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**SCARSDALE FORUM INC.**

**Report of the Downtown Revitalization and Municipal Services Committees  
On the  
Redevelopment of the Freightway Site**

The Downtown Revitalization and Municipal Services Committees (the “Committees”) propose the following resolution for adoption by the Scarsdale Forum:

RESOLVED, that this Report addressing the redevelopment of the Freightway site be approved.

**EXECUTIVE SUMMARY**

From 2017 to 2020, the Village of Scarsdale engaged in a project to redevelop the Freightway garage and surrounding site, located at 14 Freightway and adjacent lands, into a multi-unit residential housing development while maintaining parking capacity. This process was prompted not only by the structurally failing and unsightly condition of the 50-year-old garage structure, but also by the sense that the 2.38-acre site adjacent to the Village Center could be developed in a manner that could better serve the community and its needs. To move the process forward, the Village Board formed an 18-person community-based Steering Committee, supported by consultants and complemented by a broad public outreach strategy. The report of the Steering Committee offered a vision for the site but did not identify a specific development concept.<sup>1</sup> The Village Board then used the report as the basis for a Request for Expression of Interest (RFEI)<sup>2</sup> and Request for Proposal (RFP)<sup>3</sup> process to select a preferred developer, again a process complemented by a public outreach effort.

The process resulted in the selection of two development teams, Avalon Bay Communities and LCOR/East End Capital. As noted, the RFP was to identify a preferred developer who would work with the Village and community in creating a firm development proposal, although the RFP required applicants to create schematic development concepts, supported by massing, design, and financials. As part of the public outreach, the two development teams presented their development concepts at a public gathering.

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<sup>1</sup> Freightway Site Redevelopment Study (Feb. 2018) (“Steering Committee Report”)

(<https://www.scarsdale.com/DocumentCenter/View/2626/Freightway-Site-Redevelopment-Study-Feb-2018?bidId=>).

<sup>2</sup> The Village of Scarsdale Request for Expression of Interest Freightway Redevelopment Site (July 16, 2018)

(<https://www.scarsdale.com/DocumentCenter/View/3452/RFEI-Freightway-Redevelopment-Site-Scarsdale>).

<sup>3</sup> Request for Proposals Freightway Redevelopment Site Village of Scarsdale (June 19, 2019)

(<https://www.scarsdale.com/DocumentCenter/View/4762/Freightway-Redevelopment-Site--Request-for-Proposal>).

These presentations can be found on the Village website.<sup>4</sup> Both presentations failed to meet some residents' expectations while also provoking the ire of some attending the presentations. Public dissatisfaction, among other reasons, prompted the Village Board to stop the development process. Despite that, and perhaps given the success of the Christie Place development in the Village Center several years earlier, a memorandum by Deputy Mayor Robert Cole noted that over 84% of the written comments submitted by residents to the Village Board recommended continuing the process while only 13% expressed a desire to retain the garage.<sup>5</sup> The negative comments largely focused on the potential impacts on the Scarsdale School District, and in particular the Fox Meadow Elementary School. Negative comments may also have resulted from the overall scale and complexity of both concepts presented.<sup>6</sup> Deputy Mayor Cole concluded that there appeared to be substantial public interest in continuing the dialogue. Nonetheless, no steps have been initiated to re-engage since January 2020.<sup>7</sup>

The Scarsdale Forum was a strong proponent of developing the potential of the Freightway parcel, provided that the community's fiscal and other concerns were addressed.<sup>8</sup> The cessation of progress, while the garage continues to deteriorate further, is not a viable option. The Forum therefore calls on the Village Board of Trustees to re-start the redevelopment process, while also better involving the community in creating the path forward.

Set forth below are summaries of the Forum Committees' recommendations, discussed in greater detail in this Report.

## **RECOMMENDATIONS**

The overarching recommendation is that the Village re-start the transformative process of redeveloping the Freightway site as an integral part of an interconnected, vibrant Village Center with amenities that would benefit the entire community. It should be up to the Village and the community to create their own vision for the future of the site as they continue the process that so many of the involved public had previously desired.

1. The Steering Committee Report provides an excellent, in-depth assessment of the issues. However, the sheer length of the Report, at over 100 pages including appendices, may have deterred residents from fully understanding the necessity for the project. In addition, much has changed since that study was done. A shorter, more accessible summary, and one that is updated to take current realities into account, would be helpful and would bring the content to a wider audience.

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<sup>4</sup> LCOR/East End Capital public presentation (Dec. 11, 2019)

(<https://www.scarsdale.com/DocumentCenter/View/5429/LCOR-and-East-End-Public-Presentation-pdf>).

<sup>5</sup> R. Cole, Memorandum, "Freightway Redevelopment Community Priorities and Preferences" (March 6, 2020).

(<https://www.scarsdale.com/DocumentCenter/View/5858/Staff-Report-Community-Priorities-Preferences-and-Concerns-PDF>).

<sup>6</sup> "Grassroots group petitions to halt Freightway process," *The Scarsdale Inquirer* (Dec. 20, 2019, updated Dec. 23, 2019).

([https://www.scarsdalenews.com/news/scarsdale/grassroots-group-petitions-to-halt-freightway-process/article\\_9497986a-22ef-11ea-b9fd-63dd72b3a489.html](https://www.scarsdalenews.com/news/scarsdale/grassroots-group-petitions-to-halt-freightway-process/article_9497986a-22ef-11ea-b9fd-63dd72b3a489.html)).

<sup>7</sup> Letter to the Community from Mayor Marc Samwick (Jan. 9, 2020)

(<https://www.scarsdale.com/DocumentCenter/View/5475/VB-Community-Freightway-Update-Letter-PDF>).

