



February 6, 2015

Supervisor Chris Burdick, and  
Members of the Town Board  
Town of Bedford  
321 Bedford Road  
Bedford Hills, New York 10507

Re: Conservation Development  
118 Acres at Crusher Road and Old Post Road

Dear Supervisor Burdick and members of the Town Board:

Wilder Balter Partners, Inc. ("WBP") is proposing to develop a master-planned community on the 118 acres located south of Old Post Road, including and east of Crusher Road. Our working title has been Bedford Farm but we intend to settle on a final name in the coming months. The purposes of this letter and submission are: 1) to submit our application for a Conservation Development special permit for this development; 2) to request to be placed on your February 24<sup>th</sup> Town Board agenda and 3) to describe our proposed Conservation Development Plan.

The Property consists of 3 parcels: 1) 113 acres of land formerly approved as the Bedford Ponds Subdivision (and later proposed as the Rippowam Cisqua High School); 2) a contiguous ¼ acre lot at the intersection of Vinton Avenue and Old Bedford Road and 3) 5 acres at the intersection of Crusher Road and Old Post Road (known to many as "the Ruti property").

While the Property lays out well for a zoning compliant 58 lot Conventional Subdivision, we believe that there are many advantages to instead develop the property as a Conservation Development. The Town Board Special Permit for a Conservation Development approval would give the Planning Board the option to consider the Bedford Farm development as a Conservation Development rather than a Conventional Subdivision. The intent of the Conservation Development provisions is set forth under section 125-51 of the Bedford Zoning Code:

*"It is the purpose of this article to enable and encourage flexibility of design and development of land in such a manner as to preserve its natural and scenic qualities, protect areas of meaningful ecological value, reduce flood hazards, facilitate the adequate and economical provision of streets and utilities, minimize negative environmental impacts, improve the aesthetic quality of new residential developments, expand the variety of housing opportunities, encourage the conservation of energy, increase recreational opportunities and otherwise promote the planned and environmentally desirable use of land..."*



Bedford Farm will be an age-targeted residential community with an integrated affordable housing component. The land plan, homes and amenities are being designed to attract those selling their existing homes but wanting to stay in the Bedford area. We expect our buyers to come predominantly from Bedford and other Northern Westchester communities. Our residents will choose to live here because of their desire to live in beautifully designed, low-maintenance, energy efficient homes - most with first floor master bedroom suites, that are part of a master-planned pedestrian oriented community with many on-site and nearby amenities. Our on-site amenities will include a large and well-appointed clubhouse that will offer concierge services for the convenience of our residents, a heated pool, several gazebos and sitting areas, formal and informal walking paths, gardens, approximately 70 acres of adjacent open space, and a 4 acre neighborhood farm that will grow produce for our residents and other local people and restaurants. The A&P shopping center is across the street and Bedford Village is a ten-minute walk.

Specifically, our Conservation Development plan will consist of the following elements:

1. An age-targeted community of 70 single family and attached homes (in two unit buildings) plus 9 affordable homes distributed throughout the site.
2. The affordable homes will be in compliance with both the Bedford Affordable Housing Provisions of section 125-29.6 of the Bedford Zoning Code and the Westchester County Fair and Affordable Housing guidelines.
3. High performance construction standards. Many WBP communities include one or more of the following: LEED, Energy Star, Solar arrays, geothermal HVAC and green stormwater practices.
4. A 5,000 square foot clubhouse with features such as: a gym, personal training space, catering kitchen, great-room, billiards room, bathrooms, screening room and possibly an indoor pool.
5. A four-acre neighborhood farm that will grow local produce for our residents, other local residents and restaurants. A full time farmer will live in a single family affordable home on the farm.
6. Over four miles of sidewalks and trails.
7. Approximately 70 of the 118 acres will be preserved as open space, including the lands bordering the Mianus River, a class AA special river. We will work with the



community to develop an appropriate preservation plan while at the same time make the open space available to the Farms neighborhood and our future residents.

8. A wastewater treatment facility.
9. A community water system. Through the previous applications for this property there have been high production wells developed that have been demonstrated to not draw down the aquifer and not negatively effect any neighboring wells. We may also discuss with the Town requesting that WBP improve the water supply capacity of the Farms Water District and extend the District to serve this development instead of our creating our own community water system.
10. Road improvements on one or more sections of Old Post Road that abut the Bedford Farm property.

Enclosed are the following items for your board's consideration:

1. A completed Special Permit Application Form.
2. A colored, zoning compliant Conservation Development Plan with 79 homes (70 market rate and 9 affordable).
3. Illustrations depicting the architecture and character of our proposed community.
4. A zoning compliant Conventional Subdivision Plan with 58 single family lots (6 homes would be affordable), a wastewater treatment facility and a community water system.
5. An overlay plan that illustrates the Conservation Development Plan's additional buffers and preserved open space beyond those provided by the Conventional Subdivision Plan (note the legend on the top right of the drawing).
6. A preliminary planning and environmental analysis of the subject property.

#### **Planning Purposes and Benefits of the Conservation Development Approach**

1. From a planning perspective, the "flexibility of design and development of land" allows Bedford Farm to be a pedestrian friendly community that fosters the



personal connections possible when each home does not have to be on one or two-acre lots.

