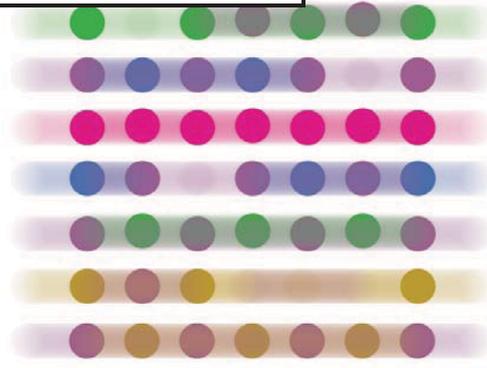


United States Nuclear Regulatory Commission Official Hearing Exhibit	
In the Matter of:	Entergy Nuclear Operations, Inc. (Indian Point Nuclear Generating Units 2 and 3)
	ASLBP #: 07-858-03-LR-BD01
	Docket #: 05000247 05000286
	Exhibit #: ENT000139-00-BD01
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ENT000139
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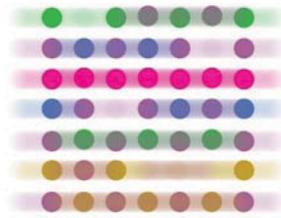
Context for County and Municipal Planning in Westchester County and Policies to Guide County Planning

Adopted by the Westchester County Planning Board
May 6, 2008
Amended January 5, 2010



Robert P. Astorino, Westchester County Executive

WESTCHESTER COUNTY DEPARTMENT OF PLANNING
Edward E. Boroughs, AICP, Acting Commissioner



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WESTCHESTER 2025

What should Westchester County look like in 2025? How do we ensure that we preserve the Westchester so many people love while moving to the future in a deliberate, progressive fashion? How do we best prepare for the environmental and land use challenges that we are not yet even aware of?

These are questions that the county's citizen Planning Board and the Westchester County Department of Planning have been exploring. *Westchester 2025* expresses their thoughts on important land use policies and sets out a new framework for a planning partnership between the county and its 45 municipalities.

The project builds on *Patterns for Westchester: The Land and the People* which has guided planning in Westchester since December 1995. As we face issues that are changing and evolving – from flooding to traffic to housing to climate change – we are required to rethink how we make big and small decisions. *Westchester 2025* aims to provide a solid foundation for constructive conversation among municipalities as well as businesses, developers and private and non-profit organizations about maintaining our quality of life and how to work together on shared goals. It is a starting point for putting in place real improvements in the ways we work together to maintain and improve the quality of life of our diverse county. *Westchester 2025* will assist us to speak with one regional vision, a critical need in the complex New York metropolitan area.

This document contains the major policy component of *Westchester 2025*. The following pages set forth the context for planning in Westchester County and the long-range land use policies of the Westchester County Planning Board.

This document was adopted by the County Planning Board on May 6, 2008 and, along with the Westchester 2025 website at www.westchestergov.com/2025, represents the starting line for *Westchester 2025*.

THE NEED TO PLAN

1

**THE CONTEXT FOR COUNTY AND MUNICIPAL
PLANNING IN WESTCHESTER COUNTY**

2

POLICIES TO GUIDE COUNTY PLANNING

7

THE NEED TO PLAN

“Westchester is a county with unparalleled resources. Its Hudson River and Long Island Sound shorelines, river valleys, rugged wooded terrain, lakes and reservoirs give it a unique natural character. Its cities, distinctive villages and suburban and rural towns - 45 in all - give it vitality and variety. Long ago, Westchester County embarked on a course of parkland acquisition that continues to set a national example for preservation of natural resources. The county's proximity to New York City and the combination of commuter rail lines, bus transit network, interstate and arterial roadways and airport facilities nurture an economic and cultural climate attractive to business and residential development.”

