



**VILLAGE OF HASTINGS-ON-HUDSON**

Municipal Building

7 Maple Avenue

Hastings-on-Hudson, New York 10706

**RESOLUTION**

On motion of Trustee Lopez, seconded by Trustee Alligood the following Resolution was duly adopted:

**14:24 ADOPTION OF A SEQRA NEGATIVE DECLARATION IN CONNECTION WITH THE ELECTRIC OWL MULTIMEDIA STUDIO PROJECT AND ZONING AMENDMENT TO CREATE A MULTIMEDIA PRODUCTION STUDIO OVERLAY DISTRICT**

**WHEREAS**, the Board of Trustees of the Village of Hastings-On-Hudson is conducting a Coordinated SEQR Review of a Type I Action, including the amendment of the Village Zoning Code to create a Multimedia Production Studio Overlay District and the mapping of the overlay on the site described below, and the development of the Electric Owl Studios (the "Project") (collectively the "Proposed Action") submitted by Electric Owl Holdings LLC (the "Applicant"); and

**WHEREAS**, the Project is located at 1 South Broadway and is more specifically known and identified as Tax Map Section 4.130, Blocks 139 and 167, Lot 1.1 (herein after referred to as the "Site"); and

**WHEREAS**, the proposal also includes the subdivision of the Site to create two new lots of 6.67 acres that would support the continued operation of the Graham Windham School, and 17.30 acres that would support the Electric Owl Project; and

**WHEREAS**, pursuant to 6NYCRR Part 617.4, the Proposed Action as described above is classified as a Type I Action; and

**WHEREAS**, on February 7, 2023, the Board of Trustees of the Village of Hastings-On-Hudson indicated its intent to serve as Lead Agency for the SEQR review of the Proposed Action; and

**WHEREAS**, the Lead Agency Notice was circulated to all Involved Agencies, and no objections were received during the required 30-day circulation period, and on March 21, 2023 the Board of Trustees confirmed its Lead Agency designation; and

**WHEREAS**, the Board of Trustees as Lead Agency reviewed the Full Environmental Assessment Form (FEAF) Part 1 and supplemental material submitted for the Action, and reviewed the FEAF part 2 to identify areas of potential impact and requested additional information and studies from the Applicant as a FEAF Part 3 Supplement; and

**WHEREAS**, the Board of Trustees received additional information from the Applicant over the course of its review; and

**WHEREAS**, the Board of Trustees has requested and received input from the Planning Board on the SEQRA review and potential impacts of the Proposed Action; and

**WHEREAS**, the Board of Trustees has reviewed all the information submitted in relation to the Proposed Action and has taken a hard look at the potential environmental impacts of the Proposed Action.

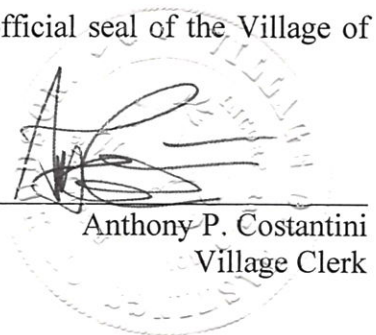
**NOW THEREFORE BE IT RESOLVED:** that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the Proposed Action will not have a significant adverse effect on the environment for the reasons enumerated in the attached Negative Declaration Form and Reasons Supporting the Determination.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee Georgia Lopez	X	
Trustee Douglass Alligood	X	
Trustee Morgen Fleisig		X
Trustee Thomas Drake	X	
Mayor Nicola Armacost	X	

**CERTIFICATION**

I, Anthony P. Costantini, Village Clerk of Hastings-on-Hudson, do hereby certify that I have compared the foregoing copy of the Resolution adopted at the Special Meeting of the Board of Trustees on January 30, 2024, with the original now remaining on file at this office and that the same is a correct transcript therefrom and of the whole of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Village of Hastings-on-Hudson this 1st day of February, 2024.

  
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Anthony P. Costantini  
Village Clerk

Date January 30, 2024

The Action is located on 1 South Broadway, Hastings-On-Hudson and is more specifically known and identified as Tax Map Section 4.130, Blocks 139 and 167, Lot 1.1

**REASONS SUPPORTING THIS DETERMINATION:**

(See 617.6(g) for requirements of this determination; see 617.6(h) for Conditioned Negative Declaration)

See Attached

**If Conditioned Negative Declaration**, provide on attachment the specific mitigation measures imposed.

**For Further Information:**

Contact Person: Anthony Costantini  
Address: 7 Maple Avenue, Hastings-On-Hudson, NY 10706  
Telephone Number: 914-478-3400

**For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:**

Commissioner, Dep't of Environmental Conservation, 625 Broadway, Albany, NY 12233-0001  
NYSDEC Region 3, 21 South Putt Corners Road, New Paltz, NY 12561  
Mayor, Village of Hastings-On-Hudson, 7 Maple Avenue, Hastings-On-Hudson, NY 10706  
Applicant (if any)  
Other Involved Agencies (if any)

### Reasons Supporting This Determination

The proposal involves the adoption of a zoning text amendment to add a Multimedia Production Studio Overlay District and the mapping of the Overlay District on the property; subdividing the subject property to create two new lots of 6.67 acres that would support the continued operation of the Graham Windham School, and 17.30 acres that would support the Electric Owl project. The Board of Trustees as Lead Agency will adopt a SEQRA Determination and has jurisdiction over the approval of the zoning text amendment and mapping of the Overlay District. Upon the Board of Trustees taking such actions, the Planning Board will undertake the site plan and steep slopes review process and other involved agencies will review approvals under their jurisdiction. Those agency approvals will be consistent with the parameters set forth in this document, but have full jurisdiction to conduct review in accordance with the jurisdiction granted to them by the relevant laws and regulations.

The Electric Owl site would be developed to include a multi-media production/filming studio, consisting of repurposing four existing buildings, and the construction of new buildings, as follows:

<b><u>Proposed Structures -Studio Parcel</u></b>	<b><u>Gross Floor Area (SF)/Height</u></b>
Mill Shop 1	13,780 SF/22 FT
Mill Shop 2	17,370 SF/22 FT
Studio Building/Stage 1	21,290 SF/48 FT
Studio Building/Stage 2	19,990 SF/48 FT
Studio Building/Stage 3	20,050 SF/48 FT
Studio Building/Stage 4	20,050 SF/48 FT
Studio Building/Stage 5	20,030 SF/48 FT
Studio Building/Stage 6	20,030 SF/48 F
Wardrobe Building (1+2)	24,150 SF/35FT/2 stories
Total support spaces (within above buildings)	5,810 SF
<b>Total studio/mill/wardrobe space</b>	<b>182,550 SF</b>
Parking Structure	<b>122,000 SF</b> /4 levels
<b><u>Existing Structures to Remain- Studio Parcel</u></b>	
Administration Building	43,705 SF/approx. 2.5 stories
Satterlee Cottage	3,302 SF/approx. 2.5 stories
Fraser Cottage	6,960 SF/approx. 2.5 stories
Matthew Cottage (gatehouse)	3,000 SF/approx. 2 stories
Total structures to remain	<b>56,967 SF</b>
<b>Total Gross Floor Area</b>	<b>361,517 SF</b>

The stage/studio buildings are aligned along the south side of the Site, and the two Mill Buildings are proposed on the western side of the Site, behind the Administration Building. The four-level parking deck is proposed in the northwest portion of the Site, and is set into the existing slope. The garage provides 262 parking spaces for the Studio (with the ability to accommodate an additional 80 spaces utilizing valet parking), plus 101 parking space for the School on the ground level. In addition, there are 19 at-grade parking spaces for the Studio within its site and additional at-

grade parking for the School within its own site. The garage will include electric vehicle charging stations.

The two parcels would be served by two separate driveways onto South Broadway. The existing driveway would be shifted northerly to provide access to the Electric Owl site, and a new driveway, located to the north of the proposed Studio's driveway, would provide access to the Graham Windham School.

The Electric Owl site would be served by new infrastructural utility services, including new sanitary sewer services, water services, electric services and associated utility services. No emergency generators are proposed for regular energy supply.

Specific impacts relating to the proposed action are addressed below:

### **1. Site Operations**

The Proposed Action calls for subdividing the Site into two separate parcels. The smaller 6.67-acre parcel would support the continued operation of the Graham Windham School. The larger 17.30-acre parcel would support the Electric Owl studio operation.

