

Appendix B

WRITTEN COMMENTS ON THE
DEIS

Index of Written Comments Received on the DEIS

During the public comment period on the DEIS (March 30, 2005 through June 3, 2005), the following comments on the DEIS (letters and e-mails) were received:

Letter #	Author	Date
1	Yorktown Planning Department (also attach 05/23/05)	06-13-05
2	Bruce Barber, Environmental Planner, Town of Yorktown	06-13-05
3	James Benson, New York City Department of Environmental Protection	06-14-05
4	Han-Lei Ling (e-mail)	05-20-05
5	Bill Fox (e-mail)	05-20-05
6	Scott Marrone (e-mail)	05-20-05
7	Suzanne & Jeffery Steimel (e-mail)	05-20-05
8	Frances and George Davis (e-mail)	05-20-05
9	Ottavio and Margaret Saraceno (e-mail)	05-21-05
10	Lawrence and Georgia Armstrong (e-mail)	05-21-05
11	Pearl Seigler (e-mail)	05-21-05
12	Dr. Donna T. Genova (e-mail)	05-22-05
13	Vera Pietraniello (e-mail)	05-22-05
14	Joseph and Patricia Plitnick (e-mail)	05-22-05
15	Ann B. DeFelice (e-mail)	05-22-05
16	Alice Kiely (e-mail)	05-22-05
17	Allison Lichtenberg (e-mail)	05-22-05
18	Marie and Richard Panella (e-mail)	05-22-05
19	Daniel Kiely (e-mail)	05-22-05
20	Enid Lang (e-mail)	05-23-05
21	Frank Genova (e-mail)	05-23-05
22	R. Allen Elliot (e-mail)	05-18-05
23	John & Joanne Gaughan (e-mail)	05-18-05
24	Bob & Marcia Altabet (e-mail)	05-19-05

YF index to comment letters.lwp

TOWN OF YORKTOWN PLANNING DEPARTMENT

Yorktown Community and Cultural Center, 1974 Commerce Street, Yorktown Heights, New York 10598, Phone (914) 962-6565, Fax (914) 962-3986

MEMORANDUM

LETTER # 1

To: Planning Board
From: Planning Department
Date: June 13, 2005
Subject: Yorktown Farms DEIS Review

The Yorktown Farms DEIS has been reviewed with the following comments:

3.1-4

1. The Executive Summary states that the proposed action comports with the Town Development Plan. This is false. The plan calls for Office Campus Development for this parcel.

3.1-5

2. There are numerous references to dedicating two separate parcels to the Town as Parkland totaling 7.5 acres and an active recreation park of 2 acres. The Town's Land development regulations require a 10% set aside for *active recreational* parkland. The 7.5 acre parcels do not satisfy that requirement and the 2 acre active parcel is deficient by 2.3 acres. Secondly it is not clear if the Stormwater basin is included in the 5.034 acres noted for Parcel 'A'. If so, it should be separated as the Town would not accept parkland planned for stormwater infrastructure.

3.1-28

3. Page 1-2, Para. 3 of the Executive Summary refers to Gay Ridge Road as a cul-de-sac. No cul-de-sac exists on Gay Ridge Road.

3.1-6

4. The Executive Summary states that vacant land to the subject parcel's east is zoned for lots of 40,000sf or more. The vacant land to east of the subject parcel is zoned for 80,000sf and 120,000sf lots, not 40,000sf. Reference maps in other sections of the document confirm this.

3.1-7

5. The Executive Summary states that there is substantial open space on lots 1 & 10 of the proposed action. This is an inappropriate characterization as these are private lands subject to allowable uses by its owner and are essentially larger only to provide the necessary stormwater infrastructure for the subdivision. Normally, open space connotes a section of land in its natural state, in public ownership, and protected from alterations that satisfy human needs.

3.1-8

6. Page 1-3, Para. 3 of the Executive Summary contradicts the preceding pages' claim that the project comports with the development plan. Further, the cited market study, discussed here and elsewhere in the DEIS, sets forth "factors" that refute the subject parcel's viability as a potential office campus site. The report essentially discusses two separate subjects, planning issues that affect zoning, and current market factors, that do not. The report presents as fact, that the site's characteristics such as location, nearby amenities, proximity to major transportation corridors, and affordable housing stock hinder its development as an office site. These claims are subjective and are not supported by fact in the document. The report goes on to discuss the current state of the office market in the region. While it presents credible evidence in that regard, it fails to notice that zoning in and of itself is not market sensitive, but rather aimed at appropriate uses that respond to environment, land, transportation and to provide a balance of land uses within a given town or region and does not take into account the fluctuation and changes in the economy and markets over time. For instance, the DEIS recites the well known office glut in lower Westchester of the 1980's and points out that vacancies persisted until the 1990's. Clearly this reveals that, over the long term, the areas' zoning was appropriate, whereas reliance on market factors was not.

3.1-8

The document repeatedly in subsequent chapters states that office development is unlikely and irrational due to lack of public transportation, restaurants, lodging, access to highways, moderate cost housing. These factors cited are at once inconsequential and false. Both Putnam and Westchester Bus routes pass the site on Rte 6, there is not only access to, but 900' of frontage on a highway with a regional corridor (TSP) within 1-2 miles of the site. There are food service establishments with one mile in either direction. There is no clear understanding of what is meant by "moderate income housing" and therefore, cannot be directly commented on. The DEIS correctly points out that lodging is not available. Despite the obvious positive characteristics of the site, we would point out that those amenities are, nonetheless, not requisites to office development, as illustrated by the existence of IBM's Thomas J. Watson research facility, Contractors Register, and the recently announced 50,000sf office complex at Bryant Pond Road in Putnam Valley. The DEIS also states that the office zoning is inconsistent with the residential character south of Route 6. Here the DEIS fails to cite all of the commercial properties proximal to the site: Navajo Road Industrial Park, the Schaeffer property immediately to the north, Whispering Pine, Different Strokes pool store, three (3) retail/office developments at Mahopac Avenue and further, that within a mile, there has been a major renovation and expansion of Somers Common, west of that is proposed a large planned mixed use village development, and north of that, a major retail center. Across Rte. 6 from the subject parcel is an active application on the Schaeffer property for 105,000 sf of office/light industrial. Clearly, the development trend is for commercial square footage along Rte 6 and the predominant land use pattern is one of commercial development on properties that front on Rte. 6. While the subject property does abut residential development to the west & south, its frontage on Rte 6, commercial development abutting to the north, the predominately commercial development along the Rte. 6 corridor, its proximity to the Taconic State Parkway, and the general gradient and lay of the land make this parcel highly conducive to commercial, or, as per the town plan, office campus development. Given all the retail, office, and light industrial projects currently existing or proposed and under review in the area, we would offer that there is a demonstrated market and need for such, and that the unlikelihood of this parcel developed as such is overstated in the document.

3.10-29

7 The DEIS claims the draft Comprehensive Plan's argument of "development stress" does not apply to this parcel as it relates to a zoning density reduction, since the area is not a large lot context and traffic has not shown to be a problem. It is well known from collective experience and also from data supplied from both regional studies and individual site specific studies that traffic is problematic from a factual, operational standpoint, and also a source of concern among the residents of the area. Studies such as the Sustainable Development Study (SDS) have found numerous traffic difficulties along Rte. 6 and identify the root problem as regional traffic patterns and development. Clearly this parcel will add traffic to an already burdened system. The Comprehensive Plan, along with the SDS, recognize that reductions in density from the existing development pattern is necessary and desirable to achieve reduced stress on the traffic system and maintain a high quality of life.

3.1-9

8 The DEIS states that "Patterns for Westchester" supports the proposed project in terms of density and land use. The discussion of "Patterns" as it pertains to the site's appropriate residential density neglects to acknowledge that "Patterns" is highly generalized and that its presentation of "medium density suburban" on the subject parcel includes office campus developments (ref. map, figure 3.1-6). "Patterns" makes no acknowledgement of commercial zoning and identifies the Jefferson Valley Mall as the center of Jefferson Valley with a residential density of 6-26 dwelling units. Clearly, the County was setting forth broad brush recommendations without any regard to specific sites, commercial zoning or development, or other pertinent planning issues. On the other hand, the County authored, in 2004, the SDS, when, once comprehensive detail was gathered, recommended a 75% reduction of residential density. This it did for an area 1-2 miles from the subject site, where "Patterns" recommended in 1995 density of 1-3 and 2-4 du/acre. Clearly, land use goals in Yorktown's Comprehensive Plan have been affirmed by the County, not refuted by it.

3.6-9

9 Do the stormwater calculations that guarantee no increase in runoff take into account vegetation removal and surface street runoff from lawns, etc. Also homes?

3.11-1

10 The DEIS assumes the proposed project will add 30 school age children to the School system. The DEIS does not state what this assumption is based upon. The DEIS assumes proposed project

3.11-1

house 123 people. Assuming two adults per household, or 68 adults and 30 schoolchildren, what is assumed for the remaining 25? If it is likely or possible that these may be schoolchildren as well, there should be an analysis of the school tax implications of those higher numbers of schoolchildren. The DEIS does not specify explicitly the spending/per child of the Lakeland District and should verify those numbers.

11.

3.1-10

The DEIS describes presenting the Town Board with a plan for commercial uses along Rte. 6 frontage of the site, and states that the town rejected that proposal and raised no objections to the residential subdivision despite its master planned designation as OB. It further states that Town Board made a determination that non-residential uses were not desirable on the site. Those statements are misleading. The Town Board rejected a specific proposal for a retail strip mall, not blanket non-residential uses. The town has required study of the site as an OB as part of this DEIS and has offered the parcel as OB in the Draft Comprehensive Plan.

3.1-11

12.

Section 2.4.2 of the Project Description does not articulate what the town's objectives are, nor how the project meets those objectives. This section only speaks of the tax revenue, creation of a playing field, and preservation of open space. However, the DEIS in other sections, states or infers that the project comports with the Town's Development Plan & Draft Comprehensive Plan and the policies and goals stated therein. If in fact, the project comported with the goals and objectives of Yorktown, the project would not propose the four homes on lots 14, 16, 18, 20, which by their placement, destroy a fairly large portion of the middle wetland. The document states that the "general design concept focuses on minimizing impacts and preserving and protecting wetlands," yet of the 3700 lf of road, fully 1500 lf is laid out in wetlands or wetland buffer, and 10 of the 34 homes, structures and/or lawn & landscaping areas will encroach into buffer areas or wetland areas.

13.