2. While the Conventional Subdivision Plan is zoning compliant and could be built to “preserve the natural and scenic qualities, protect areas of meaningful ecological value” and mitigate negative environmental impacts, the residential development area of the Conventional Plan is approximately 30% larger than the Conservation Development Plan resulting in the Conservation Development Plan providing further opportunities for environmental protection and scenic buffering. Specifically:
  - a. The Conservation Development Plan allows the creation of this special master-planned residential community with all of the elements described above.
  - b. The Conservation Development Plan creates larger buffers to surrounding neighbors in the Farms, neighbors across Crusher Road and from the A&P shopping center.
  - c. The Conservation Development creates more affordable housing integrated on site in a truly unique setting, thereby furthering the goal of the Town of Bedford as exemplified in recent legislative enactments. We have confirmed with Westchester County that these affordable homes would count toward the Town and County’s obligation to provide fair and affordable housing.
  - d. The Conventional Subdivision Plan protects the on-site vernal pool in a way that would not require a wetland permit but the Conservation Development Plan provides much greater buffers around the vernal pool.
  - e. The Conservation Development Plan preserves approximately 70 acres of the property and makes publically available more than 50 acres of open space as a community amenity, visible and accessible to all our future residents as well as available for walking to other Bedford residents. In contrast, the Conventional Subdivision Plan makes the ponds and open space accessible to only our 13 new lots that abut it.
  - f. The Conservation Development allows for the creation of the 4-acre neighborhood farm.



We have had many conversations with stakeholders including boards and individuals such as: the Bedford Planning Board, Blue Mountain Housing Development Corporation, the Mianus River Gorge, the Westchester Land Trust, Bedford's Open Space Committee, neighbors and other local residents and several local business operators. We look forward to working with the Town and the many stakeholders on this exciting project.

Sincerely,

William G. Balter  
President

Enc.

cc: Bedford Planning Board  
Bedford Conservation Board  
Bedford Wetlands Board  
Bedford Open Space Committee  
Blue Mountain Housing Development Corporation

# TOWN OF BEDFORD

321 Bedford Road  
Bedford Hills, NY 10507  
[www.BedfordNY.info](http://www.BedfordNY.info)

## APPLICATION FOR SPECIAL USE PERMIT

SUBMIT TO: BEDFORD TOWN BOARD, TOWN HOUSE, 321 BEDFORD ROAD, BEDFORD HILLS, NY 10507

1. IDENTIFICATION OF OWNER

Name: BPI Bedford, LLC, c/o William Balter, President, Wilder Balter Partners, Inc.

Address: 570 Taxter Road, Elmsford, NY 10523

Phone: (914)610-3650

e-mail: bbalter@wilderbalter.com

Name: Old Post Holdings, LLC & OP Holdings II, LLC, c/o Lester Greenberg, Esq.,

Address: 135 Broadway, NY NY 10018

Phone: (212)216-8033

e-mail: LGreenberg@tarterkrinsky.com

2. IDENTIFICATION OF APPLICANT IF DIFFERENT THAN OWNER

Name: Wilder Balter Partners, LLC, William Balter

Phone: (914)610-3650

Address: 570 Taxter Road, Elmsford, NY 10523

e-mail: bbalter@wilderbalter.com

3. PROFESSIONAL PERSON PREPARING PLAN

Name: Jeff Contelmo, P.E., Insite Engineering

Phone: (845)225-9690

Address: 3 Garrett Place, Carmel, NY 10512

e-mail: jcontelmo@insite-eng.com

4. LOCATION AND IDENTIFICATION OF PROPERTY

Name of identifying title: Bedford Farm

Address: 1 Vinton Avenue

325-361 Old Post Road

301 & 307 Old Post Road & 7 Crusher Road

Town of Bedford Tax Map Designations:

1 Vinton Avenue: Section 84.14, Block 2, Lot 1

325-361 Old Post Road: Section 84.18, Block 1, Lot 14

301 & 307 Old Post Road & 7 Crusher Road: Section 84.14 Block 1, Lots 6,7 and 8

Property is zoned as: 4A  2A  1A  1/4A  TF VA NB CB RB MF EL RO PB-R PB-O PB-O(K) LI

Total area of property in acres: 118 acres

Property abuts a State or County highway, thruway or park: YES  NO

Property is within 500 feet of the boundary of the Town of Bedford: YES  NO

The applicant requests that the Town Board approve the issuance of a Special Use Permit under the following section of the Code of the Town of Bedford:

5. REQUEST

The applicant requests that the Town Board approve the issuance of a Special Use Permit under the following section of the Code of the Town of Bedford:

ARTICLE: VI: Conservation Development, SECTIONS 125-51 through 125-56

The applicant proposes the following Special Permit Use:

Bedford Farm, a new master-planned community on 118 acres south of Old Bedford Road. Components of the development include: An age-targeted community of 70 single family and attached homes (in two unit buildings) with 9 affordable homes distributed throughout the site; a 5,000 square foot clubhouse; a four-acre neighborhood farm that will grow local produce for Bedford Farm residents, other local residents and restaurants. A full time farmer will live in a single family affordable home on the farm; 70 acres of preserved open space, portions of which will include publically accessible trails;

6. PUBLIC NOTICE

Notice of the Public Hearing shall be published at least ten (10) days prior to the hearing in the Town newspaper and shall be mailed by the applicant at least ten (10) days prior to the hearing to all owners of property within 500 feet of the perimeter of the subject property. The expense of publishing and mailing any notice shall be paid by the applicant, who shall file an affidavit of mailing with the Board Secretary prior to the hearing.