<sup>8</sup> Fiscal considerations that existed at that time were examined in the Forum's Report of the Fiscal Affairs and Downtown Revitalization Committees on the Freightway Development Proposals (Feb. 7, 2020).

(<https://www.scarsdaleforum.com/Reports/download/935>).

2. Delaying the process will be costly. The Village Board engaged a consulting firm, Desman Design Management, which estimated that at the end of 2025 the then-current cost of maintaining and repairing the Freightway garage would be about \$761,000.<sup>9</sup> This cost can only increase, while the Freightway garage's condition will only further deteriorate.<sup>10</sup> The garage already has become unsafe, with sections closed off to both vehicular and pedestrian traffic.<sup>11</sup> It should be replaced sooner rather than later to avoid the large expenditures needed to prop up a failing structure with only a limited usable life expectancy.
3. The Village should undertake a parking demand analysis to “right size” redevelopment of parking at the site, including the need for electric vehicle charging stations, while also strategizing support for sustainable, alternative transportation including bicycles, scooters, and other small motorized vehicles.
4. While the Village identified the process outcome as identifying a preferred development team to work with the Village, the requirements of the RFP suggested to the development teams that the Village was looking for largely buildable schematic design concepts for the site that then might involve tinkering by the community. Hence, the public presentations by both developers presented full site developments (the most extensive option identified by the Steering Committee) with most development parameters defined. To improve the process going forward with the project, the Village should:
  - a. Return to the concept of a true preferred development partner, one without a pre-conceived site design and one with a track record of public accommodation.
  - b. Refine the Steering Committee Report to a preferred development option and vet that option in the community to identify initial strengths, weaknesses, opportunities, threats, and general concerns.
  - c. Revise and refine the criteria for selecting the preferred developer to ensure the eventual designer has a track record of community collaboration. The notion at the outset is to secure a developer preferred by the Village, not a preferred design. Share with the prospective applicants the results of a and b.
  - d. Include the public in the process of selecting the preferred developer. This engagement needs to be more substantive than public notice and meetings, to actively seek out public

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<sup>9</sup> Village meeting chaired by Superintendent Jeff Coleman, Department of Public Works, on September 12, 2023. See also “Updated Condition Survey Report of the Freightway Parking Garage” by Desman Design Management (Nov. 2020). ([https://www.scarsdale.com/AgendaCenter/ViewFile/Agenda/\\_09122023-1190](https://www.scarsdale.com/AgendaCenter/ViewFile/Agenda/_09122023-1190)).

<sup>10</sup> See “Updated Condition Survey Report of the Freightway Parking Garage.” This report characterized the Freightway garage structure to be in “fair to poor” repair, with cracks on the structural slab and membrane, corrosion of structural elements, delamination of the deck, and deterioration of the traffic-bearing membrane, among other problems. Id., p. 8.

<sup>11</sup> An informal inspection of the garage on July 13, 2024 showed 62 parking spaces roped off to protect vehicles and people from what were perceived as unsafe spaces.

commentary and concerns across many diverse Village neighborhoods, organizations and venues.

- e. Expand the process by which once a preferred development team is selected, how that team connects with the community and its desires as the project moves through the design phases. The process would likely need to be facilitated by the creation of a Community Project Advisory Panel supported by a public outreach consultant to ensure widespread public engagement. This process should also actively engage the Village’s own Advisory Council on Communications. It should also include specific touchpoints for discussing and resolving project thresholds.
5. The Steering Committee Report identified multi-unit housing development as the best use for the Freightway parcel.<sup>12</sup> The Village Code currently acknowledges a general need for both senior housing and fair and affordable housing.<sup>13</sup> However, zoning parameters for the Freightway site are only broadly defined as a “planned unit development.” There is no clarity on the number of units, preferred unit sizes, and whether these units should be developed for rental or condominium ownership. The next phase of the project must address these fundamental issues upfront. This could be done as early as in stage 4-b.
  6. The primary objection to the redevelopment of the Freightway site was a feared negative impact on the Scarsdale school system, a system recognized for its excellence and cherished by the community. Although the potential for explosive school population growth was not documented with any hard data, the impact of the Freightway site on the School District is a fair question and one that needs to be addressed early in the redevelopment process and on an ongoing basis throughout the process so that Scarsdale residents’ concerns about overcrowding of our schools can be met. In addressing this issue, the Committees recommend the following:
    - a. As stated above, the Village should be more proactive in defining its “preferred” development concept, thus allowing the School District and the Village to make more definitive projections as to school population impacts. This approach would allow the project to be adjusted in scope to ensure that the School District is not overpopulated.
    - b. Since the property is owned by the Village, the Village can take steps to ensure that occupancy loads are not abused. There are two mechanisms. The first is through zoning. Currently, the Village has occupancy loads for Fair and Affordable Housing and in the world of publicly subsidized housing, occupancy limits are not uncommon. But as a simpler alternative, the Village, as the property owner, can establish occupancy loads as part of its transfer of development rights. Even with private rental housing, occupancy limits are common and enforceable.<sup>14</sup>

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<sup>12</sup> Freightway Site Redevelopment Study (Feb. 2018) (“Steering Committee Report”) (<https://www.scarsdale.com/DocumentCenter/View/2626/Freightway-Site-Redevelopment-Study-Feb-2018?bidId=>), p. 53, item 4.1.

<sup>13</sup> Steering Committee Report, p. 24; [Village of Scarsdale, NY Fair and Affordable Housing \(ecode360.com\)](http://VillageofScarsdale.com/FairandAffordableHousing).

<sup>14</sup> For example, New York City law limits the occupancy of a multi-unit dwelling as a function of the square feet of living space: [https://law.justia.com/codes/new-york/2006/new-york-city-administrative-code-new/adc027-2075\\_27-2075.html](https://law.justia.com/codes/new-york/2006/new-york-city-administrative-code-new/adc027-2075_27-2075.html).