This opening paragraph of *Patterns for Westchester: The Land and The People*, adopted by the Westchester County Planning Board in December 1995, was followed by a cautionary note: *“That said, it will take an unprecedented common effort by county and city, town and village government to preserve these attractions into the next century.”*

Now in the 21st century, the need to plan is even greater. New pressing challenges, several emerging since the 1990s, require specific acknowledgement and action. Collectively, we must:

- Define, protect and enhance community character.
- Decide appropriate development intensity.
- Define the right density and mix downtown.
- Keep sustainable areas of the natural environment intact.
- Manage stormwater responsibly.
- Address an aging infrastructure with capacity limitations.
- Increase opportunities for transit and regional mobility.
- Adapt for a diversifying population and income mix.
- Address energy sources and supplies.
- Establish and strengthen regional partnerships.
- Respond to housing needs.
- Provide public access and views to and from the waterfront.
- Serve multiple recreational needs.
- Create a competitive position in a global market.
- Better correlate property tax impacts with planning decisions.
- Reduce travel demand through land use decisions.
- Implement green building technologies.
- Provide for flexible work sites including home based employment.
- Diligently emphasize emergency planning and public safety.

While recognizing the home rule traditions of the past, *Westchester 2025* finds that we cannot afford to always act independently as 45 local governments to meet today's land use and environmental challenges. New tools need to be identified for joint planning responsibility.

THE CONTEXT FOR COUNTY AND MUNICIPAL PLANNING IN WESTCHESTER COUNTY

Planning helps communities anticipate and respond to changing conditions. The parameters for planning are set by economic and environmental considerations; by local, state and federal law and regulation; and often by external influences which we at the county and local level cannot change. The County Planning Board considered these factors and reviewed land use and demographic trends in order to come to an understanding of the context for planning in Westchester County in 2008. The Board drew the following conclusions which now set the basis for the policies and strategies of *Westchester 2025*. The subjects are not presented in a priority order; each may have significant influence in one or many areas.

1 Topography and technology

Westchester's development pattern was shaped by its topography including its shorelines, valley and ridge systems, waterbodies, watershed areas for public water supplies and networks of rivers, streams and wetlands. Today technology is capable of overcoming what were once physical limitations to development. Topography and natural factors are no longer sufficient to protect the environment from engineered approaches that would alter the county's essential character and increase the risk of environmental damage from incidents such as flooding. Communities must be specific in identifying the features that define their character, describing them in comprehensive plans and protecting and enhancing them through regulations that will shape development and protect physical and biotic natural resources.

2 Home rule and Westchester County

The tradition of home rule is well-established in Westchester. Cities, towns and villages exercise direct control over land use. However, formal and informal arrangements between local governments on land use and infrastructure decisions have evolved and will need to expand. Water supply, sewage collection and treatment, transportation facilities, open space and energy supply require regional perspective. "Border wars" over the impacts of large development proposals must be avoided and approvals granted with broad consideration and mitigation of impacts. A new paradigm is needed, respectful of home rule yet able to require this broader perspective. County government should be called upon by other government entities to increase its role as an intermediary among municipalities and with the regulatory bodies of New York City, New York State and the federal government. The County will define a role to assist municipalities with their planning process because up-to-date and thoughtful comprehensive planning at the local level is critical to ensuring that redevelopment and development is consistent with the goals set by each municipality and with regional infrastructure. Going forward, the *Patterns* initiated concept of five Westchester subregions plus an alliance of the county's four major cities will be utilized to create stronger planning frameworks in *Westchester 2025*.

3 Economic trends

Westchester's economic trends have been shaped by the economic trends of New York City. The influence will continue but the inter-relationship between the City and the county will be increasingly complex as reverse commuting, drinking water supply watershed regulations, the location of affordable housing, immigration, energy needs and public safety requirements impact the dynamics in many areas. New York City's PlaNYC 2030 recognizes that the region's economy will be integrated ever tighter, especially in Westchester due to proximity and access.

4 Regional planning and Westchester County

The interdependence of all governments in the three-state New York metropolitan region will be increasingly evident in terms of infrastructure, overlapping projects, mobility and global competitiveness. Multi-county planning forums must play stronger roles in setting regional investment priorities. The County must increase its participation to represent the interests of residents and businesses in a time of limited public resources.

