

Memorandum:

To: Village of Briarcliff Manor Board of Trustees

cc: David Turiano, P.E., Village Engineer/Building Inspector
Sarah Yakel, AICP, BFJ Planning, Village Planning Consultant

From: Patrick M. Bell, P.E.
James C. Annicchiarico

Date: December 22, 2021

Re: Yeshivath Viznitz Special Permit Application
235 Elm Road (98.19-2-11)
Adaptive Re-Use Site Plan Review



Items received and reviewed include the following:

1. Letter by Cuddy + Feder LLP to the Village Board of Trustees, dated December 9, 2022
2. Exhibit A: Short Environmental Assessment Form prepared by David Rosenberg, President dated December 3, 2021
3. Exhibit B: Visual Inspection Report prepared by Hudson Engineering & Consulting, P.C. dated December 1, 2021
4. Exhibit D: Mechanical Engineering Report prepared by Mehendes Engineering dated September 13, 2021
5. Site Plan & Special Permit Submission drawing set prepared by Hudson Engineering & Consulting, P.C. entitled: "Site Plan and Special Permit Submission 235 Elm Road, Village of Briarcliff Manor, Westchester County – New York" consisting of four (4) sheets (EX-A "Aerial Exhibit, C-1 Existing Conditions, C-2 Site Plan & U-1 Utility Structure Plan), each dated or last revised December 1, 2021

The applicant is proposing re-use of the existing site at 235 Elm Road as a "Place of Worship/Religious School". The site was previously occupied by Pace University as their Briarcliff Manor campus. The property is approximately 37.1 acres in size and is located along Elm Road & Tuttle Road. The property is located within the R-40B (Single Family Residence) Zoning District. According to the SEAF submitted proposed disturbance is -0-. However, the Site Plan indicates some proposed land disturbance for the relocation/realignment of existing curbs, relocation of a catch basin, van handicapped parking, new walkway, modifications to stairway/elevator installation, installation of facility sign and associated minor grading. It is estimated that all of the disturbance associated with these activities will be less than 1-acre.

The project was reviewed for conformance with Village Stormwater (Chapter 184) regulations as well as general site plan engineering. We have not reviewed the project for zoning, building code conformance, traffic, lighting, landscaping and/or wetlands/environmental, which would be reviewed by Village staff and/or Village consultants on behalf of the Village.

The proposed project is the re-use/redevelopment of an existing commercial site, the proposed disturbance is less than 1-acre (per Short Form EAF -0-) and the site impervious area is not increasing.

The property is also not located within the NYCDEP watershed. Therefore, a Storm Water Pollution Prevention Plan ("SWPPP") is NOT required per the NYSDEC regulations to address Chapter 9 ("Redevelopment").

Village Code Chapter 184, Article I, § 184-6 requires any land development activity including clearing, grubbing, grading, excavating, soil disturbance or placement of fill that results in land disturbance of equal to or greater than one (1) acre must prepare a SWPPP. Again, based on the proposed disturbance being less than 1-acre a SWPPP per the Village Code requirements is not required. However, a simple Erosion & Sediment Control Plan and Details should be provided for the minor land disturbances required for the proposed curb line/driveway/parking area modifications.

Based on the above our comments are as follows:

1. A signed and sealed copy of the official survey referenced in the site plan drawings should be submitted for the record file, if one has not already been submitted.
2. Question #3. of the SEAF should be revised to include the amount of proposed disturbance.
3. The location of the existing 6" water service and the water main in Tuttle Road (including the location of the meter pit and size of meter) should be shown on the Existing Conditions Plan (C-1), Site Plan (C-2) and Utility Plan (U-1). The same should be shown for the existing 8" water service from Elm Road.
4. The location of the existing sanitary sewer services including the existing sanitary sewer main should be shown on the Existing Conditions Plan (C-1), Site Plan (C-2) and Utility Plan (U-1).
5. Although the existing catch basins and drain inlets have been shown (and listed) throughout the site on the Utility Plan (U-1) the stormwater system piping (including size & type) should be added and labeled. The Visual Inspection Report (Exhibit B) states this information is in the process of being prepared.
6. An application for the installation of backflow prevention devices on the existing water services per Village and Westchester County Department of Health requirements is required. Based on a review the Mechanical Engineering Report (Exhibit D) there is no mention of existing backflow prevention devices on the water services feeding any of the buildings or either of the water services feeding the site. The applicants engineer should contact this office to set up a meeting with the Village Water Superintendent to discuss backflow prevention requirements for the site such as type of backflow devices required, location, etc.
7. The project is not required to prepare a SWPPP per the NYSDEC regulations that addresses Chapter 9 ("Redevelopment") nor per **Village Code Chapter 184, Article I, § 184-6**, due to the fact the proposed disturbance results in less than 1-acre. The proposed improvements are minor in nature and do not produce minor additional impervious coverage. However, erosion and sediment controls should be provided for the proposed work requiring land disturbance shown on the Site Plan (C-2). A simple Erosion & Sediment Control Plan, including details, should be prepared for this work & made part of the Site Plan set.
8. A chart documenting existing impervious areas should be provided for clarification and confirmation that the existing stormwater system is functioning properly.

9. The plans should provide general maintenance of the following items:

- Existing catch basins should be cleaned of silt, debris, vegetation, etc.
- Where is the location of the refuse/recycling enclosure?

10. Please provide an annotated response to each of the comments in this review memo with the next submission.

The above represents our comments based on a review of the submitted documents. Please feel free to contact me with any questions prior to the next scheduled Village Board of Trustees meeting.

PRELIMINARY COMPLETENESS MEMORANDUM

TO:	David J. Turiano, P.E. Village of Briarcliff Manor	DATE:	December 21, 2021
FROM:	Brian Dempsey, P.E., PTOE, RSP1 Danny Cuya, EIT	RE:	Traffic Review Yeshivath Viznitz 235 Elm Road

Introduction and Proposed Program Updates

DTS Provident Design Engineering, LLP (DTS Provident), formerly Provident Design Engineering (PDE), on behalf of the Village of Briarcliff Manor, has reviewed the information provided to date for the proposed Yeshivath Viznitz to be located at 235 Elm Road, the former Briarcliff Manor Pace University Campus from a Vehicular and Pedestrian Traffic standpoint. DTS Provident's, formerly PDE, previous review was summarized in a December 14, 2021 Memo and is shown in this memo in grey text. To perform this latest review, DTS Provident reviewed various documents, primarily the Special Permit Application (including the Site Plans) dated December 9, 2021, prepared by Cuddy & Feder, and the Traffic Impact Study dated December 6, 2021, prepared by Colliers Engineering & Design. The previous memo is included in grey text and DTS Provident's new comments are shown in black text. This Review and the subsequent comments are for Completeness only. A full Technical Review will be performed at a later date.

The Site is served by an unsignalized driveway along Elm Road opposite Birch Road, approximately 350 feet east of Tuttle Road. (There is also a smaller driveway just to the east of this driveway and a third driveway at the curve on Elm Road, which, based upon the latest submission, is now proposed to be the Main Site Driveway and the other two driveways will be limited to Emergency Access). There are approximately 223 striped parking spaces as well as some un-striped parking areas.

It was initially proposed that the Site will become a private religious education institution now for approximately 250 male students (these amounts have since been updated in the August 20th Submission, as discussed below) between the ages of 17 and 20. Approximately 220-230 of the students would reside on campus in dormitories. The other 20-30 students would be commuting. There will also be approximately 40 faculty and staff members per shift commuting to/from the campus. Although faculty and staff are not expected to permanently

reside on campus, it is PDE's opinion that there would likely be Resident Assistants or other staff members staying in the dormitories. Short-term temporary housing accommodations will be available for certain faculty and guests. The Applicant states that no students and only minimal staff are expected to enter and exit the Site by personal vehicle. The commuting students and staff are proposed to travel by bus or shuttle and the Applicant projects 2-3 busses entering and exiting the Site each day along with approximately 4

shuttles/mini-vans per day. The Applicant projects that some staff will travel on their own but no more than 10 at any one time. The educational and worship activities for the resident students are proposed to occur between 6:00 AM and 9:00 PM daily (Sunday through Thursday) and between 10:00 AM and 7:00 PM for commuting students. There are no studies Friday and Saturday. There are approximately 40 staff per shift which occur from 10:00 AM to 2:00 PM and 4:00 PM to 10:00 PM. Meals will be served on-site. The public are only expected at limited times such as special events and occasional other times.

