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February 9, 2022  
Revised February 14, 2022

Honorable Peter Harckham  
Senator, 40<sup>th</sup> District  
188 State Street, Legislative Office Bldg  
Room 812  
Albany, NY 12247

Re: Budget Bill S. 8006/A. 9006  
Part EE - Transportation Oriented Development.

Dear Senator Harckham:

On behalf of the Town Board of the Town of Patterson, I am writing to you express our concern over Bill 8006/A. 9006, Part EE - Transportation Oriented Development, and respectfully ask that you oppose its adoption.

The Town of Patterson does not object to Transit Oriented Development, and in fact we are working on two sites that would potentially create housing at a density proposed in the legislation, and in close proximity to the MetroNorth train station in the Hamlet of Patterson. The Town has undertaken a thorough assessment of the types and densities of development that are appropriate for the Patterson Hamlet. Given the road design and other infrastructure available, we have adopted zoning to allow residential and commercial uses in appropriate locations and at appropriate densities. The Hamlet of Patterson does not have the public water, public sewer or roads designed for on-street parking which would be necessary to support a density of 25 dwelling units per acre on all of the multiple residential lots that lie within ½ mile of the train station.

Yet regardless of these limitations, the legislation proposed within the Governor's budget bill would require Town's to adopt zoning to allow a density of 25 dwelling units per acre on all residentially zoned lots within ½ mile of a train station or bus stop. The legislation prevents the Town from imposing any restriction that would prevent construction or occupation including height, setbacks, floor area ratios, or parking. It requires that the Town amend its Comprehensive Plan and all laws

to conform to this section. It requires that the Town adopt these standards with no regard to the potential environmental or economic impact to the residents that live in this community.

To allow 25 dwelling units per acre, with no restrictions, and no parking requirements would have a devastating economic impact on the Patterson Hamlet, and completely change the character of the area, replacing an old historic village setting with an urban environment.

The Transit Oriented Development legislation will cause an increase in taxes in order to provide additional sanitation services, recreation opportunities and other municipal services. We will see a significant increase in taxes for fire protection, as our fire departments will need even bigger apparatus to fight any potential fire, and a bigger firehouse to house the apparatus. It will strain groundwater resources from not only the wells needed to provide potable water, but these buildings will require sprinkler systems.

The Town is limited in the number of residential units that it can allow based on the carrying capacity of the land which factors in such criteria as road infrastructure, groundwater resources, and the ability of the soils to handle sewage disposal. In order to determine appropriate zoning we have conducted extensive analysis on the ability of the land to support residential and commercial uses at appropriate densities. For example, Putnam's Towns participated in an assessment of the ability of the land to provide drinking water from groundwater wells. A town will identify what is reasonable for the community through an extensive planning process. The Transit Oriented Development legislation ignores any sort of similar planning process.

A density of 25 units per acre does not allow adequate room to treat stormwater runoff. The Hamlet is located within the New York City East of Hudson reservoir watershed. The 1997 Memorandum of Understanding brought a new era to the region. For the past twenty-five years East of Hudson municipalities have been working to be better stewards of the watershed that provides drinking water to New York City. We have adopted zoning standards which limit the amount of imperviousness that can be created in order to minimize stormwater runoff and the pollutants carried with it. We have required stormwater runoff be treated. We have labored under MS4 regulations more stringent than anywhere else in the State and have seen growth within our communities restricted, all in the name of protecting the drinking water of New York City. All of our efforts will have been in vain, as the State is requiring municipalities in the New York City Reservoir watershed to adopt zoning standards more akin to a city environment, which will significantly increase impervious coverage, stormwater runoff and pollutant loading to the NYC Reservoir system.

Please contact me if you have any questions.

Sincerely yours,



Richard Williams Sr.  
**SUPERVISOR**

cc: Honorable Kevin Byrne

TOWN OF PATTERSON  
COUNTY OF PUTNAM, STATE OF NEW YORK

RESOLUTION OPPOSING S. 8006/A. 9006  
PROVIDING FOR  
TRANSIT ORIENTED DEVELOPMENT ACT OF 2022

**R-0222-03**

INTRODUCED BY: MR. RICHARD WILLIAMS

SECONDED BY: MR. SHAWN ROGAN

DATE OF CONSIDERATION/ADOPTION: February 9, 2022

WHEREAS, Budget Bill S.8006/A. 9006 Part EE - Transit Oriented Development Act of 2022 has been proposed which would amend Article 16 of Town Law to permit the construction and occupation of dwelling units with a density of twenty-five dwelling units per acre or more, on any land wherein residential construction and occupation is otherwise permitted if such land is within one-half mile of any covered transportation facility, and

WHEREAS, the MetroNorth Train station is a covered transportation facility and the Hamlet of Patterson falls within ½ mile of a MetroNorth Train station and would therefore be required to allow a density of development of twenty-five dwelling units per acre; and

WHEREAS, Bill S.8006/A. 9006 would nullify the Town's zoning relative to an appropriate level of density of dwelling units within the Patterson Hamlet, and replace it with the State's standards with no consideration to the environmental conditions or existing infrastructure within said area, and

WHEREAS, the State's standards contained within the Transit Oriented Development Act do not account for the unique and special characteristics of the Town of Patterson, and

WHEREAS, the Patterson Hamlet is contiguous to the Great Swamp, and area designated a critical environmental area and the State's Transit Oriented Development density requirements would be detrimental to Great Swamp, and

WHEREAS, the Patterson Hamlet is within the watershed for the New York City Reservoir System which provides drinking water to over 8 million individuals and the State's Transit Oriented Development density requirements would be detrimental to protection of the New York City water supply, and

WHEREAS, there is currently inadequate sewer and water infrastructure to support a density of 25 dwelling units per acre; and

WHEREAS, Bill S.8006/A. 9006 prohibits a local municipality from ensuring that adequate off-street parking will exist by properties developed under the Transit Oriented Development Act which will lead to reduced safety and increased congestion from parking on streets, and

WHEREAS, the Transit Oriented Development Act prohibits a local municipality from considering any potential impacts related to the ability of local roads to handle the increased traffic, and

WHEREAS, Transit Oriented Development Act prohibits a local municipality from considering any potential environmental effects related to congestion or the capacity of land to handle the increased residential density, and

WHEREAS, the Town Board of the Town of Patterson finds that the Transit Oriented Development Act would be a detriment to the health, safety and general welfare of our community.

NOW THEREFORE BE IT RESOLVED, the Town of Patterson is adamantly opposed to Transit Oriented Development Act which would require a density of twenty-five dwelling units per acre or more, on any land wherein residential construction and occupation is otherwise permitted if such land is within one-half mile of any covered transportation facility, and

BE IT FURTHER RESOLVED, the Town of Patterson calls upon State elected officials to oppose Bill S.8006/A. 9006

UPON ROLL CALL VOTE:

Supervisor Williams:	Yes	Councilman Cook:	Yes
Councilman Dandreano:	Yes	Councilman Rogan:	Yes
Councilwoman Smith:	Yes		

VOTE: RESOLUTION CARRIED BY VOTE OF 5 TO 0.

STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF PUTNAM     )

I, EILEEN FITZPATRICK, Town Clerk of the Town of Patterson, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Patterson at a meeting of said Board on February 9, 2022.

  
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EILEEN FITZPATRICK, Town Clerk

Dated: February 10, 2022