5 Locating future development

The development of "greenfields," or never developed parcels, is a shrinking component of new construction sites in Westchester County. In northern Westchester's Croton watershed communities, New York City's land use restrictions to protect the reservoirs will control and prevent significant change from the current low density residential and open space areas interspersed with several, mostly small, commercial centers and denser neighborhoods surrounding lakes. The future of development in Westchester will be found in redevelopment of residential, commercial and industrial space with most new construction located in the county's downtowns in the largest cities and village centers, especially those with access to a rail station. New employment is expected to come primarily through the growth of small enterprises. Now well underway, waterfront parcels on both the Hudson River and Long Island Sound are expected to complete a transition from industrial use to residential, commercial and recreational uses in the next decade. It should be anticipated that there will be proposals in the future to redevelop campus office parks, institutional properties and areas of concentrated small manufacturing and light industrial businesses due to changes in the economics of such properties. The shift to vertical development in the cities and changes in Westchester's skylines will continue.

6 Water quality and water management

The protection and enhancement of water quality must continue to be at the forefront of government action, not simply because of standards and regulations originating at the state and federal levels but because water quality shapes quality of life. Efforts must be directed at protecting drinking water supplies, improving surface water quality and protecting underground water supplies. The achievement of water quality objectives in the Long Island Sound and the Hudson River will continue to require upgrades of the County's sanitary sewage systems and greater efforts to combat inflow and infiltration in the system. Concurrently, the management of stormwater flow and the attenuation of flooding require attention as impacts of climate

change and sea level rise become more evident. The latter affects building code regulation while water quality impacts recreational uses.

7 Demographic change

The overall population of Westchester County is expected to grow only modestly through the year 2025 but the composition will continue to diversify. Immigration and out migration are key statistics to watch. The increasing number of elderly residents will influence the nature and direction of public services, require thoughtful site design and force a broadening of business and cultural opportunities. The composition of family units continues to shift.

8 Housing demand

Even without significant population growth, the demand for fair and affordable housing will continue because of trends in income, employment, household size and the cost of real estate. The development of affordable housing in a way that affirmatively furthers fair housing is a matter of significant public interest because the broad and equitable distribution of affordable housing promotes sustainable and integrated residential patterns, increases fair and equal access to economic, educational and other opportunities and advances the health and welfare of the residents of Westchester County. A lack of fair and affordable housing will severely limit the ability of a diverse work force, young adults and seniors to reside throughout Westchester. A varied supply of all types of housing, at all reasonable locations, is necessary for a healthy county. Communities must create more “livable” neighborhoods for our aging population that feature transit-oriented development.

9 Mobility and transportation

Major new roads are not expected to be constructed in Westchester County and the capacity of existing roads is not expected to be significantly expanded. The rising cost of energy combined with increased home-based work sites and satellite offices will impact driving patterns and locational preferences for residences and work sites. As traffic patterns continue to shift with more travel outside of traditional peak hours, traffic demand management strategies should be utilized to improve traffic flow wherever possible. Transit services must be re-imagined and expanded to provide viable and cost effective alternatives to auto use for a larger percentage of the population including bus rapid transit, community shuttle services and integration of routes across county borders for inter-city services. A high-speed, regional east-west transit service across the I-287 corridor between Suffern and Port Chester, connecting five north-south transit lines and linking Stewart Airport and Stamford, would enhance the economic vitality of Westchester and the region. Freight movement and delivery services need attention as on-demand supply management and shipping is expected to replace large inventories and on-site purchases. Pedestrian and bicycle route improvements should be included wherever possible. Transportation and land use decisions should be integrated.

10 Heritage and character

The pressure to redevelop Westchester’s cities, centers, neighborhoods and developed corridors will challenge the preservation of our historic and architectural heritage. Features that define a

community's character must be identified. The County will provide planning tools to assist municipalities in the effort to protect and enhance special identifiable community characteristics. An aesthetic design component should be included both to enhance the aesthetic beauty of Westchester and to further the work done by historic preservation. Design guidelines should encourage the creation of distinctive skylines and tree-lined streets. It is essential that land use regulations in each municipality support the desired character.

11 Open space and recreation

Open space and recreational opportunities, both public and private, should continue to enhance the quality of life in Westchester. Action to further protect open space and environmentally sensitive areas as well as to establish active recreation sites should be based on regional priorities and objectives intended to create a stronger open space network, protect bio-diversity corridors and provide recreation opportunities for all. Agricultural uses must be seen as community resources. Tree replacement planting and removal of invasive species must receive prominent attention.

