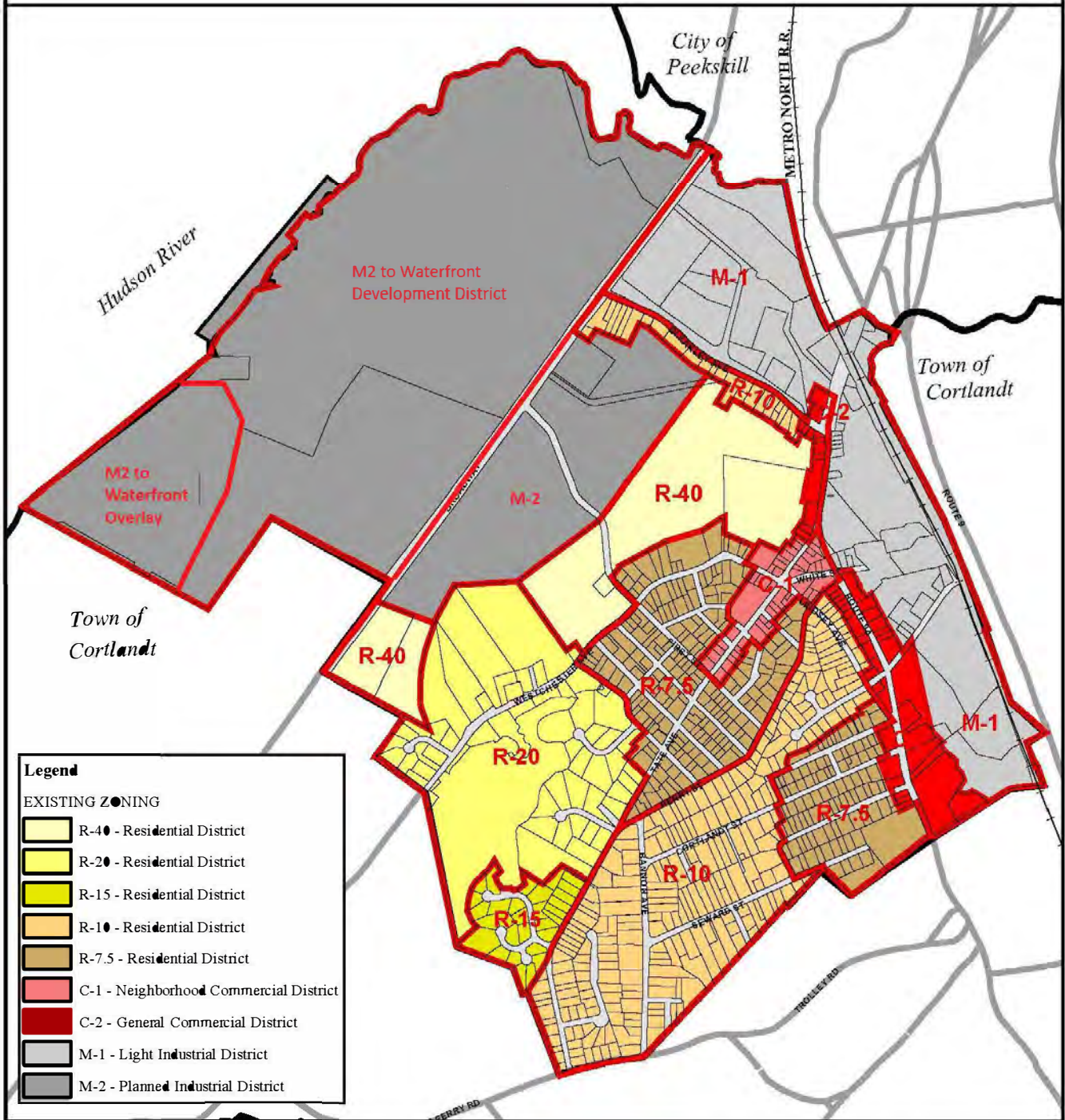
E. Air Quality

Dust emissions from site operations shall be controlled.

§211-122 Application Procedure

Any applicant/owner of a site located in the WD Overlay District shall submit an application for special permit consistent with the requirements of Article X of the Buchanan Code, along with a site plan that conforms to the requirements contained herein, to the Village of Buchanan Building Department, within two years from the adoption of this ordinance.