The Graham Windham School would continue to operate as it currently does. This will not result in any significant adverse impacts.

Electric Owl site would operate as a multimedia production studio, where film productions rent the studio and associated facility space to produce films/media projects. As such, the site schedule varies with each production.

Production is typically a six-month ( $\pm$ ) process involving several steps:

- Show Preparation – Months 1 & 2
- Show Preparation/Set Construction – Months 3 & 4
- Filming Phase (Maximum Occupancy) – Month 5
- “Strike” – Set Breakdown and Exit Phase – Month 6

Typical operations would involve one “Large” production occurring on the Site at any given time, but it is possible for two “Small” productions to be active on the Site concurrently. A Large production would be defined as occupying all six (6) stages, all office and all mill space and there would be no room for any additional productions on the campus. A Small production would be defined by only occupying half the stages, office and mill shop and a maximum of two such productions would be on Site at any one time. If two (2) Small productions are on Site simultaneously, the process schedule described above would be staggered, so that filming of the two productions is not concurrent. Electric Owl will maintain lighting, sound, filming and grips equipment on-site for rental by productions, substantially minimizing the need for equipment deliveries.

The Electric Owl facility will include green rooms and dressing rooms, which will minimize the use of “star trailers.” Although some trailer use is anticipated, it would be more limited than at other studios. During the site plan review process, specific trailer locations will be identified, and no trailer parking will be permitted off-site. Three of the existing cottage buildings will be repurposed to accommodate studio functions and operations, minimizing the need to utilize trailers.

On-site catering facilities will be provided in two full-size commercial kitchens in the Administration Building. Restroom facilities will be located within the buildings, eliminating the need for porta-johns.

The Lead Agency finds that the operation of the facility as described above, would not result in any significant adverse impacts.

## **2. Zoning, Land Use and Community Character**

### **Community Character:**

The 23.97-acre parcel has supported the Graham Windham Hastings Housing Campus since 1902. This school provided residential housing and educational opportunities and therapeutic services to students that experienced difficulties in previous school settings. The residential campus closed during the COVID-19 pandemic. The Greenburgh-Graham Windham Union Free School District continues to operate the day school operations of the Ziccolella Elementary/Middle School (grades K-8) and the Martin Luther King, Jr. High School (grades 9-12) on the north side of the Site.

The existing structures that were utilized in conjunction with the residential school, that are no longer used include:

- Administration Building
- 15 Dormitory Cottages
- Gymnasium
- Maintenance Building

The character of the Site reflects a beautiful campus setting overlooking the Hudson. While the Electric Owl project would result in the alteration of the Site, and the replacement of existing dormitory cottages with larger studio and associated buildings, the fundamental campus-like setting would be preserved. The existing architecturally significant Administration Building would serve as the focal point of the project, and a large open central quad would remain in the center of the Site. To minimize the coverage impact, a parking garage is proposed at the rear of the Site, set into the existing slope, thereby minimizing at-grade parking and the associated additional impervious surfaces. To maintain the character of the Site from the primary public vantage point (along South Broadway), the existing frontage would remain fundamentally unchanged, with all new buildings setback by a minimum of 150 feet. The existing Matthews Cottage would remain within the 150' setback, as it serves as a distinctive architectural landmark, that would continue to provide a distinctive character to the arrival experience at the Site. The preservation and reuse of the existing buildings where possible is also beneficial to the environment as it reduces resource and material consumption, puts less waste in landfills, and consumes less energy than demolishing buildings and constructing new ones.

Importantly, the layout and configuration of the Proposed Action, the height of the buildings at the western side of the Site, and the maintenance of the Site's essential open, campus-like setting will preserve views of the Hudson and the palisades beyond.

Because the Electric Owl facility would maintain the Site's campus-like setting, it can be concluded that the Proposed Action would not result in any significant adverse community character impacts.

**Land Use:**

The Graham Windham School and the Andrus on Hudson facility located on the east side of South Broadway across from the Site, establish a unique land use character characterized by open campus-like settings. The Congregation Mita Church located to the north of the Site and the Lenoir Preserve located to the south reinforce this land use character. However, the area also supports single-family residential neighborhoods to the north, as well as the Riverpointe townhouse condominiums and the 8-story Riveredge apartment building located to the south of the Site in the City of Yonkers. The historic Old Croton Aqueduct borders the Site to the West. The land use character of the area can therefore be characterized as quite varied.

The Proposed Action would not be inconsistent with the existing unique land use pattern surrounding the Site. In fact, a viable economic operation that has been carefully designed to preserve the campus-like character of the Site, is a stabilizing land use on a Site where change is inevitable due to the closure of the Graham School residential operation. No use, other than those uses permitted under the existing R-20 One Family Residence zoning district, or a Multi-Media Production Studio as permitted under the proposed zoning, would be allowable on the Site. If the Electric Owl facility were to fail, no use other than those noted above would be permissible. Therefore, it can be concluded that the Proposed Action would not result in any significant adverse impacts to land use.

**Comprehensive Plan:**

The Village's Comprehensive Plan (adopted in 2011) states that the Village should consider revising the zoning of this Site to facilitate projects that will *"protect community character while encouraging land uses that have the potential to generate greater tax revenues than costs to the Village."* Additionally, the three major goals of the Village of Hastings-on-Hudson Comprehensive Plan are addressed with the Proposed Action, as listed below:

- Foster economic development.
- Promote environmental sustainability.
- Protect and enhance community character.

The Proposed Action will foster economic development by creating commercial development and generating taxes on a Site that is currently tax exempt. As more fully documented below, the Proposed Action will promote environmental sustainability by generally protecting and maintaining the open space and campus-like character of the Site. Furthermore, environmental sustainability will be a focus of this development as reflected in the "green" design of the buildings (solar panels, green roof, energy efficiency, designed to LEED standards), improved pedestrian infrastructure, and maintenance of the existing access to the Old Croton Aqueduct. Community character will be preserved as the new buildings have been designed to fit into the Site topography, and the Site design will maintain existing views from the Site toward the Hudson River. Several of the more outstanding architecturally significant existing buildings will be adaptively reused, including the Administration Building and the Matthews Cottage, and the existing Graham Windham School will continue to operate on the north side of the Site.

It can therefore be concluded that the Proposed Action is consistent with the vision for the Site as set forth in the Village's Comprehensive Plan.

**Zoning:**



The Site is located within the R-20 – One Family Residence zoning district. This district is the lowest density zoning district in the Village, within which the existing Graham Windham School is classified as a permitted principal use.

If the 17.30-acre portion of the Site that is being considered for the Electric Owl facility were to be developed to support single-family homes in accordance with the R-20 zoning district regulations, it could be expected to yield approximately 25± residential lots. If single-family residential development was contemplated, it would be further regulated by the provisions of the Gateway Cluster Overlay District (§295-85.1) which would mandate the clustering of the residences and the preservation of perimeter buffers.

The Applicant is proposing the adoption of a new “Multi-Media Production Studio Overlay District.” As described in the application, this district would be superimposed upon the underlying R-20 district, and would allow for the development of a new use defined as a Multi-Media Production Studio, that would be subject to a series of development standards and controls.

The proposed zoning has been designed as an “overlay district” which allows for only the operation of a Multi-Media Production Studio. This overlay district does not supersede the underlying R-20 zoning, but rather adds to it the opportunity to permit a Multi-Media Production Studio. Should a Multi-Media Production Studio not be developed on the Site, the underlying R-20 One-Family residence zoning would continue to govern.

The proposed zoning appropriately regulates the development of a Multi-Media Production Studio and assures that such a development would be consistent with the existing land use and community character of the area surrounding the Site. The overlay zoning technique exists currently within the Village’s zoning hierarchy.