3.10-30

The DEIS (ref. Page 3.1-4) continues to state it has no access to adequate highways when it analyzes its potential as an office complex, yet, at the beginning of the chapter is describes the parcel as fronting on "a major inter-regional highway that connects western Connecticut in the Danbury area to southeastern New York State, including the New York State Thruway at Harriman." It also fails to state that it lies 1-2 miles from the Taconic State Parkway no more than 2-5 minutes trip by car. The passage goes on to complain that "it does not appear rational or fair to treat the subject site differently from other large contiguous parcels...zoned for residential development" and that "unlike the three other parcels being considered for OB zoning...., [it] is not located in either an existing center or office complex, or in close proximity to highways". Here it fails to state that these three (3) parcels, while located near to the TSP, have no frontage on Rte. 6 and would face great challenges of access not experienced by the subject parcel, and that their gradient and lay of the land would present even further challenges, also not experienced by the subject parcel. It is for these reasons that the subject parcel continues to be under consideration for OB and is, contrary to the documents' claims, a quite rational and fair treatment.

3.1-12

The DEIS states in the Land Use Chapter (ref, page 3.1-9) that the recommendations of the Draft Comprehensive Plan are not justified and that the SDS concluded traffic is not a problem in the immediate environs of the subject parcel. What the SDS concluded is that traffic hot spots result from regional influences, one of which, is residential development density. While not every portion of every road is operationally deficient, the SDS concluded that the portions that are, will benefit from reduced density and smart growth techniques throughout the region. The DEIS then states that the character of the environs is clearly that of the residential neighborhood to the immediate west. However, it is only the residential neighborhood to the west that is of a smaller lot context. The lands to the east are zoned for 2 & 3 acre lots and the vacant residential land north of the Schaeffer property is set to be rezoned to either 2 or 4 acre lots. Further, the entire section ignores the commercial development to the north of the site (Schaeffer) and the zoning context it provides. While other sections of the DEIS cite nearby commercial development, all which have frontage on

Rte 6, it fails to compare the subject parcel to those similarly situated commercial parcels.

- 3.2-3 [15. The DEIS assumes there may be blasting required for the deep cuts at the primary access to Route 6. The applicant should explore shifting the road eastward, reducing the need for such deep cuts thereby minimizing the need for blasting.
- 3.3-1 [16. 47 trees 24" or larger are cited in the DEIS- are they located on a map? If not they are required by the Town Code to be so located.
- 3.10-31 [17. The DEIS shows the proposed action's traffic impacts as having a minimal impact on Gay Ridge Road, while the proposed Rte. 6 access operates at LOS E or F. Under what conditions can it be reasonably assumed that traffic will not divert to Gay Ridge under those conditions?
- 3.10-32 [18. An additional traffic analysis should be performed so a comparison can be made with the previous study performed in the month of August. Weekend traffic count numbers should also be obtained.
- 4-2 [19. An R1-80 cluster plan should be submitted as the Comprehensive Plan may rezone this property to 2 acres.

In addition, comments from May 23, 2005 memo:

20. Our records show that an application fee of \$20,300.00 was submitted by the previous applicant on April 25, 2002. No subsequent fees have been paid. Please provide the Planning Department with the appropriate estimated costs (see attached) of the entire development for calculation of the DEIS review fees.
- 3.10-24 [21. The Applicant should incorporate the Tonndorf site plan proposal into the discussion regarding the development of neighboring properties. The proposed driveway on Route 6 for the Tonndorf site plan should also be shown on the subdivision map. The traffic study should also include this proposal.
- 3.10-25 [22. Eastbound traffic on Route 6 merges from two lanes to one lane near the proposed entrance to the site. Indicate these existing road conditions on Route 6 and its role in the traffic flow on Route 6 at the proposed new curb cut.
- 3.10-26 [23. A letter from the NYS DOT dated September 23, 2002 states that no new access on Route 6 will be granted unless access cannot be obtained from two existing cul-de-sacs off Curry Street. Is the applicant in receipt of any more recent correspondence with the NYS DOT?
- 3.10-27 [24. Obtain from the Parks and Recreation Department estimated usage and traffic generated by the proposed soccer field.
- 3.6-5 [25. The Applicant should perform a more in depth investigation of the water problems associated with homes existing on Gay Ridge Road and on Stonewall and Jefferson Courts to be sure no additional runoff is leaving the site.

TOWN OF YORKTOWN PLANNING DEPARTMENT

Yorktown Community and Cultural Center, 1974 Commerce Street, Yorktown Heights, New York 10598, Phone (914) 962-6565, Fax (914) 962-3986

MEMORANDUM

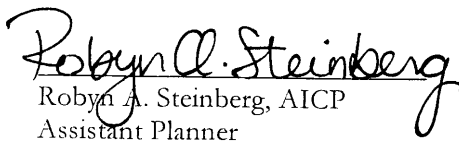
To: Planning Board
From: Planning Department
Date: May 23, 2005
Subject: Yorktown Farms DEIS Review

The Yorktown Farms DEIS has been reviewed with the following preliminary comments:

1. Our records show that an application fee of \$20,300.00 was submitted by the previous applicant on April 25, 2002. No subsequent fees have been paid. Please provide the Planning Department with the appropriate estimated costs (see attached) of the entire development for calculation of the DEIS review fees.
- 3.10-24 2. The Applicant should incorporate the Tonndorf site plan proposal into the discussion regarding the development of neighboring properties. The proposed driveway on Route 6 for the Tonndorf site plan should also be shown on the subdivision map. The traffic study should also include this proposal.
- 3.10-25 3. Eastbound traffic on Route 6 merges from two lanes to one lane near the proposed entrance to the site. Indicate these existing road conditions on Route 6 and its role in the traffic flow on Route 6 at the proposed new curb cut.
- 3.10-26 4. A letter from the NYS DOT dated September 23, 2002 states that no new access on Route 6 will be granted unless access cannot be obtained from two existing cul-de-sacs off Curry Street. Is the applicant in receipt of any more recent correspondence with the NYS DOT?
- 3.10-27 5. Obtain from the Parks and Recreation Department estimated usage and traffic generated by the proposed soccer field.
- 3.6-5 6. The Applicant should perform a more in depth investigation of the water problems associated with homes existing on Gay Ridge Road and on Stonewall and Jefferson Courts to be sure no additional runoff is leaving the site.

The Planning Department requests an additional two weeks to make additional comments on the DEIS.

Respectfully submitted,


Robyn A. Steinberg, AICP
Assistant Planner

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June 13, 2005

To: Planning Board

From: Bruce Barber
Environmental Planner

Re: Yorktown Farms DEIS

Dear Chairman Klaus and Members of the Planning Board:

Please be advised that I have reviewed the applicable section of the DEIS of the above referenced project dated December 8, 2004 prepared by Tim Miller Associates, Inc.. My comments are as follows:

Executive Summary:

2-7	1-1: Second paragraph:	Please explain further the comment that this project is a "sustainable use of land".
3.1-13	1-2: First paragraph:	Please provide date of existing Town Development Plan. Please provide details of in this Plan contemplated in the Yorktown Comprehensive Plan.
3.1-8	1-3: Second paragraph	Applicant should provide cost of community services analysis and summary to compare residential and office uses.
4-2	1-4: First paragraph:	Applicant should provide a two-acre cluster design.
3.2-6	1-5: First paragraph.	Provide detailed analysis with respect to why avoidance of impacts to steeply sloping areas is not feasible.
3.2-7	1-5: Fifth paragraph:	Please cite correct and current erosion and sediment control manuals with respect to Phase II stormwater requirements. Please provide information why substantial cut operation cannot be avoided.
3.2-8	1-6: First paragraph:	Indicate if blasting permit will be required. Where are suspected areas of blasting to occur? Have existing conditions of surrounding properties been documented?
3.7-8	1-6: Fourth paragraph:	Explain how 13% reduction in groundwater recharge will affect hydrology of on-site as well as wetland systems which surround property on north, east and west.

Soils and Topography:

- 3.2-9 { 3.2-2: First Paragraph:
- 3.2-10 { 3.2-4: Table:
- 3.2-11 { 3.2-6 Sixth paragraph:
- 3.2-12 { 3.2-6 Last paragraph:
- 3.2-8 { 3.2-7 Second paragraph:

A site specific soil analysis by a qualified soil scientist should be conducted and mapped. The majority of the site consists of severely constrained Woodbridge, Ridgebury and Chatfield soils. Additionally, Paxton soil area is predominately steeply sloping. Applicant should provide detailed information and analysis regarding actual measures to be taken to account for these constraints. Ridgebury soil areas are wetland soils. Applicant should explain why excess cut operation cannot be avoided. A truck traffic routing plan should be submitted. Complete investigation and submit complete report regarding need for blasting. Provide SPPP plan for entire site designed to comply with Town of Yorktown Stormwater Ordinance. This will include complete erosion and sediment control plan using site specific soil information as well as pre and post construction stormwater quality and quantity information.

Vegetation

- 3.3-2 { 3.3-1 First paragraph

Include information as to when and in what areas the site assessments were conducted. Include field sheets. Describe vegetation with respect to habitat types and how this site also fits in the landscape ecology of the surrounding wetlands.

Wildlife Resources

- 3.4-5 { 3.4-1 First paragraph:
- 3.4-6 { 3.4-7 First paragraph:
- 3.4-7 { 3.4-7 First paragraph:

Applicant should provide dates and transect information of site inspections. Applicant must perform wildlife biodiversity study in compliance with the adopted Town of Yorktown Planning Board biodiversity policy. Applicant must also develop information with respect to how this site is used in the landscape with respect to habitat and surrounding wetlands. Attention must also be given to species which use the rather open, grassland habitat of this site. Applicant must conduct biodiversity study as per Planning Board policy. Once completed, consideration must be given to preservation of

3.6-8	1-6: Fifth paragraph:	Indicate that a SPPP must be prepared for the entire site in order to comply with the Town of Yorktown Stormwater Ordinance.
3.4-5	1-7: Last paragraph:	Wildlife studies were not conducted in compliance with adopted Town of Yorktown Planning Board biodiversity policy.
3.9-1	1-9: Fourth paragraph:	Noise information with respect to parking and ball fields should be provided.
2-10	1-17: Required permits:	Town of Yorktown Stormwater Permit, Blasting Permit, NYSDEC wetland permit.
2-12	Omitted:	Discussion regarding wetland and wetland buffer impacts must be contained in the Executive Summary.

