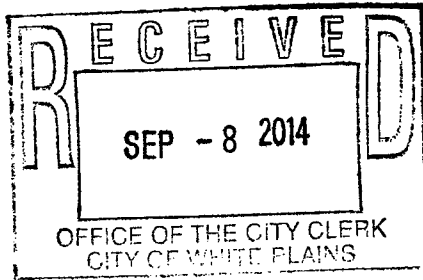




David J. Cooper
Jody T. Cross ●
Marsha Rubin Goldstein
Jeremy E. Kozin
Helen Collier Mauch ▲
Daniel M. Richmond
Brad K. Schwartz
Lisa F. Smith ●
David S. Steinmetz ■
Krista E. Yacovone
Michael D. Zarin



September 8, 2014

■ Also admitted in D.C.
● Also admitted in CT
▲ Also admitted in NJ

By Hand Delivery

Mayor Thomas Roach and the
Honorable Members of the Common Council
City of White Plains
City Hall
255 Main Street
White Plains, New York 10601

Re: *Site Plan and Special Permit Applications*
Applicant: French-American School of New York ("FASNY")
Subject Property: 400 Ridgeway (Section 131.10, Block 3, Lot 43);
336 Ridgeway (Section 131.14, Block 9, Lot 3);
213-223 Bryant Avenue (Section 131.10, Block 1, Lot 6);
0 Gedney Esplanade (Section 131.14, Block 2, Lot 3);
557 North Street (Section 131.11 Block 12 Lot 1)

Dear Mayor Roach and Members of the Common Council:

FASNY respectfully submits the enclosed Technical Memorandum on the Hathaway Lane Discontinuance to comprehensively set forth, in one document, the empirical rationale and analyses related to this issue.

As discussed in the Technical Memorandum, and in other submissions, the issue of discontinuing Hathaway at this limited location, continues to be a matter of fairness and traffic safety. FASNY, as you know, was required by the City of White Plains to consider the discontinuance of Hathaway Lane between Gedney Esplanade and Ridgeway upon the Common Council's finding that the North Street Access was the only acceptable entrance for the School under the State Environmental Quality Review Act ("SEQRA").

As you further know, the duly adopted SEQRA Record, along with City Staff, have repeatedly stated that leaving Hathaway Lane open, and maintaining at-grade intersections between Hathaway Lane and FASNY driveways, would create unsafe conditions for vehicles and pedestrians/students at the School, as well as direct more FASNY and other traffic onto Ridgeway, a condition specifically to be avoided under the Council's SEQRA Findings. As Thomas Soyk, the Interim Chair of the Traffic Commission, testified recently before the Planning Board:

It really was probably better described just now [by FASNY's counsel] when he talked about the fact that in the discussions that ensued regarding the North Street Access, you know, once that was determined that that was the preferred access, that there was the feeling that it needed to be closed in order for that to really be, for that access to work, because otherwise you would have an at grade intersection . . . of Hathaway and a roadway that would have to connect through the Campus. And you would not be able to control the movements at that intersection. So it would kind of defeat the purpose of having North Street Access if now you still had access to Ridgeway.

One need only review Figure 5 attached to the Technical Memorandum to fully understand Mr. Soyk's Testimony.

As summarized in the Technical Memorandum, the discontinuance of Hathaway Lane south of Gedney Esplanade, contrary to certain assertions, has been thoroughly analyzed and vetted by the Common Council during its extensive environmental review process. Based upon the Council's SEQRA Findings, discontinuing Hathaway Lane became the only acceptable alternative, and an integral component of the MPP/North Street. Consistent with its SEQRA analysis and Findings, the Council, respectfully, must authorize the discontinuance of Hathaway Lane between Gedney Esplanade and Ridgeway or render the School infeasible, and its own SEQRA Findings moot. There is no empirical evidence to hold otherwise - to the contrary.