The Proposed Action complies with the proposed zoning bulk, height and dimensional regulations as follows:

<b>Multi-Media Production Studio Zoning Provision</b>	<b>Required</b>	<b>Proposed</b>
Lot Area	10 acres	17.3 acres
Total FAR <sub>(2)</sub>	0.75	0.70
Lot Width	150'	655'
Building Coverage	35%	24%
Impervious Surface Coverage	40%	39%
Front Yard (Broadway)	150'	150'
Front Yard (Dudley)	50'	50'
Side Yard	50'	30' -50' <sup>(1)</sup>
Rear Yard	50'	50'
Maximum Height	55'	Max 53'

- (1) Studio stages 05 and 06 do not meet the 50' side yard setback given the configuration of the interior access road and fire access requirements. The setback at this location is 30', however, this area adjoins a heavily wooded, vacant downhill slope adjacent to Dudley Street where there are no residential or other buildings. This wooded area is owned by the Riverpointe HOA, and is dedicated, permanently preserved open space that cannot be further developed. Adjacent to this wooded area is the dedicated open space of the Lenoir Preserve. These wooded areas and the intervening topography affords substantial screening. An authorized waiver of the 50' setback by the Planning Board, pursuant to the provisions of proposed 295-85.2D(h), will be sought during the site plan review process.

- (2) FAR is calculated using Gross Floor Area of the total Studio Lot + Double counting of vaulted ceiling Sound Stages + Double counting Administration building floor area with vaulted ceilings +GFA of parking structure.

No significant adverse zoning impacts will result from the Proposed Action.

### **3. Geology:**

The geotechnical investigation of the Site consisting of test borings revealed gravel with fine to medium sand and trace silt directly beneath asphalt pavement and a layer of topsoil one to two feet thick beneath the gravel. Beneath the topsoil stratum is glacial till, decomposed bedrock and bedrock. Based on this, shallow foundations (spread footings or structural mats) are required to support the stage buildings and mill shop. Additional excavation may be necessary to reach the recommended bearing stratum.

As stipulated in the New York State Building Code, all footings must be located at or below a depth of four feet below the lowest adjacent exposed ground surface to protect from frost. The edges of the footings shall be installed deep enough to avoid the influence area of the adjacent footing. Isolated footings shall bear entirely on soil or decomposed rock. A transition zone shall be constructed for continuous footings where the subgrade changes from granular fill or glacial till to decomposed bedrock.

The parking garage construction will require excavation of 20 to 35 feet in depth below the existing grade. The preliminary geotechnical report anticipates that the structure will rest on a mat foundation bearing on bedrock and decomposed bedrock. Groundwater-based uplifted or lateral pressure should be considered for the parking garage structure. A design elevation of 249 feet is recommended.

Groundwater was not encountered within any of the boring locations; if groundwater is encountered it is anticipated to be perched on top of the bedrock surface. Changes in groundwater will naturally occur due to seasonal variations, precipitation, surface runoff and other factors. Supplemental geotechnical investigations (including additional test pits and/or borings) will be conducted to collect data for stormwater management design and inform final design parameters for the Proposed Action. Supplemental investigations will be completed after Preliminary SWPPP review, prior to final SWPPP preparation and construction document completion.

As groundwater was not encountered within the test boring locations, foundations for the mill shop and sound stage buildings are not anticipated to require waterproofing. The preliminary geotechnical report recommends waterproofing all below-grade foundation walls, cellar walls, and floor slabs to reduce the potential for water infiltration. An under-slab drainage system will be provided for the parking structure. It is recommended that blind-side waterproofing be installed behind the parking garage retaining walls where practicable.

The Geotechnical Report indicated that there is a presence of rock within the subsurface of the Site, primarily at the area of the proposed parking structure. Rock blasting is not anticipated to be required, as rock excavation will be accomplished through mechanical methods. Approximately 20,000 CY of rock crushing is proposed on-site in order to reduce export of material off site via trucks. The removal, processing, crushing and re-use of rock for building sub-base will also reduce the need for trucks to import that material onto the Site from external sources.

The Site does not contain any unique or unusual geologic features (e.g., cliffs, dunes, minerals, fossils, caves). There are no adjacent geologic features listed as registered National Natural Landmark(s) on, or adjacent to, the Site.

Based on mitigation proposed, no significant adverse geologic impacts would result from the Proposed Action.

#### **4. Soils:**

The USDA Soil Survey indicates 16 soil types on the Site, none of which are classified as hydric soils.

The preliminary grading plan for the Site indicates that approximately 16.6 acres of land (70% of the Site) will be disturbed as a result of construction (clearing, excavating, and grading). No disturbances will occur off-site, other than the driveway and sidewalk improvements and road improvements proposed along or in the South Broadway right-of-way, subject to approval by New York State Department of Transportation. Of this area of disturbance, approximately 9.17 acres will be impervious surfaces (roads, driveways, sidewalks, and buildings) and the remainder (7.6 acres) will be revegetated with new meadow/lawn or landscaped areas.

There are no soil conditions that require any unique mitigation measures. To mitigate and minimize soil erosion and sedimentation on and off-site during construction, a Soil Erosion and Sediment Control Plan will be submitted as part of the site plan review process. This plan will include measures such as the installation of silt fencing, straw hay bales, inlet protection, temporary sediment traps, concrete washout areas, a stabilized construction entrance, mulching, and/or hydroseeding. As a result, no significant adverse impacts to the Site's soils will result from the Proposed action.

#### **5. Steep Slopes:**

Much of the Site consists of slopes between 0 – 15%. Approximately 1.9 acres consists of slopes between 15% and 25%, and approximately 4 acres consists of slopes in excess of 25%.

The Proposed Action would disturb 15 acres of slopes between 0 – 15%, 0.65 acres of slopes between 15 – 25%, and 0.95 acres of slopes in excess of 25%. Compliance with Village Code Chapter 249, Steep Slopes, will be required for this disturbance and a Steep Slopes permit will have to be issued by the Planning Board in conjunction with the Site Plan Approval.

The goal of the grading for the Proposed Action is to get as close to a balance of cut and fill as possible, in order to reduce the amount of soil that is disposed of off-site and minimize impact to soils. An unadjusted earthwork volume analysis based on the preliminary grading plan resulted in 83,000 cubic yards of excess material. There are opportunities to utilize this excess cut (~20,000 cubic yards or more) on Site to limit off-site hauling and minimize the total number of truck trips. Potential reduction to this amount could be accomplished via reuse of soils on site, and/or rock crushing. The final amount of soil removal and method are to be confirmed and coordinated through the site plan review process.

In order to mitigate any potentially adverse impacts associated with the encroachment into areas of steep slopes, the following measures will be taken during construction:

- Existing topsoil will be stripped and stockpiled for reuse on the Site.

- Wherever possible, grading will blend into the natural contours and undulations of the land.
- Earthwork cuts will be placed in fill locations on the Site wherever possible.
- Cuts and fills will be rounded off to eliminate sharp angles at the top, bottom and sides of regraded slopes.
- The angle of cut and fill slopes shall not exceed a slope of one vertical to two horizontal, except where retaining walls, structural stabilization, or other methods acceptable to the Village Consulting Engineer are used.
- Tops and bottoms of cut and fill slopes shall be set back from all structures an adequate distance to ensure the safety of the structures in the event of the collapse of the cut or fill slopes.
- Disturbance of slopes shall be undertaken in workable units in which the disturbance can be completed and stabilized in one construction season so that areas are not left bare and exposed during the period from December 15 through April 15.
- Disturbance of existing vegetative ground cover shall not take place more than 15 days prior to grading and construction.
- Temporary soil stabilization, including, if appropriate, temporary stabilization measures such as netting or mulching to secure soil during the grow-in period, shall be applied to the area of disturbance within two days of establishing the final grade, and permanent stabilization shall be applied within 15 days of establishing the final grade.
- Soil stabilization shall be applied within two days of disturbance if the final grade is not expected to be established within 60 days.
- Measures for the control of erosion and sedimentation are undertaken consistent with the requirements of the Village of Hastings-On-Hudson, Village Consulting Engineer and the New York State Department of Environmental Conservation's "Guidelines for Urban Erosion and Sediment Control," as amended, or its equivalent.
- Topsoil stockpiling shall not occur on slopes of greater than 10%.
- All fill materials shall be properly compacted to ensure the support of proposed structures and stabilization for intended uses.

Implementation of the mitigation measures will ensure that no significant adverse impacts to steep slopes result from the Proposed Action.

#### **6. Wetlands:**

The Site does not contain wetlands as defined and regulated by either the New York State Department of Environmental Conservation (NYSDEC) or the US Army Corps of Engineers (ACOE). There are no wetlands or other waterbodies immediately adjacent to the Project Site. As a result, no impacts to wetlands will result from the Proposed Action.