7. SITE PLAN:

Attach a Preliminary Site Plan Application Form, fee and four (4) copies of a Preliminary Site Plan complying with all requirements of Article XI, Section 125-88 of the Bedford Town code.

8. FEES (Make checks payable to the Town of Bedford)

SPECIAL USE PERMIT APPLICATION: \$150

\$ 150

Permission is hereby given to the Town of Bedford, its agents and employees to enter upon the above described property solely for the purposes incidental to this application at reasonable times and upon reasonable notice to the owner or tenant in possession.

All applications shall be signed by the owner of the property affected by this application and by the applicant, if other than the owner.

*William G. Balter* 11/21/15  
SIGNATURE OF OWNER DATE

*William G. Balter* 11/21/15  
SIGNATURE OF APPLICANT DATE

William G. Balter, Manager, BPI Bedford, LLC  
PRINT NAME OF OWNER

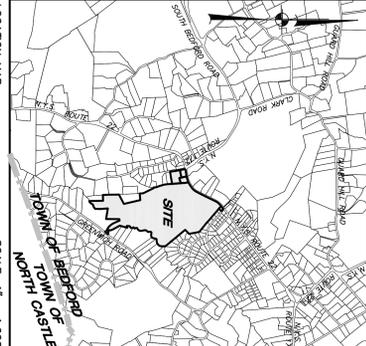
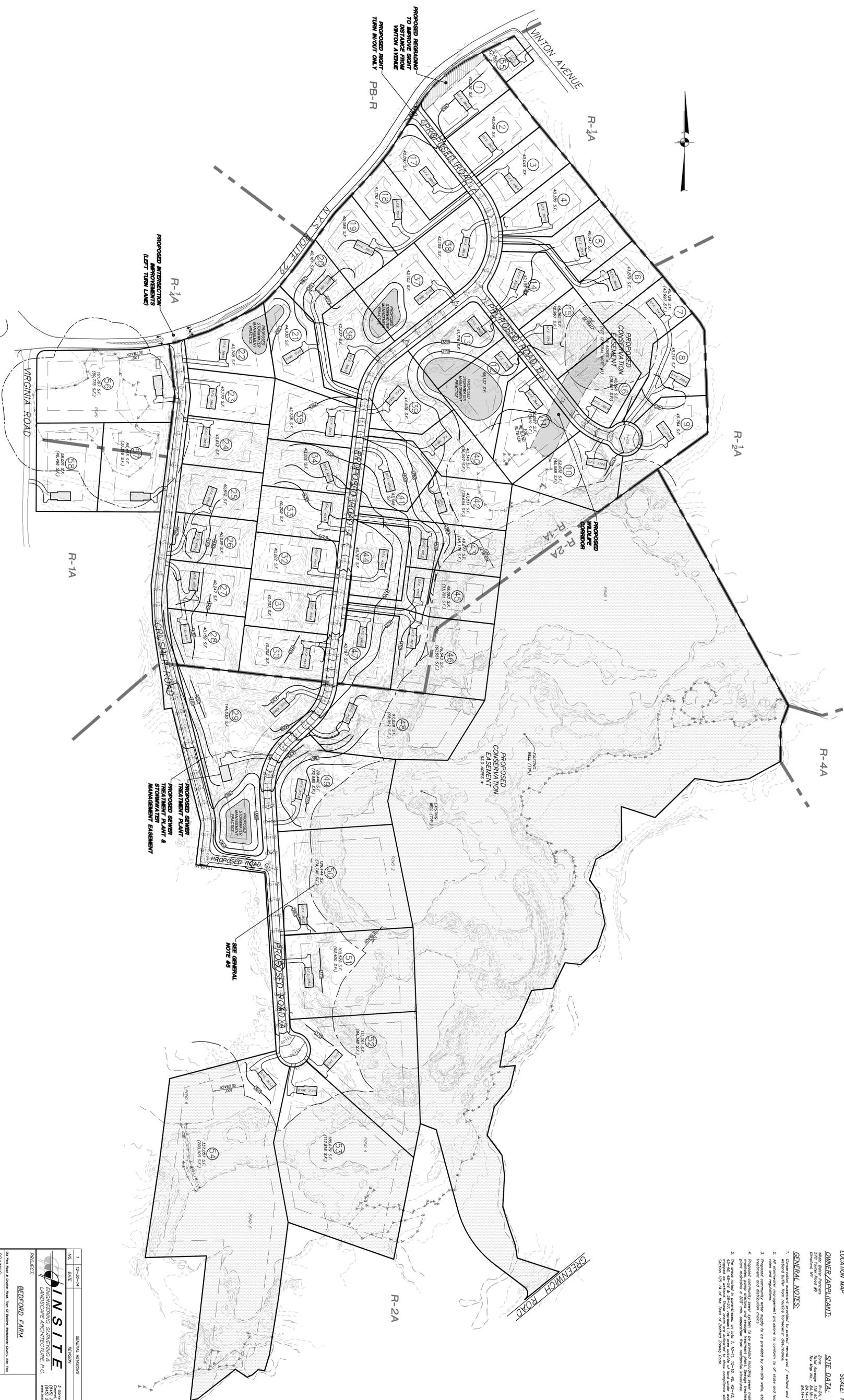
William G. Balter, President, Wilder Balter Partners, Inc.  
PRINT NAME OF APPLICANT