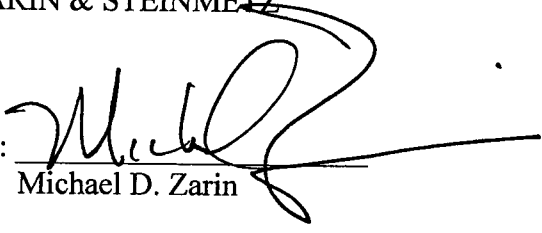
Once again, without belaboring the applicable law, as the Council knows, municipalities are required to show greater flexibility when evaluating educational use applications. It is incumbent upon municipal reviewing agencies to accommodate proposed educational uses while also mitigating their potential adverse effects to the greatest extent possible. See, e.g., Trustees of Union College v. Members of Schenectady City Council, 91 N.Y.2d 161, 667 N.Y.S.2d 978, 981 (1997); Genesis Assembly of God v. Davies, 208 A.D.2d 627, 628, 617 N.Y.S.2d 202, 203 (2d Dept. 1994). These axioms are particularly apt here.

We look forward to continuing to work cooperatively with the Common Council and all other City agencies and members of the public to make this the best possible use of this land for the School, for the neighborhood, and for the residents of the City of White Plains.

Please do not hesitate to contact us with any questions with respect to any of the foregoing.

Respectfully submitted,

ZARIN & STEINMETZ

By: 
Michael D. Zarin

MDZ/mth

enc.

cc: John Callahan, Corporation Counsel
Steven Silverberg, Esq., Special Counsel to the Common Council
Susan Habel, Planning Advisor
Elizabeth Cheteney, Commissioner of Planning
Mischa Zabotin, Chairman of the Board of Trustees of the French-American School of
New York
Graham Trelstad, AICP
Diego Villareale, P.E.



FASNY French-American School of New York

Technical Memorandum

Hathaway Lane Discontinuance: A Matter of Fairness and Safety



Prepared by:
AKRF, Inc.
and
JMC, PLLC

September 8, 2014

Hathaway Lane Discontinuance Analysis

A. INTRODUCTION

This document summarizes the technical analyses of the proposed discontinuance of Hathaway Lane between Gedney Esplanade and Ridgeway, as currently proposed by the French-American School of New York (FASNY) in its pending Special Permit/Site Plan Application and Petition to Discontinue Hathaway Lane with the City of White Plains Common Council.

Contrary to various assertions, the discontinuance of Hathaway Lane south of Gedney Esplanade has been thoroughly analyzed in the State Environmental Quality Review Act (SEQRA) Draft Environmental Impact Statement (DEIS) and Final Environmental Impact Statement (FEIS) at the direction of the City of White Plains and Common Council, as Lead Agency, throughout the SEQRA review process. Where material is derived from either of those documents, a reference to the original location of that material in those documents is provided, and the cited pages are bolded and annexed hereto. Additional material is provided in response to comments made by the City of White Plains Planning Board in its review of the referral from the Common Council. Specifically, the Planning Board suggested that additional alternatives should have been considered to discontinuance of this portion of Hathaway Lane. This document provides additional discussion of each of those identified alternatives.

By way of background, the DEIS, as required by the Scoping Document adopted by the Common Council acting as SEQRA Lead Agency, included an initial assessment of potential impacts of full or partial discontinuance of Hathaway Lane south of Gedney Esplanade. (See the discussion of Alternative 2A from **page 16-16 to page 16-18 in the DEIS**).

FASNY was then directed by the City of White Plains to consider the discontinuance of Hathaway Lane between Gedney Esplanade and Ridgeway. City staff was concerned that utilizing the North Street Access to the School, and leaving Hathaway open, maintaining at-grade intersections with Hathaway Lane and FASNY driveways, would be unsafe for pedestrians/students, as well as potentially present problems with queuing of FASNY vehicles. (See **Comment 3.11-67 at page 3.11-39, Comment 3.11-68 at page 3.11-40, Comment 3.11-77 at page 3.11-44 of the FEIS**.) While the FEIS includes a detailed operating conditions analysis at each of the proposed FASNY driveways on Hathaway Lane (in connection with the Ridgeway access option), demonstrating that the Ridgeway access option would not have significant adverse impacts on traffic flow along Hathaway Lane (see **FEIS at page 2.1-33 & Table 2.1-14.**), it was determined by the City that safety and queuing issues warranted consideration of the North Street access option and the discontinuance of Hathaway Lane as a more effective solution to allow for safe and efficient flow of vehicular and pedestrian/student circulation on the Site.