EXISTING ZONING



Legend

EXISTING ZONING

	R-40 - Residential District
	R-20 - Residential District
	R-15 - Residential District
	R-10 - Residential District
	R-7.5 - Residential District
	C-1 - Neighborhood Commercial District
	C-2 - General Commercial District
	M-1 - Light Industrial District
	M-2 - Planned Industrial District

COMPREHENSIVE MASTER PLAN INVENTORY AND ANALYSIS

Village of Buchanan, Westchester County, NY

Note: Tax parcel data obtained from the Town of Cortlandt.
Map created in ArcView software and is intended to be used for GENERAL PLANNING PURPOSES ONLY.

March 2005

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FREDERICK P. CLARK ASSOCIATES, INC.
Planning/Development/Environment/Transportation



Figure IV-6

EAF Narrative
Proposed Zoning Text and Map Amendments
Village of Buchanan, NY

Buchanan is a duly incorporated village in the State of New York established in June 1928. With the recent closing and ensuing decommissioning and clean-up of the former Indian Point Energy Center (IPEC), the Village has initiated the process of zoning text and map amendments affecting approximately 284 acres of land located west of Broadway. The subject properties include IPEC, CertainTeed gypsum board manufacturing plant and Lents Cove, a Village owned park, refer to rezoning package. The properties in question are also known and designated on the tax assessment map of the Town of Cortlandt (the "Town") as Section 43.7, Block 1, Lot 1; Section 43.10, Block 1 Lot 1; Section 43.10 Block 2, Lots 1 and 2; and; and Section 43.10, Block 1, Lot 2.

The Village has identified certain purposes for the proposed rezoning including:

- Providing public access to the Hudson River
- Creating a positive development and revitalization of the waterfront area, while ensuring that such revitalization takes place in a manner which is sensitive to the Village's coastal and community resources.
- Encouraging an economic stimulus and revitalization of the Village and its Hudson River waterfront area by establishing a well-designed, comprehensively planned focus for the Village's waterfront area

The proposed zoning contemplates a mixed-use redevelopment pattern consistent with other contemporary redevelopment efforts located up and down the Hudson River valley. This would include multi-family residential and commercial development with an emphasis on creating meaningful public access to the Hudson River.

It is noted that the implementation of the zoning amendments does not, in and of itself, present any impacts to the environment. Subsequent implementation and the proposal to develop would require that the Village, at that time, to evaluate whether a more extensive environmental review may be required. Indeed, the proposed amendments include a robust process for environmental review at the time a project is proposed.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. <ul style="list-style-type: none"> <li data-bbox="121 829 1485 861">i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No <li data-bbox="121 892 1485 924">ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No <li data-bbox="121 924 1485 955">iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No 		

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? _____

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: NA _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? TBD Yes No
 If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source.

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

• Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.NA

<p><i>i.</i> During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p><i>ii.</i> During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
---	--

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities:

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> Extent of community/habitat: <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Species and listing (endangered or threatened): _____ _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____	

<p>e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</p> <p style="margin-left: 20px;">ii. Name: _____</p> <p style="margin-left: 20px;">iii. Brief description of attributes on which listing is based: _____</p>
<p>f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe possible resource(s): _____</p> <p style="margin-left: 20px;">ii. Basis for identification: _____</p>
<p>h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Identify resource: _____</p> <p style="margin-left: 20px;">ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</p> <p style="margin-left: 20px;">iii. Distance between project and resource: _____ miles.</p>
<p>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Identify the name of the river and its designation: _____</p> <p style="margin-left: 20px;">ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

F. Additional Information

Attach any additional information which may be needed to clarify your project.

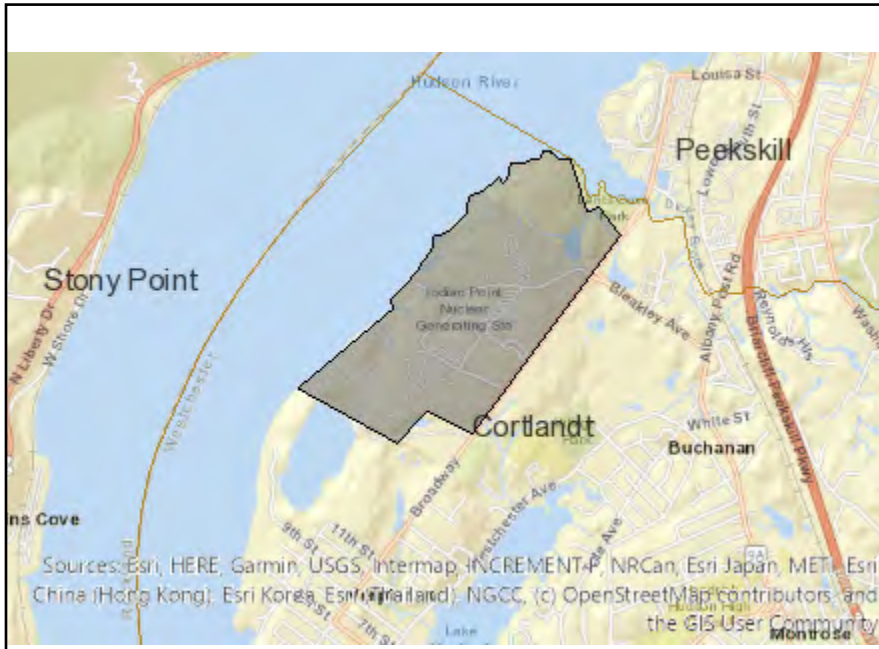
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	Remediation Sites:360042, Remediation Sites:360038, Remediation Sites:546031
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	360042, 360038, 546031
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	V00160, 360042, 360038, 546031
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	864-554
E.2.h.iv [Surface Water Features - Stream Classification]	SC / C

