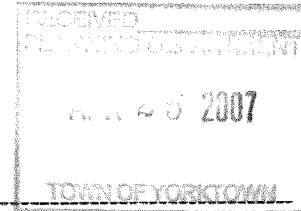


**TIM
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April 25, 2007

Hon. Chairman David Klaus and Members of the Board
Town of Yorktown Planning Board
1974 Commerce Street
Yorktown Heights, New York 10598

Re: Yorktown Farms Subdivision, Revised Layout

Dear Hon. Chairman Klaus and Members of the Board:

Thank you for meeting with the Yorktown Farms Subdivision project team on March 26th. As requested, this letter is being provided to the Planning Board to document the changes in anticipated environmental impacts associated with the currently proposed 22-Lot layout, in comparison to the previous layouts with 34 Lots and a soccer field with associated parking that was described and evaluated in the Draft Environmental Impact Statement (DEIS). We anticipate that the proposed action with 22 lots that would be described and evaluated in a Final Environmental Impact Statement (FEIS) will have significantly less potential for environmental impacts than the project analyzed in the DEIS, or than the interim 28 lot proposal. In addition, the current plan incorporates a community benefit proposal consisting of area-wide sewer improvements which the Town Board has made a condition of its rezoning of the site.

We look forward to meeting with the Board to review these findings in advance of our team's submission of the FEIS, which will evaluate on-site improvements as well as off-site improvements associated with installation of sanitary sewer lines and creation of a sewer district to serve 67 homes in the surrounding community (including construction of a pump station at the corner of Curry Street and Route 6).

Description of Revised Proposed Action

As discussed with the Board, the proposed action has been reduced from the DEIS proposed action with 34 Lots, and from a previously discussed interim revised layout that included 28 Lots. Following the rezoning of the project site from R1-20 to R1-80 in October 18, 2005, the Applicant further revised its proposed project to achieve a viable density of development to accomplish its development goals, while offering a substantial community benefit entailing area-wide sewer improvements that would allow 67 existing households to connect to the municipal sewer system. We note that many of the homeowners have been paying sewer taxes for years without receiving the benefits of service. The Yorktown Town Board responded to the Applicant's community benefit offer by adopting a second rezoning of the project site from R1-80 to R1-40 on February 27, 2007. Access to the site is proposed from Gay Ridge Road, with emergency access only from Route 6 (the DEIS layout included full residential access from both connections). The soccer field and a proposed potential future right-of-way connection to the south have been eliminated from the project at the request of the Town Board.

Following is a comparison of the potential environmental impacts between the revised 22 lot project layout and the previously proposed layout with 34 Lots. The summary of impacts will be detailed in the FEIS, which will also provide responses to all agency and public comments received on the DEIS.

1. Land Use

With a gross density of just under two dwellings per acre, the revised layout – like the DEIS layout – is expected to be compatible from a land use perspective with its surrounding neighborhood within the Town of Yorktown, and with land uses to the north and west. The project would have a slightly lower density than the pattern of development to the south and east, where homes are generally located on lots of one half-acre in size. A greater amount of open space buffer is provided between the proposed homes and existing homes in comparison to the DEIS layout, and community concerns over proposed active recreation (soccer field) located near existing single-family homes have been addressed by the replacement of that facility with the Applicant's proposal to provide money in lieu parkland. The project continues to have large open space buffer proposed adjacent to Route 6, maintaining community character.

The DEIS proposal followed the R1-20 zoning requirements and had a greater density, though still compatible with its surrounding uses. Regarding public policy, the project would accomplish Comprehensive Plan goals related to open space preservation, while improving quality of life for area residents that will benefit from the proposed sewer improvements. The Town Board recently rezoned the site to permit the layout currently proposed.