B. PURPOSE AND NEED

In its Findings issued pursuant to SEQRA, the Common Council explicitly determined, after years of public review and analysis, that the Modified Proposed Project with North Street Access (“MPP/North Street”) was the only Project alternative that avoided, minimized, or mitigated potential environmental impacts to the maximum extent practicable, and thus was the most appropriate way for the Council to fulfill its obligation to accommodate FASNY’s proposed educational use.

Based upon the Council’s SEQRA Findings, discontinuing Hathaway Lane became the only acceptable alternative, and an integral component of the MPP/North Street. (See **FEIS at page 1.2-2** (“The MPP/North Street would require the demapping of Hathaway lane south of the driveway to 57 Hathaway Lane to Ridgeway.”); see also Common Council’s **SEQRA Findings at page 14** (“Hathaway Lane would be discontinued and demapped as a public street from Ridgeway to south of 57 Hathaway Lane [as part of MPP/North Street].”) and **SEQRA Findings at page 79, Finding J-13** (“Under the North Street access option, FASNY proposes that the City discontinue Hathaway Lane from Ridgeway to the property at 57 Hathaway Lane while providing emergency vehicle access to and through the Project Site from Ridgeway to Hathaway Lane at Gedney Esplanade”).).

Consistent with the Council’s SEQRA analysis, the Council, respectfully, must now authorize the discontinuance of Hathaway Lane between Gedney Esplanade and Ridgeway or render the School infeasible and its Findings moot.

FASNY understands also there is precedent in the City of White Plains for discontinuance of a public street for private purposes, including when the construction of the Westchester Mall required such a discontinuance. FASNY has recently filed a Freedom of Information Law (FOIL) request to the City aimed at getting a more comprehensive understanding of the City’s use of its unquestionable legal authority to discontinue portions of streets similar to the subject request.

C. SUMMARY OF ANALYSIS OF HATHAWAY WAY DISCONTINUANCE

Again, consistent with the Council’s SEQRA Findings, FASNY’s proposal to the Common Council is to discontinue Hathaway Lane between Gedney Esplanade and Ridgeway. Access to the residential property at 57 Hathaway Lane would be maintained by constructing a new private driveway extension within the existing Hathaway Lane alignment, as well as creating new lawn area within the remainder of the right-of-way.

Figure 1 shows the proposed FASNY Campus within the area of the Hathaway Lane right-of-way. **Figure 2** shows how the area to be discontinued in front of 57 Hathaway Lane would be reconfigured to provide access and additional lawn area to this residential property. **Figure 3** is a photograph of 57 Hathaway Lane from Gedney Esplanade, demonstrating that the additional lawn area on the extended property and along the perimeter of the FASNY Property in this vicinity would, in fact, not be detrimental and would likely enhance the curb appeal of 57 Hathaway Lane.

TRAFFIC

Project's Positive Effects on Local Traffic

The discontinuance of Hathaway Lane between Ridgeway and 57 Hathaway Lane would remove a roadway link that makes cut-through trips from Mamaroneck Avenue or North Street to Bryant Avenue possible. Eliminating this link would reduce cut-through traffic in the Gedney neighborhood.

The City of White Plains has been aware of the problem of cut-through activity within the Gedney neighborhood for a number of years. In its review of the New York-Presbyterian Hospital (NYPH) application in 2001, specific attention was devoted by the Common Council to measures to minimize new trips from using Hathaway Lane and Heatherbloom Road to move from Mamaroneck Avenue to the proposed NYPH entrance on Bryant Avenue. The NYPH DEIS indicated that signalization of the intersection of Bryant Avenue at Hathaway Lane, while not required as mitigation for the limited number of NYPH trips projected to use Hathaway Lane, could facilitate the northbound left-turn from Hathaway Lane to Bryant Avenue. However, at the request of City staff, a "No Turn on Red" sign was to be installed at the northbound approach to increase delay for the northbound right-turn movement and discourage cut-through traffic. The NYPH project was never constructed, and this modification at Hathaway Lane was never made.

