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December 20, 2017

TO: Mayor and Members of the
Village of Ossining Board of Trustees

From: Nathaniel J. Parish; PE, AICP

Re: Snowden Woods Zoning Petition; Scoping Process

At your December 13, 2017 Public Hearing, your Board made decisions to close the hearing, and to keep the record open only until December 28, 2017. This decision is a gross error by your Board.

During the hearing I pointed out that:

- 1) The Notice of Public Hearing; the Description of the Proposed Action provided in your Draft DEIS Scoping (Outline November 8, 2017); Your earlier November 15, 2017 resolution scheduling the Scoping Session - - individually and together incorrectly describe the action which needs to be the subject of the Draft Environmental Impact Statement ("DEIS")
- 2) It is without question that the Petition which is under consideration is solely for the purpose of enacting a zoning amendment that would create a "floating overlay zone" that would be applicable in all CDD and PW zoning districts. This is the one and only Action that has been requested by the Petitioner.
- 3) The various documents listed in 1) above all are replete with misleading language that appears to convey information that the subject of the DEIS is to be the examination of the impacts of a concept plan for the Petitioner's property, this plan is merely illustrative of what might be permitted on the property if and when the proposed amendment were to be adopted by your Board. This is absolutely not an Action which can be examined by the proposed DEIS.
- 4) Furthermore, the draft Scoping Document totally fails to acknowledge that the DEIS must examine the impacts of the proposed new zone for all of the zoning districts in which it would be applicable. A failure to perform such examination would be a blatant violation of EIS regulations which do not permit segmented review.

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Accordingly, your Board has no possible recourse other than to go back to square one, and enact resolutions, notices and ultimately issue a new draft Scoping Outline that correctly examines the proposed actions.