2. Geology and Topography

With the reduction in the number of proposed homes and elimination of the soccer field and its associated grading, the revised layout greatly reduces impacts on land and steep slopes. The project now includes one cul de sac roadway with connections to Gay Ridge Road and Route 6 (emergency access only), whereas the DEIS layout included two cul de sacs with these same physical connections to the local roadway network. The number of homes proposed in the vicinity of the western property line where steep slopes exist has been reduced from 10 homes to eight homes, resulting in lower impacts on steep slopes. Three areas of potential blasting located on the northern portion of the site remain, as the roadway and house site grading in that vicinity has not changed significantly. A area comparison of impacts on steep slopes between the revised 22 lot layout and the DEIS 34 lot layout will be provided to the Board in advance of its May 7, 2007 meeting.

3. Vegetation

Total site disturbance has been reduced in comparison to the DEIS layout. A large swath of second growth woods in the central portion of the site that would have been impacted for grading associated with the DEIS layout's easterly cul de sac and centrally located homes will no longer be impacted as a result of construction of the revised layout with 22 lots. Impacts to old field/meadow associated with construction of the soccer field will no longer occur. A specific comparison of the area of disturbance to the site by land cover type resulting from the DEIS layout with 34 proposed homes and the revised layout with 22 proposed homes will be provided to the Board in advance of its May 7, 2007 meeting.

4. Wildlife Resources

With less disturbance of wooded land and old field/meadow, and the removal of fewer trees compared the DEIS layout, impacts to wildlife resources from the 22-Lot layout will also be reduced in comparison to the DEIS layout. A larger corridor of undisturbed vegetation would remain in the central portion of the site, and disturbance of existing habitat on the site, and on its eastern portions in particular, is greatly reduced.

5. Water Resources - Groundwater

Chapter 3.5 of the DEIS concludes that project related impacts to groundwater will be minimal. With the reduction in the amount of impervious surface that is proposed under the revised layout and reduced density, these minimal impacts would be further reduced. The offsite sewer improvements that are proposed could result in 67 homes in the surrounding neighborhood being connected to the municipal sewer system, ending their reliance on existing septic systems that may represent a potential impact on groundwater quality. This transition to municipal sewers is not expected to result in significant adverse groundwater impact or significantly affect groundwater recharge.

6. Water Resources

Along with the reduction in proposed density and proposed impervious surfaces, the proposed plan has been revised with an additional stormwater treatment basin added on the western side of the project site to treat post- construction changes in stormwater runoff. As required by New York State and City regulations, as well as those of the Town of Yorktown, the three basins now proposed will control post-construction increases in the rate and volume of stormwater discharged from the site, as well as pollutant loads in it. Therefore, the revised layout is not expected to result in adverse water resource impacts and will allow for more infiltration ?? of stormwater runoff than the previously proposed plan.

7. Wetlands

The proposed project has been revised to eliminate all dwelling housing sites in any regulated wetland or wetland buffer. The area of disturbance to non NYSDEC regulated wetland has also been reduced from the from 0.72 acres of wetland disturbance proposed under the DEIS layout. The approximately quarter acre of wetland disturbance to NYSDEC Wetland A-4 is still required for the Gay Ridge Road connection. The two accesses have been designed so that existing flows in the wetlands will be maintained and so that the current functions of the wetlands will be preserved. As such, the proposed action reduces wetland impacts and complies with the primary impact avoidance goals of the Town of Yorktown Freshwater Wetlands Ordinance. A comparison of specific reductions in wetland area disturbance between the 38 lot and 22 lot proposals will be provided to the Board in advance of its May 7 meeting.

8. Air Resources - Air Quality

As with the DEIS proposed layout, the revised layout with 22 proposed homes and its associated additional vehicular trips are not expected to exceed any thresholds for air quality impacts. The reduction of 12 proposed homes and the elimination of the proposed soccer field are expected to result in lower vehicular emissions.

9. Air Resources - Noise

The previously proposed athletic field has been eliminated from the revised layout with 22 proposed homes. Further, as stated in Chapter 3.9 of the DEIS, no significant adverse noise impacts were anticipated as a result of the previously proposed layout with 34 homes. After construction and occupancy of the proposed residences, noise levels can be expected to be similar to the surrounding and existing occupied areas, as the subject site will contain a residential use similar to those found in many sections of the surrounding area.