- c. Existing multi-family housing in Scarsdale does not appear to have brought a significant number of school-age children into the community. Figures for occupancy in Scarsdale and nearby communities with desirable schools, such as Bronxville and Harrison, where large multi-unit projects were recently constructed, would provide relevant data points to allay concerns of massive overpopulation of units with school-age children.

These steps would offer a higher degree of certainty as to the impacts of the development on the school system and specify measures of control.

7. If the Village is committed to replacing the garage and redeveloping the site, the process requires some urgency. Capital repairs on a structure to be demolished, apart from emergency work, are not a wise expenditure. A timetable for new construction is multi-year and a redevelopment process that involves substantial public engagement for developer selection, concept approval, and design review extends that time frame substantially. To that end, the Forum Committees recommend that the Village finalize a strategic plan within the next year.

## **DISCUSSION**

### **Freightway Site**

As described in the resolution<sup>15</sup> creating the Freightway Steering Committee, the Freightway site is a prime redevelopment parcel in the Scarsdale Village Center comprised of approximately 2.38 acres of Village-owned land bounded by the Popham Road Bridge to the north, the Metro North train tracks to the east, the municipal border with Eastchester to the south and privately-owned properties along Garth Road to the west. More specifically, the site consists of three primary elements: 1) a flat paved half-acre surface lot at the north end currently used for valet parking; 2) a 1.47-acre parcel with a five-story ramped self-park structure completed in 1973; and 3) a second flat paved half-acre surface parking lot at the south end (known as the Beatty Lot). The land is used exclusively for car parking with 601 spaces, although the use of valet parking at the north end potentially creates an additional 127 parking spaces. The garage, now over 50 years old, has substantial deferred maintenance, is widely considered an eyesore, and is likely past its useful life.<sup>16</sup> In addition, the Village owns 0.84 acres of air rights over the MTA rail line and a half-acre of surface parking to the east along Scarsdale Avenue. These latter two Village properties were included in the Freightway site discussion.

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<sup>15</sup> See [Freightway-Steering-Committee-Establishment--Resolution \(scarsdale.com\)](#).

<sup>16</sup> See Desman Design Management, Condition Survey Report of the Freightway Garage (August 2017) [1 \(scarsdale.com\)](#) and their update of November 2020. ([1 \(scarsdale.com\)](#)).

## 2017-2020 Redevelopment Process Overview

In 2017, the Village embarked on a proactive process for the parcel to be redeveloped. Key to that process was the appointment of an 18-member Steering Committee, charged with the task of delineating realistic goals and options for the site while engaging the community in a public discussion. The Steering Committee included Village leadership and staff as well as a liaison from the Scarsdale Board of Education. Facilitating the process was BFJ Planning, a New York City consulting firm specializing in planning and urban design. The public record of this effort can be found on the Village website under “Freightway Document and Video Library.”<sup>17</sup> The endeavor consisted of multiple opportunities and methods for public input. The outcome of the Steering Committee’s work was the Steering Committee Report.

The Steering Committee Report was meant as a comprehensive analysis of development options for the Freightway site redevelopment, one crafted by a Village-appointed citizen committee, guided by professional planning consultants, and created with extensive public engagement. The Report presented four development iterations with each successive version including more developable property.<sup>18</sup> The focus of that vision was transforming the Freightway site into a predominantly residential project while maintaining parking capacity and including limited retail and commercial uses.

The Village then used the Steering Committee Report as the basis for an RFEI (Request for Expressions of Interest), issued on July 16, 2018.<sup>19</sup> The intent of the RFEI was to identify a pool of interested developers that would be further vetted, and ultimately to select a preferred developer to work with the Village on the project. Respondents had a three-month window to submit, and seven responses were received. The details of these submittals can be found on the Scarsdale Village website under “Freightways: Document and Video Library.” These were presented to the community for comment on January 22, 2019.<sup>20</sup>

On June 21, 2019, the Village issued an RFP (Request for Proposals).<sup>21</sup> Formal proposals were due on September 16, 2019, roughly a three-month timetable. Again, although the goal of the RFP was to result in identifying a preferred developer for the Village to work with, the RFP required detailed and extensive design work and project capability documentation. Further complicating the RFP process, while the Steering Committee Report was referenced, and while broad design concepts were presented in the

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<sup>17</sup> Access the entire document and video library here: <https://www.scarsdale.com/536/Freightway-Documents-and-Video-Library>.

<sup>18</sup> See discussion above, as set forth more fully in the Steering Committee Report at pp. 62-64. (<https://www.scarsdale.com/DocumentCenter/View/2626/Freightway-Site-Redevelopment-Study-Feb-2018?bidId=>).

<sup>19</sup> See “Request for Proposals, Freightways Site Redevelopment Study,” 2/10/2017. [MergedFile \(scarsdale.com\)](#).

<sup>20</sup> See [Freightway-Site-Redevelopment--Request-for-Expression-of-Interest-Submitted \(scarsdale.com\)](#). These were summarized in “Responses to Request for Expression of Interest: Freightways Site Redevelopment” issued by the Village on November 27, 2018. Public comment was solicited at a Scarsdale Committee of the Whole Meeting on January 22, 2019. See [Freightway-Site-Redevelopment--Request-for-Expression-of-Interest-Submitted \(scarsdale.com\)](#).

<sup>21</sup> See [Freightway-Redevelopment-Site--Request-for-Proposal \(scarsdale.com\)](#). Also see [-Freightway-Redevelopment-Site---Developers-RFP-Issued \(scarsdale.com\)](#). Contrary to the concept of identifying a preferred developer, the RFP document strongly suggested a desire to see full development concepts while RFP response requirements included items as project funding sources and developer capacity, elements which can only be addressed if there is an actual project concept.