Project Description:

2-11	2-1: First paragraph:	Indicate whether stormwater infrastructure is intended to be dedicated to the Town.
3.7-9	2.2.2 First paragraph:	Land type abutting the surrounding the site (including north of Route 6) should be more accurately described as predominately wetlands.
3.7-10	2.5: First paragraph:	The applicant proposes to fill a substantial portion of the central wetlands on the site, cross a NYSDEC wetland from Gay Ridge Road, and to locate at least one-third of the homes, substantial areas of the soccer field, and substantial components of the stormwater basins in the wetland buffer area. The application does not comport with the major tenet of the Town of Yorktown Freshwater Wetlands Ordinance with respect to consideration or avoidance of wetland and wetland buffer impacts. The applicant does also not consider the landscape location of this site as it is virtually surrounded by wetlands. As a result, a two-acre cluster alternative is requested which will demonstrate realistic avoidance of wetland and wetland buffer impacts.

3.4-7

important habitat for on-site species as well as those species which use the subject during portions of their life-cycle (i.e. mole salamanders). A habitat preservation and enhancement plan should be developed and submitted.

Water Resources-Groundwater:

3.5-1 last paragraph:

3.5-3

Applicant should provide an analysis of the location and functional aspects of the substantial number of existing drains (aka "farm drains") located on this site.

3.5-2 last paragraph:

3.5-4

Applicant should provide pre and post construction wetland hydrographs to demonstrate changes in water supply to on-site and adjacent site wetlands.

Water Resources:

3.6-1 first paragraph:

3.6-8

Applicant should provide complete SPPP with design assumptions and calculations.

3.6-3 first paragraph:

3.6-9

Applicant has only considered pollutant removal within NYCDEP watershed area. This not in compliance with the Town of Yorktown Stormwater Ordinance. Within the DEP watershed, post construction Nitrogen increases 23.86% from pre construction levels. This is not in compliance with the Town of Yorktown Stormwater Ordinance.

3.6-7 first paragraph:

3.6-11

Applicant must state who will be responsible for maintenance of the stormwater infrastructure.

Wetlands

3.7-1 fifth paragraph:

3.7-11

Filling of wetlands (and wetland buffer) does not ~~comport with the major tenet of avoidance~~ found in the Town of Yorktown Freshwater Wetlands Ordinance. The applicant provided their wetland functional analysis of the wetland area to be filled which ~~did not completely consider impacts to~~ the remaining wetland area(s) on-site and adjacent to the site. Additionally, the applicant has not provided any baseline analysis of wetland hydrology (pre and post construction hydrographs) so that short and long-term impacts to wetland hydrology cannot be analyzed.

3.7-12

3.7-2: first paragraph:

3.7-13

Applicant must provide clear, understandable field notes and calculations to support their functional assessment. Additionally, specific contribution(s) of each wetland with respect to each functional assessment parameter must be detailed. The applicant draws many unsubstantiated conclusions. Additionally, the applicant does not consider the function of these wetlands with respect to adjoining off-site wetlands.

3.7-5: sixth paragraph:

3.7-14

Applicant has not provided the design of the wetland crossings, wetland hydrology information or adequate biodiversity information, and as a result, impacts of the crossings cannot be assessed.

3.7-6: second paragraph:

3.7-15

Applicant does not provide adequate analysis of wetland buffer impacts. A total of 18% (4.4 of the 24.7 acres) of total site disturbance is to wetland buffers and an additional 3% of the impacts is to wetlands. That represents a total of approximately 21% of the impacts of site disturbance is to wetlands and wetland buffers. This does not in compliance with the Town of Yorktown Freshwater Wetlands Ordinance.

Noise

3.9-4: first paragraph:

3.9-1

Applicant should provide information regarding potential noise impacts other than their opinion.

Traffic

It is suggested that the Planning Board refer the traffic analysis to the Town traffic consultant.

Visual

3.13-2

Applicant should provide elevations from Route 6, Curry Street and adjoining cul de sacs.



**Department of
Environmental
Protection**

June 14, 2005

Mr. Jeremiah R. Dineen, Chairman
Town of Yorktown Planning Board
1974 Commerce Street
Yorktown Heights, New York 10598

**Re: Draft Environmental Impact Statement
Yorktown Farms Subdivision
Town of Yorktown, Westchester County, New York**

**Emily Lloyd
Commissioner**

Dear Mr. Dineen and Members of the Board:

The New York City Department of Environmental Protection (DEP) has reviewed the Draft Environmental Impact Statement (DEIS), prepared by Tim Miller Associates, for the above-captioned project.

**Bureau of Water Supply
465 Columbus Avenue
Valhalla, New York 10595**

**Michael A. Principe, Ph.D.
Deputy Commissioner**

Tel (914) 742-2001
Fax (914) 742-2027

**James D. Benson, Director
Division of SEQRA
Coordination & Watershed
Management Programs**

Tel (914) 742-2034
Fax (914) 773-0342

The proposed action is a 34-lot subdivision on 43 acres of land. Approximately 13 acres of the project site is located within the Muscoot Reservoir drainage basin of New York City's Croton Water Supply System. As you are aware, the New York City Water Supply system is an unfiltered, surface water resource that provides high quality drinking water to almost half the population of New York State – over eight million consumers in New York City and nearly one million consumers in Westchester and Putnam Counties. The Muscoot Reservoir is classified as phosphorous-restricted, meaning that phosphorous levels in the reservoir do not meet New York State Department of Environmental Conservation (NYSDEC) guidelines and need to be reduced.

DEP's status as an involved agency pursuant to the State Environmental Quality Review Act (SEQRA) stems from its independent regulatory authority over the Stormwater Pollution Prevention Plan (SPPP) and proposed sewer connection pursuant to the *New York City Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and its Sources* (Watershed Rules and Regulations).

Based upon review of the DEIS, DEP respectfully submits the following comments for your consideration:

3.6-7

- As noted above, DEP has designated the Muscoot Reservoir as phosphorous restricted, meaning that phosphorous levels in the water do not comply with State guidelines and need to be reduced. In addition, the NYSDEC has determined the reservoir exceeds its total maximum daily load (TMDL) of phosphorous, meaning that phosphorous loading from within the basin prevents the reservoir from meeting water quality standards under current conditions.

DEC promulgated Phase II Phosphorus TMDLs for all the reservoir basins in 2000. Many of the reservoir basins, including the Muscoot basin,



require significant reductions in nonpoint sources of phosphorus. As part of the regional effort to reduce phosphorus loads to the reservoirs, individual towns will soon be assigned load reduction targets by the NYSDEC for existing sources of phosphorous. As such, the applicant should evaluate the project's basin-wide and town-wide impact on the regional TMDL program during the SEQRA process.

3.6-7

Based on the loading calculations presented on page 3.6-4, the DEIS claims that the proposal would cause a minimal impact on phosphorous loading. However, since the methodology used to make such a determination differs significantly from the methodology used by NYSDEC during the creation of the TMDLs, the DEIS cannot and should not assume that the project will have no impact on the Town's ability to achieve the TMDLs. As such, the DEIS fails to fully evaluate the impact of the project on the regional TMDL program and the Town's ability to achieve TMDL compliance.

3.2-4

Although the DEIS generally discusses the soil types found onsite, it does not fully address the impacts of disturbance of certain soil types found onsite within the New York City Watershed. Specifically, the Paxton soils found within the watershed present a severe erosion hazard according to the Natural Resource Conservation Service (NRCS) *Soil Survey for Putnam and Westchester Counties, New York* (the Survey). In addition, these soils exhibit seasonally high groundwater, which must be considered in the development of any grading plans, erosion control plans, and construction sequencing.

3.2-5

The DEIS includes a general list of erosion control measures to be implemented to mitigate the identified impacts and a preliminary erosion control drawing. However, significantly more detail relative to appropriate erosion control practices for specific soil types, dewatering and diversion procedures, specific construction sequencing and stabilization is necessary to demonstrate that the potential impacts can be adequately avoided or mitigated.

3.7-4

The stormwater analysis prepared for the DEIS shows an overall decrease in peak runoff rates for flow within the watershed. This decrease is highly significant for the smallest storm tabulated, the 2-year, 24-hour storm. Changes in hydrology can have significant impacts on the wetlands found on site. More detail is necessary to determine the likely impacts of the reduced peaks and associated hydrographs on wetlands A-2 and to determine if these impacts can be avoided or adequately mitigated.

3.7-5

As shown on the drawings, several sections of development within the Watershed (lots 6, 7, 8, 24, 25, 26) will not drain to any stormwater practices prior to discharge into the wetland buffer. The impacts of the increases in runoff and pollutant loads from this development on the wetlands should be discussed in greater detail.

3.7-6

It appears that disturbance in and near the wetland buffer is not fully addressed. For instance, the proposed undisturbed areas shown in Figure 3.3-5 do not account for disturbance required to construct the sewer line or pump station immediately upslope of the buffer on lots 6, 7, 8, and 9. The figure also does not account for wetland buffer disturbance required to construct the proposed stormwater basin berm, since the grading for this berm extends to the edge of the buffer. The impacts of these disturbances on the wetlands should be considered.

3.7-7

The DEIS includes no provisions for conveying stormwater discharges from the detention basin through the wetlands. Discharges from the stormwater basin could cause erosion of

3.7-7
4-3

the buffer and sedimentation within the wetlands. The impacts must be avoided or mitigation must be considered.

- The DEIS includes several alternatives that appear to offer viable plans for development with fewer adverse environmental impacts, for example the Reduced Density Alternative, the R1-20 and R1-40 Cluster Development Alternatives and R1-80 Alternative. The DEIS fails to detail any compelling reason why these alternatives are not consistent with the goals of the applicant. Prior to dismissing any alternative that contains clear advantages, the DEIS should include all the necessary information/data that allows an evaluation of the alternative under SEQRA. DEP urges the Board to consider such alternatives in greater detail.

Thank you for the opportunity to comment. Please feel free to contact me at (914) 742-2034 with any questions or to discuss the matter further.

Sincerely,



James D. Benson, AICP, Director
Division of SEQRA Coordination and
Watershed Management Programs

xc: John Tegeder, Director of Planning, Town of Yorktown
Val Santucci, VS Construction Corp.
Kurt Rieke, DEP

From: Han-Lei Ling [HLing@naidghart.com]
Sent: Friday, May 20, 2005 10:32 AM
To: jtegeder@yorktownny.org
Cc: kling@elsolcontracting.com
Subject: Yorktown Farms Subdivision

3.10-13 [As a resident of 156 Jefferson Court, we are concerned with the amount of traffic this proposed development will
3.10-15 [cause. We have two small children and their safety as well as neighboring children is our main concern. We
have complained numerous times regarding the traffic (speeders) on Curry Street. As of today, nothing has been
done. With the proposed plan in mind, we can foresee the traffic this will add to our existing problems.

Please consider our children's safety. Thank you.