**7. Watercourses & Waterbodies:**

There are no watercourses or waterbodies on the Site. The Hudson River is located off Site to the west. Disturbances to a portion of the regulated steep slopes located on the Site will occur, which may result in erosion. However, sediment and erosion control measures will be provided during construction according to NYSDEC standards. In addition, post-development runoff flowrates will be less than the existing condition runoff flowrates. With these measures it is anticipated that the Proposed Action will not lead to siltation or degradation of the Hudson River.

**8. Stormwater Management:**

Currently, stormwater runoff on the Site flows uncontrolled east to the Hudson River and from a portion of the Site south towards Dudley Street. Stormwater from existing impervious areas is captured by inlets and conveyed by storm drain pipes to existing flow paths that ultimately outfall at the Hudson River. No stormwater quality or quantity controls or attenuation currently exists on the Site.

The Applicant has proposed an extensive stormwater management plan including stormwater management improvements designed in accordance with and to meet the requirements of: Chapter 250 of the Village Code – Stormwater Management, Erosion, and Water Pollution; Chapter 160 – Green Building Code; and the NYSDEC stormwater management guidelines, providing runoff reduction, water quality, and water quantity improvements. In addition to standard stormwater management practices as defined by the NYSDEC, alternatives to traditional hardscape (impervious) surfaces such as permeable pavers wherever feasible and green roofs have been incorporated into the Proposed Action to reduce the additional impervious surface. The proposed green roofs on the mill buildings and wardrobe buildings will be semi-intensive green roofs with a minimum of 6 inches of soil cover and a variety of plant materials over at least 50% of the roof area. Native plant meadows are also proposed to reduce stormwater runoff. The Applicant has committed to evaluating measures to further improve stormwater management on Site during the site plan and building permit review processes, including potential additional green roof components.

Approximately 8.35 acres of the Site (35%) is currently impervious. In the future condition, impervious area will increase to 9.17 acres (an additional 0.82 acres). A majority of the Site, approximately 14.80 acres (62%), will remain pervious. This includes both the lot which will house the Studio, as well as the proposed School lot with its associated parking area. The proposed stormwater design will utilize NYSDEC standard stormwater management practices, such as on-site stormwater management structures with the use of infiltration basins, to satisfy the runoff reduction, water quality, and water quantity requirements of each drainage area. The design will be refined with further in situ soil testing.

Three design points on the Site were evaluated. The proposed stormwater management plan will detain flows and treat water quality of runoff coming from proposed disturbed areas. Overall, the stormwater runoff to these design points is projected to be reduced on average by 24%, 24%, and 26% for the 24-hour 1-year, 10-year, and 100-year storm events, respectively. These calculations have been reviewed by the Village's Consulting Engineer, and when the stormwater management plan is finalized as part of the site plan review, the calculations will be reviewed again and confirmed.

Specific to the neighboring property to the south, the pre- vs. post-development stormwater volumes flowing in this direction will be reduced by approximately 29%, an improvement over

existing conditions. Much of the runoff from the Site will be conveyed away from discharging to the south, mitigating impacts to the storm sewer systems, drainage swales, and slopes adjacent to Dudley Street.

The stormwater management plan, existing drainage conditions, and future drainage conditions are described in the Preliminary Stormwater Pollution Prevention Plan (SWPPP). The Village Consulting Engineer has undertaken an initial review of this document. During the site plan review phase, the Village Consulting Engineer shall ensure that the proposed stormwater management plans not only meet the strict limits of all applicable regulations and requirements, but also anticipate future conditions and trends, including the increasing propensity of severe storms, and that no adverse impact will result from the Proposed Action. As indicated, the proposed stormwater management plan would actually decrease the stormwater flows off the Site.

The capability of the proposed green roofs to manage 106,000 gallons of stormwater (the equivalent of a 2" rainfall over the roof area) shall be confirmed during the site plan review phase of the Proposed Action.

It can therefore be concluded that the Proposed Action will not result in any significant adverse stormwater impacts and will result in an improvement over current conditions resulting from the lack of any stormwater controls on the Site.

**9. Floodplains:**

The Site is located within Zone X (area of minimal flood hazard) as designated on the FEMA Flood Hazard Map. The Site is not located in the 100- or the 500-year floodplain. All buildings and amenity spaces will be built outside of the floodplain, above the base flood elevation. As a result, no flooding impacts will result from the Proposed Action.

**10. Air Quality:**

The Proposed Action will not result in the introduction of a state regulated air emission source, including emissions in excess of 5 lbs./hour or a heat source in excess of 10 million BTU's/hour.

Short-term air quality impacts related to the use of construction equipment will result from the Proposed Action. These short-term impacts will be mitigated by maintaining all construction equipment in good working order, and operating such equipment in accordance with manufactures specifications. Dust associated with construction activities will be controlled by spraying exposed soil areas with water, and by enclosing all haul vehicles with tarps.

Long-term air quality impacts are limited to normal operational emissions. No carbon dioxide (CO<sub>2</sub>), nitrous oxide (N<sub>2</sub>O), perfluorocarbons (PFC's), sulfur hexafluoride (SF<sub>6</sub>), hydrofluorocarbons (HFC's) or methane in excess of permissible levels will result from the proposed action. As a result, it can be concluded that no significant adverse impacts to air quality impacts will result from the Proposed Action.

**11. Vegetation:**

Three vegetative communities are present on the Site; mowed lawn, unmaintained fringe area and forested areas.

In accordance with the provisions of §295-106 E (8), of the Village Code, a detailed tree survey was conducted that identified all existing trees on the Site that are 8" and above dbh, and survey-

located each on a Tree Removal Plan (L-2.0). The tree survey identified each tree by species, size, condition, whether it is invasive and if it is to be removed or preserved. The trees on the Site are generally second and third growth with an average dbh of 17". The largest tree on the site is a London planetree, which has a dbh of 70". No designated "Champion Trees" or old growth forest are present on the Site. Of the 486 trees identified on the Site, 11 are dead, 9 are in critical condition and 54 are in poor condition. 320 of the existing trees (66%) are invasive species. The Proposed Action calls for the removal of 277 of the 486 trees. While tree removal is an unavoidable impact, over 27% of the trees to be removed are either dead, dying or in poor condition and 66% are invasive species.

To mitigate the loss of existing trees, a Landscaping Plan (drawings L-1.0 – L-1.7) is proposed that consists of the addition of 429 trees, 569 shrubs and 9,515 perennials. 90% of these new plantings are native species. Some non-native species are included in the Plan (such as Thuja), which has been specified because it provides superior screening and is proposed along Dudley Street. Invasive Tree of Heaven trees will be removed throughout the Site. During the site plan review phase, the Planning Board will review the landscape plan and work with the Applicant in an effort to meet the 100% native species standard established in the Village's Green Building Code. During the site plan review phase of this development, the Planning Board will also ensure that the provisions of the Green Building Code that deal with landscaping and invasive plants, are properly addressed. In reviewing the proposed planting plan, the Planning Board shall also take into consideration the environmental value of the trees to be removed as compared to the replacement trees using the methodologies set forth in the Town of Greenburgh Code Chapter 260, Trees, Community Management, while also taking into consideration other environmental benefits of the Proposed Action.

Lawn areas vary in treatment, with diverse species proposed throughout the Site. A fescue lawn will be established and maintained organically. Additionally, a "no-mow-meadow" is proposed extending into the woodland areas. Invasive grasses in the existing lawn areas will be removed.

According to the NYS Natural Heritage Program, there are no rare, threatened or endangered species, or significant natural communities on the Site.

Anthropogenic impacts to the Site's natural landscape have been occurring for centuries, and likely far longer, prior to the arrival of European settlers. Removal of existing non-native invasive species, and the proposed Landscaping Plan will restore the ecological integrity of the Site's landscaped vegetation, and serve to mitigate the loss of existing trees. In accordance with §295-47 of the Village Code, all plantings shown on the approved site plans must be maintained in a vigorous growing condition, and if not maintained in this fashion, must be replaced at the start of the next growing season.