10. Traffic

Chapter 3.10 of the DEIS demonstrated that the 33 AM and 41 PM peak hour trips anticipated from the DEIS layout with 34 homes would not have resulted in adverse impacts to the surrounding roadway network. The reduction in the number of proposed homes to 22 and the elimination of the proposed soccer field reduces the amount of trips generated by the project. However, Gay Ridge Road is now proposed as the sole point of residential access, with Route 6 access now limited to emergency access only. This revision has been made to comply with the conditions of the Town Board's rezoning of the project site, and to comply with New York State Department of Transportation's arterial management policies. New York State Department of Transportation has indicated in 2006 that it does not support residential access from Route 6, other than emergency access only. Having all residential traffic access the site from Route 6 via Gay Ridge Road would not be expected to result in significant adverse traffic impacts. The level of trips expected from the project is not expected to overwhelm this neighborhood street that now terminates at the project site and was intended to provide a future connection to it.

The DEIS's proposed future right-of-way to the south has been eliminated from the revised proposed layout pursuant to the Town Board's rezoning resolution. While this last change will preclude future access to the south should the opportunity be available for such access connection in the future, the proposed access solution is expected to be sufficient for both residential and emergency access.

11. Community Facilities

Schools

The DEIS states on page 3.11-3 that the estimate of school age children residing at the project site of 0.8738 children per household is based on demographic multipliers provided in the Urban Land Institute's Development Impact Assessment Handbook. This source is the current standard for demographic multipliers used in the projection of future population and school enrollment increases.

In a letter received from the Lakeland School District (see letter from Barnett Sturm, Ed.D, Superintendent of Schools, Lakeland School District dated June 6, 2005), Superintendent Sturm indicated that a higher estimate of school children would be more appropriate for the Lakeland School District. An alternative published source for this type of data is The New Practitioners Guide to Fiscal Impact Analysis, which indicates that new four bedroom homes in the Middle Atlantic region would be expected to generate 1.328 school age children per household. In a follow-up discussion on June 13th, Superintendent Sturm indicated that the

higher rate from The New Practitioners Guide to Fiscal Impact Analysis would be appropriate for use in estimating the anticipated increase in school enrollment.

Using this higher rate would result in an estimate of 45 school age students residing at Yorktown Farms under a development with a total of 34 new homes. However, the currently proposed project proposes only 22 homes, resulting in a revised estimate of 29 school age children residing at the project site. As indicated in the DEIS, approximately 13 percent of Lakeland School District students attend private or parochial schools. Therefore, the total increase in enrollment in the Lakeland Central School District as a result of the Yorktown Farms project is expected to total 25 students.

Police/Fire/Emergency Medical Services

The lower number of residences and elimination of the proposed soccer field will result in lower demand for police, fire protection, and emergency medical services, none of which were expected to experience significant additional demand as a result of the DEIS proposed action with 34 lots.

12. Utilities

The revised proposed action will reduce use of utilities such as water supply and electricity with its reduces number of homes. The revised project now includes a substantial benefit to sanitary sewage infrastructure. The Applicant proposes to install the necessary sewer lines and a pump station to allow the hook-up of 67 existing residences to the municipal sewer system.

13. Cultural Resources

The revised proposal maintains the open space buffer along Route 6 and increases the amount of open space buffer separating proposed homes in the central portion of the site from existing homes to the west. A lesser amount of vegetation would need to be removed under the revised layout. Visual impacts are therefore reduced in comparison to the DEIS proposed action. As with the DEIS proposed action, no views from significant aesthetic resources have been identified that would be adversely affected by this project. The suburban character of the site area will be maintained by preserving vegetation at the perimeter of the site and in large contiguous areas in the northernwestern and southeastern portions of the property. The proposed development will be visually compatible with surrounding residential and undeveloped land.

14. Socioeconomics - Demographics

The DEIS layout's proposed 34 four-bedroom, single-family homes were projected to add 123 persons to the Town's population, including 30 school age children. The 22 homes proposed under the revised layout would increase the Town's population by only 80 persons.