Han-Lei Ling
NAI DG Hart
168 Canal Street, Suite 608
New York, NY 10013
Office: (212)941-1483
Fax: (212)941-7545
Email: HLing@naidghart.com
Website: www.naidghart.com

From: Bill Fox [BillF@agaltd.com]
Sent: Friday, May 20, 2005 7:21 AM
To: jtegeder@yorktownny.org
Subject: Yorktown Farms Subdivision

William & Laura Fox
156 Timberlane Court
Yorktown Heights, NY 10598

3.10-13
3.9-3
3.6-1
My family & I reside on what we think is an extremely busy corner (for this town) of Timberlane & Curry Street. We strongly object to the subdivision of the east side of our property. This project will create a major shortcut to Route 6 making a thoroughfare out of a small quiet family street where children are constantly at play. The extra noise will create a New York City Borough environment which we left to move to Yorktown. Being downhill from the project we also have MAJOR concerns regarding water. There is a high water table on my property to begin with & clay doesn't drain well. Pressure also will be greatly affected. There is also the problem of wildlife from both the wetlands & preserve which probably haven't even been considered. We moved here to improve our quality of life & have been very happy for 19 years. If this goes through, goodbye Yorktown as you have just become the 6th borough north of the Bronx.

3.6-1
8
3.4-2

Sincerely

William & Laura Fox & Family

The information contained in this message may be privileged and confidential and protected from disclosure. If the reader of this message is not

From: JSMarrone@aol.com
Sent: Friday, May 20, 2005 4:03 PM
To: jtegeder@yorktownny.org
Subject: yorktown farms subdivision

hello -

3.10-2 my name is scott marrone and i live at 84 gay ridge road. in addition to the environmental impact of a large scale subdivision, and the addition of at least 70 - 100 cars to the traffic flow during rush hour to an area of route 6 that is already a "parking lot", there are two concerns which i feel need to be addressed:

3.11-4 1) the town board needs to consider the impact on the education of our children and tax burden of this community. specifically, while each homeowner pays approximately \$3500 in school taxes the lakeland school district spends approximately \$12,000 per student. this is from their own budget statement. with 34 sites accomodating 4 bedrooms each the builders themselves expect at least 2 children per house (the u.s. census bureau gives an average of 2.4 children for our area). that means at least 68 children @ \$12,000 each = well over \$800,000 increase in expenses for the district! this would be offset by only 34 X \$3500 = \$119,000 in tax revenues. since these are estimates, and we know things always cost more than expected, we can easily expect more students and higher expenses easily raising the cost to the district at over \$1,000,000 per year. i do not need to spell out the impact on all taxpayers in our community.

3.11-7 2) of these at least 68 children approximately 2/3, or at least 45, will need to enter thomas jefferson elementary. how is this already overcrowded building supposed to accomodate them? an addition on the building, and therefore capital expense?

2-8 while i recognize the right of the owner of the property to develop their property, it needs to be done with sensitivity to the impact on the community. since they call themselves yorktown farms, let them build a farm. why should wilkins be the only game in town? we can use more apple trees and pumpkin patches, not hundreds of more residents and cars.

thank you for your consideration,
scott marrone

From: Steimel, Suzanne [suzanne.steimel@citigroup.com]
Sent: Friday, May 20, 2005 9:29 AM
To: jtegeder@yorktownny.org
Subject: VS Construction Corp Project

To Whom it May Concern:

2-1
3,10-13
We were just informed of the new project entitled Yorktown Farms Subdivision. It came as a great surprise to both my husband and I that such a large project was planned yet the adjacent residents were not notified. This note is to communicate our dissatisfaction with the project. We purchased our home on Stonewall Court five years ago mainly because it was on a cul-de-sac street located off of another a cul-de-sac (Timberlane). A possible cut though on either one of these streets would cause a great number of cars to pass, completely undermining the family friendly blocks we currently have. It currently gives us great pleasure as well as a sense of security to know that the only cars traveling on either street is to get to a house located only on Timberlane or Stonewall.

3,6-1
3,9-31
3,8-1
3,4-11
We also have some environmental concerns. The residents on Stonewall Court have a very high water table. We would be downhill of such a development that would potentially cause some issues with runoff and possible contamination. Additional traffic to the area would also be of concern. The cars to and from the new houses as well as the proposed soccer field would add noise and exhaust pollution. The proposed building area is home to many wildlife animals. Such construction will force the wildlife to find new homes. With young children around it is potentially dangerous to have such wild animals being forced out of their current habitat into established communities. Any one of these issues would impact the quality of life for all residents, let alone all of the issues together.

If you wish to directly discuss any of these concerns with us, we can be contacted via the information below.

Regards,
Suzanne and Jeffrey Steimel
131 Stonewall Court
Yorktown Heights, NY 10598
(914) 962-5154

From: fran807@optonline.net
Sent: Friday, May 20, 2005 10:19 PM
To: jtegeder@yorktownny.org; jtegeder@yorktownny.org
Cc: fran807@optonline.net
Subject: Yorktown Farms Subdivision

Frances & George Davis
90 Timberlane Court
Yorktown Heights, NY 10598

May 20, 2005

To whom it may concern,

3.6-1
3.7-1
3.4-1
3.10-13
We are deeply concerned regarding the the major subdivision that is being planned for the property adjacent to the east side of our property. When we purchased our home ten years ago, we looked for a quiet, safe neighborhood where our children could walk and play. We chose our home carfeully and we have enjoyed just that. We are concerned that the building of this project will negatively impact such things as area drainage, the preservation of the wetlands and the beautiful forest atmosphere, not to mention the wildlife that will be displaced that we now enjoy.

In addition, the building of a secondary road through Gay Ridge Road or Stonewall Court is unacceptable. The increased traffic will make it unsafe for our children to live, play and walk to the bus. The blatant disregard for the residents of this neighborhood is disgraceful.

My neighbors and I feel that VS Construction Corps' plan to destroy the only land left between Yorktown and Somers for its own monetary gain is a huge injustice.

We ask that you take more time to review the the Environmental Impact Statement and really consider the affect that a project of this magnitude will have on the residents of this neighborhood. The construction of this project will bring nothing but more people, noise, cars and traffic to our quiet, peaceful and safe neighborhood. We ask you, does Yorktown really need more people, noise cars and traffic? We think not!

Respectfully submitted,
Frances & George Davis

From: Ottaviosaraceno@aol.com
Sent: Saturday, May 21, 2005 4:36 PM
To: jtegeder@yorktownny.org
Subject: Yorktown Farms Subdivision

Dear Planning Board:

3.12-14 [As a neighbor to Gay Ridge Road we wish to voice our concern. The plan to build residential homes is acceptable, providing a sewer system is part of the development and we do not have any reduction in our water pressure. We do not need more septic horrors such as those presently on Gay Ridge Road and neighboring Jennifer Court.

3.10-6 [The obvious negative aspect of this project is the soccer field. This will draw too many participants creating a thoroughfare for passenger and commercial vehicles.

We respectfully ask the Board to reconsider the overall the project and take into consideration these matters.

Sincerely,

Ottavio & Margaret Saraceno
100 Jennifer Court
Yorktown Heights, NY

5/23/2005

From: Georgia Armstrong [armstrong@optonline.net]
Sent: Saturday, May 21, 2005 9:07 PM
To: jtegeder@yorktownny.org
Subject: Yorktown Farms Subdivision

310-11

We would like to express our concern regarding the Yorktown Farms Subdivision. We have lived on Gay Ridge Road for 30 years, and are very concerned why this street is being considered as a through street for this development. Our fear is that the general public will use Gay Ridge Road as a short cut to avoid the light on Route 6 and Curry Street if they are heading eastbound. Also, our street would probably be used for the numerous cars going to and from the soccer field (rather than the Route 6 entrance), because the majority of people in Yorktown who are going to the soccer field would likely turn on Gay Ridge Road rather than pass it and turn onto Route 6 to get to the soccer field. This would turn our quiet residential street into a major thoroughfare. Since Gay Ridge Road is so close to Route 6 anyway, we cannot understand why access should be given here. Although this project claims the primary access will be on Route 6, it seems unlikely that this will be the case.

We appreciate your reconsidering Gay Ridge Road being used as a secondary access road.
Thank you for your consideration.

3.9-3

Lawrence and Georgia Armstrong
95 Gay Ridge Road
Yorktown Heights, NY

From: Pearl Seigler [pdseigler@optonline.net]
Sent: Saturday, May 21, 2005 1:39 PM
To: jtegeder@yorktownny.org
Subject: Yorktown Subdivision

3.9-3
3.4-3
3.5-1
3.15-1
3.6-1

As a resident of Yorktown I am concerned that we keep our town undeveloped so that we can continue to live here without our lives becoming more interrupted with traffic noise, wild animals misplaced and looking for food and eating out our lawns, interfering with the water supply, more taxes, making it hard for Senior Citizens to continue to live here in some kind of comfort. We have enough problems, flooded basements, clay soil, and we could go on! Why should we be so greedy for a dollar at the expense of a community! Please be kind and consider our needs before making it uncomfortable for us to be here. Thank you.

From: Donna Genova [dtgenova@optonline.net]
Sent: Sunday, May 22, 2005 11:23 PM
To: jtegeder@yorktownny.org
Subject: Yorktown Farms Subdivision

Dear Planning Board Members,

I have been a Yorktown homeowner for over TWENTY FIVE years. Thus, I have witnessed the dramatic growth/expansion of Yorktown. I am very concerned that the proposed development will have the following effects:

1. There can be an increase in the water pressure on the high water table - thus causing water to flow into my basement. My property is on an easement where there presently is an excessive amount of water.

2. There will be an excessive amount of noise in the area, especially when athletic events are taking place.

3. Wildlife will lose a significant amount of their habitat; they will be forced to forage for food, water, shelter onto my property. Presently, deer are continually on my property.

4. This property is the last buffer on the northeast side between the towns of Somers and Yorktown. I would like to maintain some suburban atmosphere, which I originally had when I moved here.

5. My daughter was able to play on our cul-de-sac and I did not have to worry about excessive numbers of cars driving up and down our street. Today's present generation should have the ability to experience this same atmosphere.

6. Most important - my TAXES will rise because of an increased number of residents. Yorktown taxes are high enough!!!

Therefore, I am requesting that the Planning Board reject this proposal so that this area remains undeveloped.