The proposed Landscape Plan includes the creation a "Pollinator Garden" on the east side of the Site near the Matthews Cottage and the Studio entrance. This garden area will be planted with native wildflowers, including milkweed, and maintained according to best practices. Details of this garden will be addressed during the site plan review process. This area will be identified with signage to prevent accidental mowing or spraying.

It can therefore be concluded that the Proposed Action will not result in a significant adverse impact to vegetation.

## 12. Wildlife:

The animal (fauna) species present on Site are typical of those found in an urban setting in lower New York State. Common species found on Site include deer, squirrel, mice, racoon, and similar common local species of birds and mammals.

Investigation into rare, threatened or endangered species was conducted as defined by federal and state regulatory agencies. According to a screening analysis conducted for threatened and endangered species, the NYSDEC Environmental Resource Mapper identified that the Site is located proximate to areas that support two species of Sturgeon. These species of fish are likely to be present in the nearby Hudson River. These species are not present on the Site, as no watercourses link the Site to the Hudson River.

An inquiry was made to the NYS Natural Heritage Program (June 2023). Their response on August 4, 2023 indicated that *“we have no records of concern from our tracked list of rare or State-listed animals or plants, or significant natural communities at the project site or in this immediate vicinity”*.

There are no critical habitats, fish hatcheries, national wildlife refuge lands, or other significant species recognized by Federal Agencies on the Site.

Federally listed species were screened using the U.S. Fish and Wildlife Service’s Information for Planning and Consultation (“IPaC”) tool. This screening returned two species: northern long-eared bat (endangered) and monarch butterfly (candidate for listing). After further screening, the US Fish and Wildlife Service determined that the Site does not support suitable habitat, and would therefore have no effect on northern long-eared bat. This finding is reflected in a “No Effect” letter provided by that agency.

The monarch butterfly is not listed as an endangered species; therefore, it has no legal protections. An August 4, 2023 email from the New York Natural Heritage Program stated that the agency does not include the locations of monarch butterflies in its database. However, in April 2023, the Village of Hastings-on-Hudson adopted a resolution aimed at protecting the monarch butterfly and its habitat.

The Applicant provided a report from a wildlife consultant who investigated the site for monarch butterfly habitat to address this concern (June 2023). The majority of the Site is maintained lawn that will be mowed frequently, and meadow areas that would be mowed once or twice a year. The areas immediately adjacent to most buildings are landscaped with ornamental trees, shrubs, and grasses. Forested areas around the edge of the Site are currently dominated by black locust (*Robinia pseudoacacia*), American sycamore (*Platanus occidentalis*), Norway maple (*Acer platanoides*), black cherry (*Prunus serotina*), and eastern cottonwood (*Populus deltoides*), generally with minimal understory vegetation. Areas that are not forested and not maintained show evidence of extensive disturbance. These areas are dominated almost exclusively by non-native, invasive mugwort (*Artemisia vulgaris*), wineberry (*Rubus phoenicolasius*) and garlic mustard (*Alliaria petiolata*). Native wildflower meadows, milkweeds, and/or monarch butterflies were not observed on the Site. The investigation concluded that the Site does not contain suitable foraging or breeding habitat for monarch butterflies and, as such, the Proposed Action will have no effect on this species.



The Proposed Action calls for the creation of new habitat for monarch butterflies, including a new “Pollinator Garden” on the west side of the Site near the Matthews Cottage and the Studio entrance. This garden area will be planted with native wildflowers, including milkweed, and maintained according to best practices. This area will be identified with signage to prevent accidental mowing or spraying.

In addition to the Pollinator Garden and additional landscaping, the Applicant has committed to work with a bee keeping company (“Bee Downtown”) to install managed hives on the Site. These hives are estimated to pollinate approximately 1,800 acres surrounding the Site. The Applicant has installed managed hives at its other locations that positively impact the local environment.

Based on the information provided and the mitigation proposed, no significant adverse impacts wildlife will result from the Proposed Action.

### **13. Critical Environmental Areas:**

According to the NYSDEC info Locator tool, the Site is located in a Critical Environmental Area (“CEA”). The Hudson River was designated as a CEA by Westchester County on January 31, 1990 on the basis of exceptional or unique character. The Proposed Action is located approximately 0.25 miles east of the Hudson River and does not involve any disturbance of the river. Therefore, the Proposed Action will not have a significant adverse impact on any designated CEA and there are no mitigation measures proposed related to Critical Environmental Areas.

### **14. Aesthetic Resources:**

The visual and aesthetic character of the Site reflects a beautiful campus setting overlooking the Hudson River. While the Electric Owl project would result in alterations to the Site, and the replacement of some existing dormitory cottages with larger studio and associated buildings, the fundamental campus-like setting would be preserved. The existing architecturally significant Administration Building would serve as the focal point of the project, and a large open central quad would remain in the center of the Site, physically separating the Electric Owl operation from the Graham School.

To minimize the impact of the Proposed Action on the open campus-like character of the Site, a parking garage is proposed at the rear of the Site, set into the existing slope, thereby minimizing the necessity to provide large areas of at-grade parking and the associated additional impervious surfaces.

To maintain the character of the Site from the primary public vantage point (along South Broadway), the existing frontage would remain fundamentally unchanged, with all new buildings setback by a minimum of 150 feet. The existing Matthews Cottage would remain within the 150’ setback, as it serves as a distinctive architectural landmark that would continue to provide a distinctive character to the arrival experience at the Site.

Importantly, the layout and configuration of the Proposed Action, the height of the buildings at the western side of the Site, and the maintenance of the Site’s essential open, campus-like setting will preserve views of the Hudson and the palisades beyond.

While the proposed buildings reflect configurations that are unique to the Site (e.g., studio buildings), their architectural design reflects the existing character of the Site.

Studio buildings 5 and 6 do not comply with the proposed 50-foot setback from Dudley Street. The proposed setback in this area is a minimum of 32 feet. The proposed zoning enables the Planning Board to modify the 50-foot setback, as necessary, provided certain conditions are met. This reduced setback is proposed to preserve intact the Administration Building and the internal roadway that loops around the building, which among other things provides for emergency service access to this portion of the Site. Importantly, Dudley Street makes a sharp “S” turn bend to the south in this same location, before it once again bends sharply west. As a result, the distance from the rear of studio buildings 5 & 6, to Dudley Street is between 120 feet and 175 feet in this area. This area is actually owned by the Riverpointe Homeowners Association, and is an open space parcel required to be maintained in its natural state pursuant to the filed subdivision map for the development, and is heavily wooded in its natural state. This restricted parcel results in a setback from Dudley Street in the area of studio buildings 5 and 6 that averages over three times the distance required in the proposed zoning.

The other adjacent development to the Electric Owl property is the Riveredge Apartments at 1-3 David Lane, across the street from the Property to the south. The apartment building is primarily oriented to the Hudson River with the narrow side of the building facing towards the Site. The closest feature on the Riveredge apartments property to the Electric Owl Site is the swimming pool. The distance from studio building 6 (the closest point) to the swimming pool is approximately 256 feet. The slope between the properties is heavily wooded. As depicted on the proposed Landscape Plans (L-1.0 & L-1.5), the area behind the Studio building and the property line will be heavily landscaped and screened. It can therefore be concluded that views of the Proposed Action from the Riveredge property will not result in a significant adverse impact.

The Proposed Action will not result in adverse visual impacts to any designated federal, state or local scenic or aesthetic resources. The Proposed Action will not obstruct, eliminate or significantly screen a designated scenic view.

Proposed mitigation measures include enhanced landscape buffers, fencing, screening, and the preservation of existing natural vegetation, enhanced green open spaces and gardens, the configuration and design of the facility to maintain the campus-like setting, directed limited exterior lighting, as well as the architectural design of the new buildings. The Proposed Action has been designed to leverage the topography of the Site to minimize building heights and visibility from surrounding properties. The studio buildings are partially set into the ground to reduce the height. The height of the studio buildings is 48 feet to the eave and a maximum of 53 feet at the peak. The maximum height of the studio buildings facing Dudley Street shall be no more than 50 feet above grade. The Applicant has agreed to locate all rooftop mechanical equipment on the north side of the studio buildings, furthest from Dudley Street, and to make reasonable efforts to have the rooftop mechanical equipment not be visible from Dudley Street. The proposed buildings are oriented toward the loop road, and the architectural design of the buildings has been chosen to promote a cohesive design, aligned with the Beaux-Arts architectural styles on the Site and to blend in with the surrounding landscape. The studio buildings although connected are staggered so as not to create a single large wall. The architectural design of the studio buildings incorporates articulation in the facades and variety of materials and colors to further break up the appearance. These will be further developed as part of the site plan review process. The proposed parking garage will feature a green wall on its western side, visible from the Old Croton Aqueduct Trail, which will help it to blend into the existing landscape. The proposed buildings will not exceed the height of the existing Administration Building. Finally, the existing brick wall, that so prominently

defines the Site's frontage, will be maintained and/or rebuilt to preserve the character of the South Broadway streetscape.