Report, little specific information was provided as to the Village’s objectives in terms of unit density, form, unit size, ownership, etc.

Two responses were received – one from Avalon Bay Communities and one from LCOR/East End Capital.<sup>22</sup> These are included in the Scarsdale Village website under “Freightways: Document and Video Library.” Within the context of the RFP process, although both responses lacked some specifics, the Village considered both sufficiently detailed for further consideration. Both entities presented their concepts to a standing-room-only gathering of the public on December 11, 2019. According to the account in *The Scarsdale Inquirer*, once public comment opened, more than 30 residents raced to the microphone at Village Hall to voice their concerns, focusing primarily on parking, traffic, taxes, and effects on the schools.<sup>23</sup>

On December 18, 2019, a petition initiated by a small group of residents was circulated among Scarsdale Village residents and merchants, and eventually signed by 851 individuals.<sup>24</sup> The preamble to the petition indicated a concern that the proposed development could result in increased school enrollment of between 20 and 500 new students – a number thought to be beyond the capacity of the schools and it was argued, that would likely result in school redistricting and higher taxes.<sup>25</sup> We note, however, that this excessively broad range at or near its lower end would not appear to constitute a substantial increase in the school population. There was, moreover, no data offered in the petition to explain the high end.

On January 9, 2020, the Village Board abruptly placed the entire process on hold. Nonetheless, the public comment period for the project was continued to February 9, 2020. On March 6, 2020, Deputy Village Manager Robert Cole submitted a substantive summary of the background, proposals, priorities, and community concerns to Village Manager Stephen Pappalardo.<sup>26</sup> That summary acknowledged that many of the public comments arose for the first time during the RFP developer presentations and that prior to this time these voices had not been captured. In his memorandum, Deputy Mayor Cole suggested that understanding the issues and concerns might open the door to a more positive outcome on the Freightway site development project.<sup>27</sup> The memo also noted that 84.5% of the written comments recommended continuing the process. He reported that negative comments focused on perceived impacts on the quality of education, and that only 13% of the comments recommended simply repairing the garage. Only 2.4% of the comments supported the design concepts as presented by either of the two development teams, although it should be recalled that the Village process at this point was not to select a preferred

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<sup>22</sup> Access the entire document and video library here: <https://www.scarsdale.com/536/Freightway-Document-and-Video-Library>.

<sup>23</sup> “Scarsdale residents react to possible Freightway plans,” *The Scarsdale Inquirer* (Dec. 13, 2019, updated Dec. 18, 2019) ([https://www.scarsdaleneews.com/news/scarsdale/scarsdale-residents-react-to-possible-freightway-plans/article\\_d613ebb4-1da3-11ea-8a1f-4b5dd093bba8.html](https://www.scarsdaleneews.com/news/scarsdale/scarsdale-residents-react-to-possible-freightway-plans/article_d613ebb4-1da3-11ea-8a1f-4b5dd093bba8.html)).

<sup>24</sup> See R. Cole, Memorandum, “Freightway Redevelopment Community Priorities and Preferences” (March 6, 2020). (<https://www.scarsdale.com/DocumentCenter/View/5858/Staff-Report-Community-Priorities-Preferences-and-Concerns-PDF>).

<sup>25</sup> *Ibid.*, (<https://www.scarsdale.com/DocumentCenter/View/5858/Staff-Report-Community-Priorities-Preferences-and-Concerns-PDF>).

<sup>26</sup> *Ibid.*, (<https://www.scarsdale.com/DocumentCenter/View/5858/Staff-Report-Community-Priorities-Preferences-and-Concerns-PDF>).

<sup>27</sup> *Ibid.*, p. 5 (<https://www.scarsdale.com/DocumentCenter/View/5858/Staff-Report-Community-Priorities-Preferences-and-Concerns-PDF>).

development concept, but a preferred development team to work with the Village. Although the assessment by Deputy Mayor Cole does not represent a Village referendum of the initiative, it does offer insight into public thinking and, as he recommended, suggests general sentiment to continue to explore site redevelopment.<sup>28</sup>

The cessation of the process was soon followed by the COVID-19 pandemic, which disrupted all aspects of business, government, and life. Subsequent to the project being placed on hold no discernable public steps have been taken to reboot the redevelopment project.

## **Visions for Redevelopment**

The Steering Committee Report identified four incrementally larger development scenarios: 1) develop only the open lot; 2) develop the open lot with a platform over the railroad tracks; 3) develop the open lot and the Freightway garage area; and 4) develop the open lot, the Freightway garage area, the air rights over the railroad tracks, and the adjacent parking area along Scarsdale Avenue.<sup>29</sup> However, the Steering Committee Report did not make any definitive recommendation for any one of these alternatives. In re-engaging the Freightway discussion, it would be constructive for the Village, with input from the community, to explore and ultimately define at the outset its preferred development scale and massing. This then would allow the Village to better identify and address project impacts, both positive and negative, including school population impacts.

The Freightway site is zoned PUD-1 (Planned Unit Development-1).<sup>30</sup> Zoning creates the development framework for a parcel, detailing what are considered legal uses, “floor to area” ratio (e.g., the overall size of the building), height restrictions, design requirements, etc. PUD zoning offers the Village the opportunity to develop a site as it sees fit. The Steering Committee Report detailed the parameters of how this development might work with four iterations of ever-larger scales. It included public surveys of preferred uses as well as addressing ancillary issues such as potential impacts on traffic and education quality. The Steering Committee Report offered a roadmap for a development team to transform those parameters into a conceptual design. One failing of the Report is that it did not sufficiently translate its parameters into visual representations, even some as minimal as massing studies. For its part, the Village’s public process also did nothing to convey what a redeveloped Freightway parcel might look like. Thus, neither the Steering Committee nor the Village prepared the public for the magnitude of the development under consideration. Given the Village’s directions to the development teams, it is not surprising that both teams opted for schemes focused on capturing the maximum square footage allowed. This path then resulted in the development teams likely surprising the attending public with their vision. Despite these circumstances, 84.5% of those submitting written comments to the Village still wanted to continue the conversation. It is that “conversation,” a give-and-take between the Village, its community, and a developer, that is critically important to move forward.