*Marvin Schwartz* 11/13/15  
SIGNATURE OF OWNER DATE

MARVIN SCHWARTZ SOLE MEMBER  
PRINT NAME OF OWNER

OLDPOST HOLDINGS LLC and  
OP HOLDINGS II, LLC

ALL INFORMATION ON THIS DOCUMENT IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. DATE OF DECLASSIFICATION IS INDEFINITE.



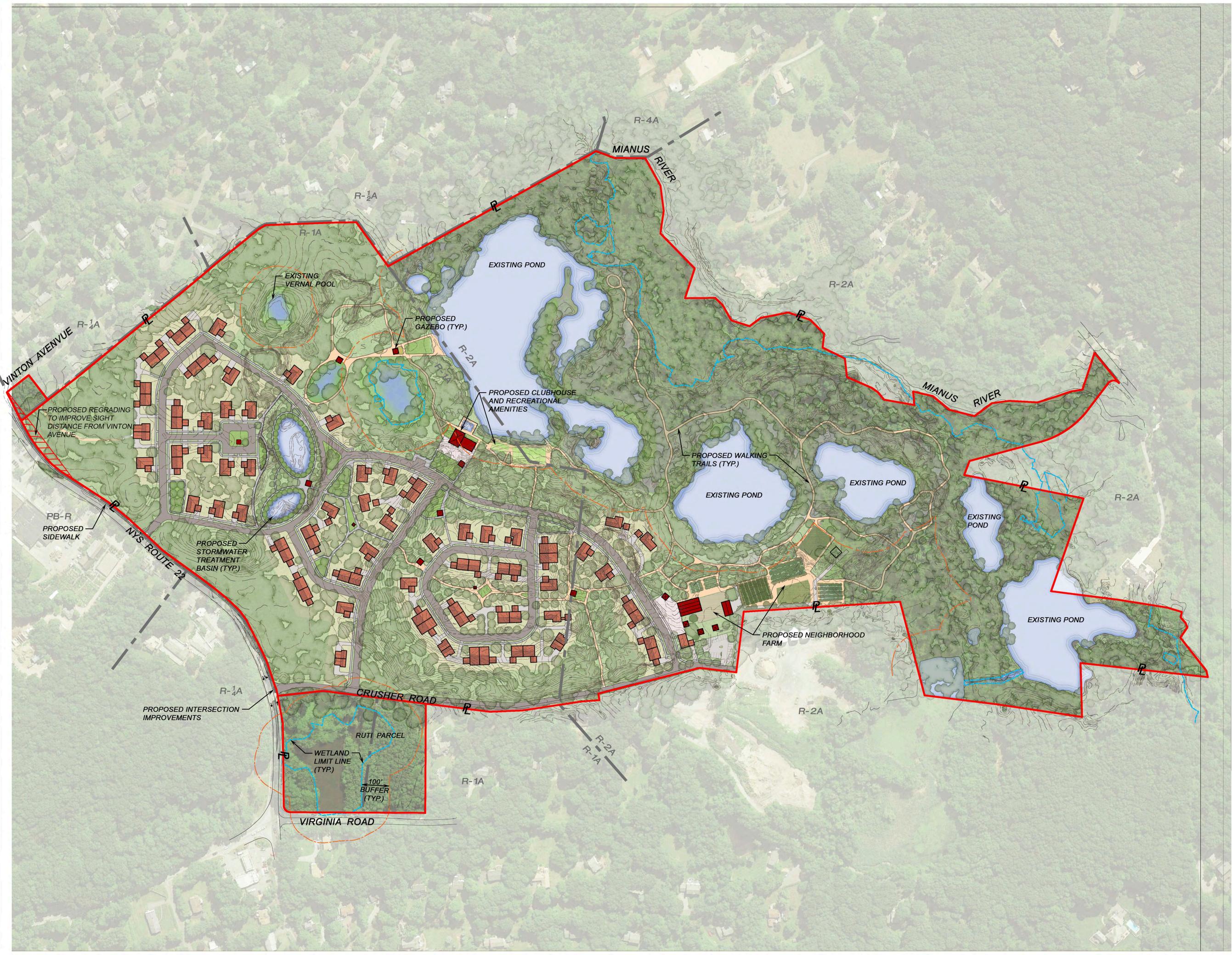
**LOCATION MAP**  
SCALE: 1" = 1,000'

**OWNER/APPLICANT:**  
Bedford Farms  
14192 100  
12-09-14  
1" = 100'

**SITE DATA:**  
Zone: R-1A, R-1A & R-1A  
Total Area: 114.00 ± A.S.  
Proposed: 114.00 ± A.S.

**GENERAL NOTES:**  
1. Construction assessment provided to protect wetland pool / wetland and waterway buffer from future stormwater discharge to all state and local laws and regulations.  
2. Proposed stormwater management system to be provided by on-site wetland, storage, and detention.  
3. Proposed stormwater management system to be provided by on-site wetland, storage, and detention.  
4. Proposed stormwater management system to be provided by on-site wetland, storage, and detention.  
5. Proposed stormwater management system to be provided by on-site wetland, storage, and detention.