It can therefore be concluded that the Proposed Action would not result in any significant adverse aesthetic impacts.

#### **15. Historic & Archaeological Resources:**

According to the New York State Office of Parks Recreation and Historic Preservation (OPRHP), the Graham Windham Home for Children has been determined to be eligible for listing on the State and National Registers of Historic Places. Contributing to this eligibility is the recognition that the Graham School is one of the oldest childcare agencies in New York State and the campus is one of the earliest to adopt a "cottage plan" where groups of children lived in separate residences supervised by house parents, a format that would become the model for childcare institutions across the country. Additionally, the campus is significant for its collection of Beaux-Arts buildings, most notably the James B. Baker Administration Building.

OPRHP indicated that demolishing the buildings that contribute to the historic significance of the Site would constitute an adverse impact, and the project could not move forward unless all prudent and feasible alternatives to the demolition are considered. The Applicant submitted a detailed alternatives analysis prepared by Historical Perspectives, Inc, which evaluated four alternative development scenarios:

- No-Purchase/No Build
- Twelve Design Scenarios Considered for Graham
- Preservation and Adaptive Reuse of Six Graham Structures.
- Preservation and Adaptive Reuse of Four Graham Structures.

In response to this alternatives analysis, OPRHP has concluded that the Proposed Action "...has been reviewed and we concur that it has adequately addressed all prudent and feasible alternatives as well as identified potential mitigation..."

OPRHP recommended that the Proposed Action can move forward, provided that a formal letter of resolution (LOR) be developed. The LOR shall incorporate the following mitigation measures recommended by OPRHP:

- The preservation and adaptive reuse of the James B. Baker Beaux-Arts Administrative Building.
- Preservation and adaptive reuse of three supportive structures.
- Preservation of the campus setting with a loop road and great lawn.
- Preservation and replacement in-kind of the brick-capped, campus-defining wall along South Broadway.
- The bronze bell at one time located on the roof of the Administration Building shall be, if located, salvaged, carefully curated during renovations, and reintroduced in an appropriate campus setting with an interpretative panel describing the history of the campus.
- A state-level photo documentation of the Graham campus be undertaken prior to demolition, that is filed with the New York Historical Society's own Graham archive collection and to SHPO for delivery to the New York State Library Archives.

- Continued consultation with OPRHP to carry out potential salvaging of intact components of the buildings proposed for demolition, either for incorporation into new buildings or for donation to organizations that donate or sell salvaged building components.
- Development of an interpretative display regarding the history of the school complex.
- Continued consultation with OPRHP to review the proposed design of the new movie studio buildings and the repair and rehabilitation of the four remaining school buildings.
- Continued coordination with OPRHP to avoid impacts to the adjacent Old Croton Aqueduct, including mitigating the issues in Christopher Pelosi's letter from March 16, 2023.
- Potential reuse or salvaging of the brick-lined gutters adjacent to the school roads.

The Old Croton Aqueduct Trail is located due west of the Site. The NYS OPRHP Taconic Region expressed concern (the 10<sup>th</sup> bullet above) regarding the impact of the Proposed Action on the Aqueduct, specifically regarding the use of the emergency access driveway that intersects the Aqueduct and the potential of the Proposed Action to increase erosion of the Aqueduct trail. The emergency access roadway will not be used for routine vehicular access, and would only be used by emergency service vehicles, if ever necessary. The method of restricting access to this roadway will be addressed during the site plan review phase of the development. As noted in Section 8 above, a stormwater management plan has been prepared in accordance with Chapter 250 of the Village Code – Stormwater Management, Erosion, and Water Pollution and the NYSDEC stormwater management guidelines, satisfying the runoff reduction, water quality, and water quantity requirements. Existing runoff and erosion concerns will be improved as a result on the Proposed Action.

It can therefore be concluded that the Proposed Action will not result in a significant adverse impact to historic resources.

#### **16. Open Space & Recreation:**

The Site was a former school campus and not open to members of the public. The Proposed Action will not eliminate or displace any existing recreational resources. The Proposed Action however, will slightly reduce the amount of open space on the Site. While slightly reduced, the proposed Site enhancements including new landscaping, and the creation of gardens and walking paths, will maintain the open, campus-like character of the Site. In fact, Electric Owl has emphasized that maintaining the open character of the Site provides a unique competitive advantage, which would set this Site apart from other competing venues.

Film productions will bring crews to the Site that may seek out open space and recreational opportunities during their stays at the Site. It is anticipated that the Site itself will offer the calming, open space respite desirable during hectic filming schedules. It is not anticipated that workers will seek out off-site recreational resources. However, it should be noted that the Lenoir Preserve and Old Croton Aqueduct State Park Trail are both adjacent to the Site, and would offer recreational opportunities.

No significant adverse impacts to recreational resources will result from the Proposed Action.

#### **17. Transportation:**

A detailed Traffic Impact Study was prepared for the Proposed Action that assessed nine intersections that would be potentially impacted by the Proposed Action. The nine intersections studied include:

- N Broadway and Executive Blvd (Signalized)
- N Broadway and Andrus main driveway (Unsignalized)
- N Broadway and Dudley Street (Unsignalized)
- Broadway and Existing Graham Windham School driveway (Unsignalized)
- Broadway and Tompkins Avenue (West) (Unsignalized)
- Broadway and Tompkins Avenue (East) (Unsignalized)
- Tompkins Avenue and James Street (Unsignalized)
- High Street and James Street (Unsignalized)
- Farragut Parkway and High Street (Unsignalized)

The Traffic Impact Study was independently reviewed by the Village's Traffic Consult to verify its conclusions.

The Proposed Action results in the following findings:

- During a typical busy day, the studio will generate 81 vehicle trips during the weekday peak hour onto South Broadway.
- Fewer than 1 vehicle per minute, on average, will be added to any roadway except the Site driveway, during the peak hour.
- The Proposed Action is projected to add fewer than 1 vehicle every four minutes to the roadways in the Uniontown section of the Village.
- It is conservatively estimated that a maximum of 3 trucks would arrive at the studio in one hour.
- With the addition of the traffic generated by the Proposed Action, increases in delay time will generally be approximately one second (or less) resulting in no significant changes at any intersection Levels-of-Service. The traffic increases will not exceed the capacity of the existing roadway network.
- At the Site driveway, there will be sufficient capacity to accommodate entering and exiting traffic.
- Site distances for both driveways on South Broadway will meet or exceed applicable AASHTO standards.

In addition, the Applicant has indicated that on filming days, the busiest days for traffic, individual departments (construction, grips, gaffers, talent, etc.) will be given staggered call times to ensure the traffic is spread out. The Applicant will incorporate this provision and a provision requesting that traffic to the studio not make use of James Street into its agreements with individual productions utilizing the Site.

The New York State DOT has indicated that traffic signals warrants are not met, and do not justify the installation of a traffic signal at either of the Site driveways or at the Dudley Street intersection.

The Applicant has indicated a willingness to install a left-turn lane on South Broadway, subject to the review, recommendations, and approval of the DOT.

The new Site driveway configuration requires a permit from the DOT. The disposition of the driveway shall be established as a condition of Site Plan approval.

60% of the trucks visiting the site (including FedEx, UPS, Amazon and refuse collection) are expected to travel via Executive Boulevard, which connects with I-87. The Applicant will specify the Executive Boulevard truck route for all business arrangements to and from the south. The remaining trucks, projected to be approximately 2 per day, will utilize other roadways which run through the Village.

A travel demand management strategy shall be implemented to manage the surge in traffic and congestion in the area during atypical events.