Sincerely,

Dr. Donna T. Genova
96 Jefferson Court

} 3.1-2
} 3.6-1
} 3.9-1
} 3.4-2
} 3.1-2
} 3.15-1
} 3.1-2

From: MikeNVera@aol.com
Sent: Sunday, May 22, 2005 11:43 PM
To: jtegeder@yorktownny.org
Subject: Yorktown Farms Subdivision

Vera Pietraniello
111 Gay Ridge Rd
Yorktown Heights NY

I am sending this e-mail to voice my concerns AGAINST the Yorktown Farms Subdivision which is presently under review by your department. I moved to Yorktown in 1998 and could never have been happier. My husband and I are now raising our two daughters ages 4 and 1 are deeply concerned about the prospect of Gay Ridge Road becoming a thoroughfare into the Yorktown Farms subdivision. I can't even imagine the construction vehicles that will be rumbling through, day in day out, in the several years it would take for the development's completion. Once complete there will be countless vehicles using Gay Ridge Road to make deliveries, trips to the planned soccer field and motorists using the street to bypass traffic on route 6. This is in addition to the vehicular traffic that the new residents themselves will generate.

3.10-12

3.10-11

I am also deeply concerned about water drainage and displaced wildlife as a result of this housing development. Combine this with the new building which is almost ready for occupancy at Route 6 and Navajo St and you have a potential traffic & quality of life nightmare. I could see now the potential during the warm months when youths use the park as a late night hangout.

3.6-1
3.10-2

3.10-10
3.1-2

In closing I ask that you carefully review all aspects of this development plan and realize that potential negative results which far outweigh the positive ones. Place yourself in the shoes of the many concerned parents with young children who would have an increased risk to their well-being as a result of the development. If you lived here how would you react?

3.10-13

Vera Pietraniello

From: michael plitnick [jppplitnick@optonline.net]
Sent: Sunday, May 22, 2005 7:34 PM
To: jtegeder@yorktownny.org
Subject: YORKTOWN FARMS SUBDIVISION

JOSEPH & PATRICIA PLITNICK
108 TIMBERLANE CT
YORKTOWN HEIGHTS, NY

3.1-2
3.9-1
3.10-3
3.10-13

A SUBDIVISION IN THIS AREA WOULD BE VERY DETRIMENTAL TO THE ENVIRONMENT, AND THE QUIET NEIGHBORHOOD WE SO ENJOY.

A SOCCER FIELD WITH NUMEROUS CARS AND NOISE, IS INCONCEVABLE.

WE AS A TOWN NEED TO KEEP THE LAST BIT OF UNTOUCHED EARTH AS JUST THAT UNTOUCHED.

3.1-2

LOOK AROUND TOWN AT ALL THE HOMES FOR SALE, AND THE TOWN STILL WANTS TO ALLOW MORE BUILDING. JUST KEEP BUILDING AND YOU (THE TOWN) WILL OVER CROWD AND OVER TAX THE ENVIRONMENT AS WELL AS THE PEOPLE WHO LIVE IN THIS QUIET NEIGHBORHOOD.

SINCERELY,
JOSEPH & PATRICIA PLITNICK

From: Carol Scudero [shilo2@optonline.net]
 Sent: Sunday, May 22, 2005 7:21 PM
 To: jtegeder@yorktownny.org
 Subject: Re:Yorktown Farms Subdivision

3.1-1 I have been a Yorktown resident since November of 1960. At the time there were three houses on Gay Ridge Road with only 2 occupied. Although my property borders on Rte. 6 I have always enjoyed living on a cul-du-sac. With the traffic in the rear of my property, it was a relief not to have the additional noise and congestion of traffic in the front. There was little need to worry about the safety of our children since there was little traffic on Gay Ridge Road.

3.10-14 Now it seems that our tranquility is in jeopardy. If the Yorktown Farms Subdivision, goes as planned, our road will become a major thoroughfare for people entering their development and for people trying to avoid the horrendous traffic going to Mahopac on Rt.. 6. With a plan for 34 houses, going with the national average of children per household at 1.3 that would mean a minimum of 44 children. This would entail at least 2 more teachers at Thomas Jefferson Elementary since most of the home owners will probably have small children. With salary and benefits, the minimum impact on the Lakeland School district for these two teachers would be somewhere in the neighborhood of \$110,000. With 44 children you would need another bus on the route with the cost of driver and fuel and possibly a new bus.

3.15-2 While a soccer field is a wonderful asset, who will be assessed for the cost of insurance, not to mention the amount of traffic this will generate on Gay Ridge Road and the already overburdened Rt. 6.

3.1-2 I have seen this town grow over the last 45 years and progress can be both good and bad. Yorktown has lost most of its rurality. We need to keep some of our green areas.

3.4-1 The wildlife have less and less places to go as we encroach more and more on their land.

3.6-1 This property is also near a stream. How will this effect the watershed? How will it effect the water table? There are times now that I get water in my crawl space under the living room.

Please consider some of the things I have mentioned when you are making your decision on how to proceed.

Respectfully,
 Mrs. Ann B. De Felice
 118 Gay Ridge Road
 Yorktown Heights, NY

From: AOKDJK@aol.com
Sent: Sunday, May 22, 2005 10:14 PM
To: jtegeder@yorktownny.org
Cc: DJK76AOK@aol.com **Subject:**
Yorktown Farms Subdivision

TO: Yorktown Town Planning Board
194 Commerce Street
Yorktown Heights, New York 10598

Re: **Yorktown Farms Subdivision**

Date: May 22, 2005
From: Alice Kiely
71 Stonewall Court
Yorktown Heights, N.Y. 10598

Number of Pages: 8 71

Stonewall Court

3.5-2
Our house is the last house in the Stonewall Court cul-de-sac, bordering on the west side of the proposed Yorktown Farms Subdivision. We have been residents of Yorktown for over twenty years, and moved here to escape the claustrophobia of southern Westchester. We do not want further development near our house. We have Yorktown Town wetlands on the north side of our house and wetlands in the back of our property. Not only this, our house is also situated in a very high water table. We have dense clay soil which does not drain for months and we often cannot cut the rear of the back yard until well into the month of June. This high water table presses against the foundation of our home. Hydrostatic pressure increases with the presence of added water, such as with a storm, regular rains and snow melt. This water builds up and quickly enters the cinder blocks of our foundation and remains locked in the blocks, stagnating and forming mold spores, not to mention standing water in the basement.

This dampness has resulted in spiders, water bugs and rodents in our basement and house. Dusting for cobb spiders and their webs, even in the upper corners of the second level bedroom walls, are routine, despite the constant use of a dehumidifier.

Several of our children have asthma. Several of them also have a

perpetual state of a stuffy nose, which miraculously disappears at school, or while visiting a friend, only to have these symptoms reappear when they return home. Although some time ago, we almost lost our daughter due to asthma at the age of 3. We also have to store copious amounts of pool hose, in order to pump out the basement. We have loss of storage space and living space due to lack of confident use of our basement and have to mop and clean silt after a storm. This is an arduous, time consuming and labor intensive job.

3.5-2 We had a new furnace put in January 2005 with a water tray under it to keep the water out. This was a large expenditure. In April of 2005, during a storm the water easily rose to six inches in the basement and easily flooded over the two inch rim of the new gas furnace. In a period of four months, the new furnace has been flooded. This water, and the silt that it brings in with it, is ruining the new furnace.

When we had to remove a 200 year old maple tree that had died, a couple of years ago, for fear of it falling on our house, an associate of Yorktown Landscaping on Gomer Street, Yorktown, told us that they would have to wait three months after the front lawn was dry to have people come and cut down this tree. They said that the lawn had to dry out sufficiently so that equipment could be brought in on the lawn and not get stuck in the mud. We believe this beautiful tree was killed by rotting of the roots, due to its roots sitting in water in the clay soil over the years. The tree had lost all its leaves and looked stark, appearing like those drowned in a pond on the side of a road, where a road had blocked off water flow.

3.4-3 In addition, our garage opens directly out onto the Yorktown's wetlands. Animals cross the driveway and find their way into our garage and try and nest there for the winter. Many animals are present in the wetlands, and rear wetlands facing the proposed development. Many more animals will be forced onto our yard and into our garage and garden with the development of the property behind us, having no property left to call their home. This poses a health danger and the risk of being bitten by a cornered animal when a family member attempts to put the garbage out, or back out a car from the garage.

Watershed Area

The wetlands on the side and rear of our house is home to animals such as deer, skunks, rodents, owls, snakes, wild turkey, owls, doves, many species of winter and summer birds, woodpeckers, falcons, bats, rabbits, turkey vultures, coyote, chipmunk, hedge hogs, red fox, green tree frogs and many other animals.

There is a delicate balance in this limited but set ecosystem, as it has been for at least thirty three years. * The green tree frogs, for example, (peepers) spawn in the wetlands in the spring. The timing is such that by the time the water subsides to a level in the summer, the frogs are old enough to climb into the trees, using the lesser amount of water in the wetlands for nourishment and no longer for spawning. *These tree frogs eat copious amounts of insects and other small animals. This is very important, since accumulating*

insects, salamanders and mosquitoes would otherwise be intolerable

for us. These tree frogs use both the wet-season of the wetlands (to spawn/tadpoles) and the dry-season in the wetlands (to raise the tadpoles to adult frogs) to do their job in the ecosystem, to provide another generation of frogs. This area needs to be left undisturbed.

Deer families, including deer of several different ages, daily go from the river on the eastern side of the proposed development to the town's wetlands and back again on a daily basis. This movement can be observed and also seen in their tracks in the snow, as well as seeing them appear like clockwork in the yard/wetlands. Racoons also move about which could be traced by corn cobs taken from the rented farmed meadow, which are eaten and left in other parts of the cul-de-sac area. Other unseen animals, also have their important natural order in our wetlands. These animals are hard at work and need not to be pushed out, nor their important role in the system deemed insignificant.

This area is not conducive to more development. The water goes where it needs to go. It is an area of many wetlands. Different kinds of wetlands within this small area support and interact with each other in order to support the ecosystem living within it. People do not have the right to put more development in mother natures way. That is why there is so much property damage, because the houses don't belong there in the first place.

Additionally, this property is surrounded by already densely developed property. A main state road (Route 6) and Industry takes up the northern border of this property. Already developed residential areas take up the western and southern borders of this property. The eastern edge belongs to the Town of Somers. There is very little open land left in the northern part of Yorktown. This area, its wildlife and their natural habitat needs to be preserved. With the amount of construction proposed, including the houses, driveways, streets, the amounts of drainage pits needed, the destruction of 12.82 acres of trees and 11.09 acres of open meadow, and severe interference with the wetlands, leaving only the most undesirable miniscule leftovers, (even to wildlife) this area will be decimated. In addition, in a residential area, with small children in very close proximity, these wetland drainage pits are an

2-4 attractive nuisance. They are unsightly and have to be fenced off to prevent injury and death to small children, (also unsightly).