NO.	1	12-23-14	GENERAL REVISIONS	302
DATE				BY
<b>PROJECT:</b> BEDFORD FARMS 14192 100 12-09-14 1" = 100'				
PROJECT NUMBER	14192100	PROJECT MANAGER	S.M.B.	DRAWING NO.
DATE	12-09-14	BY	S.L.C.	SHEET
SCALE	1" = 100'	CHECKED		1



PRELIMINARY PLANNING AND ENVIRONMENTAL ANALYSIS  
BEDFORD FARM

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As part of the Town Board's review of the Special Permit for a conservation development and as per Section 125-55 A. (1) (a) of the Town Code, we have provided, below, a Preliminary Planning and Environmental Analysis of the property. This analysis will be updated and further detailed as part of a subsequent Planning Board review for the proposed conservation development.

**TOPOGRAPHY**

Approximately 40% of the subject site has been disturbed from a previous sand and gravel mining operation conducted between the mid-1920's and the late 1970's. Nearly the entire northern, eastern and southern portions of the site have been extensively cut and filled, the results of which are evident in the abrupt changes in the site's topography. The seven on-site ponds themselves were created during the mining operations where excavations in these areas reached depths that intercepted the groundwater table.

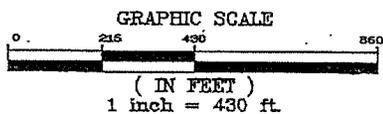
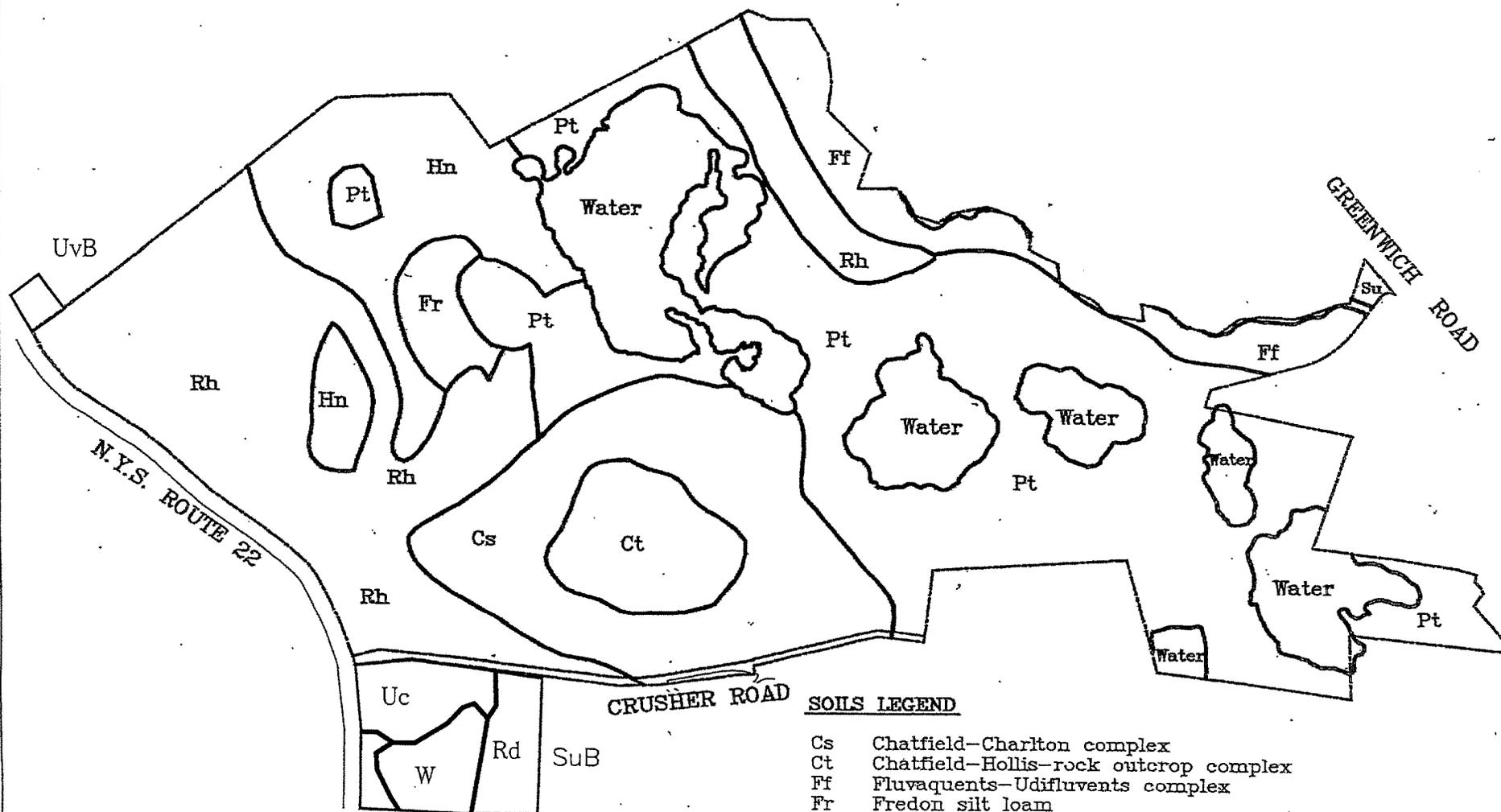
The site's highest elevations are concentrated in the west-central portion of the property, adjacent to and east of Crusher Road. From the high point, elevations descend radially before reaching Crusher Road (to the west) and the ponds (to the south and east). Lands situated east of the ponds consist of disturbed cut and fill areas, wetlands and the Mianus River which represents a portion of the site's southeastern property boundary. The topographic low point of the site occurs at the approximate mid-point of the eastern property line within the Mianus River floodplain. The northern portion of the site has been largely altered by the former sand and gravel mine - evidenced by the fill spoils, manmade embankments and cut areas.