A post construction and site occupancy traffic monitoring program shall be implemented to ensure all traffic findings remain accurate. Adjustments or supplemental mitigation measures would then be implemented, if found to be necessary.

The Proposed Action will not adversely impact transit services. Currently, 73 buses travel along Broadway every weekday and 118 buses every weekday on Warburton Avenue. 81 trains per day stop at the Hastings-On-Hudson Metro-North station. The Proposed Action includes shuttles between the Site and the train station, as needed. The Proposed Action is projected to add 68 transit riders per day (58 by train and 10 by bus). This equates to fewer than 1 rider per train and much fewer than 1 additional rider per bus. This increase will not have an appreciable impact on transit services.

There are currently relatively low levels of pedestrian or bicycle activity in the vicinity of the Site and no dedicated pedestrian and bicycle accommodations are present. The Proposed Action includes the provision of a new sidewalk in the New York State Department of Transportation (DOT) right-of-way along South Broadway that would connect Dudley Street along the Site's frontage, and off-site to the driveway at the church, north of the Site, if approved and permitted by DOT and the City of Yonkers.

It can therefore be concluded that the Proposed Action will not result in a significant adverse impact to traffic, transit, mobility, pedestrian, and bicycle circulation.

#### **18. Energy:**

The Proposed Action will result in an increased energy demand to support the studio operations. To minimize this impact, the Proposed Action has been designed to be energy efficient to reduce the demand required to heat, cool and power the new buildings. Environmental sustainability will be facilitated through the "green" design of the buildings with features such as solar panels on the roofs of the studio buildings, green roofs on the mill shops and wardrobe building and designing the project to meet LEED standards. The Proposed Action will also be required to meet the requirements of the Village's Green Building Code.

Con Edison currently provides power to the Site. The Proposed Action requires the following electrical improvements:

- 120V power and OSHA required lighting in the temporary work area.
- 15KV gear, transformers raceway and cabling.
- Switchgear, panelboards, RTU feeds.
- Lighting and lighting control devices.
- Receptacles, small equipment hookups and branch circuit wiring.
- Local fire alarm panel and devices.
- Site telecom raceways.

Con Edison will provide a utility pole with a 1,000 kva transformer at 208 v (maximum capacity). Upgrades to Con Edison's substation are not anticipated, but will be completed by the Applicant if required.

The proposed solar panels would provide for a 1.15 MW solar power plant, which will generate enough electricity to off-set 72% of the annual electricity demand for the sound stages.

No new emergency electrical generators are proposed. An existing generator that serves the Administration Building will continue to be utilized for emergency back-up power.

The Proposed Action will not result in any significant adverse impacts to energy resources.

#### **19. Noise:**

The Site currently operates as a school and does not generate noise beyond background ambient levels. The primary element of the Proposed Action are the six studio buildings, which are often referred to as "sound stages." These buildings enclose filming and movie production operations, which by their very nature, require highly controlled sound environments. As a result, each studio building will be extraordinarily well insulated and sound attenuated to ensure that exterior noises do not disrupt audio recording. As a result, no noise would be generated or escape from the studio buildings.

The primary sources of continuous operational sounds will emanate from roof-mounted heating, ventilation and air conditioning (HVAC) units, rooftop exhaust fans and wall mounted exhaust fans. The Proposed Action includes 12 HVAC units and 2 exhaust fans on the roof and 4 wall mounted exhaust fans on the front wall of each studio building.

The sound study acoustical analysis prepared for the Proposed Action calculated the sound levels at 8 near-by sensitive receptors. The following table illustrates the maximum permissible noise limit as defined by the Village Noise Standards, Chapter 217, and the projected sound levels resulting from the Proposed action at each location.

ID	Location	Type of Premises	Noise Limit	Predicted Sound Level	Complies w/ Noise Limit
1	75 Old Broadway	Residential	65 dBA	38 dBA	Yes
2	95 Broadway	Church	65 dBA	49 dBA	Yes
3	100 Pinecrest Dr.	Residential	65 dBA	43 dBA	Yes
4	0 Warburton Ave.	Park	65 dBA	46 dBA	Yes
5	1 Riverpointe Rd.	Residential	65 dBA	47 dBA	Yes
6	19 Dudley St.	Park	65 dBA	48 dBA	Yes
7	1156 N. Broadway	School	65 dBA	49 dBA	Yes

8	1200 Warburton Ave. (Yonkers)	residential	50 dBA	42 dBA	N/A
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These predicted sound levels assume a ground-based temperature inversion, such as may occur on a clear, calm night when sound propagation is at a maximum, and all sound sources are operating simultaneously. This represents a worst-case condition.

During construction, noise may exceed ambient levels at various times, in various locations (depending on the phase of work), with the use of typical construction equipment. The construction period will last approximately 18 months. Noise levels decrease significantly with increased distance to the noise generator.

Construction equipment will incorporate noise mitigation equipment such as functioning mufflers. Construction hours will comply with the Village of Hastings-on-Hudson Village Code Chapter 217 Section 7 - Permitted Noises. Construction will only occur between the hours of 7:30 AM and 8:00 PM, Monday through Saturday, and 10:00 AM and 5:00 PM on Sunday. The Applicant will prepare an Excavation Work Plan, Blasting Plan, and Construction Management Plan to comply with Village regulations associated with short- term construction noise impacts.

As the worst-case sound propagation generated by the Proposed Action fully complies with the Village's noise limits, no significant adverse noise impacts will result from the Proposed action.

## **20. Lighting:**

There are currently several outdoor lighting fixtures located throughout the Site. Proposed Site lighting for the Studio is designed to minimize visibility from immediately surrounding neighborhoods. Lighting is not anticipated to have any effect on scenic roadways in the vicinity, such as the Bronx River Parkway and the Palisades Interstate Parkway, which are the closest scenic roadways designated by NYS. Light poles will be 16 feet tall and the luminaires will be dark sky compliant to prevent any halo effect. The exit pathways in the rear of the Studio buildings will be connected to emergency circuits and will not be lit at night (the lights will only come on if there is a power failure).

The proposed parking garage will have exterior lighting on the ground level on the eastern side only, preventing light from impacting adjacent properties and the Old Croton Aqueduct. Interior lighting on each level of the garage has been designed to eliminate light spill onto adjacent properties as well. Sky-glow will not increase beyond existing levels.

Interior lighting used during filming will not escape the confines of the building as the south, east, and west sides of the stage structures are windowless.

All lighting will be dark-sky compliant, and will not exceed 3,000 k.

As the Proposed Action will not result in lighting that creates sky-glow brighter than existing area conditions, no significant adverse lighting impacts will result.

## **21. Public Health:**

No hazardous wastes have ever been generated at this site, and there is no record of on-site contamination according to the NYSDEC Spills Incidents Database or the Environmental Site Remediation Database, nor is the site within 2,000 feet of any such site.



The Proposed Action will not generate hazardous wastes. Routine disposal of commercial wastes will be handled by a private carter, and disposed of in accordance with all applicable regulations.

The Proposed Action will not result in any significant adverse public health impacts.

## **22. Community Services:**

### **Schools:**

The Site is located within the Hastings-on-Hudson Union Free School District and also contains the Greenburgh-Graham Union Free School District. The existing School on Site is proposed to remain, and the Studio portion of the Proposed Action will not generate any school-aged children. Therefore, no adverse impact to schools is anticipated. A significant beneficial impact to public schools is anticipated from the future tax revenues (approximately \$2,113,890 to the School District) to be generated by the Studio. The Studio also will serve as a potential source of internships/externships for students, where possible.

### **Police:**

The Site is served by the Hastings-on-Hudson Police Department, with headquarters at 7 Maple Avenue. The station is approximately 1.7 miles ( $\pm$ 6-minute drive) north of the Site.

When the Studio is constructed and operational, the Applicant will provide private security to patrol the Site, which will supplement the local police force and mitigate potential adverse impact on the local Police Department. The Proposed Action includes two separate entrances for the School and the Studio to separate the uses. The Studio access driveway will contain a gatehouse and new fencing will surround the Studio for security.

Any proportional increase in the demand for police services will be more than off-set by the new tax revenues generated by the Proposed Action. As a result, no significant adverse impact to police services will result from the Proposed Action.