The developer notes that on page 1-7 of the Executive summary that a total of 24.7 acres of the site will be affected as a result of clearing and grading necessary..."

3.2-1 If one looks at the Figure 2-4: Neighborhood Context, the area will be **fully developed**. Is the developer not counting the manufactured drainage pools that are to be placed in the northern area and south western areas that are undeveloped on this map? Is he not counting the altered frontage on Route 6? Is he not counting the unusable steep slopes in the southeast end of the property? Where is the remaining area? VS Construction does not show that the developed areas are the prime areas and the untouched areas are steep slopes surrounding the area and well interrupted wetlands.

3.4-4 VS Construction Corp. does not account that the trees left will be on the property of the future homeowners. These homeowners have the right to further clear their properties of trees and shrubs, which they will most likely do after the developer has left. The developer does not take the responsibility of the actions taken by the homeowners, and minimizes the results on paper, yet the reality of the matter is quite different. Although the DEIS looks to be veritable on its face, its substance appears to be replete with hidden flaws that need to be closely investigated.

Housing sites 11, 12, 13, 14, 16, 18, 20, 30, 31, 32, 33, 34, the ball field(s) and the ball field parking lot are literally built in the wetlands buffer.

3.7-2 The Habitat Alteration map for the Yorktown Farms Subdivision Figure 3.4-2 shows that twelve houses on the west side of the development are sitting in the buffer of wetlands. Site 14 is sitting in the wetlands. This map also shows that the last four houses on the eastern side of Stonewall Court are not included in the cul-de-sac shammed buffer according to the map Contrary to this, the wetlands do not end within this location on the map. The wetlands reach much farther to the south and easily encompass the back yards of these four houses, on the boarder of the proposed development. (Wetlands A) The houses on the east side of Stonewall Court have preexisting wetland conditions. Our house, and at least the two houses next door to us all have severe water problems and sit in a high water table. In the winter, spring, summer, this water table (wetlands) very quickly rises leaving a foot to two feet of water in our basements in a matter of a half hour to an hour during a noreaster. Water from a quick summer thunder storm rises quickly and floods the back yard, sending water into our basement. We can tell you from prior twenty years experience, that "a buffer" is not "a buffer," but wetlands.

In reality, the watershed property reaches through the low points of the four properties of 71 to 91 Stonewall Court. There is a very high water table, and with anything more than a slightly drizzling day, the water rises up from under the ground and presses its way into our basement.

3.5-2 The creation of drainage pits, does not solve the solution, but adds to it. Digging large holes in the ground displaces the ground and increases the water pressure. For example, if you push six empty coffee mugs into a dishpan of water simultaneously, the water in the dishpan rises significantly. Another example is filling a bathtub halfway with water. When you then sit in it, it rises up to the top. When you are already in a very low water table, (wetlands) putting in drainage pits is the equivalent of making basements for several houses. If one were to follow the scale of map Figure 3.4-2 Habitat Alteration, creating just the - one drainage pit of the northeaster corner of the proposed project, is the equivalent of creating six additional basements, and that is for just one drainage pit! At least five drainage pits are drawn. Virtually the entire western border is expected to drain directly into the wetlands. If one looks closely at map 3.4-2, it is clear just how much wetland is present on this property. Wetlands are present in the northern top third of the map. Wetlands and its buffers takes up virtually the western boarder and reaches up into the center of the property. The southeastern edge is also wetlands. The eastern boarder drops off over a river. Form the configuration of the cluster, it appears that the developer thinks it **is OK** to place everyone's back yard and basement in the wetlands. These families will have to put up with what we have had to put up with for twenty years, not the developer.

3.7-2 It is our opinion that this property is one of the very last areas to be developed, and was not developed in the past, because of it undesirability and numerous areas of wetlands. However, with a stronger economy, the builder now feels that new houses now could fetch more money than in the past and it is now worth it to them to put these houses in. The builder proposes this, if even if the building of family homes is on symptomatic property, and regardless of the problems of flooding/mold that the new families will face on a daily basis. It is truly a disservice to these 34 families who would live there and the increase in foundation pressure of the approximately 84 families who already live in a high water table area. This is clearly property well left alone.

3.7-3 Map 3.4-2 shows plans to place twelve houses, a soccer field and a parking lot in wetland buffer zones. Chemicals will be used to maintain this soccer field (in two wetlands buffers), or it will regress into a field of weeds. This water, already in the wetlands buffer, (i.e. wetlands) flows into designated wetlands. This soccer

3.7-3 field may blacken underneath, due to excess water, probably causing the use of more chemicals, in an effort to solve the unknown problem.

The fact that having to make copious drainage pits means that the land has been altered in a drastic way. This will have its consequences. The need for five drainage pools, shown on Map 3.4-2, even without any on the western border, says something **big** about the area being wetlands.

3.6-1 Natural gravity drainage of all the properties on the western side of the western cul-de-sac will drain downhill and into the water table of the wetlands as it presently does. Housing sites 12, 14, 16, 18, 20, 30, 31, 32, 33, 34, the ball field and the ball field parking lot, as proposed, are literally built in the wetlands buffer (i.e. wetlands). These sites all drain onto the wetlands. The map shows that these houses are all to be built in the wetlands buffer, (wetlands A, B/C) and in many spots, we propose, lie actually in the wetlands. The displacement of the earth by all these houses, and use of the excavated dirt to fill in places around these properties, will additionally cause more pressure to the foundation of our home, as did the re/building of the Baldwin Retail stores, farther east. (This fact was explained to us by an associate of Yorktown Landscaping, Gomer Street, Yorktown, when we asked about a notable increase in water)

3.4-1 These new homeowners may not be able to mow their lawns until well into June, for many of the years, depending on spring weather, as is the case with our house. This supposition is based on the buffer marking which falls short of the pooling of water in our yard and the yards of our neighbors. Draining water from this development would now include maintenance chemicals from the ball field(s), maintenance lawn chemicals from all the yards of these properties and run off from their driveways (as above)*. Homeowners in these proposed houses will use these chemicals, long after the developer has gone, which was not worked into the factors of the DEIS). A disturbance to the frogs living in this water, for example in the watershed, will allow mosquitoes to ravage the existing homes and our playing children.

The area south of route 6 and east of the Somers boarder has been overdeveloped. In addition, from Figure 2-4, Neighborhood Context, there appears to be more drainage area than there is footprint area in all the combined houses on the western boarder of the proposed development. This is a major, major disturbance of the land.

3.12-3 Furthermore, according to an article recently published in the New York Times on **May 1, 2005**, TAIN'T THE WATERSHED, OR UNLOAD SEWAGE IN PEEKSKILL? YORKTOWN'S OLD DILEMMA JUST WONT GO AWAY, the

3.12-3
water/sewage system of Yorktown is over stressed. According to the article, Christopher O. Ward, commissioner of New York City's Department of Environmental Conservation, had reached out to Gov. George Pataki to improve water quality. However a conservation department spokeswoman, Maureen Wren, said that the state was eager for local officials to deal with the Yorktown plant's problems. With regard to diverting to Peekskill, (as proposed by VS Construction) Mr. George Oros, a Republican legislator representing Peekskill, believes that "diversion would eat precious capacity at the Peeks kill plant and curb growth in a cites t ying to emerge from years of economic depression." This article and issue should also be carefully studied, relative to further development in the proposed area. See also the adjoining article, THE FALL IN PEEKSKILL.

DEIS

2-5
Page 2-1 of the DEIS states, *"the proposed project conforms with the existing zoning of the project site. With 34 **four-bedroom** singlefamily homes, it has an overall density of one unit per 1.27 acres of land. The project would therefore comply with the recommendations set forth in the **Town Development Plan to develop the central and northern sections of the town, where public sewers exist or are planned, and which are mapped for medium density residential use.**"*

Contrary to this, in the **Getting to Know Yorktown Magazine** (c) 2004, page 10 notes, "A Message from Yorktown **Supervisor Linda Cooper** - this is an exciting time for Yorktown. We are creating a new vision for our community through our **Comprehensive Plan** and looking ahead 10 and 20 years to what we would like to see here. **We seek to relieve the threat of over development, minimize traffic congestion, and provide adequate clean water as well as wastewater services. We want to encourage preservation of our natural resources and expand our open spaces."**

In Summary, the proposed development, or any other development, such as commercial development on the proposed Yorktown Farms Subdivision, in our opinion, does not show that it would be a healthy environment for all those living in the area, previous or added. We spent four years looking for a house in Yorktown with peaceful surroundings, and were lucky enough to find our home. We wish to keep it that way. We are already severely overburdened with water and do not wish to have additional health problems, or water problems from deforestation, or an increase in water table pressure, from any source.

3.10-13
Our children also deserve the safety of our quiet *street. People will* be coming for ball games who are not aware of the small children, and who may be preoccupied with their upcoming game to think to look for them. We respectfully submit that Yorktown examine the circumstances of the people already living in this area,

some for many years raising their children here. These people deserve this consideration. This area has already been overdeveloped. We do not want further development to the property behind us.

This letter will be sent both by email, and also by fax.

From: Candygurl2413@aol.com
Sent: Sunday, May 22, 2005 4:50 PM
To: jtegeder@yorktownny.org
Subject: "Yorktown Farms Subdivision."

Allison Lichtenberg
 96 Gay Ridge Road

I have been a resident of Gay Ridge Road for twenty years now. My family has lived here, on this street, for over 30 years. Your proposal to cut through Gay Ridge Road in order to help the flow of traffic for the development of 34 building lots, a soccer field as well as additional parking lots is an unfair, inconsiderate and overall unintelligent proposal. First off, this construction of a seemingly unnecessary soccer field and building/parking lots is just another step in destroying land which honestly does not deserved to be destroyed. There is growing wildlife; trees, plants, animals which we have no right to uproot solely for our benefit of yet another shopping center or more lots to park cars. Also, there is wetlands in the fields which you have decided to tear down and construct on. It is unfair, in my opinion, to make this decision of constructing this major subdivision without the warning to most families who will be affected by your proposal. I received this letter informing me of this plan merely days ago, and was outraged that this was being proposed and having a closing deadline of receiving comments within the week.