15. Socioeconomics - Fiscal

No adverse impacts to historic and archeological resources have been identified for the DEIS proposed project and none would be expected from the revised layout.

We request that the proposal be placed on the Planning Board's May 7, 2007 agenda to further discuss the plan changes, specific reductions in anticipated impacts, and to confirm that the 22-Lot Layout can replace our previously proposed layout as we progress the SEQRA process.

Please call me at the number above should you have any questions or concerns in advance of our next appearance before the Planning Board.

Sincerely,

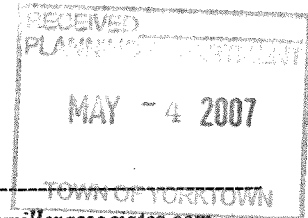


Frederick P. Wells, RLA
Senior Vice President
TIM MILLER ASSOCIATES, INC.

C: Dan Ciarcia, P.E
Val Santucci
David Steinmetz, Esq.

TMA Wordpro/Yorktown Farms/Correspondence/2007/

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May 3, 2007

Hon. Chairman David Klaus and Members of the Board
Town of Yorktown Planning Board
1974 Commerce Street
Yorktown Heights, New York 10598

Re: Yorktown Farms Subdivision, Revised Layout

Dear Hon. Chairman Klaus and Members of the Board:

As a follow up to our April 25 letter to the Board, we are providing herewith area calculations of the site disturbances for comparison of the DEIS 34-lot plan and the current proposed 22-lot plan, for your information. We will be pleased to discuss the latest plan changes with the Board at the upcoming meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Wells", written over a horizontal line.

Frederick P. Wells, RLA
Senior Vice President
TIM MILLER ASSOCIATES, INC.

C: Dan Ciarcia, P.E
Val Santucci
David Steinmetz, Esq.

TMA Wordpro/Yorktown Farms/Correspondence/2007/

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May 3, 2007
 Hon. Chairman David Klaus and Members of the Board
 Re: Yorktown Farms Subdivision

Disturbance by Slopes		
DEIS Layout Versus Revised Layout		
Slope Category	DEIS Layout Approximate Acres Disturbed (34 lots)	FEIS Layout Approximate Acres Disturbed (22 lots)
<10%	16.85	14.64
10% to 15%	5.44	5.24
15% to 20%	1.63	1.49
>20%	0.71	0.71
Total Site Disturbance	24.63	22.08

Note: Total Site Acreage: 43.168
 Source: Ralph G. Mastromonaco, P.E., P.C., 2007.

Disturbance by Cover Type					
DEIS Layout Versus Revised Layout					
	Existing Acreage	DEIS Layout Disturbed Acreage	DEIS Layout Post-Dev't Acreage	FEIS Layout Disturbed Acreage	FEIS Layout Post-Dev't Acreage
Impervious Surfaces	0.0	0.0	5.8	0.0	3.7
Second Growth Woods (upland)	21.75	12.8	8.9	11.6	10.2
Old Field/ Meadow (upland)	15.80	11.1	4.7	10.2	6.1
Shrub-scrub Wetland	1.56	0.4	1.2	0.1	1.5
Wooded Wetland	4.06	0.3	3.8	0.2	3.9
Turf & Landscaped Areas	0.0	0.0	17.7	0.0	16.6
Water Quality Basins	0.0	0.0	1.1	0.0	1.2
TOTAL	43.17	24.6	43.2	22.1	43.2

Source: Ralph G. Mastromonaco, P.E., P.C. 2007.

Wetland Setback Disturbance		
Setback by Jurisdiction	DEIS (acres)	FEIS (acres)
NYSDEC	0.73	0.13
TOWN	3.68	2.20
Total	4.41	2.33

Source: Ralph G. Mastromonaco, P.E., P.C., 2007.

Wetland Disturbance		
Wetland Area	DEIS (acres)	FEIS (acres)
Wetland "A"	0.25 (road)	0.19 (road)
Wetland "B/C"	0.14 (road) 0.33 (lots)	0.06 (road)
Wetland "D"	0.0	0.0
Total	0.72	0.25

Source: Tim Miller Associates, Inc., 2007.