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<sup>28</sup> Ibid. R. Cole Memorandum, <https://www.scarsdale.com/DocumentCenter/View/5858/Staff-Report-Community-Priorities-Preferences-and-Concerns-PDF>

<sup>29</sup> Steering Committee Report, pp. 62-64. (<https://www.scarsdale.com/DocumentCenter/View/2626/Freightway-Site-Redevelopment-Study-Feb-2018?bidId=>).

<sup>30</sup> See “An Update of the Village Center Component of the Village of Scarsdale Comprehensive Plan” (2010), p. 19. (<https://www.scarsdale.com/DocumentCenter/View/122/An-Update-of-the-Village-Center-Component-of-the-Village-of-Scarsdale-Comprehensive-Plan-PDF?bidId=>).

## Condition of the Freightway Garage Structure

The garage opened more than 51 years ago, in January 1973, with 492 parking spaces. Monthly parking permits cost \$25 per month<sup>31</sup> (\$184 in 2024 dollars). Today, fees are roughly \$91 per month for residents with an annual permit and \$137.50 per month for non-residents with an annual permit.

A reasonable projected life-cycle cost analysis for a steel frame, concrete deck parking structure such as Freightway is 50 years, depending on whether the structure is consistently well maintained and depending upon the climate.<sup>32</sup> Construction of a replacement garage of a similar size is roughly estimated at \$9.5 million, while the Village has anticipated that the replacement cost of the garage could exceed \$25 million.<sup>33</sup>

The garage now requires significant repairs to address the deferred maintenance. Ten percent of the spaces are cordoned off for safety and there is ample evidence of concrete spalling and temporary short-term “fixes.” The Village of Scarsdale has commissioned site repair evaluations of the structure, including a study in August 2017 by Desman Design Management.<sup>34</sup> That survey was a “walk-through” level of assessment. At that time, Desman projected the cost of a five-year renovation/repair plan of the structure at \$2.261 million<sup>35</sup> (\$2.75 million in 2024 dollars).

In November 2020, Desman provided an updated conditional analysis projected over a 25-year period.<sup>36</sup> That analysis projected the estimated total cost of maintaining the structure in acceptable condition at \$8.4 million (\$10.14 million in 2024 dollars). This multi-million-dollar investment would only more or less maintain the existing conditions. It did not account for deteriorating conditions, nor did it address necessary or desired upgrades. It may be reasonably anticipated that the cost of maintaining and repairing the Freightway garage will only grow while its condition will continue to deteriorate.

The structure is an eyesore and does not complement the Village.

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<sup>31</sup> “Freight Way Garage Opens January 29.” Scarsdale Inquirer (18 January 1973), p. 1, <https://news.hrvh.org/veridian/?a=d&d=scarsdaleinquire19730118.2.4&e=-----en-20--1--txt-txIN----->.

<sup>32</sup> PCI Committee on Parking Structures, *Precast Prestressed Concrete Parking Structures: Recommended Practice for Design and Construction*, Chicago, IL: Precast/Prestressed Institute, 2015. See Chapter 3.0 – Durability Considerations. ([Precast Prestressed Concrete Parking Structures: Recommended Practice for Design and Construction \(pci.org\)](https://www.pci.org)). See also R. Pawan Gupta and K. Nam Shiu, “Effective Repair and Maintenance Strategies for Parking Structures” Concrete Repair Bulletin, July/August, 2014, pp. 30-34. ([CRBJulAug14\\_Gupta-Shiu.pdf \(icri.org\)](https://www.concrete.org/publications/Bulletin/Articles/2014/07/August/Effective-Repair-and-Maintenance-Strategies-for-Parking-Structures)).

<sup>33</sup> <https://www.fixr.com/cost-to-build-a-parking-garage-parking-lot-costs-per-square-foot/>; Frequently Asked Questions, p. 1, <https://www.scarsdale.com/DocumentCenter/View/4796/June-2019-Freightway-Process-FAQ?bidId=>.

<sup>34</sup> <https://www.scarsdale.com/DocumentCenter/View/5481/Freightway-Garage---2017-Condition-Report-PDF>.

<sup>35</sup> *Id.*, p. 17.

<sup>36</sup> <https://www.scarsdale.com/AgendaCenter/ViewFile/Agenda/09122023-1190>.

## Parking Demand

Integral to the redevelopment of the Freightway site is retaining parking capacity, although not necessarily at the current level. The Village's concept of the Freightway site development parallels that employed at the Christie Place project whereby private interests acquired development rights in exchange for constructing a parking structure.

The Forum's Downtown Revitalization Committee requested parking data from the Village but was told that it was not available due to a loss of historical parking data from the Village's computer system. As of 2016, 33% of the Scarsdale population used public transportation to get to work, with an average commute time of 43 minutes.<sup>37</sup> Reviewing publicly available data gathered after the pandemic, in the 4<sup>th</sup> quarter of 2023, ridership on the MTA rail line had returned to only 75% of pre-pandemic levels.<sup>38</sup> The Committee then undertook an informal survey of the number of vehicles in the Freightway garage. The survey suggested that parking demand appears to be at 80% of the entire site's capacity. That survey also suggested that parking demand was stronger for the flat paved half-acre surface lot, less for the Freightway garage, and even less for the Beatty lot. The Committees believe that demand for parking has dropped due to the post-COVID work environment in which daily commuting to New York City is no longer required by many employers. This factor is still in flux and the full ramifications of the decrease in demand are not yet known.