The Applicant's Traffic Consultant has since updated their initial Traffic Narrative in response to PDE's comments. The number of initial residential students has increased from 200-220 to 220-230. 20-30 students would be commuting, which is a decrease from the previously projected 30-50, with the total number being slightly higher than previously referenced at 260. There will be various staff arriving and leaving the site at different hours of the day/evening.

The Applicant is now expecting a growth of approximately 3% per year for the first 10 years of expansion which will increase the expected occupancy to approximately 350 students after 10 years. Corresponding increases in staff and buses will also occur. Each bus utilized will result in four vehicles trips as the buses will not stay on campus. Thus, the bus will enter the Site in the morning to drop off students/staff, then leave the Site and return later to pick-up and leave the Site.

This review is solely based upon the Traffic-related aspects of the Project such as traffic impacts, access, parking, pedestrian and vehicular safety, and site circulation. The following are PDE's original comments and a summary of the Applicant's responses as well as PDE's latest additional Traffic Comments.

As it has been several years since the Site has been occupied and generated traffic, as well as that the background traffic has since changed, a Traffic Study should be performed. Although there was a prior educational use at this Site, there has been no meaningful traffic generated by the Site for several years or currently, thus it should be analyzed as a new project to consider the potential traffic impacts. The Traffic Study should analyze:

- the opening year
- the projected 10 years of growth
- a large special event

The Study Intersections should consist of:

- Pleasantville Road and South State Road
- Pleasantville Road and North State Road
- South State Road and Elm Road
- Elm Road and the Site Driveway(s)

Previous Site Traffic/Parking History

As per the Resolution of the Briarcliff Campus of Pace University dated July 20 and September 7, 1978, the Site was previously occupied by Briarcliff College which, in 1968, had its maximum number of students enrolled at 688 students and operated as a primarily residential school. At that time, only seniors and select other students were allowed automobiles on campus, thus only 188 parking spaces were permitted. When enrollment dropped by more than half to 325 students, all students who wanted to have an automobile on campus were permitted to.

When Pace University occupied the Site, many of the students resided on the Briarcliff Campus but did not necessarily attend classes there, thus utilizing other Pace campuses for classes. Based upon the 1978 Resolution, certain caps were placed on Pace including a maximum number of parking spaces of 324, with conditions of where the parking could be located. Off-campus parking in the immediate area of the campus was prohibited. The maximum number of resident students was 700. The cumulative number of non-resident students attending classes at the Briarcliff Campus on any calendar day could not exceed 400, except during up to 12 special events a year.

Around 1995, portions of the property were sold off and became single family homes. Pace stopped utilizing the campus around 2015.

Traffic Opinion Letter/Traffic Impact Study

A Traffic Opinion Letter, dated June 17, 2021, prepared by Colliers Engineering & Design (Colliers) was included in the original submission comparing the traffic impacts of the Proposed Use to that of the previous Pace University. Colliers (as John Collins Engineers at the time) had previously conducted traffic counts at the Site Driveway in 2010 when there were approximately 590 students residing on campus (along with approximately 160 administration staff). The students at that time were traveling between the Briarcliff and Mount Pleasant campuses via University shuttles or personal cars. These traffic counts by Colliers indicated that Pace University at the time generated 174 trips (102 entering and 72 exiting) during the 8:00 – 9:00 AM Peak AM Hour and 202 trips (59 entering and 143 exiting) during the 4:30 – 5:30 PM Peak PM Hour. Lesser traffic entered and exited the Pace Site Driveway during the other hours of the day. These Peak Hour volumes are higher than what is currently projected for the proposed Project and thus, the Applicant states that there will not be a significant impact resulting from the traffic. It should be noted that due to the times of the commuting student activities (10:00 AM to 7:00 PM), the traffic from the proposed Project's commuting students will occur later than the previous AM Peak Hour as well as later than the previous PM Peak Hour.