12 Educational, cultural and human resources

Westchester's educational, cultural and human services institutions, public and private, must of necessity adapt their programs as well as their physical resources to demographic change, including the needs of new immigrants and the aging population. The county's institutions should set an example of the leadership needed to enhance human and cultural resources.

13 Capital programs

Westchester County government will continue to shape the county's development through capital programs, including land preservation and infrastructure enhancement, the delivery of services and the County Planning Board's advisory review of municipal land use actions. The County should identify means to proactively integrate its selection and funding of capital projects with land use decision-making at the local level. All governments must fund maintenance to assure that infrastructures will be properly maintained using best management practices. It is important to set controlling taxes and costs as a priority of both local and County government while maintaining assets, including both infrastructure and services, so that Westchester County will remain a desirable place to live.

14 Green technology

The County will continue to advocate for "green technology" so that it becomes the expected way to build, manage storm water and provide sustainable energy in Westchester. Measures that were once optional to reduce energy use and conserve resources should become requirements. Initiatives should be taken at the County level to further these trends and to reduce the carbon footprint. County projects will continue to demonstrate best management practices in green technology.

Tomorrow's Communistructure, as envisioned by *Westchester 2025*, will improve regional connectivity - not just by upgrading our physical infrastructure (roads, rails, sewers) but by

enhancing the infrastructure that facilitates communication and transference of data (wider bandwidth, GIS technology, visioning tools). This new infrastructure model for the 21st century will require a paradigm shift in the way we view and define infrastructure so as to allow us to be competitive in the global economy and become a greener, environmental sustainable community.

15 Energy needs

Global energy needs will outrun supply in the foreseeable future unless new reliable sources are developed and conservation and green technology are aggressively pursued regionally and nationally. The region must address energy requirements and energy delivery systems in ways that enhance and not limit resources. New utility systems should be placed underground and overhead systems replaced underground when possible. Sustainability must be a characteristic of new development.

16 Public safety Public safety should continue to be a priority for County and local government to safeguard Westchester from natural and manmade disasters while maintaining current and achievable plans for evacuation and response. Sidewalks, bikeways and traffic management should be enhanced to make daily life safer.

POLICIES TO GUIDE COUNTY PLANNING

“The Westchester County Planning Board shall...formulate and recommend major development policies...with the object of achieving a physical development of the county that will be orderly, harmonious, economically sound, and of attractive appearance...”

From the Westchester County Charter

Westchester 2025 is dedicated to sustainable development which balances economic and environmental concerns and serves the needs of a changing population in Westchester County. The challenge to achieve a balance was described by *Patterns for Westchester*, in 1995, as facing two great opposing forces that pull Westchester’s development. On one side, the County, cities, towns and villages found themselves pushed to pursue development needed to support local economies and to finance public services. On the other side, government officials and county residents accepted the necessity of regulations that protect air, land and water resources which may also restrict development in some locations. *Patterns* sought to ease the tension between these forces through strategies that emphasize the historic planning framework of Westchester noting that a healthy balance between economic growth and a sound environment depends on directing growth to centers, reinventing developed corridors as multi-use places and factoring open space elements into the development process. In addition, *Patterns* called on the County to continue to foster the intermunicipal and regional approaches on which the planning for sustainable development depends.

Major events of the early 21st century including flooding, terrorism and infrastructure failure require a shift in the original premise of *Patterns* that cooperation should be voluntary to a paradigm that requires municipalities to participate in a more formal structure which will enable them to work together going forward.

The following polices, originally developed for *Patterns for Westchester* and modified here based on the context for planning presented in the preceding pages, underline the Westchester County Planning Board’s recommendations for *Westchester 2025* on land use, land acquisition and capital projects and on matters referred to it by local governments. The County Planning Board recommends these policies to municipalities as guidance for their own decision-making.

1 Channel development to centers

Channel development whenever possible to centers where infrastructure can support growth, where public transportation can be provided efficiently and where redevelopment can enhance economic vitality. Development should be consistent with defined community character and be designed to facilitate or enhance a smart growth urban fabric.

2 Enhance transportation corridors

Enhance the appropriate functions of the county’s transportation corridors. The quality of scenic routes should be protected. Traffic management, transit improvements and systematic maintenance should be implemented on travel routes to reduce congestion, ease movement,

increase mobility options and ensure public safety. Sections of corridors that have been developed should be evaluated for steps needed to make these areas into efficient and attractive multi-use places.