The SEQRA documentation for the FASNY Project demonstrates that cut-through traffic along side streets, including Hathaway Lane, is not a significant quantitative or operational problem. The DEIS included analysis of existing and potential future traffic conditions at the Hathaway Lane and Ridgeway intersection. **Figure 11-2 of the DEIS** indicates that approximately only 29 vehicles travel southbound and approximately 38 vehicles travel northbound on Hathaway Lane south of Gedney Esplanade during the AM peak hour. In the afternoon peak hour approximately 32 vehicles travel southbound and approximately 37 vehicles travel northbound. These volumes equate to roughly one car in each direction every two (2) minutes during the peak hours.

As discussed in greater detail below, however, the use of Hathaway Lane as a cut-through is perceived to be a problem to residents of the Gedney neighborhood. The discontinuance of Hathaway Lane south of Gedney Esplanade will, in fact, mitigate this condition.

In addition, consistent with the City's Comprehensive Plan, the FASNY Project includes the installation of adaptive signal controls along both the Mamaroneck Avenue and North Street corridors that would improve flow along those corridors, further diminishing the attractiveness of a local cut-through route. As stated in the City's Comprehensive Plan (see page 2-I-68):

The major commercial and mixed use corridors entering the Core Area – Mamaroneck Avenue, Post Road, North Broadway, Lake Street, and Tarrytown Road/Central Avenue – provide adequate capacity for existing Core Area retail and office traffic and adequate capacity for destination locations. However, certain neighborhood residential streets are utilized as short cuts, making traffic management and enforcement critical to these areas. The community facilities section of the Plan recommends continuing, as aggressively as possible considering fiscal constraints, the extension of the City's automated traffic control system. As more intersections on the major corridors further out from the Core Area are brought into the traffic control system, management of traffic flow will be enhanced and the incentive for a shopper or commuter to see alternative routes will diminish.

The extension of the traffic control system must be combined with the continued enforcement of speed limits in residential areas. [Emphasis provided]

As part of the off-site mitigation program for the FASNY School, the City has required installation of adaptive signal controllers (paid for by FASNY), connected into the City's automated traffic control system, at six (6) locations along North Street and Mamaroneck Avenue. Once these systems are installed, traffic flow along Mamaroneck Avenue and North Street will be enhanced such that cut-through traffic will diminish. Again, this is in addition to the reduction in cut-through traffic that would result from the discontinuance of Hathaway Lane south of Gedney Esplanade.

Cut-Through Analysis

Concern was also expressed that FASNY traffic could result in increased cut-through traffic on a number of different routes even though FASNY has committed to a program to prohibit FASNY vehicles from using local streets. This section summarizes the analysis that documents that any such additional cut-through traffic would not create significant impacts.

For the FASNY application, an analysis of potential cut-through routes was conducted as part of the DEIS. **DEIS Figure 11-1** identifies the routes evaluated. **DEIS page 11-15** and **Table 11-6** describe the existing conditions established through license plate surveys conducted in June 2011 and November 2011 (included as **Appendix J-3 in the DEIS**). Survey results indicate a low percentage of vehicles using various routes to move from Mamaroneck Avenue to North Street (or the reverse), except for the Hathaway Lane route in the afternoon time period. This suggests that many White Plains residents may be currently using Hathaway Lane to access White Plains High School during the afternoon dismissal time period.

Even though FASNY has committed to prevent FASNY traffic from using side streets (enforced through various provisions of a Transportation Management Plan for the School), the DEIS evaluated the potential number of vehicles that might use local streets to reach the Campus from Mamaroneck Avenue or North Street. (See **DEIS page 11-53 and Table 11-30**.) Based on the percentages of existing vehicles using local streets, the DEIS projected that up to 12 trips in the afternoon, with the exception of Hathaway Lane, which might experience between 13 and 19 trips during the AM and afternoon peak hours, respectively. The EIS concluded that these additional vehicles would not create any significant adverse impacts to local roadway operations.