A Traffic Impact Study dated December 6, 2021, prepared by Colliers Engineering & Design (Colliers) was included in the December submission providing a traffic analysis of the Proposed Use. In addition, special events, accident data, sight distance, and turning movement analysis were also considered in the Traffic

Impact Study. The background information provided in the Traffic Opinion Letter, dated June 17, 2021, prepared by Colliers Engineering & Design still remains essentially the same.

Additional Comments/Questions from PDE June 30th Memo

In PDE's June 30th Memo, the following items/additional information (*in italics*) were requested to be addressed by the Applicant and their consultants. The Applicant has responded to these comments, some of which need further addressing. The below discusses the Applicant's response and PDE's follow-up:

- *Are the resident students permitted off-campus during the day/night or on weekends? There are limited sidewalks in the area although the Village is considering potential future sidewalks.*

Applicant Response: The resident students are not permitted off-campus.

DTS Provident Comment: No further response needed for Completeness.

- *Are the resident students permitted to have personal automobiles, bicycles, or other forms of transportation on campus?*

Applicant Response: The resident students are not permitted to have any form of transportation on campus.

DTS Provident Comment: No further response needed for Completeness.

- *If full size buses are to be utilized, what are their origin locations, and their proposed routes should be provided. Buses are not permitted on the Taconic State Parkway or the Saw Mill River Parkway. In addition, vehicles from northbound NY Route 9A are not permitted to turn left onto Pleasantville Road. For the proposed routes, for any locations in the vicinity of the Site where there are tight turns, a turning maneuver diagram should be illustrated for a full-size bus including, but not necessarily limited to, the Site Driveway, the intersection of Elm Road/South State Road (depending upon the direction of travel), the left turn from Pleasantville Road onto the southbound Route 9A Ramp, and the U-turn ramp just prior to entering onto southbound Route 9A. Also, it should be confirmed that the school bus can travel under the Route 9A bridge under Pleasantville Road.*

Applicant Response: In the Traffic Response from the Applicant, a specific bus that is proposed to be utilized by the Applicant is illustrated. Although there are bigger buses, it is a full size "coach"-style bus which seats 46 passengers in addition to the driver. The bus proposed to be utilized is approximately 11'5" high while Route 9A has vertical clearance under the Pleasantville Road bridge of 10'10" in the right lane and 13'6" in the left lane in the northbound direction and 11'1" in the right lane and 13'5" in the left lane in the southbound direction. Thus, the bus can make it under the Pleasantville Road but only if traveling in the left lane in both directions.

The Applicant should state the vertical clearance for the bottom of the bus in case the Village installs raised crosswalks on Pleasantville Road as part of its project currently under design.

The Applicant should also clarify the Site Driveway(s) to be utilized. Based upon the diagrams provided, it appears that the buses will now enter and exit from the easternmost driveway on Elm Road. The right turn entering movement carries over into the exiting lane. However, Figure 2 of 3 shows a different exiting pattern than Figure 3 of 3. Also, on Figure 3 of 3, the bus is shown exiting from the left side of the road and thus would be in the entering lane to exit the Site. The bus also must cross over the edge of the internal roadway. There also appears some difference between the aerial utilized and the Site Plan regarding a striped area that PDE will discuss with the Applicant's Traffic Consultant. It should also be shown where students and staff are being dropped off and picked up on the campus and will there be any cover during bad weather? There is an approximate location for the drop-off area on the Site Plan but this should be clarified and more information should be provided such as where the students and staff waiting to take the bus would be located.

One item of note is because of the left turn restriction on northbound Route 9A onto Pleasantville Road, as well as the U-turn ramp just prior to entering southbound Route 9A from Pleasantville Road, the Applicant is now proposing to have the buses destined to the Site travel northbound on Route 9A, pass underneath Pleasantville Road, and turn left onto North State Road, and then turn left onto southbound Pleasantville Road, which then requires them to travel through the central business district. Buses leaving the Site will take this reverse route, traveling northbound on Pleasantville Road, turn right onto North State Road and then turn right onto Route 9A southbound.