3 Assure interconnected open space

Assure a diverse and interconnected system of open space to shape development, to provide contrast in the texture of the landscape, to separate developed areas and to provide linkages among open space systems of the region.

4 Nurture economic climate

Nurture the economic climate of the county with use of municipal, county, state and federal resources to improve infrastructure, housing and programs that attract and support business enterprise, with consideration of intermunicipal impacts.

5 Preserve natural resources

Preserve and protect the county's natural resources and environment, both physical and biotic. Potential impacts on water resources (water bodies, wetlands, coastal zones and groundwater), significant land resources (unique natural areas, steep slopes, ridgelines and prime agricultural land) and biotic resources (critical habitat, plant communities and biotic corridors) require careful consideration as part of land management and development review and approval.

6 Support development and preservation of permanently affordable housing

Encourage a range of housing types that are permanently affordable to renters and home buyers, with the County working with each municipality to address its needs for fair and affordable housing as well as a share of the regional need. The County Planning Board recognizes that the County Board of Legislators adopted a local law on November 22, 2009 that supplements its existing affordable housing Statement of Need. Actions to affirmatively further fair housing significantly advance the public interest of the County and its municipalities. The location of fair and affordable housing is central to fulfilling the County's commitment to affirmatively further fair housing, which adds to the rich fabric and quality of life in Westchester County.

Existing homes and apartments that are currently affordable should be maintained and enhanced as necessary so that they continue to provide housing that meets health and safety standards and stays within affordability guidelines. New means must be identified to preserve the existing housing stock that is currently affordable including housing units whose affordability has sunset clauses or expiration dates. In addition to supporting communities that are adding new fair and affordable units, targeted efforts should be made in areas lacking racial diversity to add new fair and affordable housing that will be vigorously marketed to wider population groups. The County should make available a model ordinance that would promote fair and affordable housing and affirmative marketing which builds on such provisions now in place in many Westchester County municipalities.

7 Support transportation alternatives

Support transportation alternatives that improve the mobility choices of workers, consumers and residents and that improve air quality by enhancing the efficiency and effectiveness of public transportation and reducing solo-driving.

8 Provide recreational opportunities to serve residents

Enhance use of Westchester's parks, beaches and recreation facilities by improving public access and by providing a variety of settings for passive and active use. New recreational opportunities should take into account the recreational needs of higher density population areas and the needs and interests of the county's changing population.

9 Protect historical and cultural resources

Enhance the quality of life for Westchester residents by protecting the county's cultural and historical resources, integrating their consideration into land use decisions and promoting awareness of such resources through educational programs.

10 Maintain utility infrastructure

Maintain safe and environmentally sound systems and policies for waste removal, collection and treatment as well as the treatment and distribution of drinking water consistent with the county's land use policies. Programs to reduce and recycle the waste stream, protect water quality, control and treat storm water and mitigate or reduce the impacts of flooding must be strengthened.

11 Support vital facilities

Support capital improvements for physical facilities that enable the County and municipalities to deliver social services, public safety services and emergency services in an efficient, economic and humane manner.

12 Engage in regional initiatives

Work with neighboring jurisdictions in the Hudson Valley, Connecticut, New Jersey, Long Island and New York City in planning initiatives aimed at sound land use, transportation, economic development, housing and environmental policies.

13 Define and protect community character

Encourage efforts to define the desired character of each municipality and neighborhoods within the broader, diverse palate of Westchester County. Support initiatives to adapt and establish land use policies and regulations that enhance that character through focus on location, setting, aesthetic design and scale of development as well as the public context of street life, tree canopy and utility placement.

14 Promote sustainable technology

Promote reliable, sustainable energy and conservation practices while fostering green technology in all areas of land use and building to create a sustainable Westchester County which reduces the carbon footprint and is adaptable to globalization and technological change. Support creating the foundation for Tomorrow's Communistructure, a concept of civic infrastructure that seamlessly integrates traditional public infrastructure with communication networks to permit dynamic community interaction and connectivity.

15 Track and respond to trends

Track and evaluate trends in land use, demographics and economic factors to keep the County current and responsive to changes in the context for planning with continuously updated tools and resources that can be shared with others.