Minimal Impacts From Diversion of Traffic As The Result of Discontinuance

The SEQRA documentation shows that the diversion of traffic to other local roads resulting from the discontinuance of Hathaway Lane south of Gedney Esplanade would result in insignificant increases in delays of two (2) to three (3) seconds on local traffic.

The DEIS evaluated the potential traffic impacts of a full or partial discontinuance of Hathaway Lane south of 57 Hathaway Lane (see the discussion of Alternative 2A beginning at **DEIS page 16-16**). That analysis concluded that approximately 60 to 80 vehicles would shift to other local streets, and that similar impacts as the Proposed Project with Ridgeway access would result. The DEIS concludes that "full or partial closure of Hathaway Lane would not create any additional impacts beyond those identified for the Proposed Project" (**DEIS page 16-17**).

DEIS Table 11-6
Existing Diversion Percentages

Route	Primary Volume ¹		Cut-Through Volume		Percent Diversion ²	
	AM	Afternoon	AM	Afternoon	AM	Afternoon
Mamaroneck Ave from south to Ridgeway						
Via Ethelridge to Richbell	29	50	0	0	0%	0%
Via Ethelridge to Avondale	29	50	0	1	0%	2%
Ridgeway to south on Mamaroneck Ave						
Via Richbell to Ethelridge	29	37	0	0	0%	0%
Via Avondale to Ethelridge	29	37	1	2	3%	5%
Mamaroneck Ave from north to Ridgeway						
Via Bryant and Hathaway	66	49	3	2	4%	4%
Via Heatherbloom	66	49	1	0	2%	0%
Via Gedney Esplanade	66	49	0	0	0%	0%
Ridgeway to north on Mamaroneck Ave						
Via Hathaway and Bryant	54	17	1	3	2%	15%
Via Heatherbloom	54	17	1	0	2%	0%
Via Gedney Esplanade	54	17	0	0	0%	0%
North Street from south to Ridgeway						
Via Maplemoor/ Sammis to Richbell	45	76	1	1	2%	1%
Ridgeway to south on North Street						
Via Richbell to Maplemoor / Sammis	64	76	1	1	2%	1%
North Street from north to Ridgeway						
Via Bryant to Hathaway	101	86	7	12	6%	12%
Ridgeway to north on North Street						
Via Hathaway to Bryant	168	71	5	3	3%	4%
Notes:						
1. Primary volumes are the turning movements at Mamaroneck Avenue/Ridgeway and North Street/Ridgeway						
2. Percent Diversion = Cut Through Volume / (Cut Through Volume + Primary Volume)						

In response to City of White Plains staff and consultant comments, the FEIS provided additional detail on the analysis of potential diversion of Hathaway Lane traffic to other local streets. The FEIS demonstrates the results of quantified analysis of a worst-case scenario, where all vehicles currently turning onto and from Hathaway Lane at Ridgeway were shifted to the intersection of Murchinson Place and Ridgeway. (See FEIS at page 2.2-19 & Table 2.2-13.) In this worst case scenario, FEIS Table 2.2-13 indicates that the southbound movement (from Murchinson Place to Ridgeway) would experience increased delays of only up to 2.4 seconds in the AM peak hour and only up to 3.6 seconds in the afternoon peak hour. This minor increase in delay would not cause the southbound movement to operate at a different Level of Service (LOS) than it would under No Build (future without the Proposed Project) conditions. Moreover, when Hathaway is discontinued, there will likely be less traffic using the cut-through, and subsequently less diversion.