It is also important to note in the context of demand that within a five-minute walk of the Scarsdale station, Eastchester owns the Grayrock commuter lot of approximately 100 spaces. The Grayrock commuter lot costs \$65 per month – more than half of a non-resident parking space at the Freightway garage.

There are other variables in addition to cost. Indeed, during the summer of 2020, in an effort to persuade Village Center merchants and their employees to park at the Freightway garage rather than at meters on streets in the Village Center, downtown businesses were offered free parking on the top level of the Freightway garage. Anecdotal surveys showed on average only seven downtown merchants or their employees took advantage of the free parking. When questioned why they would not avail themselves of the free parking, some merchants responded that the garage was too far away from their business, or that the space was not convenient. Others noted the walk through and from the garage involved ill-timed stoplights and difficult pedestrian paths, and paths that were not well-lit. Some mentioned the frustration of vehicles exiting the garage and encountering traffic delays at the intersections.

Given the traffic and space constraints of the Freightway site and the costs of building and maintaining a parking structure, and conversely, the need for parking revenue, the Village would be well advised to undertake a study to "right size" the replacement parking in view of current and projected parking needs while maximizing parking revenue. This approach should include forward-looking needs for electric vehicle chargers.

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<sup>37</sup> <https://censusreporter.org/profiles/06000US3611965442-scarsdale-town-westchester-county-ny/>.

<sup>38</sup> The MTA's 2024 outlook states, "Metro-North's recovery toward pre-pandemic levels has continued. Ridership peaked in 4th Quarter 2023 at 75% of 4th Quarter 2019 and stands at 74% of 2019 for the 1st Quarter of 2024, up 12% from 1st Quarter of 2023." <https://new.mta.info/document/138236>.

The Village should anticipate alternative transportation needs that should be served in the new structure. Besides right-sizing charging station capacity, upgrades should consider expanded and secure parking for motorized and non-motorized vehicles including motorcycles, scooters, and bicycles.

### **Multi-Unit Development in Scarsdale**

The lesson from the 2019 attempt to bring development to the Freightway site is that most people appear to embrace the notion of the Freightway site development as creating predominantly multi-unit housing, provided that other community concerns are taken into account. The Village is largely a community of single-family houses. Unlike surrounding towns, Scarsdale housing is comprised of 94% single-family residences and only 6% multi-unit housing. This compares to 50% single-family residences and 50% multi-unit housing for Westchester as a whole.<sup>39</sup> Proposals for multi-unit housing have been viewed antagonistically, as evidenced by the outpouring of protests to the transit-oriented development housing proposed by Governor Kathy Hochul in 2023. The Scarsdale Forum objected to the massive scale of the proposed legislation which may have resulted in unfunded and unsustainable development that would clash with the existing single-family residential ambiance and potentially the rich architectural heritage of the Village center and surrounding neighborhoods.<sup>40</sup>

Notwithstanding this recent opposition to multi-unit development, the long history of multi-unit housing in Scarsdale has been positive and beneficial. The greatest area of multi-unit housing lies along the Village's western and southern border. Between the MTA commuter rail and Bronx River are the cooperative buildings along Garth Road in Eastchester. Today, there are a dozen such mid-rise buildings along Garth Road with roughly 1,000 units. Built between the 1920s and 1960s, these buildings add to the architectural character of the area while its population has strengthened the viability and vitality of the Village Center and frequent MTA service.

Within the Village Center and east of the MTA rail line, there have been four multi-unit projects built over the years. Each represented a significant departure in form from single-family homes yet individually and collectively a significant benefit for the community.

In chronological order:

Popham Hall: Located at 45 Popham Road, at the northeast corner of Popham Road and Chase Road, Popham Hall was built in 1938 on just under an acre of land. Comprising a six-story apartment building with 65 units, it is the first extant apartment building in the Village Center. In massing and height, it remains one of the largest single-building structures.

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<sup>39</sup> These comparables were collected in 2016. See <https://censusreporter.org/profiles/06000US3611965442-scarsdale-town-westchester-county-ny/>.

<sup>40</sup> "Report of the Zoning and Planning, Downtown Revitalization, Education, Municipal Services, Scarsdale Fiscal Affairs, and Sustainability Committees in Opposition to Governor Kathy Hochul's Proposed Housing Compact Program (April 2, 2023), <https://www.scarsdaleforum.com/Reports/download/1226>.

Scarsdale Chateaux: Scarsdale Chateaux was built as apartments in 1940 on four acres adjacent north of the Village Center, with 18 units in an eight low-rise building cul-de-sac. This building form was popular in the late 1930s. The inward-oriented, largely restricted access complex is unique in the Village in form and layout, with constricted vehicular and pedestrian access.

Heathcote Inn Apartments (now 50 Popham): Located at the southeast corner of Popham Road and Overhill Road, 50 Popham was built in 1953 as a seven-story 36-unit cooperative apartment building on two-and-a-third acres and included an adjacent four-story office building to the west facing Overhill Road. The combination of a residential building and an office building in one development is unique in the Village. Within the context of the Village Center, the boxy office building – built to the lot line – lacks the design subtleties and charm of the Village Center’s Tudor-style architecture. The apartment building siting, scale, and massing make it one of the most dominant in the Village Center, more so than Popham Hall.