**SOILS**

As part of the former Rippowam Cisqua High School SEQRA process, the site's soils were field-verified and mapped in conjunction with the delineation of the site's freshwater wetlands. The Town of Bedford Soil Map and the SCS publication, "Soil Survey of Putnam and Westchester Counties, New York" were compiled as the baseline for the site's soil survey map. Where encountered, areas of variability were sampled in the field to resolve disparities. The site's soil unit mapping has been illustrated on **EXHIBIT 1**.

The Pt (Pits, gravel) soils surrounding the ponds are entirely disturbed due to the past land mining of the site. The existing ponds are also the result of the mining operations. In locations where soils were excavated to depths which intercepted the groundwater table, ponds were created.

The soils comprising the remainder of the site are of two types: hydric wetland/floodplain soils along the Mianus River, and loams/sandy loams across the north half of the site. The abundance of irregular topography on the site and the absence of mature woody vegetation shows that the majority of the site's upland soils have been disturbed. However, in certain areas surrounding the high knoll and, the northern end of the site and the Crusher Road parcel, some of the trees reach calipers large enough to suggest that widespread disturbance of the site's soils ceased 30 to 40 years ago. **TABLE 1** below, illustrates the site's soil map unit names, publication symbols, and approximate site acreages.



SOILS LEGEND

- Cs Chatfield-Charlton complex
- Ct Chatfield-Hollis-rock outcrop complex
- Ff Fluvaquents-Udifluvents complex
- Fr Fredon silt loam
- Hn Hinckley gravelly loamy sand
- Pt Pits, gravel
- Rh Riverhead loam
- Su Sutton loam
- Uc Udorthents, wet substratum
- Rd Ridgebury loam

EXHIBIT 1  
SOIL ANALYSIS PLAN  
BEDFORD FARM  
TOWN OF BEDFORD  
Kellard Sessions Consulting, P.C.

PRELIMINARY PLANNING AND ENVIRONMENTAL ANALYSIS  
BEDFORD FARM

<b>TABLE 1 ON-SITE SOILS</b>			
Map Unit Name	Publication Symbol	On-Site Acreage	Percentage of Total Site Acreage
Chatfield-Charlton complex	Cs	15.6	13%
Chatfield-Hollis-rock outcrop complex	Ct	4.4	4%
Fluvaquents-Udifluvents complex*	Ff	5.5	5%
Fredon silt loam*	Fr	2.0	2%
Hinckley gravelly loamy sand	Hn	10.8	9%
Pits, gravel	Pt	34.5	29%
Ridgebury Loam*	Rd	0.8	0.7%
Riverhead loam	Rh	25.0	21%
Sutton loam	Su	0.2	0.2%
Udorthents, wet substratum*	Uc	1.3	1%
Ponds	-	18.0	15%
<b>TOTAL</b>		<b>118.1</b>	<b>99.7%**</b>

Source: Former Rippowam Cisqua High School SEQRA Record  
Kellard Sessions Consulting, P.C.

- \* Indicates hydric soil
- \*\* Due to numerical rounding

**VEGETATION**

The site's vegetative categories and inventory of plant species were assembled from the field work of the prior Rippowam Cisqua High School SEQRA Record and recent field verification.

For much of the site, the topsoil has been stripped, the topography substantially altered, including deep excavations which oftentimes fill with rainwater, and the native ecology has been permanently altered. Ecological impacts include the introduction of pioneer plant species, disruption of natural field-forest ecological succession and conversion of the wildlife assemblage to a more suburban and opportunistic species suite.

*Mined Land Habitat*

The following text generally describes the vegetative communities which exist within the property.