DTS Provident Comment: The exiting movement at the proposed Main Driveway still is a concern. It is recommended that the proposed curb line be modified to help provide the space for buses coming in opposite directions to maneuver past each other.

The Applicant has provided a Site Plan and a Signage Plan; however, the Applicant should provide more details on the Site Plan of the location for the drop-off/pick-up area. In the area of the proposed bus drop-off area, the Site Plan and Signage Plan do not match. The proposed signage and striping should be clarified. Also, one of the plans should show circulation arrows to show what is one-way and what is two-way. Also, the number of existing parking spaces is provided, however, the future number of spaces should also be provided.

The Applicant has provided the school bus turning movements for buses traveling on NYS Route 9A, using North State Road and then Pleasantville Road to South State Street to Elm Road to reach the Site, and the reverse route to exit the Site. The Applicant should also consider potential alternate routes for the school buses so that they are not traveling through the Village Center. DTS Provident has had discussions with the County and the potential use of the NYS Route 9A Ramp and will further coordinate with the Applicant's Traffic Consultant.

The Applicant should also discuss how many buses will be required for the students to attend off-site events in Rockland County.

As per Village requirements, the Applicant should also discuss ways to provide measures to enhance public transit to and from the site.

- *Due to the shift times, an approximate hourly volume summary (entering and exiting) should be provided for the typical weekday school day as well as for the weekend.*

Applicant Response: The Applicant did not provide a Volume Table Summary but did discuss the amounts in its updated narrative stating that there will be minimal traffic generation during the other hours.

DTS Provident Comment: No further response needed for Completeness.

- *How will the main drop-off and pick-up days including at the beginning and end of the school year be handled, i.e., by personal vehicles or by bus and how often would they occur?*

Applicant Response: The Applicant states that these days would occur between 8 and 10 times a year, would generally be by full-size bus, while sometimes possibly by shuttle/vans. The number of buses should be provided.

DTS Provident Comment: No further response needed for Completeness.

- *How often are special events to be held and what would be the potential attendance?*

Applicant Response: The Applicant states that there would be between 5 and 10 special events a year. Between 5 and 7 of these would be smaller events of 20-25 outside guests attending and between 3 and 5 larger events of 100-125 outside guests. The Applicant expects 75% of the outside guests to arrive by bus and 25% to arrive by passenger cars.

DTS Provident Comment: In the report it is stated that the vehicle occupancy rate used was 2.5 persons/vehicle. Further justification of this value should be provided. Some additional detail on the traffic operation of the large special events should be provided.

- *How many additional staff/faculty will there be aside from the two 40-person shifts and how and when will they enter and exit the Site?*

Applicant Response: The Applicant discussed the additional staff/faculty in the new Traffic Narrative and stated that their arrival times will be dispersed through different times of the day.

DTS Provident Comment: No further response needed for Completeness.

- *If the other portions of the campus are eventually to be utilized, the traffic impacts of those uses should be considered, which the Applicant states that they will do.*

Applicant Response: The Applicant now states that the occupancy is expected to grow approximately 3% a year for the first 10 years bringing the expected occupancy up to 350 students in 10 years (thus an increase in more than 30%) in addition to the corresponding increase in staff and buses. The Applicant states that additional traffic studies would be performed if the amount of students increases further.

DTS Provident Comment: The synchro analysis for the future expansion has been provided.

- *Will only the driveway opposite Birch Road be utilized or will the other curb cuts remain such as for emergency access?*

Applicant Response: The Applicant now plans to use the eastern-most driveway as the primary access while the two western driveways, including the driveway opposite Birch Road, are now being considered for emergency access only.

DTS Provident Comment: No further response needed for Completeness.

- *Will the driveways be gated and will they be manned or controlled remotely?*

Applicant Response: All three site driveways will be gated. The eastern driveway, now the main driveway, will utilize a remote controllable gate. The Application should state or illustrate whether an island would be installed at this driveway to separate the entrance and exit movements/gates (without interfering with the turning maneuvers for buses). There will be coordination with the Village's Emergency Services regarding the access system.