Christie Place: Built as senior condominiums in 2008 with ground-floor retail and underground parking, Christie Place is built on 1.73 acres with 43 housing units. The property backs to the south border of the Chateaux and essentially forms the north border of the Village Center. It was created as a result of extensive public input and Village negotiations with the developer.

The construction of multi-unit housing since the 1930s – including Garth Road buildings in Eastchester – has positively impacted the Village by offering housing opportunities other than single-family homes, in varied forms, unit sizes, and costs. With retail threatened by online shopping and restaurants hurt by food delivery services, creating housing for additional residents can only serve to benefit Scarsdale’s Village Center. These apartments have strengthened the critical mass of retail consumption and positive street activity in proximity to the Village Center, perhaps preventing the dissipation of retail found in many main-street communities and supporting the Village’s unique and generally locally-owned collection of shops. There is no evidence that multi-unit housing has negatively impacted the Village.

According to recent statistics from 2023, approximately one-third of the Village’s population is under the age of 19 while another one-third is over the age of 50.<sup>41</sup> To a great degree, Village housing stock limits population diversity. Seniors may consider themselves trapped in single-family houses with unnecessary upkeep. As demonstrated by development preferences in the Village Code,<sup>42</sup> senior housing has been and is a priority for the Village. DINK (dual income no kids) professionals, often with student loans, may not have the funds for a substantial down payment on a house and have limited housing options in Scarsdale but can and do add to the civic, intellectual, and retail vitality of where they live. There is also a strikingly limited diversity in housing form comprised of single-family houses or one- or two-bedroom apartments. New development offers the potential for new types of housing stock serving all generations but particularly older and younger generations.

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<sup>41</sup> <https://www.neilsberg.com/insights/scarsdale-ny-population-by-age/>.

<sup>42</sup> See footnote 16, *supra*.

## Political Environment and Housing Development

On January 10, 2023, Governor Hochul announced a statewide strategy to build 800,000 new homes, with an emphasis on transit-oriented development projects. Her strategy included overriding home rule and local zoning. In the ensuing months, many local political leaders expressed strong reservations about the heavy hand of state government.<sup>43</sup> At the same time, with New York turning the corner on COVID, housing starts began to accelerate as shown by an online survey of multi-family housing starts and proposals in Westchester County: 10,500 apartments have been built in Westchester County, with another 11,500 in design development. Many are located in White Plains, New Rochelle, Yonkers, and Harrison.<sup>44</sup> These circumstances appear to have diminished the Governor's focus on housing. Nonetheless, because Scarsdale has a very low percentage of multi-unit housing, the Freightway site adjacent to the Harlem MTA line is attractive to advocates of multi-unit, affordable, transit-oriented housing if circumstances in Albany were to change.

## Responding to Community Concerns

### *Issue 1: Potential to reduce the quality of Scarsdale's education system by overcrowding*

From the outset, the impact on the quality of the Scarsdale education system was a concern. Perhaps for that reason, the School District appointed a representative to the Steering Committee. To assess the issue, the Steering Committee relied on the services of Urbanomics which modeled possible impacts on school populations. Among Urbanomics' skill sets are forecasting and modeling. Regina Armstrong, who joined Urbanomics in 1984, was the lead consultant on the Scarsdale project. Its analysis responded to the four iterations of development identified by the Steering Committee and found that the impacts on the school population were not significant.

At the most intense development level, the Steering Committee Report estimated an influx of only about 20 new students, a number that, based on historic enrollment data, the Scarsdale schools could absorb.<sup>45</sup> At the public presentation and subsequent public meeting, some residents expressed their concerns, disagreeing with the Steering Committee's analysis and arguing that new development would, in their opinion, prompt families to move to Scarsdale simply for the public education opportunity, potentially resulting in overcrowded units with larger families and a higher school population.<sup>46</sup>

Although considered unlikely, any threat to the Village's exceptional public schools is worthy of consideration. In an unregulated situation, "unit packing" could be possible. That said, the Village has two mechanisms available to limit occupancy levels. Through Article XVII of the Village Code, the Village

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<sup>43</sup> "Town leaders counter Hochul Plan," *The Scarsdale Inquirer* (May 13, 2023),

[https://www.scarsdaleneews.com/news/region/town-leaders-counter-hochul-housing-plan/article\\_7adbec6e-c139-11ed-9bf6-eb672c983052.html](https://www.scarsdaleneews.com/news/region/town-leaders-counter-hochul-housing-plan/article_7adbec6e-c139-11ed-9bf6-eb672c983052.html).

<sup>44</sup> Scarsdale Forum Downtown Revitalization Committee/Freightway Working Group, Survey of Multifamily Housing Starts in Westchester County (2023), unpublished.

<sup>45</sup> Steering Committee Report, p. 70. (<https://www.scarsdale.com/DocumentCenter/View/2626/Freightway-Site-Redevelopment-Study-Feb-2018?bidId=>).

<sup>46</sup> For its part, the School District appointed a representative on the Steering Committee and did not offer objections to the proposed site redevelopment.

currently controls occupancy levels for projects involving the Fair and Affordable Housing Code.<sup>47</sup> Revising and updating the PUD-1 zoning parameters could set occupancy limits by unit or square footage. Alternatively, because the Village owns the Freightway property, occupancy levels by unit or square footage could be a condition of the Village’s conveyance of development rights to a developer. It should be noted that as a management practice, public housing projects routinely have occupancy limits while generally upper-scale multi-family residential developments also have occupancy levels.

Thus, it is possible to forecast impacts on school populations, and by code, regulation, and management standards, it is possible to control that impact to ensure that the forecast models are correct. Regardless, the issue is one of concern and needs to be proactively addressed as project planning moves forward.