In a more broad view of the environment and our society in general, we are making decisions which affect human life, animal and environmental life which will negatively affect us all. Why would this project be proposed after so many years of a moderately quiet, peaceful, family orientated neighborhood? Why is it that now we decide to create more parking lots, more useless buildings, more traffic; more pollution, deterioration of our society, destruction of natural wildlife and wetlands? Why? This subdivision is and will be a shock to all who live in this neighborhood off of Curry Street; Gay Ridge Road, Jennifer Ct., Timberlane Ct., Stonewall Ct. and Jefferson Ct. I am hurt and saddened that the town can make such a horrible decision which will obviously harm the once beautiful and serene neighborhoods. Think about exactly what will happen if we decide to go on and construct this subdivision; wildlife will be forced onto OUR properties, US; the families who have lived in this neighborhood for so many years. Think about the disruption that is to the animals as well as ourselves; we are forcing animals out of their natural environments causing extreme confusion and probable death; all for our benefit of a more developed landscape. It is possible, and likely, that the development will cause an increase in our already very high water pressure; though it seems none of these possibilities and consequences have even crossed the minds of those who proposed this plan, including the VS Construction Corp. who were so quick to urge this upon the Town Planning Board. This plan will cause an increase in traffic flow around the neighborhood; on Gay Ridge Road alone, which I can vouch for, there are always young children running around, riding bikes, playing in the streets. How dare this proposal force safe and reliable neighborhoods to succumb to busy, possibly dangerous places to live. How dare this proposal change a neighborhood from a once dignified and quiet place to be to yet another ground of fast paced, careless over-constructed areas.

We should allow more time for review of the Environmental Impact Statement. We, the residents, should be awarded that right; we live here, we will be directly affected by YOUR decision to destruct the land we live by. We should be acting FOR human interest not against it.

Take a few minutes and step out of the shoes you are wearing. Think about each other, think about families, think about the children who will be affected, think about the interest of human life, think about the people that really do care and do not want this proposal to be completed. Think about society

as a whole, think about us. We have to stop; someone has to stand up someone has to make a difference. Someone needs to speak up, and most importantly someone needs to listen.

From: MJP0206@aol.com
Sent: Sunday, May 22, 2005 12:45 PM
To: jtegeder@yorktownny.org
Subject: Yorktown Farms Subdivision

3.1-1 I am appalled by the decision of the Town Board to approve the Yorktown Farms Subdivision. Being a homeowner on Jennifer Ct, I can only conclude that the Board is unaware of the impact that the building of 34 homes, a soccer field and parking areas would have on this area.

3.10-2 The traffic on Rt 6 is already horrible. It is literally bumper to bumper on the stretch between Curry St and Baldwin Place, every afternoon and every weekend! The impact of additional homes in the middle of this mess would cause even more congestion. In addition, creating a thru street on Gay Ridge Rd would turn a peaceful, quiet street into a major thoroughfare. The value of homes in this area would depreciate as a result. I have been a resident of Jennifer Ct over 30 years and homes on this street are still not hooked up to town sewers. These homes have septic systems that are over 30 years old and now you want to allow 34 homes above Jennifer Ct to cause an increase in water pressure on an already very high water table. I think you should direct your attention to the current residents who have been paying very high taxes and have not been provided with all town services!

3.12-4 Further, it is my understanding that VS Construction has skewed data in their favor to get you to approve their plans. It is ridiculous to see a report that claims there would be less than 1 school aged child per home. The proposed homes have 4 bedrooms; you couldn't possibly believe that people buy 4 bedroom homes because they have small families!!

3.11-2 Please reconsider this project! The environmental impact would be very negative. Taxes are too high already and water concerns are critical. Property values are at risk, traffic problems in Yorktown are horrendous. Current residents of this area still don't have sewer service!!! It is important to keep undeveloped land to protect the quality of life that current taxpayers expect.

3.15-3
3.15-1
3.1-1
Thank you,
Marie & Richard Panella
105 Jennifer Ct

From: Dan Kiely [aokdjk@msn.com] **Sent:**

Sunday, May 22, 2005 9:43 PM

To: John Tegeder

Subject: Yorktown Farms 052005.doc

To: Yorktown Planning Board
From: Daniel J. Kiely
71 Stonewall Court
Yorktown Heights, NY 10598-1819

Subject: Yorktown Farms Subdivison

The comments below are organized to follow the sections of the DEIS. A couple themes run through these comments. The first is that, when information proffered in the DEIS to support certain conclusions that can be verified without the use of experts, it is frequently incorrect. This tendency then throws into doubt the underlying support for the conclusions that have been drawn in areas that only an expert can test. The second is that many of the potential impacts are predicated on what the project sponsor will do and says nothing about what the new lot owners may do. Thus, with the exception of the parkland no control of substantial changes to the conditions described by the DEIS is being offered.

1.0 Executive Summary

3.15-4

Purpose and overview

There would not be a surplus for Lakeland. See section 3.11.3.

3.2-2

Slope Impacts

There is nothing contained in the document that would indicate that the homeowners will be required to maintain their property in such a fashion as to keep soil erosion to a minimum. This should be a requirement for all property owners not just during construction phase

3.6-3

Groundwater and Surface Water Resources

The DEIS indicates that "...future stormwater rates will be maintained at, or reduced below, present levels for all storm events ... where stormwater exits the property. This is done either through the diversion of water, or the routing of water into retention basins." Under the DEIS, this is not true for the southwest corner of the property.

Traffic -

3.10-1

The estimated impact off traffic on Gay Ridge and other roads in the area based on a traffic survey conducted during one of the lightest traffic periods of the entire year is disingenuous at best. As noted under the comments for section 3.10 of the DEIS, the traffic impact does not appear to include the 5, 6 or 7 school buses that will be entering and leaving the project during the morning rush hours not the 20 to 30 cars that

3.10-16

will be entering the subdivision for soccer practices during the evening rush hours.

Fire Protection -

I

3.11-8

On a straight-line basis, the site is almost 2 miles from the fire station, not less than 1 mile. The point here is not that it is another mile away but rather, when there are items that can be easily verified by a member of the public, the DEIS is frequently wrong. One should then question the validity of the numerous conclusions throughout the DEIS of minimal impact that can only be checked by an expert. It is incumbent that the Planning Board to independently conduct the surveys and analyze the results necessary to evaluate the project and, if necessary, avail themselves of outside consulting firms. These firms must not have any current or previous relationships with the project sponsor, consulting engineer, planning consultant or law firms associated with this project.

2-7

Schools -

As further described under comments for section 3.15.2, the numbers contained in the DEIS again do not confirm the statement that the increased costs to the Lakeland school district will be offset by the increased tax revenue. The increased costs are estimated at \$17,473 per student or \$524,190 and the revenue from the project at \$12,070 or \$362,122. The difference is expected to come from other sources.

3.15-5

Socioeconomic Fiscal -

As noted previously, the fiscal impact to the Lakeland School District is incorrect. Even accepting the numbers noted in this section, Lakeland had net income (revenue less expenses) of \$10,399 without the project and \$982 from the project. If a reduction of net income of \$9,417 is considered to be a fiscal benefit to the project sponsor, perhaps a reduction in homes from 34 to 20 will also be considered to be a fiscal benefit to the sponsor.

2.5 Subdivision Layout

3.10-16

With typically 15 players per team and 1 or 2 officials per game, the 28 spot parking lot will not be sufficient to handle the arrival of players and officials for the subsequent game. If on-street parking is not available, the field utility will be severely compromised.

3.1.1.4 Land Use Studies, Plans and Reports

The DEIS cites *Patterns for Westchester*, a 1995 study based on 1990 census data, as support for adding to the already overwhelmed traffic infrastructure. They point to Jefferson Valley as an intermediate center, which is on a par with the following:

Yonkers/ Westchester County	Mount Kisco Peekskill	Ossining Village anytown
~~ Yorkchester		Yorktown Heights

3.10-18

Only the cities of New Rochelle, Mount Vernon, White Plains and downtown Yonkers are considered to be more important than Jefferson Valley. According to the DEIS, the project's location near Jefferson Valley and on a major corridor, Route 6, are ideal reasons to build the subdivision. Route 6, as a major corridor, is deemed to be able to handle the traffic. *Patterns* also suggests that 202/35 is another major corridor that should be the focus of development through Yorktown. Considering the present difficulties in moving traffic along the 202/35 corridor, the value of *Patterns* as a planning document for Yorktown is minimal.

3.2 Soils and Topography

Topography

3.6-1 In this section of the DEIS, it indicates that steep slopes are located on the eastern and northern portions of the tract. It fails to mention that there are steep slopes on the southwestern section of the tract immediately behind the only existing homes that will have new homes erected behind them. See Fig. 3.2-3. This area already has drainage problems and the increased flow of water coming from a denuded hillside will only exacerbate the problem.

Soils

The DEIS indicates that the Paxton soils are located in the southeast portion of the site. These soils are characterized "...by an impermeable layer called fragipan, which inhibits the migration of water through the soil. During the spring and other temporary wet periods, a 'perched' water table will form on top of the fragipan." It fails to indicate that they are also located on the southwestern section immediately behind the existing homes on Stonewall Court. See Fig. 3.24. The loss of vegetation to absorb some of this water will again worsen existing conditions.

3.2.2 Potential Impacts

3.6-1 As noted previously, there are no stonnwater management features proposed for the southwestern section of the tract.

3.6 Water Resources

3.6-4

The 100 year storm that is used in the DEIS is one that produces 7.5 inches of rain. However, both Hurricane Floyd and a thunderstorm that struck the Yorktown area in August of 1990 produced more rain than 7.5 inches. The 1990 storm was the one where the water came down from a development under construction off Stoney Street and destroyed the basement wall on the front of a house facing Stoney Street. Since both of these storms have occurred within the last 15 years, the efficacy of the stormwater control should be reevaluated.

3.10 Traffic and Transportation

As mentioned earlier, the survey for existing conditions was conducted during one the lightest travel times of the year.

3.10-10

The DEIS uses equation rates from **Trip Generation**, 7th edition. The DEIS implies a great deal of precision, i.e. to the 1,000th percent, Table 3.10-9. While I did not have access to the 7th edition, I did review the 6th edition of **Trip Generation**. The projects in the 6th edition, the average size of the single-family housing projects used for the development of the equations were substantially larger. They were also not adjusted for income levels. Demographics were not considered either. Again, unless the 7th edition has single-family projects with the appropriate income and demographic levels to the proposed project, the statistical validity of this approach is questionable.

Due to the time of the year that the survey was conducted, the existing conditions did not include school buses for the public and private schools that will need to pick up the school-aged

children.