DTS Provident Comment: No further response needed for Completeness.

- *The final Site Plan should illustrate ADA parking spaces, as necessary.*

Applicant Response: The Site Plan has been updated to illustrate the ADA spaces. The Applicant should state the number of ADA spaces and overall parking spaces per lot to ensure ADA parking regulations are met.

DTS Provident Comment: The Site Plan has been updated. Additional Site Plan comments were referenced above.

- *The Fire Department and other Emergency Services should review the Site Plans for Site access, building access, and circulation.*

Applicant Response: The Applicant is corresponding with the Village's Emergency Services.

DTS Provident Comment: Further correspondence with the Village's Emergency Services is still required. Fire truck circulation should be illustrated.

- *Sanitation pick-up plans should be discussed.*

Applicant Response: The Applicant is proposing to use a private carting service. The response stated the location is shown on the Site Plan and similar to the previous location but this was not found on the Plan. The location should be added/noted on the Site Plan and whether there will be multiple locations as well as the size of the vehicle and number of trips a week.

DTS Provident Comment: Turning Movement figures of a sanitation truck circulating the site including to its pick-up location(s) should be provided.

- *The sight distance at the Site Driveway should be reviewed prior to construction and opening to determine if any vegetation needs to be cleared.*

Applicant Response: The Applicant provided some sight distance information for the easternmost driveway along Elm Road. It appears that the minimum sight distance will be met at this intersection. It is noted that the Applicant does state that clearance of vegetation will be needed along the Village right-of-way. However, there will need to be some sight distance technical items clarified between PDE and the Applicant's Traffic Consultant or Site Engineer such as eye height and object height. There should also be a sight diagram or distance provided for a vehicle turning left into the site driveway to be able to see an oncoming vehicle on Elm Road. Also, sight distance information should also be provided for the other sight driveways in the event that they are eventually utilized.

DTS Provident Comment: Sight Distance diagrams have been provided for all driveways. However, there is still a concern for vehicles turning left from Elm Road into the proposed main Site Driveway due to the sight distance limitations and vegetation. Based on field observations performed by DTS Provident, the sightlines shown run through the location of the existing hedges. Therefore, additional information should be provided for this movement or consideration be given to utilizing the other Site Driveways.

Additional New Comments/Questions from PDE

In addition to the open questions above that require additional responses, the following are additional new comments/questions:

- Since it has been several years since the Site has been occupied and generated meaningful traffic, as well as that the background traffic has since changed, a Traffic Study should be performed analyzing:
 - the opening year
 - the projected 10 years of growth
 - a large special event

The Study Intersections should consist of:

- Pleasantville Road and South State Road
- Pleasantville Road and North State Road
- South State Road and Elm Road
- Elm Road and the Site Driveway(s)

DTS Provident Comment: A Traffic Impact Study has been provided.

- On the Site Plan/Signage Plan, there should be appropriate crosswalk signage at the key crosswalk locations on-site. This should be added to the Site Plans.

DTS Provident Comment: The provided Site Plans show the potential crosswalk locations. These will be further evaluated during the technical review.

- On the Site Plan/Signage Plan, there should be internal signage to alert drivers not to turn onto the Emergency Access Driveways (except during an emergency) to try to exit the Site as there is limited ability to turn around.

DTS Provident Comment: The recommended internal signage at the Emergency Access Driveways is not shown on the plans.

- The number of deliveries, including food, linens, sanitation, etc., as well as the size of the vehicles and loading areas, should be discussed.

DTS Provident Comment: Details on the operation of how deliveries and sanitation will be dealt with is not provided. Based on the Signage Plan there is a loading area at the Macadam Parking Lot just north of Dow Hall.

- The Village could consider requiring monitoring of the Site Driveways after opening to confirm the Site's actual trip generation. The Applicant suggested something similar, but for only if additional expansion is projected after 10 years.

DTS Provident Comment: A potential Traffic Monitoring Program should be suggested by the Applicant.

This memo reflects PDE's Professional Review and Comments but may not reflect those of the Village.