DEIS Table 11-30
Year 2019 Build Diversion Analysis

Route	Project Generated Trips Primary Volume ¹		Percent Diversion ²		Project Trip Diversion	
	AM	Afternoon	AM	Afternoon	AM	Afternoon
Mamaroneck Ave from south to Ridgeway						
Via Ethelridge to Richbell	248	133	0%	0%	0	0
Via Ethelridge to Avondale	248	133	0%	2%	0	3
Ridgeway to south on Mamaroneck Ave						
Via Richbell to Ethelridge	150	230	0%	0%	0	0
Via Avondale to Ethelridge	150	230	3%	5%	5	12
Mamaroneck Ave from north to Ridgeway						
Via Bryant and Hathaway	65	35	4%	4%	3	1
Via Heatherbloom	65	35	2%	0%	1	0
Via Gedney Esplanade	65	35	0%	0%	0	0
Ridgeway to north on Mamaroneck Ave						
Via Hathaway and Bryant	40	61	2%	15%	1	9
Via Heatherbloom	40	61	2%	0%	1	0
Via Gedney Esplanade	40	61	0%	0%	0	0
North Street from south to Ridgeway						
Via Maplemoor/ Sammis to Richbell	124	66	2%	1%	2	1
Ridgeway to south on North Street						
Via Richbell to Maplemoor / Sammis	76	116	2%	1%	2	1
North Street from north to Ridgeway						
Via Bryant to Hathaway	111	60	6%	12%	7	7
Ridgeway to north on North Street						
Via Hathaway to Bryant	67	103	3%	4%	2	4
Notes:						
1. Primary volumes are the turning movements at Mamaroneck Avenue/Ridgeway and North Street/Ridgeway						
2. FASNy is not proposing to add cut-through traffic. However, the potential numbers have been provided based on existing percentages.						

FEIS Table 2.2-13
No Build and Build (2019) Conditions LOS Analysis
Murchinson Place and Hathaway Lane (AM and Afternoon Peak Hours)

Int. No.	Intersection	Approach	AM Peak Hour (8:00 - 9:00 AM)								Afternoon Peak Hour (2:30 - 3:30 PM)							
			2019 No Build				2019 Build				2019 No Build				2019 Build			
			Move ment	V/C Ratio	Delay (SPV)	LOS	Move ment	V/C Ratio	Delay (SPV)	LOS	Move ment	V/C Ratio	Delay (SPV)	LOS	Move ment	V/C Ratio	Delay (SPV)	LOS
19	Ridgeway (E-W) & Murchinson Place/Richbell Road	EB	LTR	0.00	0.1	A	LTR	0.02	0.5	A	LTR	0.00	0.2	A	LTR	0.02	0.8	A
		WB	LTR	0.00	0.2	A	LTR	0.01	0.2	A	LTR	0.00	0.0	A	LTR	0.00	0.0	A
		NB	LTR	0.09	16.3	C	LTR	0.11	19.5	C	LTR	0.01	11.4	B	LTR	0.02	12.6	B
		SB	LTR	0.04	15.2	C	LTR	0.18	17.6	C	LTR	0.03	10.2	B	LTR	0.19	13.8	B

Notes:
EB = Eastbound; WB = Westbound; NB = Northbound; SB = Southbound; INT = Intersection.
L = Left-Turn; T = Through; R = Right-Turn.
V/C = Volume to Capacity; SPV = Seconds per Vehicle; LOS = Level of Service.

Emergency Access

FASNY has consulted extensively and worked with the City's Department of Public Safety (DPS). Representatives of the DPS have expressed concurrence with FASNY's proposed Site Plan. Per the DPS' suggestions, FASNY has included in its Site Plan emergency access routes, which allow for continuous vehicular access for emergency vehicles between Ridgeway and Gedney Esplanade. As a result, there would only be a net increase of approximately 5 seconds to emergency vehicle response time as the result of the discontinuance of Hathaway Lane south of Gedney Esplanade.

The impact on emergency response times was evaluated in the DEIS (see **DEIS page 16-18**). The DEIS concludes that full discontinuance of Hathaway Lane south of 57 Hathaway Lane, without the provision of an emergency access route across the FASNY campus, would increase the response time to a fire in residential areas north of the FASNY site by "an additional 60 seconds or longer" assuming a fire truck would travel further west on Ridgeway to Murchinson Place and Hotel Drive. The DEIS also notes that partial discontinuance (e.g., allowance for emergency access only) "would possibly reduce response time slightly as the fire truck slowed at the breakdown gate. Because the fire truck would likely be decelerating as it approached the intersection of Gedney Esplanade, it is not likely that this additional time would represent a meaningful increase in response time" (DEIS page 16-18).