### *Issue 2: Density*

One elephant in the room is the density visually conveyed in the developers’ public presentations. One need only compare the Steering Committee Report from a visual perspective with those of the developers to appreciate the potential for a negative reaction from a segment of the public. While the Steering Committee Report detailed the magnitude of development, it did not provide the public with a visually comprehensible proposed design. Thus, when the development teams presented vivid, detailed imagery in their public presentations, the scale of the project was not only unanticipated by some of the community but caused surprise, concern, and even discomfort.

The core problem, as stated above, is that while the Village expressed a desire to find a preferred developer to work with, it had not expressed in detail and in advance what its preferred development would look like, nor had the public been shown specific alternatives to consider. Going forward, the Village should work with the community and a reconstituted Steering Committee to create a realistic sense of what exactly it hopes to achieve with the Freightway site. For example, one expressed Village goal was “connectivity,” but what does that actually mean? What does it look like? A realistic rendering of the physical embodiment of “connectivity” would make the concept readily understood. The same process applies to the question of how much development is desirable. Rather than a “hands-off” approach in which the Village hopes it will know it when it sees it, it would be preferable to establish guardrails and parameters, and then find a developer who is comfortable with those concepts and willing to work with the Village accordingly.

In moving forward, the Village needs to embrace the concept of a “preferred developer” as a truly collaborative effort.

### *Issue 3: Fear of the Unknown*

Relevant to all of the above issues is the basic human emotion of fear of the unknown. This project will be the largest in modern-day Scarsdale history – and arguably the largest ever. This project links to the economic and retail vitality of the Village Center. It has the potential to improve traffic and pedestrian

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<sup>47</sup> [Village of Scarsdale, NY Fair and Affordable Housing \(ecode360.com\)](http://ecode360.com).

safety. It has the potential to build the Village Center’s aesthetics and physical connectivity. It is a once-in-a-lifetime transformational opportunity to take a great place and make it better.

As mentioned, the Village established a Steering Committee that issued a report with four ever-larger development scenarios intended to entice a developer by providing the development basics. While the RFEI and RFP processes were intent on identifying a “preferred developer” versus a “preferred development,” the Village solicitations strongly implied the latter not the former, even asking for data, cost estimates, and financial capacity. This then resulted in the two development candidates making public presentations of advanced conceptual designs, seemingly belying the notion of significant public input.

A superior approach would be for the Village – with public input – to proactively define what it wants for the Freightway site and then find a developer who is up to the task. To be sure, inherent in such a process are certain difficulties and challenges. Perhaps most importantly, such a prescriptive approach can only succeed if the feasibility of the proposed development has been established and a developer willing and able to undertake it can be found. Accordingly, a substantial analysis of the economics of the proposed project by the Village would be a necessary part of the process. It would then be incumbent upon potential developers to confirm the feasibility and profitability of the concept presented by the Village. All that said, the Village is in the enviable position of owning a substantial and developable multi-acre parcel of land adjacent to commuter rail.

### **Project Timing**

In November 2020, Desman Design Management prepared updated cost estimates for the repair of the Freightway garage. It projected expenditures of \$3.906 million over the next ten years, beginning with \$624,000 in 2021. Given inflation, these costs are now approximately \$4.69 million and \$750,000 in the first year. This included \$443,000 (\$532,000 in 2024 dollars) for initial structural work. While the economic life of the structure is open to debate, the Village faces spending more than half a million dollars per year for the foreseeable future. Indeed, the 2024-2025 Village Budget contains the following budget line item for repair, renovation, design, and construction issues concerning the Freightway garage:<sup>48</sup>

- 2025: \$700,500
- 2026: \$555,000
- 2027: \$916,000
- 2028: \$820,000
- 2029: \$550,000

That's a total of \$3,541,500 over the next five years.

This level of expenditure on this building is not a wise investment. There is no question that the garage continues to deteriorate and that at some point, sooner rather than later, the Village will need to begin making essential repairs. At the same time, redevelopment of the site will entail a multi-year timetable that includes the selection of a developer, due diligence, conceptual design, design review, permitting, and construction. The critically important part of the process is the need for substantial and continuing public engagement.

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<sup>48</sup> <https://www.scarsdale.com/DocumentCenter/View/9874/FY2024-2025-Tentative-Budget?bidId=> (p. 119).

For these reasons, the Forum believes that the Village should approach the redevelopment of the Freightway site with a degree of urgency, as process delays potentially will trigger substantial investments in the garage to maintain its viability. The Forum Committees therefore urge the Village to target completion of a strategic plan for redeveloping the site within the next year.

## **CONCLUSION**

Perhaps not ironically, the community got it right. While objections were raised in the process, the public record strongly suggested that it wanted the Village to continue its discussions and process to create a community-supported predominately multi-family housing development at the Freightway site. The Village Board, perhaps caught off guard by statistically small but vocal public opposition, stopped the process. The COVID-19 pandemic that followed the suspension of the process both created a major disruption and brought about changes in business and life in general that called pre-existing needs, beliefs, and preferences into question.

The Forum Committees believe that the Freightway site offers enormous opportunities for taking Scarsdale into the 21<sup>st</sup> Century. Moreover, the condition of Freightway – visually and physically – is poor and counters the otherwise charming look of the Village.

There needs to be a process that defines what the community wants for the Freightway site, while establishing the guardrails necessary to prevent surprises. With that defined vision in hand, the developer who understands the potential of the project and can build on it will be found. While such a process would take an additional investment of time and resources by the Village, this approach would greatly increase the chance of a development that will be beneficial to everyone in the Scarsdale community.

Given the deteriorating condition of the garage and the timetable necessary to complete a major development, consideration of this project should be a priority, to avoid hundreds of thousands of dollars being spent to prop up the garage, only to have to tear it down in the foreseeable future.

Respectfully submitted by the following members of the Downtown Revitalization and Municipal Services Committees:

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