PRELIMINARY PLANNING AND ENVIRONMENTAL ANALYSIS  
BEDFORD FARM

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Freshwater Wetland (Floodplain, Emergent/Shrub Swamp, Depressional, Intermittent Watercourse)

The wetlands associated with the Mianus River floodplain are dominated by rushes, tussock-sedge, cinnamon fern, sensitive fern, sumacs, red maples, and skunk cabbage, and are fringed by willows, elms, arrowwood, spicebush, sweet pepperbush, assorted viburnums, creeper, green briar, and diverse berry shrubs and vines.

The vegetation which comprise the balance of the site's wetlands consists of red maples, spice bush, willows, Tree of Heaven, birch, locusts, sedges, grasses, rushes, reeds and ferns.

Transition

This habitat-type occurs as a band fringing the wetlands. The plants dominating this habitat-type provide a shrub or small tree physiography, including arrowwood, spicebush, red maple, sweet pepperbush, burning bush, swamp dogwood, ironwood, tupelo, sumacs, black cherry and poison ivy.

Quarried Surface Upland

Throughout approximately 40% of the site, patches of vegetation which lie between the upland woods and the low level wetlands or ponds act as a transition between dry sloped land and low wetland or surface water. The canopy of this zone is dominated by elms, small red maples, non-wetland dogwoods, shadbush, apple trees and sumacs, and has an understory of low-lying thickets of rose, creeper, blueberry, privet, buckthorn, and assorted berry shrubs.

Quarry Ponds

The site consists of seven on-site ponds and the formerly cleared and stripped pond margins. The plant diversity of these areas is suppressed by the original removal of hardwood and the organic soil layer, and subsequent invasion by disturbance species. Dominant among these species are goldenrods, briars, thistle, viburnum, assorted wildflowers, scrub oak, pine, upland shrubs and even saplings of red maple, aspen and poplars.

Wooded Upland Habitat

There are essentially two woodland habitat types in addition to the mined land on the project site: Oak-Elm and Elm-Birch. These mixed deciduous woods are comprised of almost all second and third growth forest dominated in the canopy by oaks, maples, elms, hickories, and birches, with patches of evergreens. In the understory, the lesser disturbed areas are dominated by honeysuckles, dogwoods, and an assortment of vines such as rose, Virginia creeper and viburnums. Where the land is not sloped, past logging and clearing have removed the forest, leaving in its place scrub, thicket and very young wooded stands.

**EXISTING STRUCTURES/THE SITE'S RELATIONSHIP TO NEIGHBORING BUILDINGS AND LAND USES**

There are no existing structures located on the subject property.

PRELIMINARY PLANNING AND ENVIRONMENTAL ANALYSIS  
BEDFORD FARM

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Town Zoning Ordinance

The "Town of Bedford, New York Zoning Map" indicates that the subject site is situated within three zoning districts; R-1A, R-2A and R-1/4A. As illustrated on **EXHIBIT 2**, approximately 43% of the property lies within the Town's R-1A - One Family Residence District, roughly 53% is situated within the Town's R-2A - One Family Residence District and approximately 4% is situated within the Town's R-1/4A - One Family Residence District.

All lands adjacent to and south of the site are zoned R-4A and R-2A, lands adjacent to and east of the site are zoned R-1/4A, lands immediately north of the site are zoned R-1/4A and PB-R (Planned Business - Retail District), and lands immediately west of the site are zoned R-2A, R-1A, and R-1/4A.

Town Development Plan

The Bedford Town Development Plan was created by the Town Planning Board to present a basic framework for the future use of land, population distribution, and traffic circulation within the Town of Bedford. The Town Development Plan states that new housing should follow a basic pattern of locating higher density single family homes near hamlet centers where support services are located with gradual transition to lower densities as the distance from the centers increases. The pattern and density of development described in the Town Development Plan is consistent with the site's zoning designation. The site is located in the Bedford Village hamlet, where the Plan recommends a continuation of low density (one to two dwelling units per acre) and medium density (two to four dwelling units per acre) residential development. The site is within walking distance of shopping, services and public transportation.

The Town Development Plan addresses the need for new multi-family housing through zoning and development methods. In accordance with existing zoning, multi-family housing could be accommodated on the site through the Conservation Development section of the Town's zoning law.

Town of Bedford Open Space Plan

The project site is situated over a portion of what the Town Conservation Board has identified as "The Mianus River Greenbelt," one of the 7 areas noted in the Open Space Plan as "The Greenbelt System." The seven open space/green belt areas link the Town's existing open spaces and recreational lands to each other and to the Town's 3 hamlets. A network of scenic walking paths is envisioned by the Open Space Plan to link each of the greenbelts. Each greenbelt is designed to include existing dedicated open space lands, environmentally vulnerable areas and select scenic resources. The objectives of the Open Space Plan include the protection of existing open space and vulnerable areas, and making the areas accessible to local residents for recreation.