In initial discussions with DPS, representatives of the Department did not indicate that vehicular access from Ridgeway to Gedney Esplanade was necessary to provide service to the Gedney neighborhood as other routes remain available. However, due to the sensitivity of this issue, FASNY agreed to construct an emergency access route that allows for continuous vehicular access for emergency vehicles between Ridgeway and Gedney Esplanade.

Empirical analysis shows that, with the proposed emergency access route across the FASNY campus, only five (5) seconds would be added to emergency vehicle response time. Hathaway Lane between Ridgeway and Gedney Esplanade is approximately 826 feet long. An emergency vehicle operating at 20 MPH would take approximately 28 seconds to cover that distance. (While emergency vehicles can operate at higher speeds, it is unlikely that a vehicle would achieve a higher speed after slowing for the turn from Ridgeway to Hathaway Lane and before decelerating to slow at the intersection of Hathaway Lane and Gedney Esplanade). The proposed emergency access route through the FASNY Campus is approximately 963 feet long. An emergency vehicle operating at 20 MPH would take approximately 33 seconds to cover that distance. The net difference of approximately five (5) seconds is considered a marginal increase.

Any Impact on Community Character is Offset by Positive Impacts of FASNY's Project

Closing Hathaway Lane between Gedney Esplanade and Ridgeway might represent a nominal change in the local roadway network. This short portion of Hathaway Lane, with its high hedges and golf cart crossing, can be perceived to be an element of the former Ridgeway Country Club. Notwithstanding the fact that this portion of Hathaway Lane does not include a sidewalk, it has been identified by members of the Gedney community as a walking path for local residents.

As noted above, Hathaway Lane has also been identified as a cut-through for traffic between Ridgeway and Bryant Avenue, which has been identified as problematic and a detriment to community character.

Discontinuance of this portion of Hathaway Lane would eliminate the vehicular and dangerous pedestrian connection at this location. The removal of the vehicular cut-through, in addition to

the implementation of adaptive signal controllers along Mamaroneck Avenue and North Street, would be an enhancement to the community character as it eliminates the critical path for vehicles cutting through the residential neighborhood, as well as removes the incentive to use the neighborhood as a cut-through. This is entirely consistent with the City's Comprehensive Plan strategy to diminish local neighborhood cut-through traffic.

To mitigate for the loss of pedestrian connectivity (which is on a street with no sidewalk), FASNY proposes in its Site Plan, as required by the Common Council in its Findings, to construct a three mile network of publicly-accessible bike paths and pedestrian walking paths along the western portion of Parcel A, and throughout the Conservancy. The proposed FASNY north-south path on the western side of Parcel A will be safer for pedestrians than the existing shoulder of the southern portion of Hathaway Lane. These paths, and the publicly accessible FASNY Conservancy, would create a new amenity within the Gedney neighborhood, which far surpasses the non-sidewalk walking area that might be eliminated in the limited area affected by the discontinuance of Hathaway Lane between Gedney Esplanade and Ridgeway. Any nominal change in the community character by discontinuing a small portion of Hathaway Lane must be viewed in the context of the positive contributions FASNY's Project would make to enhance neighborhood connectivity. The School's proposed bicycle and pedestrian paths would enhance the open space character of the neighborhood, and provide public access to the Conservancy areas of the FASNY property, as well as link bicyclists and pedestrians between Ridgeway, Bryant Avenue, and North Street as called for in the City's Comprehensive Plan.

The discontinuance of Hathaway Lane between Gedney Esplanade and Ridgeway would also not have adverse effects on the character or curb appeal of the residence located at 57 Hathaway Lane. The area formerly occupied by Hathaway Lane would be reused as an extended private driveway, and expanded lawn area for the residence at 57 Hathaway Lane. Appropriate landscaping on the FASNY Campus would provide an improved context, and indeed enhanced privacy and landscaping, for this residence. It is FASNY's belief that no detriment to the character of the residence or to its property value would result. FASNY also believes that the construction of a cul-de-sac at this location to preserve only a portion of Hathaway Lane south of Gedney Esplanade, as suggested by some parties, would be contradictory to a number of traffic operations objectives and contrary to the preservation of the community character.