E.2.h.iv [Surface Water Features - Lake/Pond Name]	864-554
E.2.h.iv [Surface Water Features - Lake/Pond Classification]	SC / C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Hudson River (Class SB), portion – Priority Organics – Fish Consumption
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Bald Eagle, Atlantic Sturgeon, Shortnose Sturgeon
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	Yes
E.3.d [Critical Environmental Area - Name]	Hudson River
E.3.d.ii [Critical Environmental Area - Reason]	Exceptional or unique character
E.3.d.iii [Critical Environmental Area – Date and Agency]	Agency:Westchester County, Date:1-31-90
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Village of Buchanan

Update to the 2005 Comprehensive Plan

New York State Village Law §7-722 addresses the Village Comprehensive Plan process, specially §7-722.11(a) which states that all land use regulations must be in accordance with a comprehensive plan. The Village of Buchanan's current Comprehensive Plan was adopted in 2005, long before it was contemplated that the former Indian Point Energy Center (IPEC) facility would be closed for decommissioning. The Village of Buchanan (the "Village") has initiated a rezoning process that would rezone the existing portions of the Village zoned M-2 Industrial located west of Broadway to a different zoning category, Waterfront Development (WD) District and the related WD Industrial Overlay District. The long-term goals and objectives of the Village is to take advantage of the locational aspects of this area of the Village with both physical and visual access to the Hudson River.

The land and water area of the Village's Hudson River waterfront represents a unique mix of natural and man-made resources. These resources have historically played an important role in the development, economy and cultural heritage of the Village and the region. The general quality of the water bodies within and adjacent to the Village, the visual, scenic, natural resources and are some of the primary elements comprising and documenting these important natural and man-made resources.

The overall purpose of this district is to include positive development and revitalization of the waterfront area, while ensuring that such revitalization takes place in a manner which is sensitive to the Village's coastal and community resources.

It is also the purpose of this district to encourage an economic stimulus and revitalization of the Village and its Hudson River waterfront area by establishing a well-designed, comprehensively planned focus for the Village's waterfront area. It is also the purpose of the district to afford a priority to waterfront-compatible well-designed uses, achieve public access to the Hudson River waterfront area and provide standards for development in such a fashion so as to create a distinct waterfront district. Further, it is the purpose of the district to provide opportunities for permanent public views and visual and physical access to the Hudson River and to encourage the phasing out of land uses which are incompatible with and detract from the Village's Hudson River waterfront area. It is also the purpose of this district to protect, preserve and enhance sensitive environmental areas; prevent soil erosion, sedimentation and slope failure; prevent, to the maximum extent possible, the loss, alteration or diminution of public views of the Hudson River and opposite shore; prevent activities which will cause water and air pollution; and ensure that the benefits provided by implementation of this article will provide future generations with a continuation of those elements and resources of the Village that serve to create a distinct community character and strong sense of place for its residents.