The Town's Open Space Plan was developed with the objective of providing,

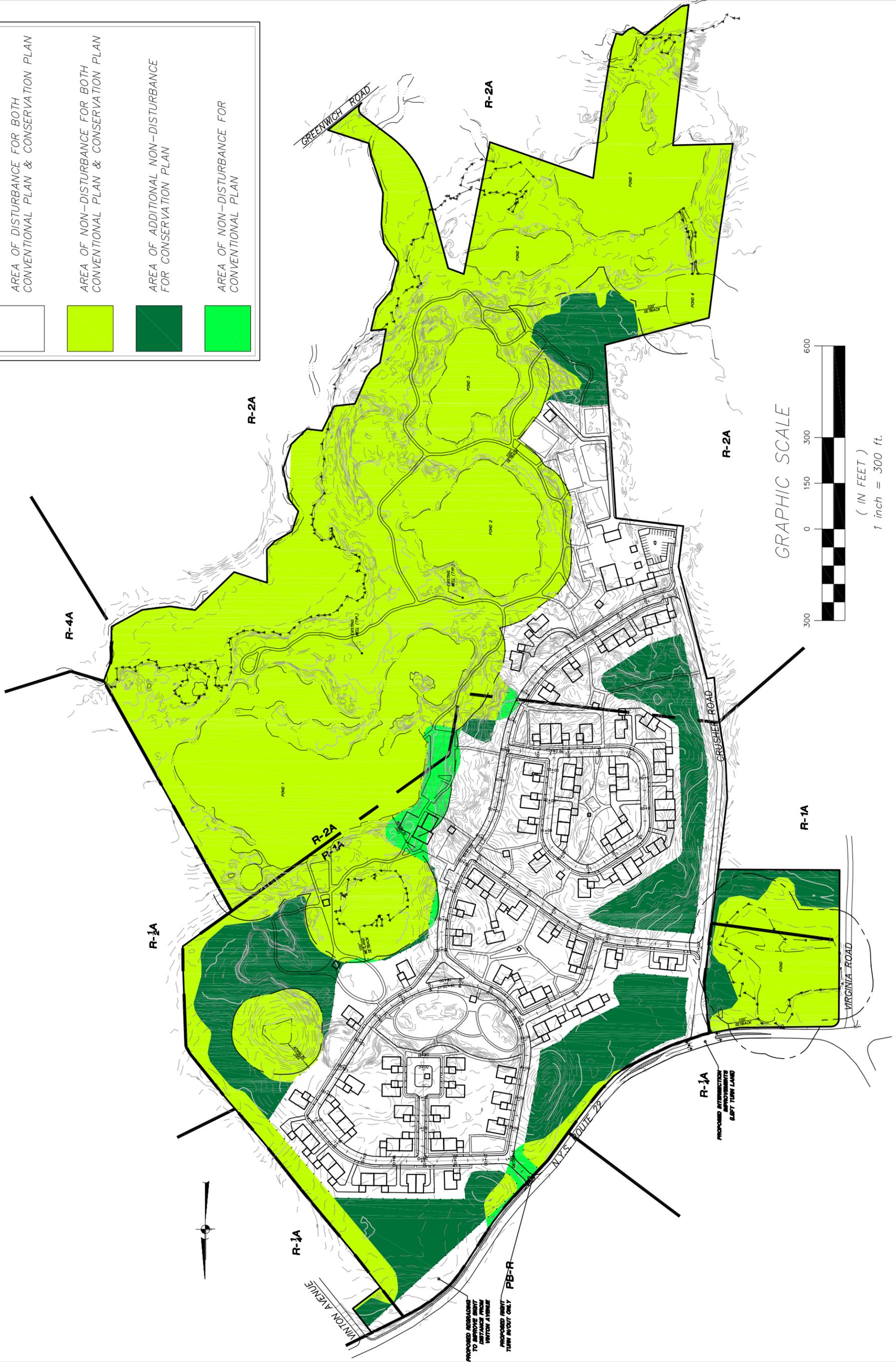
*"... a flexible structure and a philosophy for open space preservation within the Town. This Plan incorporates the analysis of the natural environment in relation to its function in open space. The linkages of existing open space lands and population centers - the greenbelts - are, therefore, comprised primarily of environmentally vulnerable lands sensitive to change and of significant scenic assets within the Town..."*

- Open Space Plan, Page 1



**LEGEND**

	AREA OF DISTURBANCE FOR BOTH CONVENTIONAL PLAN & CONSERVATION PLAN
	AREA OF NON-DISTURBANCE FOR BOTH CONVENTIONAL PLAN & CONSERVATION PLAN
	AREA OF ADDITIONAL NON-DISTURBANCE FOR CONSERVATION PLAN
	AREA OF NON-DISTURBANCE FOR CONVENTIONAL PLAN



PROJECT: **BEDFORD FARM**  
 Old Post Road & Crusher Road, Town Of Bedford, Westchester County, New York  
 DRAWING: **OVERLAY PLAN**

PREPARED BY: **INSITE**  
 ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.  
 3 Garrett Place • Carmel, New York 10512  
 Phone (845) 225-9690 • Fax (845) 225-9717  
 www.insite-eng.com

DATE: 2015-01-13  
 SCALE: 1" = 300'  
 PROJECT NO.: 14192.100  
 FIGURE: **OL-1**

# Bedford Farm Illustrations





Clustering of housing along a pedestrian path



*Mossot me*