UTILITIES

With the proposed discontinuance of Hathaway Lane between Gedney Esplanade and Ridgeway, easements covering the former right-of-way would be granted in favor of the City of White Plains for access to sanitary sewer lines. Existing overhead electrical lines would be relocated, at FASNY's expense, to a below-ground utility bank running roughly along the same alignment. FASNY would provide easements for maintenance and repair work by either the City of White Plains (sanitary sewer) or Consolidated Edison (electrical). Drawings submitted with the Special Permit/Site Plan Application package provide details on how the easements would be provided.

The proposed FASNY driveway crosses this easement in two (2) locations. In the case of any prolonged maintenance or repair work, FASNY would be required to implement an alternative circulation plan that would allow full access by vehicles, buses, and pedestrians within the Campus while avoiding work areas. These are normal procedures used throughout the City of White Plains. See **Figure 4** for the proposed alternative circulation plan. Should the portion of the FASNY driveway that crosses the northerly portion of the right-of-way be blocked, the bus loop would be reconfigured for two-way operations through placement of traffic cones down the

center line. Vehicles – both school buses and automobiles – destined for the Upper School would travel clockwise along this driveway and proceed to the automobile drop-off/pick-up area on the north side of the Upper School. Both busses and automobiles would discharge passengers at this location. Empty vehicles would then return to North Street using the reverse course. Busses destined for the Lower School would use the Lower School parking lot to turn around to be able to access the Lower School bus lane.

Should the portion of the FASNY driveway that crosses the southerly portion of the right-of-way be blocked, busses and automobiles destined for the Upper School would simply use the automobile drop-off/pick-up area on the north side of the Upper School before returning to North Street along the main driveway. Busses destined to the Lower School would use the Lower School parking lot to turn around to be able to access the Lower School bus lane.

D. ALTERNATIVES CONSIDERED

The Council has already taken the requisite “hard look” under SEQRA at the potential significant adverse impacts of the discontinuance of Hathaway Lane south of Gedney Esplanade in connection with the FASNY Project. SEQRA, indeed, does not require an Applicant to study every conceivable alternative, and also specifically prohibits the consideration of alternatives that do not meet an Applicant’s objectives.¹ This document surpasses the minimum SEQRA requirements by evaluating several additional potential alternatives relating to Hathaway Lane raised by certain Planning Board members in the course of their review of the Site Plan upon the Council’s referral:

- Maintain Hathaway Lane with at-grade intersections for FASNY driveways;
- Create a vehicular overpass for FASNY driveways over Hathaway Lane;
- Create a pedestrian overpass for FASNY staff and students over Hathaway Lane;
- Create a pedestrian underpass for FASNY staff and students under Hathaway Lane;
- Change the operations of Hathaway Lane to be one-way southbound in the morning and one-way northbound in the afternoon/evening;
- Provide temporary closure of Hathaway Lane during FASNY morning and afternoon drop-off/pick-up time periods.

MAINTAIN HATHAWAY LANE WITH AT-GRADE INTERSECTIONS

Figure 5 demonstrates the unacceptable safety and site layout conditions that would be created if the FASNY Campus circulation plan were adjusted to provide for the retention of Hathaway Lane along its existing alignment.

FASNY’s driveways would intersect Hathaway Lane at two (2) locations. These driveways would operate as unsignalized intersections. The volume of traffic on Hathaway Lane would not

¹ See, e.g., Chinese Staff and Workers Ass’n v. City of N.Y., 68 N.Y.2d 359, 509 N.Y.S.2d 499, 506 (1986); Halperin v. City of New Rochelle, 24 A.D.3d 768, 777, 809 N.Y.S.2d 98, 109 (2d Dept. 2005); Horn v. I.B.M. Corp., 110 A.D.2d 87, 493 N.Y.S.2d 184, 190 (2 Dept. 1985); Shellabarger v. Onondaga County Water Authority, 105 A.D.2d 1134, 482 N.Y.S.2d 610, 611 (4 Dept. 1984); 6 N.Y.C.R.R. § 617.9(b)(5)(v).