3.10-20
3.10-21
3.10-22

The statement that the soccer field will only be used on weekends does not seem to conform to the field uses in Yorktown. Most, if not all fields, are used for practices during the week. With a field of this size, there can be two teams practicing on it at the same time. With an average of 15 team members per team and two teams on the field, there will be 20 to 25 cars involved. Many players will be dropped off and the number of trips from this one source will double during the evening rush. The teams that practice here will be Yorktown teams with most if not all players coming from the south and west of the site. As there are already accidents at the lighted intersection of Curry Street and Route 6, there will undoubtedly be accidents at the unlighted exit unto Route 6. Cars will quickly adopt the local street as a means of accessing the comparative safety of the lighted intersection at Curry/Route 6. The local street will see the same speeds as are presently along Curry Street and these unfortunately frequently exceed the speed limit of 30 mph. (The 25 mph noted in the DEIS only applies to the Willow Park area.) As the much wider Curry Street can barely handle these speeds, the local streets cannot be able to handle them and the results will be tragic.

3.10-2

Until the last couple of years, traffic proceeding east bound on route 6 was only seriously backed-up at Mahopac Avenue during the pre-holiday period after Thanksgiving. It is now routinely backed-up one-half mile and more every day. We cannot afford to add any more cars to this already overloaded road.

3.11.3 Schools

3.15-4

The DEIS employs the *Development Impact Assessment Handbook* from 1994, based on data from 1987, to support its conclusion that there will be only 30 school-aged children out of a population of 123 in this subdivision. The degree of precession to the 1/10,000 that the DEIS ascribes to the Development Impact Assessment Handbook is quite amazing. One would expect to see a range in the number of possible school aged children. According to the DEIS section 3.14, the average household size in Yorktown in 1990 was 2.6 and 2.8 in 2000. If this percent increase in household size was applied to the factor that the DEIS used to come up with the 30 school-aged children, there would be 32 such children. Using the DEIS's numbers the fiscal surplus of \$982 would turn into a fiscal deficit of \$23,094.

3.13.1 Visual Resources

Potential Visual Impacts_ and Proposed Mitigation Measures

3.13-1

The DEIS indicates that there will be a two hundred foot or more visual buffer. Yet, Fig. 3.4-2 indicates that the homes being constructed are within 100 feet of the property line for lots 28, 29, and 30. As the proposed housing sites are all elevated from Stonewall Court and, other than the existing homes on Stonewall Court, these homes will all be clearly be visible from Stonewall Court. In contrast, the closest that any home is to Route 6 is more than 300 feet away. The existing homes on Stonewall Court should have a visual buffer to the same extent as that presently afforded to traveler along Route 6.

3.14 Socioeconomics - Demographics

3.14.1 Existing Conditions

3.1-3

The DEIS indicates that the northern portion of the town is far more densely populated at 1,772

3.1-3 { persons per square mile than either the southern portion of the town at 392 persons per square mile or northern Westchester at 825 persons per square mile. The proposed subdivision's population density at 1,824 persons per square mile is even more densely populated than what we already have.

3.11-6 { The inclusion of state and county parks to support the conclusion that there is adequate parkland without using the state and county populations against those same parklands seriously distorts the availability of parkland to Yorktown residents.

5.0 Long term impacts -

Costs for children substantially exceed the revenue from the completed project. **7.0 Growth**

-

3.10-2 { The DEIS for the project indicates that it will increase demand for goods and services that will have a steady multiplier effect in the project area. As there is no effective public transportation servicing the project area, the only means by which the demands for goods and services can be met is through increased traffic in the project area. As noted under the response to section 3.10, traffic along Route 6 is routinely backed up west for 0.5 miles from the light at Mahopac Avenue even during non-rush hours. As the east/west routes 202/35 is already heavily overloaded, we cannot afford to have the only other east/west route through the northern part of Yorktown turned into our version of the Long Island Expressway.

From: Enid Lang [enidlang@us.ibm.com]
Sent: Monday, May 23, 2005 7:31 AM
To: jtegeder@yorktownny.org
Cc: Gene
Subject: Yorktown Farms Subdivision

Hello. I know that I've just missed the deadline for submission, but I wanted to register my displeasure with this projected plan, regardless. My family has owned our house on Stonewall Court for 18 years, and one of the reasons we bought it was because of the location on a cul-de-sac, and the quiet of the neighborhood. Your plan to build over 30 homes in our area and to possibly use our street as an access road is totally unacceptable to us. It will increase the already busy traffic on Route 6 between Curry Street and the Somers area near the Stop n Shop area, and drive even more wildlife onto our properties than is already here. For Yorktown to have been so cautious in the past about new developments, it is very surprising to us that the town would now approve this type of development in this area.

3.1-1

3.10-9

3.4-1

Please reconsider your plan to put in this type of housing plan in this area.

Thank you.

Sincerely,
Eugene and Enid Lang
115 Stonewall Court
Yorktown Heights, NY 10598
914-245-8407

From: FRANK GENOVA JR [c62005@optonline.net]
Sent: Monday, May 23, 2005 12:00 AM
To: jtegeder@yorktownny.org
Subject: Yorktown Farms Suubdivision

It was just wonderful to find out the Planning Board accepted a traffic study from VS Construction Corp. that was done the second week of August. Surely you realize this does not represent a typical period of the year. Schools are closed and people are on vacation at this time of the year. It also would have been nice to be notified of the proposal to be able to attend the May 9th meeting but you feel residents along the various streets under consideration for access to the new subdivision aren't impacted.

} 3.10-1
2-1

The Town of Yorktown has seen enough construction. This plan should not be considered as being in the best interest of the people living in the immediate area.

} 3.1-1

Frank T. Genova, Jr.
96 Jefferson Court
Yorktown Heights
245-2225

-----Original Message-----

From: Allen Elliott [mailto:raelliott@oponline.net]

Sent: Wednesday, May 18, 2005 8:42 PM

To: jtegeder@yorktownny.org

Subject: YORKTOWN FARMS SUBDIVISION

2.0-2 [Its sure great to see a government board do things in secret when its function is to represent the public. To cut off debate and then not issue the minutes of that decision until after the last day of debate. What are you afraid of, public opinion?

3.10-3 To allow Yorktown Farms Subdivision without addressing AND resolving the traffic conditions of Route 6, is crazy. [We can't move on Route 6 on weekends as it is and you are planning on adding at least 34+ more cars plus those attending a soccer game.] I don't see any logic in that. [The traffic light at the intersection of Rt 6 and Mahopac Ave will jam up even more cars. But that intersection isn't in Yorktown so this Planning Board doesn't have to worry about that problem.]

3.10-4

3.12-1 [What about the sewers? We on Jennifer Court have had sewer pipes in the street for over 30 years and are still not connected, even when a new pipeline is laid along Route 6, just two blocks away. I have attempted to ask the Town Adminsitration if we will ever have sewers, but to no avail, not even a response.

3.10-6 [I realize the land will be developed some day, but the infrastructure should be firmly established before this is allowed to happen. Evidently, the Planning Board feels that the correct method is to exacerbate the situation by increasing the traffic and after it gets so bad that emergency vehicles can't serve the public, then we can act, or even better let a subsequent Planning Board deal with the obvious.

2.0-3 [Whatever happened to the quality of life principles and having open space to enjoy, that Yorktown once enjoyed?

R. Allen Elliott
85 Jennifer Court
Yorkown Heights, NY 10598

-----Original Message-----

From: joanne gaughan [mailto:joannegaughan@msn.com]

Sent: Wednesday, May 18, 2005 7:27 PM

To: jtegeder@yorktownny.org

Subject: Yorktown Farms Subdivision

Importance: High

3.16-5
Yorktown Farms Subdivision could be better served by locating egress in two different areas of the subdivision. Jefferson Court (away from the Rt. 6 corridor) would definitely be more accessible for families attending soccer games who are traveling from southern and other parts of Yorktown. Traffic is already backed up on Curry Street from the light on Rt. 6 up to Gomer Street at certain times of the day, i.e., when Thomas Jefferson School is letting out, at the beginning and end of services at Grace Lutheran Church and when there is congestion on Route 6. Egress from Rt. 6 and egress from Jefferson Court seems that it would be better for the present and future users of Curry Street, Gomer Street, and Route 6.

John and Joanne Gaughan

78 Gay Ridge Road

Yorktown Heights, NY 10598

-----Original Message-----

From: Robert Altabet [mailto:RAltabet@cs.com]
 Sent: Thursday, May 19, 2005 12:37 PM
 To: jtegeder@yorktownny.org
 Subject: Yorktown Farms Subdivision

Dear Mr. Tegeder,

2.0-1 While we have concerns about the Yorktown Farms sub-division plans, we are particularly dismayed that there was a hearing on the subject on May 9, 2005 that we were never advised about. In July 2002, we and other residents of Jefferson Court expressed concerns at Yorktown Town Board meeting and in a follow-up letter to you. We were assured by the Town Board, the Planning Board and the developer that, as very interested parties, we would all be adequately advised of any Town Board or Planning Board meetings on the subject to reassure us that all of our concerns had been adequately considered during the decision process. On this basis alone, it would seem that more time should be allowed to provide that reassurance to residents of Jefferson Court as well as residents of Stonewall Court and Gay Ridge Road.

Having only just found out that the DEIS was submitted, we need more time than the May 22 deadline allows for review and suggest an extension for at least another month. Similarly, we need time to review the traffic study presented on this subject. I will stop off at town hall this week to obtain copies of this and any other relevant paper work for review and assure you that our response will be timely.

4.0-1 We have a variety of other concerns that have been previously expressed specifically on the impacts of any Jefferson Court access option (our letter of July 22, 2002 to the Planning Department). However, we would particularly like to note our concerns on traffic patterns with any of the 3 non-Route 6 options. While, in theory the Route 6 access could become the primary access for the development (although as I understand it Gay Ridge Road is, in fact, the primary access vs. Route 6), we all know that, given the convenience, these secondary access routes will become much more than merely emergency fire access. The added burden of access places requirements greater than any of these roads were designed for (and a traffic study in August rather than during the school year is simply not a representative picture of the impacts). Particularly, while additional fields for use of our youth are desirable, the additional traffic through quiet residential streets is a problem, and is a problem that cannot be evaluated in a study of existing traffic, but only through a full traffic simulation study.

3.10-1

3.10-7

3.10-8 We do understand the need for a second access route for safety planning, but we believe that alternatives for a second Route 6 access point have not been adequately considered. Minor re-routing of the Yorktown Farms road

3.10-8

currently planned to connect with Gay Ridge Road to a Route 6 terminus could easily been managed, based on the topography, eliminating the traffic concerns, with no environmental issues or community character issues.

We have concerns also about impacts on the surrounding communities and impacts on land and water resources as well as potentially additional traffic flow comments, which we would like to address after we have had the chance to review the relevant reports to see whether or how any of our prior concerns have been addressed.

Regards,

Bob & Marcia Altabet
75 Jefferson Court
Yorktown Heights, NY 10598
914-962-5330
RAltabet@cs.com