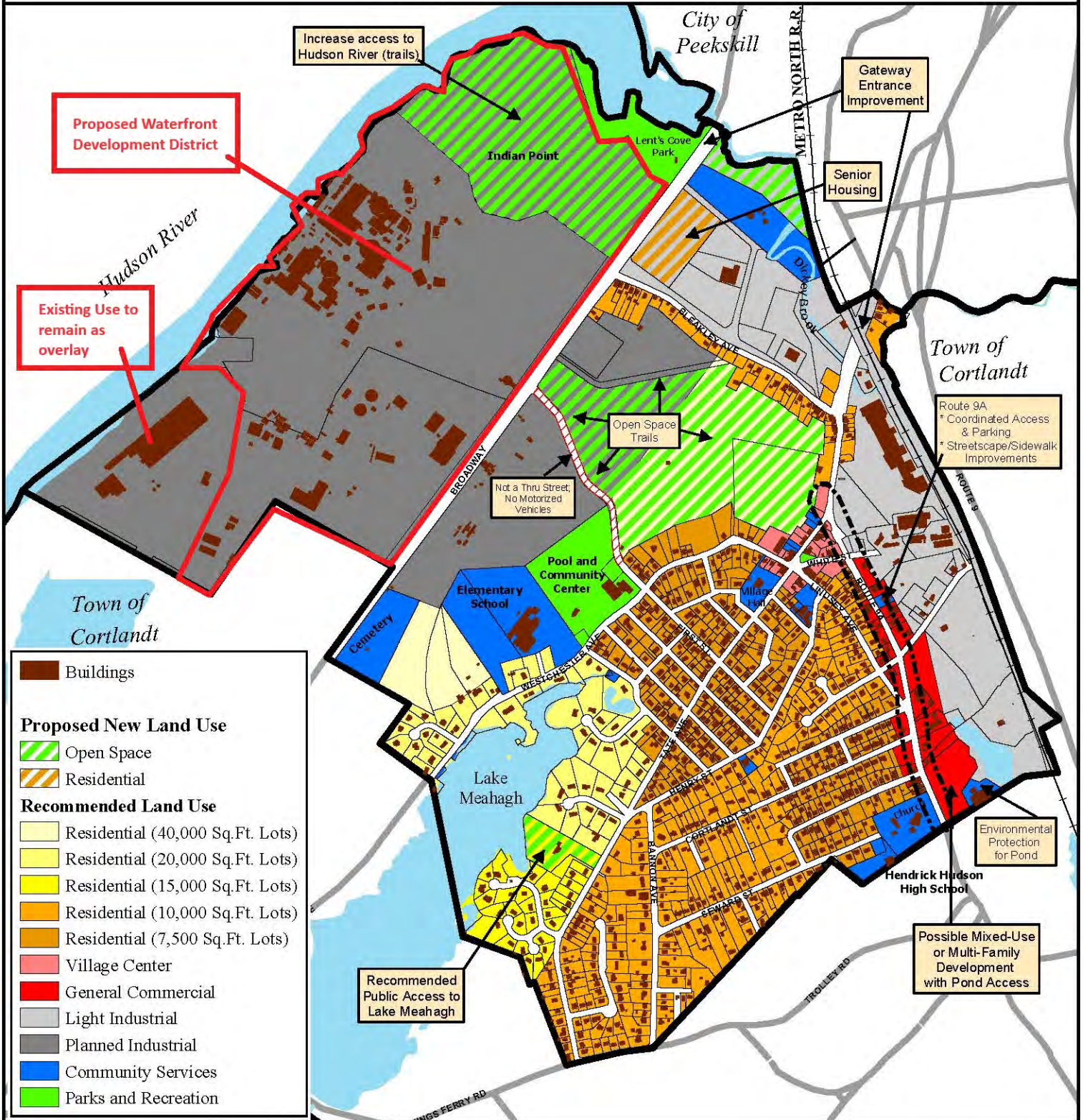
Further, it is the purpose of this district to provide for and increase pedestrian public access to and the potential for enjoyment of the waterfront and to integrate that access with existing and anticipated pedestrian public access opportunities on adjacent public lands.

It is noted that while the Village is contemplating the eventual redevelopment of the IPEC site there is another existing industrial use associated with the gypsum board manufacturing plant (formerly LaFarge now known as Certainteed). As part of the zoning update, the Village has created a separate overlay

district within the WD that would allow the existing gypsum board manufacturing use remain as a special permit use.

This Village of Buchanan Comprehensive Plan Update calls for a future mixed-use land use pattern and a new zoning designation with a recognition that certain portions of the new district will likely remain as manufacturing for the near term.

LAND USE PLAN



COMPREHENSIVE MASTER PLAN

Village of Buchanan, Westchester County, NY

FREDERICK P. CLARK ASSOCIATES, INC.
 Planning/Development/Environment/Transportation

Note: Tax parcel data obtained from the Town of Cortlandt.
 Map created in ArcView software and is intended to be used for GENERAL PLANNING PURPOSES ONLY.

Proposed Amendments 2024



1200 600 0 1200 Feet

March 2005

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Figure II-6