### **Fire Protection:**

The Site is served by Hastings-on-Hudson Fire Department 218 – Battalion 14, with headquarters at 7 Maple Avenue. The Site is located within the Hastings-on-Hudson Fire District. The Hastings-on-Hudson Fire Department is comprised of four fire companies. The Department is manned by 130 volunteers.

There are 4 Hastings-on-Hudson Fire Department locations:

- Protection Engine Company No. 1, 573 Warburton Avenue, Hastings-on-Hudson, NY 10706
- Uniontown Hose Company No. 2, 25 Rose Street, Hastings-on-Hudson, NY 10706
- Hook & Ladder Company No. 1, 50 Main Street, Hastings-on-Hudson, NY 10706
- Riverview Manor Hose Company No. 3, 83 Euclid Avenue, Hastings-on-Hudson, NY 10706

The Uniontown Hose Company No. 2 station is the closest to the Site, located approximately 0.9 miles to the northeast (approximately 3-minute drive).

The Applicant met with representatives of the Hastings-on-Hudson Fire Department and discussed Site access points, hydrant spacing, water supply, requirements for sprinklers, projected Site population, signal timing, parking garage access, fire truck access relative to circulation and street design, and volunteers.

The proposed buildings and parking garage have been designed to comply with all applicable building and fire codes to assure the highest level of fire safety and security. The new Studio buildings and Mill Shops will be equipped with sprinklers. A Building Permit will not be issued until all State and local building and fire code requirements are fully satisfied; this is a regular part of the review by the Building Inspector. There are no unique operational aspects of the movie production facility anticipated that would create a need for additional local fire department services, including pyrotechnics.

Any proportional increase in the demand for fire services will be more than off-set by the new tax revenues generated by the Proposed Action. As a result, no significant adverse impact to fire services will result from the Proposed Action.

**Emergency Medical Services:**

The Hastings-on-Hudson Fire Department Ambulance Corps, located at 47 Main Street, serves the Site for emergency medical service (EMS). The Ambulance Corps coverage area extends over the entire Village of Hastings-on-Hudson.

For emergency services, the Proposed Action has been designed in a manner that ensures adequate access for emergency vehicles to all structures. In addition, structures will be constructed in accordance with applicable building and fire codes.

Any proportional increase in the demand for EMS services will be more than off-set by the new tax revenues generated by the Proposed Action. As a result, no significant adverse impact to EMS services will result from the Proposed Action.

**Public Works:**

The proposed internal roadway system, sidewalks, and parking structure and surface parking areas are all proposed to be privately owned and maintained by the Applicant. This includes all long-term maintenance, paving, landscaping and snowplowing in the winter.

Solid waste and recycling will be handled by a licensed private waste removal company. Productions will not use or dispose of harmful chemicals. To reduce the amount of solid waste being removed from the Site, some portion of the food waste will be processed with food dehydrators and used as mulch on Site. The small amount of organic food refuse that is not dehydrated and other refuse will be securely contained to avoid odors and minimize vermin. A recycling program will be implemented in accordance with County guidelines.

No additional staff or equipment will be required from the Village DPW for maintenance of the Project. No adverse impacts will result.

**23. Sewer & Water:**

**Sanitary Sewer:**

The Site is currently served by the North Yonkers Sewer District (a Westchester County related entity) for sanitary sewage.

The Proposed Action will utilize the existing public sanitary sewer infrastructure; therefore, construction of new/additional on-site wastewater treatment facilities or wastewater discharges are not necessary. The Proposed Action is projected to generate 5,349 gpd of wastewater. This wastewater will be transmitted through the sanitary wastewater transmission lines of the North Yonkers Sewer District, before being treated and discharged at the Fernbrook Street Wastewater Treatment Plant, operated by Westchester County. There is adequate capacity at this plant to accommodate the additional wastewater flow generated by the Proposed Action.

**Water Supply:**

The Proposed action will connect to the municipal water supply system and will not obtain water from private wells. Though the majority of the Site is situated within the Village of Hastings-on-Hudson, water supply for all of the existing uses on the Site, including the School, are currently provided by the Yonkers Water Department, via a water main located in the southeast corner of the Site. The water provider in the Village of Hastings-on-Hudson is Veolia Water New York ("Veolia", formerly Suez North America), and the closest Veolia water main to the Site is located on Broadway, north of the Site. An application for potable water and fire protection water supply service has been made to Veolia for the Proposed Project.

Domestic flows and fire flows were estimated for both the new Studio use and for the School. The proposed Studio use is estimated to have a peak hourly domestic flow of 494 GPM and requires 2,250 GPM minimum fire flow throughout the new development. Based on the best available information provided by the School, the Graham School buildings at their maximum potential capacity (indicated to be 715 occupants) with an un-sprinklered status, have an estimated peak hourly domestic flow of 238 GPM and require a minimum 5,750 GPM fire flow. The school's existing swimming pool will be removed and not replaced.

According to information provided by the City of Yonkers, the average monthly usage of the existing property (total 17-acre developed campus) is approximately 206,323 gallons. This is greater than the conservatively estimated monthly demand of the Proposed Action described above of approximately 149,300 gallons.

Veolia has indicated that it will be able to accommodate the increased demand as a result of the Proposed Action (both uses) but will require capital improvements to its system. The Applicant is coordinating with the water purveyor(s) to obtain a "will serve" letter and assess design requirements. The closest Veolia water main, in Broadway, would need to be extended south in order to serve the Site. Flow testing was conducted by Veolia in late July 2023. It is anticipated that the supply will be able to meet the domestic and fire demands of the Project. The Applicant is coordinating with Veolia, and will be responsible for any infrastructure upgrades found to be necessary to serve the Site and meet domestic and fire demands of both uses on Site.

The Applicant's preferred alternative is to maintain the existing water service to the School with the City of Yonkers, and only servicing the new Studio use through Veolia Water New York. Discussions with the water purveyors are underway to finalize the water service to the Site.

No significant adverse impacts to water or sewer infrastructure will result from the Proposed Action.

## **24. Socio-Economics**

The Site is located within the taxing jurisdictions of the Village of Hastings-on-Hudson, City of Yonkers, Hastings-on-Hudson Union Free School District and Westchester County. Since 1902, the Site has operated as a tax-exempt orphanage, child-care facility and school. No tax revenue to any of the taxing jurisdictions has been generated from the Site.

The primary community benefit of the Proposed Action would be the annual tax generation to the various taxing jurisdictions on a currently underutilized/tax-exempt Site.

Additionally, the Proposed Action will provide new jobs and secondary off-site financial benefits in the community and will generate permit fees, which will yield revenue to the Village during construction and cover any costs to the Village.

According to preliminary estimates of the Proposed Action, the estimated assessed value (AV) of the Proposed Action is approximately \$100 million. The portion of the Site within the City of Yonkers will remain as open space and will not be changed, nor is it expected to generate increased revenue for taxing districts within the City of Yonkers. Future tax generation to Hastings-on-Hudson will be determined by the Assessor, based on the market value, and more importantly, the assessed value of the Proposed Action, which is not yet known.

Based on the assumptions outlined above, the potential future total tax revenue to the Village, Town, County, and School District from the proposed Studio is estimated to be \$3,047,884 annually. If the market value or assessed value were higher, the tax benefit could be greater.

Since the proposal would be non-residential, no school age children would be generated from the Proposed Action. Therefore, all the annual tax revenues generated by the Proposed Action would be a net benefit to the School District, with no associated cost burden to educate or transport any school age children. As noted in Section 22 above, the community service costs to the Village resulting from the Proposed Action will be nominal, resulting in a substantial net financial benefit.

The Proposed Action is expected to result in an increase in local employment opportunities. A project of this type will provide additional local jobs beyond the studio/production employees. Local jobs include staff (administration, food service, janitorial, maintenance, etc.) for the studio, as well as maintenance of the grounds. The Proposed Action would generate significant construction related jobs, and even the solar energy aspect of the Proposed Action is expected to create over 25 local renewable energy jobs.

Only those uses currently permitted in accordance with the R-20 One Family Residence zoning district, or a Multi-Media Production Studio as permitted under the proposed zoning, would be allowable on the Site. The reuse of the Site to support some other commercial use if the studio use were to be discontinued is prohibited.

The Proposed Action is expected to have a substantial economic benefit. No significant adverse impacts will result.